AN EXAMINATION OF THE VIEWS OF SENATOR WAYNE MORSE ON FEDERAL AID TO HIGHER EDUCATION

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This is to certify that the

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ABSTRACT

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WAYNE MORSE ON FEDERAL AID TO
HIGHER EDUCATION

By

James Richard Davis

In recent years Federal aid to higher education has increased in volume and scope at an unprecedented rate through a variety of new, comprehensive programs. A crucial figure in the passage of recent legislation affecting higher education was Senator Wayne Morse of Oregon. From 1961 until his defeat for re-election in 1968 Senator Morse served on the Senate Committee on Labor and Public Welfare and as Chairman of its Subcommittee on Education. Senator Morse has been a prominent advocate of programs of federal aid for higher education. The purpose of this study was to examine his views on that subject.

Chapters II through IV provide background for the study and include a brief examination of the history of federal aid to higher education, a description of Morse's experiences as an educator prior to his election to the Senate, and an investigation of Morse's role in the legislative process. While each of these topics has been

examined in some detail, the primary purpose of the study was to set forth the positions which he took and to discover whether there is consistency and coherence in the statements he made.

The method of research was descriptive and historical. Although selected secondary sources on federal aid to education and the legislative process were examined, as well as the one biography of Wayne Morse, the major primary sources were those available in what Congressmen regard as the official legislative history. Primary sources were limited to those official documents, with chief emphasis placed on the Congressional Record.

The views of Senator Morse were examined on five crucial issues: 1) National Purpose and the Aims of Education, 2) Church and State, 3) Academic Freedom and Federal Control, 4) The Democratization of Educational Opportunity, and 5) The Future Shape of Federal Aid to Higher Education. These topics are discussed in Chapters V through IX, which together comprise an exposition of the central themes of Morse's thought.

The following questions were asked repeatedly as Morse's views were examined:

1. Does Senator Morse have a consistent position on Federal aid to higher education?
2. Are the developments and changes in his position minor or radical?
3. Are the accomodations of principle rare or frequent?

4. Is his position coherent, i.e., are his attitudes about certain issues clearly related to his positions on other issues?

5. Does he have a "liberal" political position which undergirds his thought?

It was discovered that Morse's views on Federal aid to higher education form a consistent and coherent position based on the following fundamental principles underlying his thought: 1) an abiding belief in the value and goodness of the individual, 2) an optimistic faith in the perfectibility of society, 3) a firm trust in reason operating in an atmosphere of freedom, and 4) devotion to the principles of constitutional government. Except for minor changes, the positions Morse took were predictable expressions of a liberal political philosophy. There is evidence that Morse's ideas grew naturally out of his own academic background, were a conscious expression of an intellectual tradition of political liberalism, and were often the result of the social context in which he spoke. In the larger context of the history of ideas, Morse's thoughts on higher education function not as an original philosophy of education, but as practical, rational tools which serve the legislative process primarily by blasting away obstructions with the dynamite of facts and ideas.

Scholars doing research on the relationship of the Federal Government and higher education may wish to pursue further the question raised at the end of the study: Are

the main tenets of liberal political philosophy an adequate base upon which future programs of Federal aid to higher education can be built?

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By

James Richard Davis

A THESIS

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DEDICATION

To

Dr. Rembert Stokes, President
Wilberforce University
Wilberforce, Ohio

who appointed me to my first administrative assignment in higher education, who entrusted large tasks to my tender years, who encouraged my efforts to obtain Federal support for programs at Wilberforce University, and who introduced me to Senator Wayne Morse.

ACKNOWLEDGMENTS

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I wish to thank the personnel of the Public Documents sections of the Michigan State University Library and the Yale University Library for their assistance in locating source materials. Mrs. Edward Blackman was of great assistance in proof-reading and supervising the printing and distribution of materials during my absence from East Lansing.

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J. R. D.

New Haven, Connecticut
November 21, 1969

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PART I

METHODOLOGY AND HISTORICAL CONTEXT

CHAPTER I

PURPOSE, SCOPE AND JUSTIFICATION OF THE STUDY

The Context

Federal aid to higher education has existed in various forms since the beginning of the Republic. The pattern of aid has varied throughout the years and has consisted mainly of a variety of uncoordinated programs. In recent years, however, Federal aid to higher education has increased in volume and scope at an unprecedented rate through a variety of new, comprehensive programs. Beginning with the GI Bill of Rights in 1944, Congress established a host of new programs, including among others the 1950 Housing Act, the establishment of the National Science Foundation in 1952, and The National Defense Education Act of 1958. The most significant breakthroughs for higher education came with the Higher Education Facilities Act of 1963, the Higher Education Act of 1965, and the Higher Education Amendments of 1966 and 1968.

A crucial figure in the passage of all this legislation was Senator Wayne Morse of Oregon. Senator Morse served as a member of the Senate Committee on Labor and

and Public Welfare and as Chairman of its Subcommittee on Education, through which all important education legislation passes. Senator Morse functioned as a skilled politician in guiding this major legislation through the intricate processes by which a bill becomes law, an idea becomes a functioning program. Even more important, perhaps, Senator Morse has been an articulate spokesman for the interests of the academic community.

Purpose of The Study

The purpose of this study was to examine Wayne Morse's articulation of the crucial issues involved in Federal aid to higher education. The study can best be defined, perhaps, by stating first what it does not include.

The research was not primarily an examination of the history of Federal aid to higher education. That history is an interesting topic for research, but it would involve the study of the efforts of several men over a long period of time. Although Wayne Morse has played a prominent role in the history of Federal aid to education, viewing that history by focussing on the work of a single Senator would necessarily involve distortions. The history of Federal aid to education is examined briefly in this study, but only as the context in which Senator Morse worked out his ideas about Federal aid.

Secondly, the study is not primarily biographical, i.e., it does not attempt to trace the relationship of

Morse's thought to specific experiences and events in his educational career. Morse's experience as an educator prior to coming to the Senate has been examined and has been found to have had a general impact on his career in the Senate, but it is difficult to trace the specific genesis of his ideas about education without engaging in speculation.

Thirdly, this study does not attempt to focus primarily on Morse's role in the legislative process. The political environment through which a bill passes from the time it is first conceived until the time it becomes law is extremely complex. The specific contributions of a particular legislator, even one so prominent as Senator Morse, are nearly impossible to unravel from the complicated network of decisions which produce legislation. Many of the important decisions are made behind the scenes, even before a bill reaches a committee. The information needed to credit a particular Senator with having created a specific policy is simply not available or is available only in fragments to those intimately involved in the process.

Although the examination of the history of Federal aid to education, Morse's experiences as educator, and his role in the legislative process hold forth interesting possibilities for research, each is problematic and invites speculation and undocumented conclusions. While each of

these topics has some bearing on this research and has been examined in some detail, the major focus of the study lies elsewhere.

The primary purpose of the study is to set forth the positions Wayne Morse has taken with regard to Federal aid to higher education and to discover whether there is consistency, coherence, and integration in the statements he made. Specifically, research was undertaken on Morse's position on the issues listed under Part III of the outline below. The investigation is a study of ideas and as such focuses primarily on the content and internal relationships of concepts.

Justification of The Study

The primary task of the historian of ideas is to recount accurately the central concepts of an individual's thought. The task of condensing and bringing together the diverse utterances of an individual in order to discover the degree of consistency, coherence, and integrity in that man's thought is a justifiable act of scholarship in itself. When that thought emanates from one who is perhaps the most articulate contemporary spokesman for Federal aid to higher education, the study takes on added relevance. Those who favor or oppose such aid will find in the thought of Wayne Morse a lucid exposition of the issues.

An underlying assumption of the study is that men who serve in political life are not simply motivated by

political pressures and considerations of power. At the same time that they struggle to balance the conflicting political pressures which impinge on their daily lives, they are engaged in a struggle to explain, to rationalize, and to account for their activity. At that point, ideas become a significant factor in the political process and a man of superior intellectual skills enjoys a certain advantage.

Methods, Procedures, and Sources

The method of research was descriptive and historical. Although selected secondary sources on Federal aid to education and the legislative process have been examined, as well as the one biography of Wayne Morse, the major primary sources were those available in what Congressmen regard as the official legislative history. That literature includes the Congressional Record, the recorded transcripts of committee hearings, and the official committee reports. Primary sources were limited to those official documents, with chief emphasis placed on the Congressional Record. Committee reports are helpful in understanding the thought of the committee, but do not necessarily reflect the views of the chairman. The transcripts of committee hearings are helpful in some instances, but in most cases Morse's role as chairman prevented his making major speeches or expressing personal opinions during hearings.

It should be noted that the entries in the Congressional Record include all remarks made by Wayne Morse on the Senate floor as well as anything which Senator Morse entered in the Record, such as speeches he made, articles he and others wrote, correspondence--anything which Senator Morse deemed relevant to consideration of the issues at hand in the Senate. In Senator Morse's case that material is extensive, as indicated by the fact that certain Senators once inquired publicly about Senator Morse's possible abuse of the Congressional Record by his voluminous entries. The relevant sources were examined and Morse's position on Federal aid to higher education was reconstructed around selected topics.

Issues Examined

In historical research, a full elaboration of hypotheses is not always possible at the outset, as is often customary in other types of research. The historian formulates initial ideas about issues to be explored while remaining open to the examination of additional issues which may emerge naturally from the primary sources. Indeed, one unique characteristic of historical research is that hypotheses are formed concurrently with the actual examination of sources. Eventually certain issues emerge, and particular questions recur again and again. The following questions were raised frequently as the sources were examined:

1. Does Senator Morse have a consistent position on Federal aid to education, one which is reliable from time to time and place to place, a view which becomes predictable?

2. Are the developments and changes in Senator Morse's position minor or radical, and are they an elaboration of more fundamental principles or a response to external events and pressures?

3. Are the accommodations which require an eclipse of principles rare or frequent? How are they rationalized and explained?

4. Is Senator Morse's position coherent, i.e., are his attitudes about certain issues clearly related to other issues so that no issue is treated in isolation from all others?

5. Does Senator Morse have a "liberal" political position which undergirds his thought about Federal aid to education? Does that "liberal" position include predictable attitudes about academic freedom, nationalism, church and state relations, civil rights and the disadvantaged?

Design

The design of the study is as follows:

Part I. Methodology and Historical Context

Chapter 1. Purpose, Scope and Justification of the Study
The Context. Purpose of the study. Justification of the study. Methods, procedures and sources. Issues examined. Design.

Chapter 2. The Historical Context
Historical summary of Federal aid to higher education. Major legislation with which Morse was associated.

Part II. Morse as Educator and Legislator

Chapter 3. Biographical Information
A. Robert Smith's Tiger in the Senate. Morse's educational background. Morse's career as educator prior to entering the Senate. Morse's political career.

Chapter 4. The Legislative Process
Summary of the legislative process based on Eidenberg and Morey, An Act of Congress: The Legislative Process and the Making of Educational Policy. The role of Morse in the legislative process.

Part III. Morse as Advocate of Federal Aid to Higher Education

Chapter 5. National Purpose and the Aims of Education
Education and national defense. Education and national resources. Economic benefits of education. Full development of human potential. International education. Domestic priorities and the Vietnam War.

Chapter 6. Church and State
The Constitutional issue. Loans to church-related colleges. Categorical use grants. Exclusion provisions. Judicial review.

Chapter 7. Academic Freedom and Federal Control
The fear of Federal control. Legislated safeguards against Federal control. Loyalty oaths. Student protests. Academic freedom in government-sponsored research.

Chapter 8. Democratization of Educational Opportunity
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Chapter 9. The Future Shape of Federal Aid to Higher Education
Consolidation and codification. Review and supervision. Relationships of executive and legislative branches of

CHAPTER II

THE HISTORICAL CONTEXT

On October 2, 1968, Senator Mike Mansfield, majority leader of the Senate, rose to pay tribute to his colleague, Senator Wayne Morse of Oregon:

> Mr. President, as majority leader it has been my privilege and my pleasure in connection with the passage of major legislation, to commend to the Senate the man whose work results in laws for the benefit of the public. Rarely have I spoken with more seriousness and with such a deep conviction than upon those occasions that I have commended the senior Senator from Oregon (Mr. Morse) for his work on educational statutes.

Senator Mansfield then reminded that Senate of another tribute which he had paid Senator Morse in 1965 during which he said of Senator Morse:

> He is a man who if any Member of this body is entitled to the name, could well be called "Mr. Education."

Mansfield then listed ten major laws affecting education for which Senator Morse had had direct responsibility during his tenure as Chairman of the Senate Subcommittee on Education.[1]

The presence of Senator Morse in the Senate coincides with a period of legislative activity in Congress now widely hailed as a "breakthrough" in Federal aid to education. Between 1963 and 1968 more Federal aid legis-

lation was passed than in the preceding 100 years.[2] Senator Wayne Morse, more than any other single figure in the Federal Government, was responsible for that dramatic increase in Federal aid to education.

The Federal aid to education legislation which was passed after 1963, though it represents a vast increase in the scope and level of Federal support, is not without historical precedent. Contrary to popular misinformation, there is, in fact, a long tradition of Federal aid to education in the United States. Although it is not the intent of this study to trace the history of Federal aid to education, it is useful to examine the historical context out of which the efforts of Senator Morse grew.

The first "Federal aid" occurred before the American Revolution when the Congress of Confederation passed the Survey Ordinance of 1785, which provided for the disposal of public lands in the Western Territory and reserved one section of every township for the endowment of schools within that township.[3] For many years, Federal aid to higher education followed that plan, i.e., the granting of land. In 1787 a contract between the government and the Ohio Company provided for two townships of land to be set aside for the development of a university. While the provision was included more to encourage the sale of land than to encourage education,

a precedent was set, out of which grew further provisions for land-grants for universities in the sale of public lands. Ohio University and Miami University were the first institutions to be so established and eventually all states had universities resulting from the sale of public lands, with the exception of Texas, Maine, and West Virginia, where the Federal government never owned public lands.[4] Following in this tradition, the Morrill Act of 1862 provided for land-grants, which could be sold for endowment for specialized institutions providing instruction in agriculture and mechanic arts.[5]

During the great depression of the 1930's a substantial program of Federal aid to students was developed. Although it is seldom mentioned today, the Federal government spent over $93 million on the higher education of 620,000 students between 1935 and 1943 through the National Youth Administration.[6] Better known is the G.I. Bill, formally the Serviceman's Readjustment Act of 1944.[7]

Federal aid for university research goes back to the Hatch Act of 1887, which provided for agricultural experiment stations.[8] By 1950 more than a dozen agencies were spending over $150 million a year for contract research at American colleges and universities.[9]

The Federal government has also supported various specialized institutions and programs of direct interest to the government. Although a National University has never been established, the government supports directly the military service academies, Galludet College for the deaf, and Howard University. Similarly, the government has used the facilities of various colleges and universities for the in-service training of its employees.[10]

For the most part, programs of Federal support have developed piecemeal, without overall coherence, and have often been the result of national crises, particularly the pressures of war. There is no central Ministry of Education in the United States, and consequently no national plan for Federal support of higher education. In spite of the existence of substantial programs of Federal aid at various points in our national history, the popular mythology holds that Federal aid is generally bad, that it leads to Federal control, and that it ought not be extended to institutions related to a church. Extensive programs of Federal aid for higher education have been slow in developing, therefore, and it is only in recent times that a major breakthrough has been possible. That breakthrough is due, at least in part, to the expert articulation of the major issues by Senator Wayne Morse.

Senator Morse voted for, and had a minor role in, the passage of some education legislation before the period of major breakthrough. He supported the Servicemen's Readjustment Act in 1944, the establishment of the National Science Foundation in 1950, and the National Defense Education Act of 1958. Senator Morse's greater contribution was in the passage of each of the following:

The Morse-Green Higher Education Facilities Act, Public Law 88-204, 1963. Provides for a three-year program of $1.1 billion for loans and grants to colleges, community colleges, and universities to finance construction of academic and related facilities.

The Morse-Dent Act, Public Law 88-269, 1964. Extends the Library Services Act to urban libraries and provides $45 million for construction of library buildings.

The Higher Education Act of 1965, Public Law 89-329. Provides funds to extend the community services of colleges and universities, establishes a National Teachers Corps, aids developing institutions, and establishes scholarships for especially needy students.

The International Education Act of 1966, Public Law 89-689. Authorizes a five-year program to establish and strengthen foreign language and area study centers.

The Higher Education Amendments of 1966, Public Law 89-752. Extends the Higher Education Facilities Act of 1963 and provides loans for undergraduate and graduate students.

The Higher Education Amendments of 1968, Public Law 90-575. Extends and co-ordinates existing programs.[11]

In addition to the above legislation affecting higher education, Morse was instrumental in the passage of several bills affecting elementary and secondary education, par-

ticularly the Elementary and Secondary Education Act of 1965, and its Amendments of 1966 and 1967.

The monetary impact of all this legislation, and the resultant human welfare it produced, was enormous. In 1968 the Director of the Budget and Manpower Division of the Office of Education reported $3.9 million available for fiscal 1968 under Office of Education programs, an amount almost 13 times the level of support 10 years before.[12] In fiscal 1969 the Office of Education listed its programs under four groups by type of assistance. Ten programs were listed for construction, 62 programs for programs, instruction, and administration, 31 programs for teacher and other professional training and student assistance, and 15 programs for research.[13] In addition, a wide variety of programs was funded through the Departments of Defense, Labor, Agriculture, and Interior. Several specialized agencies, such as The Agency for International Development, The National Aeronautics and Space Administration, and The National Science Foundation, carry on extensive educational programs supported by Federal funds.

The establishment of so many new programs of proven worth in the span of so few years represents a major legislative achievement. That achievement was in part political, i.e., it was the result of tireless effort to weld competing pressure groups into a unified bloc capable of

exploiting a national mood favorable to education. The achievement was also ideological and was the result of extensive efforts to articulate, justify, and rationalize the need for Federal aid to education. To that extent the task was intellectual. It is appropriate that at the proper moment, an academic man came to a position of leadership in the Senate in the person of Wayne Morse.

FOOTNOTES - CHAPTER II

[1]U.S., Congress, Senate, Senator Mansfield paying tribute to Senator Morse, 90th Cong., 2nd sess., Oct. 2, 1968, Congressional Record, CXIV, 11871.

[2]U.S., Congress, Senate, Committee on Labor and Public Welfare, Education Amendments of 1966, Hearings, before The Subcommittee on Education of The Committee on Labor and Public Welfare, Senate, on S. 3047, H.R. 14644, 89th Cong., 2nd. sess., 1966, p. 188.

[3]Congressional Quarterly Service, Federal Role in Education (Washington: The Congressional Quarterly, 1967), p. 16.

[4]Frederick Rudolph, The American College and University, A History (New York: Alfred A. Knopf, 1965) p. 276.

[5]John S. Brubacher and Willis Rudy, Higher Education in Transition (New York: Harper & Row, 1958), p. 225.

[6]Ibid., p. 228.

[7]Ibid.

[8]Frederick Rudolph, American College, p. 261.

[9]John S. Brubacher and Willis Rudy, Higher Education, p. 228.

[10]Ibid., p. 229.

[11]U.S., Congress, Senate, Senator Mansfield paying tribute to Senator Morse, 90th Cong., 2nd sess., Oct. 2, 1968, Congressional Record, CXIV, 11871.

[12]U.S., Congress, Senate, Senator Morse entering article by Joe G. Keen, "Federal Funds: State Allotments for Funded Programs, Fiscal Year 1968," 90th Cong., 2nd sess., April 29, 1968, Congressional Record, CXIV, S. 3446. (Daily Edition.)

[13]"Federal Money for Education: Programs Administered by the U.S. Office of Education," American Education, Feb. 1969, pp. 20-24.

PART II

MORSE AS EDUCATOR AND LEGISLATOR

CHAPTER III

BIOGRAPHICAL INFORMATION

Although the primary concern of this study is not biographical, some biographical information relating to the academic career of Wayne Morse is helpful in understanding the ideas about higher education which he was later to develop in the Senate. It would be inadvisable to attempt to trace particular concepts to their origin in specific, formative life experiences, for there is seldom a direct cause-and-effect relationship between adult ideas and childhood experiences. Mature ideas emerge gradually from the crucible of life in which crucial experiences, academic training, and personal reaction to both become so intermixed as to frustrate all attempts to sort out the origin of a specific concept. Nevertheless, acquaintance with the academic career of Wayne Morse prior to his election to the Senate contributes to an appreciation of the way his ideas about higher education have been influenced generally by his educational background.

Apart from the bits of public biographical information scattered about in newspapers and magazines, there is available only one source of collected biographical data

on Wayne Morse: The Tiger in The Senate by A. Robert Smith. That book attempts to cover the entire career of Wayne Morse up to 1962, the date of its publication. Unfortunately the book has no footnotes and its sources of information are undocumented. Furthermore, the author attempts to make judgments about Morse's personal motives and tries to judge the balance of good and evil in Morse's public and personal life. The arrangement of the material is topical, not chronological, and the net result is a disorganized and ponderous volume. The author's peculiar alternation of fact and personal judgment casts doubt on the overall authenticity of the biography.

Morse himself was very displeased with the book and interrupted a Senate debate to notify his colleagues that he had issued a press release about The Tiger in The Senate. In that statement Morse said,

> This character assasination book is full of untruths, half-truths, out-of-context distortions, and oft-repeated Republican misrepresentations.
>
> Its author is the Washington correspondent of several anti-Morse newspapers in Oregon. The fact that the book's publishers did not submit the manuscript to me in advance of publication so that I could have pointed out to them its misstatements and slanted journalism is indication of the political purposes of the book.[1]

The exchange which followed between Senator Morse and Senator Humphrey is delightful:

> Mr. HUMPHREY. There are times when the distinguished Senator from Oregon is ready to "mix it up" in the Senate, but none of us would care to meet him head on. I think the title of the book is appropriate,

> but what the text or the context of the book is I am uncertain. However, if there is any man who has the strength, the vitality, the courage, and the astuteness of the tiger, it is the senior Senator from Oregon.
>
> Mr. MORSE. May I say good naturedly that it was not my purpose to have Senators make the book a bestseller.[2]

However appropriate the title, Morse's one biography lacks objectivity and invites controversy which by its very nature will never be resolved. The book does contain the essential facts concerning Morse's educational experiences, however, and is a sufficient source for sketching his academic career.

Wayne Morse was the second child of Wilbur and Jessie White Morse. Wayne's grandfather came from Pennsylvania in 1848 and settled a homestead ten miles west of Madison, Wisconsin.[3] Wayne's father grew up on that farm, his formal education ending with high school. Wayne's mother went to Downer College at Milwaukee before marrying Wilbur at eighteen.[4] Wayne's father had been an amateur boxer, and he taught Wayne that a man must stand up for his rights. His mother was a church organist and taught Wayne the importance of firm convictions.[5] It is not surprising that such parents produced a man dedicated to fighting for high principles.

Wayne had an older sister, Mabel, twin brothers, Grant and Harry, and a younger sister, Caryl, with whom he has had a close relationship. Except for Caryl, whose husband

is a professor, Wayne was the only child to be intimately involved with the academic world.

Wayne's parents understood and stressed the importance of education. Finding the one-room schoolhouse near the farm inadequate, Wayne's mother sent her children to Madison schools, a distance of ten miles each way, which Wayne traveled on horseback every day.[6] The Longfellow Grade School in Madison was an interesting mixture of Negroes, Italians, Greeks, and Jews. Through the efforts of a creative teacher who capitalized on this rich ethnic mixture, Wayne became acquainted with foreigners through his schoolmates.[7] An abiding interest in foreign affairs and a broad-minded internationalism may have begun in the Madison schools.

Wayne was a good but not outstanding student in high school. Mildred Downie, affectionately known as Midge, who was later to become his wife, surpassed him in scholarship; she was the class valedictorian.[8]

Morse went to the University of Wisconsin, where he majored in philosophy and established a reputation as an orator and political activist.[9] He earned a Master's Degree in Speech at Wisconsin, where he concurrently completed 27 credits in law.[10] He then went to the University of Minnesota where he earned a law degree with a B average. He taught argumentation full-time at the University of Minnesota, coached the debate team, and taught a course at a

Catholic Seminary in nearby St. Paul.[11] Midge supplemented the family income by teaching home economics.[12] A $1,500 scholarship lured Morse to Columbia, where he studied under John Dewey and Raymond Moley and earned a Doctor of Jurisprudence degree.[13] Wayne Morse learned first-hand the importance of financial assistance to students pursuing higher education.

From Columbia Morse went directly to the University of Oregon, where he became an assistant professor of law in 1929.[14] The struggling law school at Eugene had only six teachers and occupied the top floor of one building when he arrived.[15] In two years the Dean left for the University of Southern California, and at age 30 Wayne Morse became one of the country's youngest law school deans.[16] He experienced directly the struggles of a small, developing institution.

Wayne Morse was a textbook lawyer, a scholar of the law, not a practitioner. He is an expert in labor law, but his teaching specialties at the University were criminal law and legislation.[17] He contributed regularly to the Oregon Law Review and other journals--twenty articles and twenty-four book reviews in all.[18] From his experiences as teacher-scholar he learned to understand the peculiar world of the academic man, his need for freedom to pursue abstract matters in an atmosphere conducive to the pursuit of truth.

No sooner had Morse become Dean than he became involved in a conflict over the relationship of Oregon State at Corvallis with the University of Oregon at Eugene. The former President of Oregon State, William Jasper Kerr, then State Chancellor of Higher Education, made overtures to consolidate the two schools. When the governor's new appointee as head of the State Board of Higher Education, Roscoe C. Nelson, made speeches criticizing the University of Oregon and the small group there sabotaging the Chancellor's efforts, Wayne Morse took the podium at an Alumni Homecoming affair and demanded Nelson's resignation for creating a crisis and challenging basic principles of academic freedom. Kerr, who happened to be present, fled the hall amid thunderous applause, and two days later Nelson resigned. It was not the last time that Morse was to speak on behalf of academic freedom in the university.[19]

However much he loved the academic world, Wayne Morse was also a man of practical affairs. In 1934 he helped draft a crime survey of Oregon. In 1936 he served as Special Assistant to the Attorney General in Washington to complete work on a five volume national survey of prison release procedures.[20] On leave of absence from his academic duties, he served on the War Labor Board where his scholarship found fulfillment through application to practical problems.

These early educational experiences gave Wayne Morse an academic background which only a few men have been privileged to bring to the Senate. From these early formative experiences Morse learned the importance of education in developing human potential, the success of cultural and ethnic interaction in producing educational benefits, the need to develop the average as well as the outstanding student, the crucial impact of adequate financial assistance for students, the significance of strengthening smaller institutions, the necessity of respecting the integrity of scholars and providing for their academic freedom, and the significance of applying trained intelligence to the practical affairs of daily life. These and other interests appear again and again as motifs in the elaborate pattern of Morse's concern for higher education, which emerges from the halls of the Senate.

In 1944, fresh from his experiences on the War Labor Board while on leave from the University of Oregon, Wayne Morse ran for the Senate as a Republican against a weak Democratic candidate, Rufus Holman. Morse's liberal views were not displayed in that initial election, and he won on a conservative stance which repudiated the New Deal.[21] He was re-elected on the Republican ticket in 1950.[22] In 1951 Harry Truman offered him the Cabinet post of Attorney General, but with five years left in Morse's Senate term and only one year left in Truman's Presidential term, accep-

tance of the offer involved too great a risk to his political career. Ten months later in the midst of the Eisenhower-Stevenson presidential campaign, he left the Republican Party and became an Independent.[23] Smith reports in his biography of Morse:

> As a result of the 1954 elections, the Senate was so evenly divided between Republicans and Democrats that the Independent Senator acquired the momentary power to decide which party should take control of the Senate, elect the committee chairmen, and hold a majority of seats on each committee.
>
> By siding with the Democrats, Wayne Morse gave Lyndon B. Johnson the chance to become the Senate's majority leader for the first time. Johnson, in turn, give Morse the grand prize which Taft had always withheld, a seat on the Foreign Relations Committee.[24]

Morse not only obtained a seat on the Foreign Relations Committee; he regained his seat on the Committee on Labor and Public Welfare. Morse became Chairman of its influential Subcommittee on Education in 1961.

On February 17, 1955, Senator Wayne Morse became a Democrat.[25] Re-elected in 1956 as a Democrat he became an official, but unsuccessful, presidential contender in 1960.[26] Seeking a way to rebound from temporary political doldrums, Morse was delighted to accept President Eisenhower's appointment as United States delegate to the fall session of the United Nations General Assembly.[27] He we re-elected in 1962 and during that final term made some of his most important legislative contributions. Senator Morse was defeated by the narrow margin of 3,500 votes by

Robert Lockwood in the 1968 race for re-election.[28] At 68 years of age and after 24 years in the Senate, his career in the United States Congress had come to a close.

Senator Morse was a liberal Democrat. Even as a Republican his principles were consonant with those of the typical liberal Democrat. He enjoyed the label and often shamed his colleagues for their "half-a-loaf" or "phony" liberalism.[29] He frequently invoked the "general welfare" clause of the Constitution in support of broad programs of public welfare.[30] He stood for the "advancement of the public good in the progressive LaFollette tradition."[31] As Smith says in Tiger in The Senate, "Wayne Morse, the legendary fighter, is Everyman's Senator, fighting Everyman's battles."[32]

If Senator Morse was a liberal Democrat in political matters, on issues affecting education he was, first and foremost, an academician. In the Senate he spoke frequently of his service on college student loan committees, or his participation on student disciplinary committees. He often began his remarks with the phrase "as a former teacher." He referred to himself as a "student" of Constitutional law, and he often referred to the hearings of the Education Subcommittee as a "seminar." When his remarks ran overtime, he often apologized for "lecturing." For academic men in count-

less colleges and universities across the land, he became the articulate Senator-professor, the Senate's chief advocate of broad Federal support for higher education.

FOOTNOTES - CHAPTER III

[1]U.S., Congress, Senate, Senator Morse criticizing his Biography, Tiger in The Senate, 87th Cong., 2nd sess., May 7, 1962, Congressional Record, 108, 7874.

[2]Ibid.

[3]A. Robert Smith, The Tiger in The Senate (Garden City, New York: Doubleday & Co., Inc., 1962), p.22.

[4]Ibid., p. 23.

[5]Ibid., p. 72.

[6]Ibid., p. 75.

[7]Ibid., p. 86.

[8]Ibid., p. 166.

[9]Ibid., p. 23.

[10]Ibid., p. 232.

[11]Ibid., p. 232.

[12]Ibid., p. 167.

[13]Ibid., p. 24.

[14]Ibid.

[15]Ibid., p. 75.

[16]Ibid., p. 76.

[17]Ibid., p. 235.

[18]Ibid., p. 233.

[19]Ibid., pp. 38-40.

[20]Ibid., p. 24.

[21]Ibid., p. 104

[22]Ibid., p. 123.

[23]Ibid., p. 133.

[24]Ibid., p. 124.

[25]Ibid., p. 219.

[26]Ibid., p. 258.

[27]Ibid., p. 416.

[28]Ian E. McNett, "Wayne Morse Defeat Called 'Grievous Loss' to Education," The Chronicle of Higher Education, Nov. 25, 1968, pp. 1-2.

[29]A. Robert Smith, op. cit., p. 106.

[30]Ibid., p. 236.

[31]Ibid., p. 21.

[32]Ibid., p. 20.

CHAPTER IV

THE LEGISLATIVE PROCESS

Although it is not the primary intent of this study to recount the activities of Wayne Morse within the legislative process, some understanding of that process and the role of Senator Morse in it is necessary to appreciate fully the significance of what he thought about Federal aid to higher education.

Woodrow Wilson, another great scholar-statesman, once wrote:

> Nobody stands sponsor for the policies of government. A dozen men originate it; a dozen compromises twist and alter it; a dozen offices whose names are scarcely known outside of Washington put it into effect . . . (Legislation) is an aggregate, not a simple production. It is impossible to tell how many persons, opinions, and influences have entered into its composition.[1]

It would be futile, therefore, to attempt to document the influence of a single senator. Although the impact of a man's career in a specific area may well be assessed as significant--as is surely the case with Wayne Morse in the area of aid to higher education--it would be foolish to credit a single senator with an entire bill or even a specific provision contained in it. The problem of collecting such evidence is inherent in the complexity of the legislative process.

Much has been written about the legislative process. In addition to the general textbooks used in courses in American Government, there is a vast literature on specific aspects of the process and particular pieces of legislation. For those interested in education the most helpful source is a very recent book entitled An Act of Congress: The Legislative Process and the Making of Education Policy. The authors, Eugene Eidenberg and Roy D. Morey, examined in detail the legislative process which produced the Elementary and Secondary Education Act.[2] The brief description of the legislative process which follows is based on their work.

Decisions about proposed legislation are made in both the external political world and in the internal environment of Congress. Since most kinds of federal aid to education are highly controversial, there are many lobbies and pressure groups both for and against such legislation. The external world which impinges on Congress when issues affecting education are at stake includes a host of organizations. Those generally opposed to federal aid include among others the following: The United States Chamber of Commerce, the National Association of Manufacturers, the Southern States Industrial Council, the National Economic Council, the American Farm Bureau Federation, the National Conference of State Taxpayers Association, and the Daughters of the American Revolution.[3] When the Church-State

issue is involved, as it almost always is, additional opposition can be expected from the following: Protestants and Other Americans United for Separation of Church and State, the Council of Churches of Christ, the Baptist Joint Committee on Public Affairs, the American Jewish Congress, the National Association of Evangelicals, and the American Civil Liberties Union.[4] The last two are strange companions and underscore the fact that opposition is often for very different reasons. The National Education Association has led the fight for Federal aid to education and is one of the twenty-five largest spenders among registered lobbyists, well ahead of the American Medical Association.[5] Other groups favoring federal aid include among others the following: The AFL-CIO and its American Federation of Teachers, the National Congress of Parents and Teachers, the National Farmer's Union, the American Association of University Professors, the American Association of University Women, the International Brotherhood of Teamsters, Americans for Democratic Action, and the American Library Association.[6] Where aid to some aspect of higher education is the issue various professional associations, such as the American Council on Education and the Association of American Colleges, exert pressure along with countless individual colleges and universities.

The external environment includes not only elite pressure groups but the Congressman's constituency. Most

Congressmen feel that only a few issues can affect their chances of re-election, and education is not usually regarded as a constituency issue.[7] Nevertheless, the continual bombardment of communications from home helps shape a Congressman's attitudes. The local and national press is also a factor, but its editorializing is less important than its selection, timing and presentation of the issues.[8]

Although Senator Morse has a reputation for independence of action, his opinions were formulated through intense dialogue with relevant interest groups and constituents. The Congressional Record is filled with speeches, reports, monographs, and telegrams from important professional organizations, nationally-known educators, and officers of Oregon colleges and universities. He received frequent communications from state colleges in Oregon as well as private colleges such as Reed and Wilamette.

Morse played an important role in bringing the competing interests of these various pressure groups into a workable unity. When a representative of the community colleges suggested that special bills with provisions solely for community colleges were needed, Morse retorted:

> If one were to ask me to name the one major reason why we have been able in recent years to have this breakthrough in education legislation quantitatively and qualitatively . . . I would

> tell you that it is because at long last the educational segment of our country moved forward as a united body in support of all the various pieces of education legislation. Before that the elementary-secondary school people through their national associations were not enthusiastic in supporting higher education legislation. The higher education people were not enthusiastic in supporting elementary and secondary education. There was a split involving the vocational people. There was a split between public and private school people. The result was, as I said to them, at many of their meetings, that they themselves were more responsible then any other force for not getting legislation passed.[9]

The internal legislative environment, i.e., the dynamic structures within Congress itself, is influenced, first of all, by the general political climate. Congress may be controlled by Democrats or Republicans, by a narrow or a large margin, with or without similar control of the administration. For example, the elections of 1964 gave a large margin of control to the Democrats at the expense of Republicans opposed to Federal aid and provided an overall climate favorable to new education legislation.[10] Party control, in turn, determines committee composition and chairmanship as well as overall party leadership. In addition to this formal internal structure, informal groups develop, such as the Democratic Study Group, formed in 1959 by a group of Northern and Western Democrats to stimulate liberal legislation.[11] Beyond these formal and informal divisions along party lines, political and regional divisions within the parties take on significance.

Morse was a master of the internal legislative environment. He knew the various sub-divisions within Congress, and he knew where to go for support at the right time. He knew how to cast legislation so that it would receive the votes needed for passage; he knew what would not be supported. Seldom was he defeated on a major issue. This was not always true, of course, especially in the early days of his Senate career. His early efforts to engage the Federal government in comprehensive educational planning were soundly rejected. In 1958 he attempted to add a provision to the National Defense Education Bill which would authorize direct institutional grants of $500 per student per year for each student recipient of National Defense Scholarships. Not only was that provision defeated 69 to 20, but the entire scholarship provision was dropped by the House as well.[12] Morse soon learned to weigh the chances of passage against his hopes for eventual Federal support of education on a major scale. This was especially true when Morse guided through the Senate the Kennedy and Johnson education legislation. Again and again, Morse requested that amendments not be added from the floor, that the proposed legislation be passed intact, so that at least some important laws affecting education would be passed. Morse extended that same restriction to himself, and often fought for the passage of some bills,

knowing they were inadequate, yet foregoing amendments so that some legislation would be passed. Speaking on behalf of categorical grants to church-related institutions during the debate on the Higher Education Facilities Bill, Morse remarked:

> American public opinion at present is not ready to accept the proposal for a general grant bill . . . I am a strong believer in making progress in keeping with principle.[13]

Known primarily as an idealist and a man of principle, Morse was equally the cool pragmatist skilled in calculating progress in small steps. In short, he was a master of the art of the possible.

The internal legislative environment stretches beyond Capitol Hill to the White House. Most legislation is proposed by the Administration, through a Presidential message, request, or bill. Although all legislation must be introduced by Congressmen, legislators often serve as sponsors of a bill fully worked out by members of an administrative task force.[14] Congress may accept, reject or modify the administration's proposal--Congress passes less than one-half of such bills--but the initial provisions of a bill may come from the administration.[15] Some of the most important decisions about the provisions of a bill--are thus focused at the White House.

Senator Morse was conversant with the President whom he served, and except for President Eisenhower, with whom

relations were less cordial, he responded well to Presidential leadership in initiating education legislation. He served as sponsor to bills for President Kennedy and President Johnson and often fought for the passage of their legislation without introducing his personal predilections. At times Presidents called him to the White House for advice. The following anecdote was revealed during Hearings on library legislation before the Education Subcommittee:

> I do not know whether all the people in the library world know what the first bill was that was passed by the Congress back in 1963 that caused the breakthrough in this whole matter of Federal education legislation . . . President Kennedy called me down to the White House for a briefing on the legislative situation. This happened to be just 10 days before his assassination, to give you the time factor. We had worked hard during the year to get the legislation through committee.
>
> Presidents always call you down for such briefings to decide where the legislation will be taken up, where the amendments are going to come from, what the areas of opposition are, so that they, at the executive level, can do their legislative work, too. We all know this is done, and properly so.
>
> President Kennedy said to me, "Which bill do you think you ought to start with?"
>
> I said to the President, "I recommend the library bill. Who could be against library aid? Just those that are against all Federal aid."
>
> I said, "You know, Mr. President, nothing breeds success like success. I think we can put the library bill through with an overwhelming vote. I think that will help pave the way for the next bill."
>
> Well, he completely agreed. "I think that is a good idea, let's start with the library bill."
>
> . . . I was taking the library bill through the Senate as the manager of the bill . . .
>
> Well, as the record will show, I had just yielded to Senator Prouty of Vermont for a question to make legislative history, when a staff member rushed to

> me and asked me to call for an emergency quorum, giving the shocking news that the President had been shot.
>
> The President's brother, the Senator from Massachuetts, Senator Edward Kennedy, was in the chair presiding over the Senate at that tragic moment in the history of the country . . . That bill was the first great breakthrough in Federal education legislation.[16]

Senator Morse also played an important role as Chairman of the Senate Subcommittee on Education, a subcommittee of the larger Committee on Labor and Public Welfare. Once a bill has been drafted, whether it is the administration's bill or the bill of an individual Senator, it goes to a subcommittee for hearings, where external forces again come into play. Traditions of the Senate dictate that a subcommittee be autonomous, so that no chairman would attempt to take control of a subcommittee.[17] Yet the chairman remains a dominant figure and an important communications link with the full committee.[18] After hearings are complete and an executive mark-up session has been held, the bill goes to the full committee. The full committee usually accepts the major decisions of the subcommittee.[19]

Morse was careful to maintain an atmosphere of objectivity in subcommittee hearings and seldom entered into a discussion of issues during the hearings. This is not to say that he did not play an important role behind the scenes selecting witnesses, choosing particular issues for examination, and setting limits to the discussion. As Chairman of the Education Subcommittee, he

was the chief leader of Senate floor debate on education legislation and chief negotiator on the Senate-House conference committees.

Actual floor debate may be extensive or quite limited and is usually dominated by the members of the standing committee and subcommittee, particularly the chairman. Members are encouraged to participate only when they are knowledgeable on the issues involved.[20] The expertise of the individual senator is crucial at this point.

Senator Morse was an expert in floor debate, and his training in the skills of argumentation is evident. He believed deeply in the process of debate and thought that men could reach the truth by considering the pros and cons of an issue. In 1961 he had the Legislative Reference Service prepare a document entitled, "Proposed Federal Aid for Education, A Collection of Pro and Con Excerpts."[21] Although such a volume now might be regarded as symptomatic of an earlier unfounded optimism, it is not surprising that the former debate coach would develop such an instrument for his colleagues. In later years Morse discovered, to his dismay, the stubborn recurrence of opposition arguments which he had long since demolished in public debate. For the most part, Morse was extremely convincing and there were few

senators--Senator Lausche of Ohio was a notable exception--who were willing to risk a public confrontation on the Senate floor, with the formidable Senator from Oregon.

After a bill passes both Houses of Congress, differences between House and Senate bills must be resolved. If a bill is amended in the second house, the first house may consent to the amendments. If not, the bill goes to an ad hoc conference committee. The chairmen of the standing subcommittee and full committee play a key role in working out compromises in the conference committee.[22] When differences are ironed out, the bill is returned to both houses and is generally passed. Its legislative history is not yet complete at that point, however. As Eidenberg and Morey point out:

> Once a proposal has cleared this obstacle course it still can be destroyed or modified by a Presidential veto, an adverse decision by the courts, the manner in which it is administered by an executive agency, subsequent repeal by Congress, or it may die for lack of funds.[23]

Morse did not forget about education legislation once it had become law. He maintained close relations with the Office of Education and carefully reviewed the amounts of appropriations and actual expenditures. In his final term he grew increasingly impatient with the Johnson Administration's attempts to pay for the Vietnam war by curtailment of expenditures for education through subtle administrative controls. He was clearly opposed to such practices as the Department of Housing and Urban

Development's refusal to receive applications for college housing loans. He interrupted hearings on the Education Professions Development Bill to make this statement:

> The Constitutional fathers wrote into the Constitution the checking power to appropriate . . .
> It clearly implied that once the money was appropriated, it is to be spent unless the President went to the Congress and asked them to freeze the funds. The Constitution does not give the impounding and freezing power to the executive branch of government . . .
> Do not forget that Congress has always resisted the attempt of President after President to get a so-called item by item veto power in appropriation bills.[24]

It is evident that Senator Morse was deeply involved in the passage of education legislation at every step of the way, from the moment of a bill's first conception to the supervision of the expenditure of actual appropriations. What can be said of the individual impact of a single senator, such as Senator Morse?

The difficulty of pinpointing the specific contributions of Senator Morse was mentioned above. One can infer, however, that Senator Morse's oratorical brilliance, legal expertise, legislative skill, and acquaintance with education had a great general impact on much of the legislation passed. In attempting to assess the role of the ideas of a single senator in the legislative process, the evidence which one would like to have for proof is not available in the neat, quantitative forms which social scientists respect. It is impossible to establish a

direct cause-and-effect relationship between the ideas of Senator Morse and the final form of the legislation which became law.

It is possible to say, however, that in some instances the correlation between what Senator Morse thought and the final form of the legislation is extremely high. Indeed, social scientists would be delighted to get such correlations and would not hesitate to make extensive inferences about the nature of the relationship.

An excellent example of this high correlation of Morse's thought and the final form of the legislation is to be found in the Higher Education Facilities Act of 1963. Morse favored a bill which gave categorical grants to private and public colleges. Senator Prouty introduced an amendment which would substitute for the Senate's categorical grants the House provision for general grants. The Prouty Amendment was defeated, and the Conference report contained provisions for categorical grants. Senator Keating wanted to amend the bill to provide tax benefits for parents of college students. Morse opposed the Keating amendment as social class legislation which discriminated against low-income taxpayers. The Keating Amendment was withdrawn. Senator Goldwater wanted to limit the bill to provisions for loans and took the position that colleges could meet their own needs adequately and, if anything, were likely to build too many facilities

for future enrollments. Morse responded with a reiteration of the facts supporting the need to double college facilities by 1980. The Goldwater amendment was defeated. Senator Ervin proposed a judicial review amendment to facilitate testing of the church-state issue in the courts. His amendment passed the Senate, but when the Conference Report came back, the Ervin provision was conspicuously absent. Morse pointed out that the House Conference Committee would never accept such a provision as an amendment, but that judicial review legislation was being introduced in the House by Edith Green and in the Senate in the Clark-Morse bill, and that such legislation would pass through the Judiciary Committee, which was its proper channel.

The Higher Education Facilities Act in its final form corresponded precisely to the positions Morse had taken in consideration of each of its crucial issues. To borrow the terms of the statistician, there was a perfect positive (+1) correlation between what Morse thought and the final provisions of Public Law 88-204, the Higher Education Facilities Act of 1963.

It is surely accurate to say that Senator Morse played an important role in the passage of legislation affecting higher education. The significance of his overall contribution is indisputable. Given the com-

plexity of the legislative process, however, the pinpointing of his specific contributions is best left to those closest to him or to the memoirs of the Senator himself.

FOOTNOTES - CHAPTER IV

[1]Woodrow Wilson, Congressional Government (Boston: Houghton-Mifflin Co., 1885), pp. 318, 320.

[2]Eugene Eidenberg and Roy D. Morey, An Act of Congress: The Legislative Process And The Making of Education Policy (New York: W.W. Norton and Company, Inc., 1969), Preface.

[3]Ibid., p. 13.

[4]Ibid., p. 14.

[5]Ibid., p. 62.

[6]Ibid., p. 14.

[7]Ibid., pp. 218-219.

[8]Ibid., p. 221.

[9]U.S., Congress, Senate, Committee on Labor and Public Welfare, Higher Education Amendments of 1966, Hearings, before The Subcommittee on Education of The Committee on Labor and Public Welfare, Senate, on S. 3047, H.R. 14644, 89th Cong., 2nd sess., 1966, p. 188.

[10]Eugene Eidenberg and Roy D. Morey, op. cit., p. 34.

[11]Ibid., p. 36.

[12]U.S., Congress, Senate, Senator Morse speaking for his Amendment to the National Defense Education Bill, 85th Cong., 2nd sess., Aug. 13, 1958, Congressional Record, 104, 17307-17312.

[13]U.S., Congress, Senate, Senator Morse speaking for the Higher Education Facilities Bill, 88th Cong., 1st sess., Oct. 10, 1963, Congressional Record, 109, 19218.

[14]Eugene Eidenberg and Roy D. Morey, op. cit., p. 148.

[15]Ibid., p. 228.

[16]U.S., Congress, Senate, Committee on Labor and Public Welfare, Education Legislation, Hearings, before The Subcommittee on Education of The Committee on Labor and Public Welfare, Senate, on S. 3098, S. 3099, 90th Cong., 2nd sess., 1968, pp. 1126-1127.

[17]Eugene Eidenberg and Roy D. Morey, op. cit.,p. 120.

[18]Ibid., p. 149.

[19]Ibid., p. 160.

[20]Ibid., p. 143.

[21]U.S., Congress, Senate, Proposed Federal Aid for Education, A. Collection of Pro and Con Excerpts, S. Doc. 41, 87th Cong., 1st sess., 1961.

[22]Eugene Eidenberg and Roy D. Morey, op. cit., p. 170.

[23]Ibid., p. 168.

[24]U.S. Congress, Senate, Committee on Labor and Public Welfare, Education Legislation, Hearings, before The Subcommittee on Education of The Committee on Labor and Public Welfare, Senate, on S. 3098, S. 3099, 90th Cong., 2nd sess., 1968, p. 829.

[25]U.S., Congress, Senate, Debate on The Higher Education Facilities Bill of 1963, 88th Cong., 1st sess., various dates, Congressional Record, 109, 19339-19892 and 24048-24069.

PART III

MORSE AS ADVOCATE OF FEDERAL AID TO HIGHER EDUCATION

CHAPTER V

NATIONAL PURPOSE AND THE AIMS OF EDUCATION

In October 1957 the Soviet Union launched the first successful earth satellite, known as Sputnik. Having now put the first man on the moon, Americans have nearly forgotten the wave of agonizing reappraisal which the first Sputnik produced, particularly in the area of education. The Soviet Sputnik was a direct challenge to the adequacy of the American educational enterprise, and those who wished to improve our national defense appealed directly to the important role of education.

Wayne Morse was among those who argued the importance of education to defense. When Senator Cannon spoke to the Senate on "Education As A National Policy" and quoted Admiral Rickover on the role of education in national defense, Wayne Morse rose to support the remarks of Senator Cannon and said, " . . . there is no better place to spend defense dollars than on the education of American youth."[1] The mood of fear resulting from the first Sputnik persisted for many years, well after the passage of the National Defense Education Act in 1958.

As late as 1961 Senator Morse opened the hearings of the Senate Subcommittee on Education with these words:

> We are meeting under the shadow of a scientific achievement of the first magnitude, the multiple encirclement of the globe by a young military man educated under the Soviet system. This challenge to our society, including our educational system, is one which should not be dismissed lightly. We should not forget that the exploration of space, now initiated under alien auspices, is based upon a strong and thorough educational discipline reaching from the grammar school through the graduate studies. Although we do not like and will not accept the restrictions inherent in the authoritarian system of the Soviets, we must admit the stubborn, brutal facts with which we are faced. Through emphasis upon training and education, the U.S.S.R. has produced a technology and a theoretical apparatus which can and does sustain their space flight effort. The achievement is great, yet it is but a symbol of the more important aspect.
>
> The testimony we are to hear today, and in the later days of the hearing, I hope will provide the subcommittee with the sound, factual basis we need if we are to draft effective legislation to accomplish our purposes.[2]

Senator Morse, like most of his colleagues at the time, was caught up in the national mood which saw the United States and Russia engaged in fierce competition, with an outcome as yet uncertain, but with increasing signs that the United States was falling behind. Morse understood the importance of education in that race and often remarked, "We cannot keep ahead of the Communist segment of the world in manpower, but we must keep ahead of it in brainpower."[3]

It is difficult to know to what extent Morse was deeply troubled, as many Senators were, about the appar-

ent lag in national defense preparation, and to what degree he simply exploited that national mood to press the case for greater Federal involvement in education. In supporting a bill for Federal financial assistance to students in 1961 he said:

> Mr. President, the enlightment of the human brain does not exclude the Communists. The evidence and the data presented to our committee last year--in fact, in the last several years--leave no room for doubt about the fact that the Communist segment of the world considers the bringing of educational enlightenment to the young of the countries of the world to be one of its major foreign policies.
>
> I do not think we are going in any way to help in this debate by spending much time on a comparison of education in the United States with education in the Soviet Union. I simply want the Record to note that we cannot afford, in my judgement, to permit the educational process of Russia to surpass those of the United States.
>
> There is an emergency need, Mr. President, for us to recognize that the problem of raising educational standards in the United States is a national problem as well as a State problem.[4]

The interesting aspect of this statement is that it is not so much a statement about national defense needs as it is an exploitation of that concern to make a case for Federal aid to education on the grounds that education is a national concern as well as a concern of the individual States.

Another clue to the relative weight which Morse gave to the concern for national defense and the need for general improvements in education is found in his attitude toward the emphasis given to science as compared with the social sciences and humanities. Speaking about the National Science Foundation in 1958 he said:

> I am also proud of the role I have had in supporting the programs of the National Science Foundation, and especially its activities in behalf of the social sciences. My colleagues in the Senate may recall that during the early debates on the national science legislation, I received assurance from the Senator from New Jersey (Mr. Smith) that the newly proposed National Science Foundation would have specific, unquestionable authorization to move in the social science fields . . .
>
> I believe that continued support of training, research, and education in the social sciences will help redress, in some measure, the unfortunate imbalance in our educational system which may result from undue emphasis on the physical sciences. Nor can we ignore at this particular time, the liberal arts and humanistic studies which help to give expression to the spiritual values of man. As the New York Times noted in an editorial last fall, the wider lesson of the sputniks involves not only education in the field of missiles or the natural sciences alone, but also our ability to examine ourselves and our institutions and to improve our knowledge and methodology in the sciences dealing with man's social behavior.[5]

Morse shared the concern of his colleagues for national defense, as any sensitive representative of the people would at a time when the world was seemingly being divided into East and West, but he was also able to articulate the broader implications of sputnik for education. He was able to see that education served many national purposes which ranged far beyond a narrow concern for national defense.

Morse saw that education played a crucial role in awakening the nation's total resources. In commenting on President Kennedy's State of the Union Message in 1963 he said:

> (Education) not only improves the quality of the labor force, but also creates the potential for finding new goods, new technologies, new instruments of social policy, and new understanding of domestic and world problems. Therefore, mobilization of our intellectual resources in this decade can be more crucial to the Nation's future than was mobilization of physical resources in World War II.[6]

Morse compared human resources to the nation's natural resources:

> We must stop wasting the most valuable resources this Nation has, namely, its human resources. It is bad enough when we waste God's gift of natural resources, which we are doing at a plundering rate in our forests, mountains, streams, fast eroding lands, and falling water tables in many parts of our country. However, the waste of human resources in the United States today is nothing short of tragic.[7]

A pragmatic nation is able to evaluate adequately, the strengths and weaknesses of existing educational programs. A different sort of insight is required to project the benefits of programs not yet conceived. Morse was less concerned about the shortcomings of existing programs than the errors of omission, which would leave precious resources untapped. Supporting the Higher Education Facilities Bill, he said:

> Our economy is grounded upon the principle that the fruits of scientific research shall be brought through improved technology as quickly as possible to the American public. There has been in the last two decades in the words of witnesses before the committee "a veritable explosion of knowledge." Unless we can learn to live with and come to terms with the technological revolution we are undergoing, there are going to be vast social disjointures which will strain almost to the breaking point, the fabric of our political and legal institutions. The social problems of automation are but one aspect of this situation. Unless we can train well and

> quickly the men and women who will be making the judgments in our business communities, in our labor unions, in our legislatures, in the executive departments of the Government, including Defense, in the Congress and the courts, we may not be able to harness the energies which knowledge enables us to command.[8]

If Morse was aware of the vast, untapped energies which knowledge enables us to commend, he was also aware of the dangers of new knowledge. Speaking on behalf of the Higher Education Bill of 1965 he said:

> We live in an era of promise and danger. It offers promise because science, technology, business, and general understanding of life have made such rapid and striking advances that man has within his grasp the greatest opportunities ever known. At the same time, it presents grave dangers because man must learn how to utilize the electrons, the mechanical devices, the new way of life, and the altered view of the universe, or else he is overwhelmed and demolished by them.[9]

For Morse, then, one of the chief aims of education is the service of national purposes. Those purposes range far beyond national defense,and include not only the up-grading of the present labor force, but the more dynamic creation of new technologies and new knowledge. The creation of new knowledge, in turn, carries with it the national responsibility to utilize that knowledge responsibly for human betterment.

Senator Morse also identified other aims of education, among them those which are purely economic. He was fond of presenting statistics on the economic benefits of education to the nation and to the individual. During

the Senate debate on the establishment of public colleges in the District of Columbia he presented these figures:

> It is estimated that advances in new knowledge and technology are responsible for 20 percent of the growth rate of the national income, and for 36 percent of the individual's income. As a rule, the lifetime earnings of a man who has completed four or more years of college, will exceed by at least $180,000 those of a person whose studies end in high school. When the pupils now in the first grade graduate from high school in 1978, it is predicted that more than 60 percent of all employment opportunities will be in professional, managerial, or skilled technical occupations requiring postsecondary or higher education.
>
> Looking at the reverse side of the picture, low educational attainment has a clear correlation with high rates of unemployment, dependency, delinquency, crime, ill health, disruption of homes through divorce and desertion--in short, with all the social ills that hobble the economic potential of the Nation, and demand of all of us direct, out-of-pocket expenditures which do not lead to basic advances but merely shore up a leaky dike. In 1964, the national unemployment rate for those with eight or less years of education was 7.6 percent, while the rate for high school graduates was 4.7 percent, and for college graduates was only 1.7 percent.[10]

In 1961 Morse entered into the Congressional Record a table listing lifetime income by age and total years of school completed. As might be expected, the table demonstrates dramatically the correlation of years of education and increased income.[11] Although educators have doubtless overemphasized this correlation, an apparent correlation, indeed, exists. In recent years it has been pointed out that other factors beside education may help to account for the correlation. Some critics point out that the persons who elect further schooling already

possess personal qualities which would enable them to accumulate greater earnings apart from their additional schooling. Others regard the economic argument as irrelevant since the purposes of education, for them, range far beyond increased earning power.

To acknowledge that Senator Morse frequently pointed out the economic benefits of education is not to assume that he was unaware of the limitations of such arguments. Senator Morse knew that for the vast majority of Americans, life is still an economic struggle. Even more important, he was aware that his colleagues in the Senate and the practical men of affairs whom they represented were greatly impressed with economic arguments, especially those which demonstrated that education produced increased personal income and greater aggregate wealth. Morse was skillful in using the economic argument in support of Federal aid to education. In supporting legislation for student scholarships as opposed to student loans he argued as follows:

> Let us remember that what I am really proposing is a loan when I propose a scholarship. It is only a long term loan.
>
> Senators ask, Who is going to pay the taxes for the scholarship program? Let me tell them who it will be. It will be the recipients of the program. There is no question about the fact that, if we give these scholarships and we get these students into college, they then can leave college and earn money far in excess of what they would have been able to obtain without a college education. They will repay to the Treasury of the United States in taxes during the next 15 or 20

> years after they leave college 100 times the benefits they received under the scholarship program. That is why I say this scholarship program is a true long-term loan program which will strengthen the security of the Republic.[12]

Morse was cognizant of the long tradition in American education which stressed the application of knowledge to practical problems, a tradition best represented in higher education by the land-grant movement. In asserting that education has certain practical, economic benefits Morse identified one of the classical aims of education.

Educators, to be sure, would be disappointed in any list of the aims of education which did not go beyond the service of economic ends and national purposes. In addition to the more practical arguments which Morse presents to his colleagues, there emerges also from his many utterances deep concern for the individual qua human being. Speaking on behalf of the Teachers Corps he said that the amount in question was like a "widow's mite" compared with "the human values involved."[13] He was fond of quoting Jefferson, and in 1959, while most were just beginning to think of education as an instrument of national defense, Morse said:

> Jefferson said, "Democracy cannot be stronger than the enlightenment of its people." I know of no better way to keep a people enlightened than to provide our people with educational opportunities so that they have a chance to develop to the maximum their intellectual potential.[14]

The interest which Morse had in individuals was doubtless born of his own experiences in the academic world. He once said:

> As one who taught college students for 21 years, I just cannot yield to anyone in my interest for the welfare of the individual student. This young man or woman is the most important element in the educational process. He or she is the end the whole educational process is supposed to be seeking to serve.[15]

Perhaps the best example of this concern for individual human beings which undergirded Morse's philosophy of education is found in a speech which he delivered at the joint convention of the National Association of State Universities and Land-Grant Colleges, and the Association of State Colleges and Universities at Columbus, Ohio, on November 14, 1967. One might expect that an address to such a group might take the form of an elaboration of some of the more practical, economic goals and national purposes mentioned above. Instead, Morse makes the following remarks in an address entitled: "Questions as Big as the World and as Enduring as Eternity:"

> It is fitting that a prophetic voice of forty years ago should again be heard on an occasion such as this: Does the metal of it still ring true?
>
> "Secondary education is asleep. It is dreaming of I.Q.'s, of discipline as against supervision, of conformity to the requirements for college, of methodologies, of pedagogies, of the isness of many inconsequential whys - but for questions as big as the world and as enduring as eternity, she has neither eye nor ear. Human relationships, the struggle against war, the economic chaos of the world, hate between races and religions, the moral delapidation of

> mankind, the disintegration of the fireside, the apparent triumph of the material over the spiritual--all these receive but a passing glance."
>
> John Dewey spoke of secondary education but in a sense, it applies, or should apply to all educational endeavor. These larger questions are your grist for milling. Your primary function is to equip each generation of your students with the intellectual tools they need to fashion their answers based upon principle, to these eternal questions.
>
> So although I recognize the necessity of setting forth on a value-free basis, that which is, I regard this only as a prerequisite for the more vital measurement, the assessment of the existing against the model of what ought to be.[16]

Those who cherish the humanistic emphasis of the liberal arts would find in this statement an articulation of educational aims with which they would be well-pleased. There is no doubt that Wayne Morse understood the broader educational purposes which academic men defend with fervor, often against uninformed public opinion. Wayne Morse used whatever arguments he needed to bring about more adequate financing of educational programs through Federal funding. Beneath these arguments was manifest from time to time an underlying humanism, which counted among the purposes of education the exploration of the larger questions fundamental to man's existence as a human being.

In later years this humanism was expressed in a growing interest in international education. He took pride in his efforts in helping to pass the International Education Act, which provided for, among other things, the establishment of international studies

centers, visiting international faculty, and student work-study-travel programs.[17] Supporting the International Education Act, he said this:

> When we proceed today to enact this education bill, in my judgment we are striking a blow for world peace, because as we prepare ourselves to bring literacy to the world, we increase the chances, in my judgment, of mankind living in peace. Out of literacy will come that support for the programs that are necessary to improve the economic standards of the masses of the people of the world, who, because of their illiteracy are or have been victims of communism and other forms of totalitarianism.[18]

Veiled appeals to national self-interest are still present, but the major emphasis in his argument is on the role of education in the positive search for peace.

Unlike some, who saw international education as chiefly a matter of bringing American know-how to the "backward" nations of the world, Morse was sensitive to the need for developing programs which truly served the needs of other nations. Speaking on behalf of the International Education Act, he relates this interesting conversation with Prime Minister Nehru:

> In 1957 when I went with a Senate delegation to the British Commonwealth Parliamentary Conference in New Delhi, India, at his request I met and had a long conference with the Prime Minister of India, Prime Minister Nehru.
>
> Of the various things that he took up with me in that conference, the thing that concerned him the most, and gave rise to a little pique on his part, were the various devices and subterfuge that we permitted to develop in this country whereby Indian students remained here after they received their degrees, including, in many instances, their graduate Ph.D. degrees.

> He said that he was almost ready to prohibit any more Indian students from coming to the United States because he felt that we were not giving to India the cooperation as a Government that we ought to give to India in stopping what he termed as a pirating practice.

Morse continues his statement and enunciates his philosophy of international education as follows:

> I am for student exchanges. I am for bringing the foreign students here, but I want to raise a signal of warning because I am afraid that this bringing of foreign students here may well have had the effect of replacing assistance in building the educational strength of the countries from which the students come . . . It could add to what I think is already a bad situation, wherein we bring foreign students to this country for their education to the exclusion of helping them build their educational institutions at home.[19]

Morse was able to view the educational needs of other nations not only in terms of our national purposes but in terms of that country's national interest as well. He wanted to broaden the International Education Act to include support for educational institutions in other countries, and he was interested in developing binational institutions.[20]

The interest which Morse showed in developing programs of mutual benefit was based on an underlying belief that we had something to learn as well as teach in international studies. He said:

> We have much to learn from others, as well as to teach them of the best which has been thought and said in the centuries past which necessarily condition the international relationships of today. Comity among nations must be based on a two-way

> exchange of information which in turn can lead to common understandings.[21]

In his last year in the Senate Morse sponsored a bill, along with Senator Yarborough, to establish an international health, education, and labor program. Speaking on its behalf he said:

> The need is now greater than ever before for programs of cultural relations to promote international understanding and develop free institutions in new nations. Such programs are in our national interest for we do have an interest in a stable and socially progressive world.[22]

Morse also endorsed the concept of a National Graduate University which, in addition to training skilled personnel to solve urban and other domestic problems, would include an international conference center for meetings of experts concerned with problems faced by persons around the world.[23]

If Morse spoke with serene optimism of bringing world peace through international education, when he rose on the Senate floor to criticize the Vietnam war, his remarks took on the indignant tone of a Hebrew prophet. Senator Morse was among the first to denounce publicly United States policies in Vietnam. He became an ardent opponent of the war and filled the Congressional Record with articles, editorials, letters, and speeches opposed to the war, and on several occasions himself made speeches against the war. Struggling as he did to achieve often inadequate funding of educational programs, he was

shocked at the cost of the war and entered into the Record figures which dramatized that cost:

> The usual figure now used for the cost of the war is $70 million a day, which adds up to $25 1/2 billion a year. That is the published, Administration figure. Many others, including Mr. Janeway, (economic columnist Elliot Janeway), think the cost is much higher. Janeway puts the price tag at $36 billion a year, or $100 million a day.[24]

Morse objected not only to the Vietnam war in particular, but to the world-wide extension of the United States military establishment based on a policy of acting as policeman to the world. A confirmed internationalist, Morse saw the limitations of achieving peace through the unilateral activities of a single nation, however powerful. Using a literary device reminiscent of Amos or Jeremiah, Morse suggests that we consider what it might be like to live in a world policed by some other nation:

> As a final thought, I cannot help but wonder what our citizens would think and do if some country other than our own had proclaimed itself as policeman "with a world to guard," as did our President a few days ago. Suppose South Vietnam appointed itself policeman to the world, or China, or Brazil? We would have seen Vietnamese or Chinese or Brazilian troops land in Newark and Detroit; their hordes of aid specialists would appear in Milwaukee, Wisconsin, and Portland, Oregon, together with a goodly number of intelligence agents organizing pacification teams to win the hearts and minds of Albina district citizens for the Johnson Administration.
>
> They would have shown our National Guard and police departments how to deal with riots; they would have advised the mayors and governors on how to draw political dissidents into the ruling circles; and certainly these foreign advisers

> would have been able to tell Congress what laws to pass to improve the conditions that gave rise to the disorders. I suppose the Brazilians and Chinese and Vietnamese would know more about these things than American mayors and governors and legislators, since a policeman to the world always has to know more than the people in the countries he is policing.[25]

The Administration's policies on the war had drastic affects on the educational programs which Morse advocated. In making the choice between supporting the war and further support of domestic programs we were already, Morse pointed out, making the choice between guns and butter.[26] He saw the support of the war as a confusion of priorities. In attaching President Johnson's rhetoric on the need for continued progress for American education Morse said:

> What are we thinking of--if we intend to meet the needs of America's boys and girls? I agree with the President that priorities should be established, that first things should come first. In my judgment, the first priority is the education of our children. Let there be savings but let the savings come in other areas. What can be of greater importance in meeting the problems with which we are being faced in ever-increasing numbers, than the education of the citizens who will have to resolve them?[27]

Given fixed income and unusually large expenses abroad, someone gets short-changed. Morse was not afraid to identify those who were really bearing the cost of the war in Vietnam. Breaking custom, he delivered these extemporaneous remarks at the hearings on the Higher Education Amendments of 1966:

> I think the American people are entitled to know what the Administration's representations in regard to a tight budget situation mean to the Great Society Programs. This is a part of the Great Society program and this is one further evidence that, of course, the students in America are paying for part of the war in Vietnam. The poor in America are paying for part of the war in Vietnam. The Negroes in America through the denial of the rights they are entitled to receive now, not tomorrow, and which they are going to insist on now and not tomorrow, are paying for the war in Vietnam. The profit takers aren't paying for the war in Vietnam. Labor isn't paying for the war in Vietnam.[28]

The chief weapon of the Administration in meeting the added expenses of the war was a curtailed domestic budget. The amounts budgeted for educational programs were far below the amounts authorized by Congress. Morse marshalled the facts and presented them in a speech to the people of Oregon. Examples of fiscal 1968 budget cuts affecting higher education in millions of dollars are as follows:

	Authorized	Budgeted
Direct loans to college students	225	190
Construction of facilities	728	390
Construction of graduate schools	120	50
Library assistance	50	25
Library training[29]	15	11.8

Morse led an unsuccessful fight to restore full funding at the authorization level for the Teachers Corps program, one of Morse's most cherished plans to reach disadvantaged ghetto youth. In supporting his amendment to

the 1967 Health, Education, and Welfare Appropriations Bill he said:

> Here is the place to spend our money. When I think of the waste of money of which we are guilty, in the face of the human needs that exist on the domestic front; when I think how easy it would be to take $7.5 million off of the moon project, which can certainly wait; when I think how easy it would be to take $7.5 million off of the shocking amount we are pouring down international ratholes by way of wasteful foreign aid programs in many parts of the world, and bring that additional $7.5 million to the benefit of the little American boys and girls.[30]

The Morse Amendment was defeated by the close vote of 43 to 45.[31] Fighting for the restoration of funding at the full authorization level became a common Morse stance against the Administration, and he adopted a familiar non-violent technique, non-cooperation:

> Until the administration restores those funds--and I shall fight hard to have them restored--and until the administration keeps faith with those of us who have put the past legislation through, I shall oppose the administration at every step on education legislation this year.[32]

Morse not only denounced the Administration for budget cuts, but all educators as well who complacently accepted such cuts. He sharply rebuked a representative of the American Council on Education for presenting requests based on what could be realistically obtained rather than on actual needs:

> Let me say also to the institutions of higher learning in this country, you start this program of asking for less than you know the young men and women of this country have coming to them by way of their right to the full development of

> their educational potential, and you will have to assume the responsibility for setting back for years education legislation.[33]

For Senator Morse the aims of education are closely related to national purposes. Education plays a key role in achieving peace as well as keeping the nation prepared for war. Education has an important role in producing economic benefits for the nation and the individual, but these are never more important than developing the full potential of each person's talents.

In later years Morse relied less and less on arguments based on national self-interest and turned instead to those aims of education which promise a fuller flowering of the individual and a richer human community. He occasionally compromised high principles to get legislation passed, but sternly rejected efforts to curtail or alter programs contained in the legislation which Congress had enacted.

His optimism about achieving the betterment of mankind at home and throughout the world through education did not wane even in the face of a war which for many underscored the absurdity of life and the underlying alienation of man from his fellow men. He read in the "general welfare" clause of the Constitution a mandate for strengthening the Republic through the enlightenment of its citizens. But for Wayne Morse education, in the

last analysis, is not a means to an end but a celebration of man's humanity.

FOOTNOTES - CHAPTER V

[1]U.S., Congress, Senate, Senator Morse supporting remarks by Mr. Cannon on Education As A National Policy, 86th Cong., 1st sess., July 30, 1959, Congressional Record, CV, 14688.

[2]U.S., Congress, Senate, Committee on Labor and Public Welfare, Aid for Higher Education, Hearings, before The Subcommittee on Education of The Committee on Labor and Public Welfare, Senate, on S. 585, S. 635, S. 1140, S. 1232, S. 1241, 87th Cong., 1st sess., 1961, p. 1.

[3]U.S., Congress, Senate, Senator Morse speaking for S. 1241, College Academic Facilities and Scholarship Act, 87th Cong., 2nd sess., Feb. 2, 1962, Congressional Record, CVIII, 1525.

[4]U.S., Congress, Senate, Senator Morse commenting on President Kennedy's Message to Congress on Education, 87th Cong., 1st sess., Feb. 20, 1961, Congressional Record, CVII, 2391.

[5]U.S., Congress, Senate, Senator Morse speaking on Role of the National Science Foundation, 85th Cong., 2nd sess., Feb. 4, 1958, Congressional Record, CIV, 1634.

[6]U.S., Congress, Senate, Senator Morse speaking for S. 1241, College Academic Facilities and Scholarship Act, 87th Cong., 2nd sess., Feb. 2, 1962, Congressional Record, CVIII, 1520.

[7]U.S., Congress, Senate, Speech by Senator Morse given at Annual Convention of the American Federation of Teachers, 87th Cong., 1st sess., Aug. 22, 1961, Congressional Record, CVII, 16717.

[8]U.S., Congress, Senate, Senator Morse speaking for Higher Education Facilities Bill, 88th Cong., 1st sess., Oct. 10, 1963, Congressional Record, CIX, 19218.

[9]U.S., Congress, Senate, Senator Morse speaking for Higher Education Bill of 1965, 89th Cong., 1st sess., Sept. 2, 1965, Congressional Record, CXI, 22661.

[10]U.S., Congress, Senate, Senator Morse speaking for Establishment of a Public Community College of Arts and Sciences in the District of Columbia, 89th Cong., 2nd sess., Sept. 21, 1966, Congressional Record, CXII, 23596.

[11]U.S., Congress, Senate, Table entered by Senator Morse on Lifetime Income by Level of Education, 87th Cong., 1st sess., May 17, 1961, Congressional Record, CVII, 8217.

[12]U.S., Congress, Senate, Senator Morse speaking against Lausche Amendment to S. 1241, 87th Cong., 2nd sess., Feb. 6, 1962, Congressional Record, CVIII, 1809.

[13]U.S., Congress, Senate, Senator Morse speaking for the National Teachers Corps., 89th Cong., 2nd sess., April 27, 1966, Congressional Record, CXII, 9106.

[14]U.S., Congress, Senate, Senator Morse speaking for Federal Aid to Education, 86th Cong., 1st sess., Sept. 5, 1959, Congressional Record, CV, 18231.

[15]U.S., Congress, Senate, Senator Morse speaking for Higher Education Facilities Bill, 88th Cong., 1st sess., Oct. 10, 1963, Congressional Record, CIX, 19216.

[16]U.S., Congress, Senate, Senator Morse addressing the General Session of the Joint Convention, National Association of State Universities and Land-Grant Colleges and Universities, Nov. 14, 1967, Columbus, Ohio, 90th Cong., 1st sess., Nov. 29, 1967, Congressional Record, CXIII, 34189.

[17]U.S., Congress, Senate, Senator Morse speaking for International Education Act, 89th Cong., 2nd sess., Oct. 13, 1966, Congressional Record, CXII, 26554.

[18]U.S., Congress, Senate, Senator Morse speaking for International Education Act., 89th Cong., 2nd sess., Oct. 21, 1966, Congressional Record, CXII, 28442.

[19]U.S., Congress, Senate, Senator Morse speaking for International Education Act Amendment, 89th Cong., 2nd sess., Oct. 13, 1966, Congressional Record, CXII, 26559.

[20]U.S., Congress, Senate, Committee on Labor and Public Welfare, International Education Act., Hearings, before the Subcommittee on Education of the Committee on Labor and Public Welfare, Senate, on S. 2874, H.R. 14643, 89th Cong., 2nd sess., 1966, p. 249.

[21]U.S., Congress, Senate, Senator Morse speaking for International Education Act., 89th Cong., 2nd sess., Feb. 3, 1966, Congressional Record, CXII, 2058.

[22]U.S., Congress, Senate, Senator Morse speaking for International Health, Education, and Labor Program, 90th Cong., 2nd sess., Feb. 8, 1968, Congressional Record, CXIV, S862. (Daily Edition.)

[23]U.S., Congress, Senate, Senator Morse speaking for the National Graduate University, 90th Cong., 2nd sess., March 7, 1968, Congressional Record, CXIV, S2421. (Daily Edition.)

[24]U.S., Congress, Senate, Senator Morse speaking against Crippling Cuts in Domestic Programs at Portland City Club, Portland, Oregon, Aug. 4, 1967, 90th Cong., 1st sess., Aug. 10, 1967, Congressional Record, CXIII, 22165.

[25]Ibid., 22167.

[26]Ibid.

[27]U.S., Congress, Senate, Senator Morse speaking on President Johnson's Education Message, 90th Cong., 2nd sess., Feb. 5, 1968, Congressional Record, CXIV, S863. (Daily Edition.)

[28]U.S., Congress, Senate, Committee on Labor and Public Welfare, Higher Education Amendments of 1966, Hearings, before the Subcommittee on Education of the Committee on Labor and Public Welfare, Senate, on S. 3047, H.R. 14644, 89th Cong., 2nd sess., 1966, p. 246.

[29]U.S., Congress, Senate, Senator Morse speaking against Crippling Cuts in Domestic Programs at Portland City Club, Portland, Oregon, Aug. 4, 1967, 90th Cong., 1st sess., Aug. 10, 1967, Congressional Record, CXII, 22166.

[30]U.S., Congress, Senate, Senator Morse speaking for Increases in Departments of Labor, and Health, Education, and Welfare Appropriation Bill, 1967, 89th Cong., 2nd sess., Sept. 26, 1966, Congressional Record, CXII, 23841.

[31]U.S., Congress, Senate, Senator Morse speaking for Increased Appropriations for Teachers Corps, 90th Cong., 1st sess., Aug. 2, 1967, Congressional Record, CXIII, 21009.

[32]U.S., Congress, Senate, Senator Morse speaking against Ribicoff-Dominick Amendment to Tax Adjustment Act of 1966, Congressional Record, CXII, 6149.

[33]U.S., Congress, Senate, Committee on Labor and Public Welfare, Higher Education Amendments of 1966, Hearings, before the Subcommittee on Education of the Committee on Labor and Public Welfare, Senate, on S. 3047, H.R. 14644, 89th Cong., 2nd sess., 1966, p. 246.

CHAPTER VI

CHURCH AND STATE

Two issues have continually created serious obstacles to the passage of legislation providing Federal aid for education. The first is the fear of Federal control of education. The second is the problem of providing aid to church-related institutions within the framework of the Constitution. Like most Senators, Morse was concerned about both issues, but he was even more concerned about preventing either issue from becoming a permanent obstacle to the passage of any legislation.

The First Amendment to the United States Constitution provides peculiar arrangements for the separation of church and state. It insists that Congress "shall pass no law respecting an establishment of religion or prohibiting the free exercise thereof." Through the Fourteenth Amendment the same prohibitions are applied to the states. On the surface the language appears to be quite clear; but upon further reflection an inherent contradiction becomes apparent. If a policy meets the test of not aiding an establishment of religion, it often fails the second test by somehow penalizing religious institutions by withholding such aid. On the other hand, when

a policy encourages free exercise of religion, it often goes too far by aiding religion. Thus the framers of the Constitution provided a tight rope, which succeeding generations have walked with awkward gait and occasional stumbles.

It is not surprising, then, that Supreme Court decisions involving an interpretation of the First Amendment are often by a decision of 5 to 4 and that the position taken seems to vary from case to case, now stressing one clause, now the other. The series of landmark decisions from the Gobitis case through the Shempp and Murray cases represents an attempt to do justice to the full meaning of both clauses of the First Amendment.

As a student of Constitutional law Senator Morse was well aware of the dual requirements of the First Amendment. He respected the authority of the Constitution and opposed those who took extreme positions on the question of aid to church-related institutions. To the presidents and deans of church-related colleges and universities he once said:

> If you continue to insist on the all-or-none approach to this problem--that either there be general grants to Catholic, Presbyterian, Baptist, and other religious colleges or no legislation at all - there will be no legislation at all in my judgment.[1]

Morse saw himself not as a special pleader, but as one who must balance competing interests justly. Reflecting on

the unpopularity of his position among the special pleaders, Morse said:

> I know fully well the result of my position. It has meant that I now have all the Catholics against me, and all the Protestants against me, and all the Jews against me; but so far as I am concerned, that only proves that I am absolutely correct.[2]

What Morse sought was neither general aid nor denial of all aid to church-related institutions. He sought a modus vivendi, a way of aiding church-related institutions through arrangements which were clearly within the framework of the Constitution:

> I do not intend to walk out on my understanding and teachings of constitutional law just because I walked into politics. I am satisfied that the Federal Government can be of assistance to non-religious activities of private schools within the framework of our recognized constitutional limitations if all groups in our society will face up to the constitutional realities involved and substitute their obligations of citizen-statesmanship for personal feeling, selfish interests and religious bias.[3]

Finding the precise way in which the Federal Government could be of assistance to church-related colleges was a difficult task. During his search for the best vehicle the position which Morse took was gradually modified.

At first Morse supported only loans to church-related institutions and was firmly opposed to grants. He felt that a loan program for construction of facilities was clearly within the jurisdiction of the Federal Government and in no way violated the separation of church and state.[4] Because loans bear interest, he felt that there was no

expense to the taxpayer. In fact he went to great lengths to see that the interest rate charged was low enough to aid the borrowing institutions, yet high enough to insure that the loans did not involve a subsidy. Speaking on the Senate's failure to pass a higher education act in 1962, Morse said:

> I think there is no question that loans to private colleges are constitutional, provided the interest rate charged is sufficiently high so that no subsidy is inherent in the interest charge. This is the Morse formula, worked out with the Treasury of the United States. I have always stood for loans to private schools, if they were made on the basis of an interest rate which would cover the cost of the use of the money--in other words, so the taxpayers of the Nation would not be subsidizing the religious schools by giving them interest-free money . . .[5]

Morse supported construction loans but vigorously opposed grants for such purposes. In 1962 he opposed the House version of proposed Federal aid providing grants, and he reiterated once again his support of loan programs:

> I should like to make the record clear as to my own position . . . I have felt that no funds should be appropriated by Congress for the purpose of making grants to private or parochial or church schools, regardless of the level of education involved.[6]

By 1963 he had modified that position. He began to support Federal grants for construction for church-related colleges, but again he sought a way to make such grants through methods which would meet the tests of the Constitution. He supported "categorical use grants," aid for clearly specified purposes unrelated to ecclesiastical

functions. In clarifying the provisions of the Senate version of the bill for his colleagues he said:

> The issue is the form of the assistance which can be provided to our private church-related institutions of higher education in the light of the Constitution of the United States . . . Mr. President, here is the issue . . . The House bill is an across-the-board grant bill. The Senate bill is a categorical grant bill. The House bill would make general grants to private institutions of higher education, including colleges affiliated with the religious denominations. The Senate bill would allow to the private institutions of higher education, including those affiliated with religious denomination, only categorical grants for specific purposes which are related to defense objectives.[7]

He argued that the categorical use grant is constitutional because it is in the nature of a contract:

> Underlying it is the contract agency relationship whereby the Government in effect is entering into a contract or an agency relationship with a private institution to perform certain specific services essential to the defense and security of this country.[8]

By 1965 Morse had modified his position again. He accepted categorical grants which contained an exclusion provision. Instead of specifying a specific use for the money, such grants merely excluded using it for religious purposes. Interestingly enough, the language used to express that exclusion had been brought forward from the Morse-Hill Amendment, which attempted to define "academic facilities" in an earlier loan bill.[9] The exclusion clauses simply prevented the use of the grant money for facilities used for "sectarian instruction or as a place of worship" or for facilities used primarily for "the

program of a school or department of divinity."[10] The Higher Education Bill of 1965 provided for grants to church-related institutions by incorporating this exclusion provision. The bill was passed with little debate on the church-state issue, whereas only a few years before, the provisions of the bill would have aroused a storm of dissent from Morse and from others.[11]

What explains Morse's change of position? It is evident that he was searching for the precise vehicle through which Federal assistance could be granted to church-related institutions within the framework of the Constitution. As time passed and America's institutions of higher learning experienced greater pressures to serve expanding enrollments, Morse became increasingly doubtful about the possibility of writing legislation which was free of all ambiguity on the church-state issue. His increasing willingness to make Federal aid more readily available to church-related institutions was coupled with a growing hope for some clear guidelines from the judicial branch of the Federal Government.

Some educators thought that one way of simplifying the issue would be to pass an Amendment to the Constitution. Morse was opposed to that method:

> But, in my judgment, it would be quite improper for the Congress to advocate . . . a constitutional amendment when there is great conflict among constitutional lawyers as to whether or not the proposal is or is not unconstitutional. That is, the amendment procedure

> of the Constitution did not contemplate on the part of our forefathers that constitutional amendments should be offered in instances in which constitutionality is in doubt; that a constitutional amendment, in a situation such as this, should be offered when unconstitutionality has been determined and directly determined, and unconstitutionality can only be determined by a decision of the Supreme Court.[12]

Morse hoped instead for a decision from the courts which would define an acceptable vehicle for Federal aid to church-related institutions.

To encourage such a decision Morse sponsored, along with Senator Ervin, a judicial review provision to facilitate bringing the issues before the courts. Morse argued against Ervin's amendment in 1963, but primarily for tactical reasons.[13] Morse knew that the House conferees would not agree to a judicial review amendment at that time because in the House such an amendment would have to go through the Judiciary Committee.[14] In 1967 Morse supported a separate bill providing for judicial review procedures. Recalling his earlier opposition he said:

> My pledge was that if they would offer a separate bill, I would be a sponsor of it; that it should be a general judicial review bill that would be applicable not only to the matter of education legislation, but would apply as much to higher education facilities, public health, and all the other areas of such legislation in which some question might be raised as to the constitutionality of the bill.
>
> Such a bill was introduced. We passed it today.[15]

Morse waited in vain for a decision by the Supreme Court. He had hoped that the Supreme Court would take

jurisdiction in the Maryland case, and he was disappointed in the opportunity which had been missed.[16] What he hoped for was:

> . . . as we lawyers say, a "decision on the nose," from the Supreme Court, laying down an interpretation of the First Amendment to the Constitution that would settle once and for all the degree to which the Congress of the United States, under the Constitution, could make funds available to private schools with a religious background.[17]

In the absence of such a decision Morse sought increasingly subtle vehicles for bringing aid to church-related institutions. His desire to operate strictly within the framework of the Constitution came into conflict with an equally strong desire to see that individual students received the educational benefits available only through adequately supported institutions. His primary concern was the individual student:

> I am going to keep my eyes on the interest of the boy and girl. Legislation can be so drafted that the money really goes primarily to the boy and girl, although I would be the first to admit --as I have many times--one must take a look at where it is spent, too. Legislation can be so drafted that the money can be said to remain really in the control of the student rather than the institution where it is to be spent. You might find the Supreme Court handing down some guidelines that would help us. But who knows? I am not going to sit up here as an oracle and seek to foretell what the final decision will be.[18]

Morse was aware that the absence of clear-cut guidelines from the judiciary sometimes led to the development

of dubious vehicles for channeling aid to church-related institutions. Speaking for the judicial review bill he said:

> Until we get a decision on how far Congress can go under the first amendment of the Constitution by way of Federal aid to private schools with religious backgrounds, we shall have to continue, as I described in the debates on education legislation, to go through the back door and the side door rather than the front door, to use an allegorical argument, in aid to education.[19]

Sometimes the vehicles which Morse proposed seemed to suggest going in a basement door or an attic window. A master of the principles of argumentation, Morse occasionally pulled out the church-state issue to muddy the waters and confound an opponent. Morse vehemently opposed tax-credits for the parents of college students. He believed that it was social class legislation, i.e., aid which discriminated against low income families. When Senator Ribicoff presented his plan for tax credits as primarily a plan to aid parents, Morse responded as follows:

> The Senator can console himself by such a statement, but if the tax credit is given to the parents, it will be given to the Catholic schools or the Presbyterian schools or the Baptist schools. Whose money is it? It is the public money which would be given to the parent under the amendment. The Senator should not try to kid me by such logic . . . Those dollars are not the student's dollars. They are public dollars. We are indirectly giving those dollars to the schools from the Treasury of the United States.[20]

Perhaps Senator Morse is doing the kidding and using the fantastic logic at this point. This becomes even more apparent when Morse's argument is compared with an argument he himself once used to support institutional grants to supplement scholarship aid. He proposed that Federal funds in the amount of $350 be granted directly to each institution to pay part of the extra cost which the institution would incur by enrolling students with Federal loans and scholarships. When the church-state issue emerged, Morse argued as follows:

> We feel that the money is really following the student. The money is contributed to the institution through the conduit of the student. The decision as to which institution will get the money will be left up to the voluntary judgment of the student, who will select the school at which he wishes to get his training.[21]

This time the argument has been neatly reversed to support a program which Morse favored.

The arguments for and against Federal aid to church-related institutions become even more complicated as one examines the effects of such aid. It can be argued that all forms of aid which in any way impinge on such institutions, whether in the form of scholarhips to students or loans for construction, free other funds which, in turn, may be used for religious purposes. Morse was well aware of that problem and brought it to the attention of his colleagues during the debate on the Higher Education Facilities Bill in 1963:

> If the private Catholic university or private Presbyterian university or any other religious university, received the matching grant money for the physics building or the chemistry building or the library, we all know that its own funds would be available for other buildings, such as an economics or business administration building or a liberal arts building or a social science building, or for that matter--and we have to honestly admit it--for a strictly religious building.[22]

Morse's awareness and use of such arguments indicate his appreciation of the essential ambiguity involved in all attempts to resolve the church-state issue justly. He knew that similar arguments could be employed for contrary purposes, and that every vehicle developed to "go in the back door" was imperfect. He knew that the inherent weakness of whatever position he and others might take stemmed from the dual prohibitions of the first amendment and the absence of a clear interpretation by the courts.

What can be said of Morse's position on Federal aid to church-related colleges and universities? Was he basically consistent? Do the positions he takes grow out of more fundamental beliefs about education?

Apart from the minor adventures in obfuscation mentioned above, Senator Morse was engaged in a persistent struggle to discover the proper vehicle for aiding church-related institutions within the framework of the Constitution. Although his position seems to have changed, the changes were minor and were the results of his search for a more adequate method.

The positions which Morse took were the outgrowths of two, more fundamental beliefs. The first was a strong belief in the processes of constitutional government. His lawyer's respect for the Constitution is evident as he asks again and again: What can be done consistent with the Constitution? His personal religious beliefs or his feelings about the work of church-related institutions enter in only in minor ways. The special pleadings of various religious groups make little impact on him. The fundamental problem is the constitutional problem.

The positions which Morse took on the church-state question were greatly influenced by a second belief as well: a firm conviction that individual students, quite apart from their religious affiliations, need all the help they can obtain in developing their full potential through education. Morse's position on the church-state question is clearly related to his fundamental concern for individual human beings described in the previous chapter.

In the earlier years the constitutional problem is in ascendence. The vehicles developed seem to do more to meet the demands of the Constitution than to channel large amounts of aid to students. In later years concern for students begins to overpower the concern for finding the proper vehicle, and the constitutional question is passed to the courts.

When Senator Morse left the Senate the church-state question had not been resolved. It may yet be resolved, but it is more likely that the murky waters will go uncharted for several years to come. The Supreme Court may make a landmark decision, but if the past is any teacher, such a decision holds forth the possibility of both further clarification and further confusion. The wording of the First Amendment may itself preclude the possibility of the "on-the-nose" decision which Morse sought.

Senator Morse has been known as an idealist, as a man of uncompromising principle. His strong belief in the principles of constitutional government and the importance of education in the development of the individual are evident in his effort to resolve satisfactorily the church-state issue. Here, perhaps more than at any other point in Morse's career, one sees the hand of a skilled legislator struggling to fashion in each successive earthen vessel a more perfect embodiment of cherished principles.

FOOTNOTES - CHAPTER VI

[1]U.S., Congress, Senate, Senator Morse speaking for Higher Education Facilities Bill, 88th Cong., 1st sess., Octo. 11, 1963, Congressional Record, CIX, 19399.

[2]Ibid.

[3]U.S., Congress, Senate, Speech by Senator Morse given at Annual Convention of the American Federation of Teachers, 87th Cong., 1st sess., Aug. 22, 1961, Congressional Record, CVII, 16719.

[4]U.S., Congress, Senate, Senator Morse commenting on President Kennedy's Message to Congress on Education, 87th Cong., 1st sess., Feb. 20, 1961, Congressional Record, CVII, 2394.

[5]U.S., Congress, Senate, Senator Morse speaking on Failure to Pass Higher Education Act., 87th Cong., 2nd sess., Oct. 3, 1962, Congressional Record, CVIII, 22091.

[6]U.S., Congress, Senate, Senator Morse speaking for S. 1241, 87th Cong., 2nd sess., Feb. 5, 1962, Congressional Record, CVII, 1668.

[7]U.S., Congress, Senate, Senator Morse speaking for Higher Education Facilities Bill, 88th Cong., 1st sess., Oct. 10, 1963, Congressional Record, CIX, 19218.

[8]U.S., Congress, Senate, Senator Morse speaking against Judicial Review Amendment, 88th Cong., 1st sess., Oct. 15, 1963, Congressional Record, CIX, 19480.

[9]U.S., Congress, Senate, Senator Morse offering Morse-Hill Amendment to S. 1241, 87th Cong., 2nd sess., Feb. 5, 1962, Congressional Record, CVIII, 1641.

[10]U.S., Congress, Senate, Senator Morse speaking for Higher Education Bill of 1965, 89th Cong., 1st sess., Sept. 2, 1965, Congressional Record, CXI, 22714.

[11]Ibid., 22715.

[12]U.S., Congress, Senate, Senate Committee on Labor and Public Welfare, National Defense Education Act, Hearings, before the Subcommittee on Education of the Committee on Labor and Public Welfare, Senate, on S. 622, S. 1227, S.1228, S. 1271, S. 1411, S. 1562, S. 1726, 87th Cong., 1st sess., 1961, p. 343.

[13]U.S., Congress, Senate, Senator Morse speaking against Judicial Review Amendment, 88th Cong., 1st sess., Oct. 15, 1963, Congressional Record, CIX, 19478.

[14]U.S., Congress, Senate, Senator Morse speaking for Adoption of Conference Report on Higher Education Facilities Bill, 88th Cong., 1st sess., Dec. 10, 1963, Congressional Record, CIX, 24065.

[15]U.S., Congress, Senate, Senator Morse speaking for Judicial Review Bill, 90th Cong., 1st sess., April 11, 1967, Congressional Record, CXIII, 8923.

[16]U.S., Congress, Senate, Committee on Labor and Public Welfare, Education Legislation, Hearings, before the Subcommittee on Education of the Committee on Labor and Public Welfare, Senate, on S. 1125, H.R. 7819, 90th Cong., 1st sess., 1967, p. 1910.

[17]U.S., Congress, Senate, Senator Morse speaking for Judicial Review Bill, 90th Cong., 1st sess., April 11, 1967, Congressional Record, CXIII, 8923.

[18]U.S., Congress, Senate, Committee on Labor and Public Welfare, Education Legislation, Hearings, before the Subcommittee on Education of the Committee on Labor and Public Welfare, Senate, on S. 1125, H.R. 7819, 90th Cong., 1st sess., 1967, p. 1910.

[19]U.S., Congress, Senate, Senator Morse speaking for Judicial Review Bill, 90th Cong. 1st sess., April 11, 1967, Congressional Record, CXIII, 8923.

[20]U.S., Congress, Senate, Senator Morse speaking against Ribicoff Amendment to Revenue Act of 1964, 88th Cong., 2nd sess., Feb. 3, 1964, Congressional Record, CX, 1794.

[21]U.S., Congress, Senate, Senator Morse speaking for S. 1241, 87th Cong., 2nd sess., Feb. 5, 1962, Congressional Record, CVIII, 19218.

[22]U.S., Congress, Senate, Senator Morse speaking for Higher Education Facilities Bill, 88th Cong., 1st sess., Oct. 10, 1963, Congressional Record, 19218.

CHAPTER VII

ACADEMIC FREEDOM AND FEDERAL CONTROL

The belief that Federal aid to education inevitably leads to Federal control is deeply imbedded in the popular wisdom of American life. If finding an adequate resolution of the church-state question proved difficult, Morse faced an even larger task in convincing his fellow Senators, and the people whom they represent, that fears of Federal control are unfounded. He attacked those fears directly while at the same time using every available device to develop safeguards against Federal control.

Morse believed that the fear of Federal control of education has no foundation in fact.[1] He deemed it an irrational fear, present as a stubborn reality in the minds of countless men of good will, but unrelated to the actual circumstances which pertain to the relationship of the Federal Government to education. As early as 1958 he had analyzed the irrational base of arguments warning against Federal control:

> It is a fear argument. It is a scarecrow that is being built up in the communities of America, with the result that timid politicians too frequently are following this propaganda line, and unwittingly, I am sure, but nevertheless effectively, denying to American boys and girls the educational opportunities that I think are their heritage.[2]

Morse combatted the Federal control argument by pointing out other examples of extensive Federal programs which have not lead to the control of the persons or institutions being aided. In a discussion with Senator Lausche he said:

> Does the Senator take the position that the money that goes to subsidize and pay the Federal-State employees across the country engenders Federal control? Does the Senator think that the great land-grant colleges of this country, and those professors who are the beneficiaries of that kind of Federal subsidy, constitute an educational threat to the Government?[3]

The extent to which irrational fears of Federal control gripped the mind of his colleagues is demonstrated in the debate on the National Teachers Corps. The plan was simple enough: to prepare a group of teachers specially-trained in working with urban youth. Such teachers would be trained in colleges and universities in established teacher-training programs and would be on call to serve at the request of local school districts. The name, "Teachers Corps," seemed harmless and appropriate. But when the bill came to the floor of the Senate, Morse found himself locked in debate with Senator Lausche over the issue of Federal control:

> Mr. LAUSCHE. I do not hesitate to say that I have a deep apprehension about the initiation of a program that will give to the Federal Government the power to send an army of teachers to the communities.
>
> Mr. MORSE. But it is not doing that.

Lausche pursued the argument by insisting that the establishment of such programs not only carried the threat of Federal control, but that once established, even on a modest basis at first, such programs inevitably grow to unmanageable proportions.

> Mr. LAUSCHE. Mr. President, in response to what has just been said, I have been here for nine years, and I cannot recall a single program of grants in those nine years which, once instituted, has been either reduced or canceled.
>
> Mr. MORSE. They are working so well; that is why.
>
> Mr. LAUSCHE. The grants are increased each year. They grow and grow. And I think we can lay it down axiomatically that this is a $9.5 million program for the fiscal year of 1966, but in 1975 it will still be here, and the amount will have increased greatly . . .
>
> Mr. MORSE. I wish to tarry with the Senator for just a moment, because I always like to thank someone who has been particularly kind in behalf of my committee. I thank the Senator from Ohio for what I think is one of the finest compliments ever paid the Senate Committee on Labor and Public Welfare, and its Education Subcommittee, that because we have done the job so well, apparently, in all the nine years to which the Senator refers, and our authorization proposals show the great care we have taken in proposing sound programs, there has been no need for reducing grants, but they have been increased year by year because they are clearly so much needed.[4]

Morse responded facetiously to the arguments that Federal aid leads inevitably to Federal control and that Federal control necessarily expands geometrically each year. Beneath the humor can be found Morse's belief that Federal aid to education is what Congress makes it, that nothing happens inevitably, and that adequate safeguards against Federal control can be devised through careful

formulation and review of each piece of legislation. To that end, Morse developed several devices for insuring the continuing freedom of those who receive Federal aid.

The first of these devices was the insertion of special language in the legislation to guard against Federal control. Morse insisted that at some point all education legislation should include the usual special language:

> prohibiting any department, agency, official, or employee of the United States from exercising any direct supervision or control over the curriculum, program of instruction, administration, or personnel of any educational institution . . . [5]

A second device used to insure protection against Federal control was the channeling of aid through the States. Drawing on a principle established by a former colleague, Senator Taft, Morse often sought ways of making direct grants to States, leaving policy decisions about the expenditure of the funds at the State level.[6]

Still another device sought to establish primary control in matters of policy at the local level. In the Teachers Corps program Morse insisted that local school districts be able to request and select the specially-trained teachers needed by the local district. Speaking on behalf of the Teachers Corps he said:

> I want to see the maximum of administrative power, consistent with the protection of Federal funds in the carrying out of congressional responsibility, vested at the local level, because I believe that is also the best guarantee that the policies will be determined at the local level.[7]

Another device provided for the locus of policy control in individual institutions. Morse was particularly eager to have programs of student financial aid administered by the colleges and universities themselves, and not by a Federal Bureau in Washington.[8]

Finally, where possible, Morse hoped to provide Federal aid directly to the individual. Morse was aware of the subtle influences which derive from Government support of certain programs and non-support of other programs. Students tend to enter those programs where support is available. Morse hoped to develop financial aid programs which would provide direct support of the student, leaving with the student complete freedom of choice as to the institutions attended and the programs followed.[9]

For Morse Federal control was both an irrational fear and a potential reality. He sought to allay groundless fears while building in to all education legislation adequate safeguards against real threats to individual freedom and the freedom of educational institutions.

Higher education has enjoyed a long tradition of academic freedom and is particularly sensitive to encroachments on that freedom by government agencies. In particular, faculties of colleges and universities have jealously guarded 1) the freedom to express or not to express political and patriotic loyalties, 2) the freedom to dissent, including the liberty to criticize government policy

and practice, and 3) the freedom to engage in research without predispositions as to the results. If general fears of Federal control were unwarranted, fears of specific threats to academic freedom were not. Thus the former professor became the Senate's chief watchdog of academic freedom.

Many educators saw the first of these freedoms threatened by the loyalty oath provisions of the National Defense Education Act. Morse seems not to have expressed a position at the time when the bill was originally before the Senate, but as his mailbox filled with objections from scores of colleges and universities, he became one of the Senate's chief interpreters of these objections. He entered into the Congressional Record statements from the American Association of University Professors; letters from colleges and universities, such as the University of Oregon, Lewis and Clark, and Oberlin; letters from non-academic organizations such as the American Civil Liberties Union; and editorials from national newspapers such as the St. Louis Post Dispatch.[10] Like others in the academic world, Morse objected to the assumption of guilt implicit in the disclaimer affadavit. He found oaths of affirmation, such as the one he took as a Senator, "less objectionable." His main objection to the disclaimer affadavit was that it put colleges and universities in the position of law enforcement officers. He believed that

the problem of Communist infiltration could be handled through enforcement of the Smith Act, which makes it a crime to teach or advocate the overthrow of the United States by force or violence. A good summary of his position appears in a statement made just after the Senate's decision to recommit to committee some proposed modfications of the disclaimer affadavit:

> When university administrators and faculties assume the responsibilities entrusted to them under such legislation as the National Defense Education Act, they can be counted on to carry out the objectives and purposes of that act. They do not need the Congress of the United States to be administering the details of the operation of a college or a university.
>
> But, beyond that, I think it a shocking thing that anyone should try to make educators, students, and college administrators a part of the national police network. It is the job of the Justice Department and the FBI to seek out and catch Communists; personally, I think they do a good job of it because that is their business.
>
> It is not a business that should be imposed on an institution of higher learning.
>
> And the requirement of these oaths cannot be expected to leave any effect upon the Communist conspiracy in America.
>
> It is a requirement that does nothing to stop, hinder, or forestall Communist conspirators. It is nothing more than a statement of suspicion and distrust of the academic world.
>
> I think it is very sad that the Senate yesterday said, in effect, "We are going to single out college people and stigmatize them with suspicion that they are disloyal to the United States unless they take these oaths prior to getting an educational loan."[12]

The loyalty oaths were eventually modified, partly because the fear of Communists engendered by the McCarthy Era gradually subsided, and partly through the efforts of men such as Wayne Morse.

Academic men have also carefully guarded the right to protest and dissent. The issue is complicated, and the right of free speech often conflicts with the larger responsibility of maintaining the orderly processes of constitutional government. Morse vigorously defended the right of peaceful protest and understood how it was cherished by the academic community. He was particularly moved by the forms of peaceful protest which had been developed in the civil rights movement. Having watched on TV the brutality of Alabama police during the Selma march, Morse went to the floor of the Senate the next day to say these words:

> The Negroes will have to give consideration to peaceful resistance within the law, to peaceful petition with the law, to peaceful demonstration within the law, and therefore, in many parts of America the feet of Negroes must march and march and march until the tramp of those feet can be heard across this Nation, until the American people come to realize that human rights, civil rights, and legal rights, including the constitutional rights of Negroes, must be respected, even by Alabama bigots and racists. The tramp, tramp, tramp, of Negro feet on the highways and the byways and the streets of America will continue to increase in the months ahead--and should.[13]

Morse viewed the peaceful demonstration as an extension of free speech, a way of speaking with actions as well as words.[14]

In his support of the right to dissent Morse was always quick to add that such protests must be lawful and peaceful. When students in Oregon proposed a sit-in in

violation of the law at the Federal Building in Portland, Morse advised against it. Commenting later on his advice he said:

> In that statement I pointed out that it is one thing to petition and protest lawfully. It is another thing to petition and protest illegally. I pointed out that in that instance in my judgment, those students were following a mistaken course of action, for they could not justify their course of action on the basis of so-called peaceful resistance. Even though we may not like the provisions of an existing law, we do not help the cause of government by law, as I pointed out, in effect, by violating it, even though we think the cause in which we are interested is a justifiable and admirable cause. I share the view of those students who sought to protest U. S. war-making in South Vietnam. But I could not condone what was obviously their illegal course of action. When the U. S. district attorney, Mr. Lezak, appealed to them to obey the law and leave the Federal Building, he was their best friend. But they had the right peacefully to march. They had the right peacefully to picket.[15]

Morse had the opportunity to respond to a student protest carried out by some of the staff of his own office. Many Congressmen have student interns working in their offices. The intern programs are sponsored by various organizations, such as the Political Science Association, and provide students the opportunity to gain experience in political science by working in the office of a Congressman. During the summer of 1967 a group of interns planned to boycott a reception and speech customarily given on their behalf by the President. The students planned the boycott and a token picket line in front of the White House to protest the war in Vietnam. The

eaders of the interns were two students working in the ffice of Senator Morse. By the time Morse became aware what was happening an article describing the plans of e interns had already appeared in the Washington Post. hibiting the understanding of a college professor or an, Morse went to the Senate floor so that these words uld be entered in the Record:

> The senior Senator from Oregon would be the last to seek to impose any restriction on the independence of interns or the exercise of the independent judgment of interns, no matter how I might disagree with their conclusions. If I had been consulted in regard to the advisability of such a program, I would have strongly advised against it, because of a deep philosophical tenet of mine. I just believe in the full exchange of ideas. That includes listening, as well as expressing oneself.
>
> I believe in untrammeled free speech in this Republic. I am against any attempt to restrict it or any attempt to censor it; and attempts to restrict or censor it can take a variety of forms. Even the program that is referred to in this article, when one stops to analyze it, is, in part, an attempt to follow a behavior manifestation that would express in advance disapproval of even the President of the United States seeking to talk to interns . . .
>
> One of the precious rights of our democratic form of government--and really one of the basic safeguards of our freedoms--is the availability of a President of the United States to commune with the people of the United States and groups in the United States. And so I would welcome an opportunity to hear my President, at any time, on any subject, and then reserve to myself the right to be the judge of whether or not the views he expressed were, in my opinion, sound views. That is the way democracy is kept strong and vital in this Republic.
>
> Mr. President, I wanted the Record to show that, although the interns made clear that they were following a course of action without any knowledge of Members of Congress, as to what they purported to do, it is their right to do it as long as they

> conduct themselves in an orderly and decorous manner. I do not question their right.[16]

rse supported dissent as one aspect of academic freedom. t he had firm beliefs about the limitations within which ssent could take place. Verbal protest and the exten- on of free speech in the form of demonstrations were ceptable to Morse if carried on through lawful and peace- l means. But for Morse the freedom to express one's own int of view must never abridge the free speech of others. ose who protest must themselves remain open to new ideas d must listen as well as speak, so that the truth may erge through the dialectic of debate.

In his final year in the Senate, Senator Morse gaged in a protracted battle which may have been his est hour in defense of academic freedom. During the 7-68 academic year a series of violent confrontations pted on college campuses across the land. The worst at Columbia University and involved the occupation of versity buildings and ultimately the resignation of President, Dr. Grayson Kirk. Protest of this sort, be sure, did not meet Morse's criteria of peaceful- s and lawfulness. His lack of sympathy for such dis- ers is evident in his projection of how he would have lled the situation:

> If the students had tried to take over the build- ing when I was dean of the law school, one of two things would have happened: either the police

> forces of our State would have removed them forthwith, or they would have had a new dean by night.[17]

The mood of the nation had grown angry, and the embers of Congress, like their counterparts in countless State Legislatures, sought some way to put a stop o violent outbursts of student unrest. There was rought before the Senate an appropriations bill for he Department of Health, Education, and Welfare which ontained a clause which would prevent student protesters from receiving Federal loans or scholarships. he pertinent section of the bill is as follows:

> No part of the funds appropriated under this Act shall be used to provide a loan, guarantee of a loan or a grant to any applicant who has been convicted by any court of general jurisdiction of any crime which involves the use of or the assistance to others in the use of force, trespass or the seizure of property under control of an institution of higher education to prevent officials or students at such an institution from engaging in their duties or pursuing their studies.[18]

orse objected to that provision on legal grounds and rgued that there was no precise definition of what was eant by a conviction. He believed that the provision nvited arbitrary enforcement. But more important he elt that the responsibility for coping with student rotests lay with the institutions of higher education nd not with the Federal Government. Morse supported enator Javits' amendment which made alternate provisions as follows:

> Nothing in this Act shall be construed to prohibit any institution of higher education from refusing to award, continue, or extend any financial assistance to any individual because of any misconduct which in its judgment bears adversely on his fitness for such assistance.[19]

orse wanted to leave the actual denials of aid in the ands of the institutions. Knowing full well the conervative stance of those who favored the original wordng of the bill, Morse appealed for their support of the avits amendment on the grounds of States' rights:

> This is of great importance to the States' righters, and I have heard them speak over the years. I say to them now: "If you believe in States' rights, practice it this afternoon and pass the Javits amendment, because we are merely saying we will leave it to the local authorities and universities."[20]

e raised the issue of Federal control:

> I have heard many Senators talk about how we are going to have the Federal Government run educational policy in our States. That is exactly what the language of the Appropriations Committee refers to. Who will step in and make the determination? Who will make the determination? Somebody in the Department of Health, Education, and Welfare? Somebody in the Department of Justice?[21]

n spite of these appeals the Javits Amendment was defeated 5 to 35. Thirty-nine members of the Senate were absent. t was early September in a Presidential election year and lready many Senators were campaigning. In retrospect orse probably should have been campaigning, too, but nstead he was on the floor of the Senate fighting for the ause of academic freedom.

The fight did not end there. No sooner had the avits Amendment been defeated than Morse introduced his wn Amendment. It was a compromise amendment which used ome of the stern language of the original bill, but hich placed upon the local institution the responsibility or determining the effect of the student misconduct. It ave the colleges and universities the freedom to decide hether the student's conduct "was of a serious nature, nd contributed to a substantial disruption of the admin- stration" of the institution.[22] The Morse Amendment arely passed 28 to 26. However much Morse may have pposed the personal conduct of students engaged in unlaw- ul protests, he saw also the greater danger of Federal ntrusion on the academic freedom of all colleges and uni- ersities.

Senator Morse was also concerned about the freedom f those in higher education who carry on research. He hared the professor's traditional concern for academic reedom, and he saw new threats to that freedom in the rowing complexity of relationships among government, usiness, and the academic world. As Government came to ely more and more on the expertise of the university and he university came to rely more and more on the contract esearch provided by government, new temptations chal- enged the integrity of those engaged in research. In a peech before the International Studies Association Morse emarked:

> Indeed, one man who has been in and out of the Defense Department, the academic world, and private institutes, explains that the relationship is so incestuous that it scarcely matters which payroll he is on.[23]

The problem arises not so much in matters of policy ormulation as in matters of policy evaluation. Academic xperts are often called upon to advise in the formulation f policy. If the same experts are called upon to evalute that policy, there is good reason to believe that the valuations may be positive. Even if those who evaluate olicy are different individuals from those who help forulate policy, subtle pressures in the form of sizable tipends and potential future contracts, thwart indepenence of judgment and critical appraisals. In the hearngs on the International Education Act Morse said:

> The American people have just got to be concerned that no segment of our institutions of higher education become propaganda centers for governmental policies, sources therefore rationalizing a Government policy that may be subject to great dispute and controversy within the body politic.
>
> We have seen this happen to some foreign universities which became the tools and agents of government. And I think now is the time in connection with this bill to adopt whatever controls and checks and procedures are necessary to give every American complete justification for believing that our institutions of higher learning are completely free of any political manipulation in connection with any segment of their research activity.[24]

Morse was an enthusiastic supporter of Federal aid higher education through Office of Education programs, t he had serious doubts about the extensive involvement many universities in contract research supported by the

efense Department or the Central Intelligence Agency.
e was especially disturbed by research supported secretly
y such agencies:

> What I should like to emphasize above all is the problem of public knowledge of the source of these Federal funds, and the purpose for which they were advanced. It is the acceptance of published findings and opinions by a people--and a Congress --unaware of their financial backing that I feel constitutes the danger to foreign policy formulation.[25]

orse found equally dangerous the failure to disclose the
ffiliations and associations of those doing research.
e cited as an instance an article on Vietnam policy pub-
ished in Foreign Affairs Quarterly. The author of the
rticle was listed as a "student of Asia," but his rela-
ionship with the Central Intelligence Agency was not
entioned.[26]

Morse felt that extensive involvement of univer-
ities in the governmental policy process causes serious
ordering of priorities in the life of the university
self. Extensive research involvements, he argued, lead
an "emphasis and preoccupation with operations rather
an scholarship and teaching."[27] The practice of asking
ucational institutions to become "operating arms of
reign policy is leading to bad practices and bad
sults."[28]

The worst results of such violations of the academic
reedom of the university were not those which accrued to
dividual research scholars, but to the academic world

as a whole. What Morse feared more than occasional lapses in the independent judgment of certain individuals was the general crisis of confidence which such lapses created. Morse concluded his speech before the International Studies Association with these words:

> The "credibility gap" between Government and governed is already wider than is safe for our free institutions. More than any others, the academic community should be on guard against this gap because the efficacy of intellectual freedom requires not only a speaker but a listener. The audience of the academic community consists of the student and the public. To the extent that either audience becomes cynical and unbelieving, academic research will lose its impact on the formulation of foreign policy.[29]

Did Senator Morse have a coherent position on matters affecting academic freedom? On the one hand, he scoffed at those who feared Federal control of education. On the other hand, he appears to be a staunch defender of academic freedom. The inconsistency is only apparent. He was no less concerned about Federal control than were his colleagues. As was the case on the church-state issue, he wished to avoid extreme positions. He did not believe that Federal control resulted inevitably from Federal support. Nor was he willing to forego all Federal aid because some programs involved potential threats to academic freedom. He knew that there were, indeed, very real threats to academic freedom, but he sought rational devices and legislative safeguards for their control.

The position which Morse took on loyalty oaths reflects an underlying faith in academic men, and in human beings generally, to manage their own affairs and sustain their own institutions. His advocacy of dissent within the limits of law reflects his abiding belief in the efficacy of constitutional government. He was less concerned about the excesses of student protests than he was about the older generations' increasingly frequent lapses of integrity. Of far greater concern to him than immediate threats to academic freedom was the growing decay of the underlying trust upon which the academic enterprise is based.

FOOTNOTES - CHAPTER VII

[1]U.S., Congress, Senate, Senator Morse remarking on Address by Secretary Ribicoff, "Federal Aid to Education," 87th Cong., 1st sess., July 12, 1961, Congressional Record, CVII, 12376.

[2]U.S., Congress, Senate, Senator Morse speaking on America's Education Needs, 85th Cong., 2nd sess., March 12, 1958, Congressional Record, CIV, 4142.

[3]U.S., Congress, Senate, Senator Morse speaking for Increases in Departments of Labor, and Health, Education, and Welfare Appropriation Bill, 1967, 89th Cong., 2nd sess., Sept. 26, 1966, Congressional Record, CXII, 23843.

[4]U.S., Congress, Senate, Senator Morse speaking for the National Teachers Corps, 89th Cong., 2nd sess., April 27, 1966, Congressional Record, CXII, 9105.

[5]U.S., Congress, Senate, Senator Morse speaking for International Education Act, 89th Cong., 2nd sess., Oct. 13, 1966, Congressional Record, CXII, 26554.

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CHAPTER VIII

THE DEMOCRATIZATION OF EDUCATIONAL OPPORTUNITY

The Colonial college prepared competent magistrates for the state, learned clergy for the Church, and cultured men for society.[1] The privilege of obtaining higher education was gradually extended to students preparing for other occupations (most notably by the Morrill Act in 1862), to women, and to Negroes. After the Civil War specialized training in agriculture and mechanical arts was made available in most States through land-grant universities. Today, through community colleges and special programs for disadvantaged youth, new efforts are being made to provide opportunities for higher education to greater and greater numbers and types of students. John Hope Franklin, perhaps the Negro American's greatest historian, has labeled this process "the democratization of educational opportunity."[2]

After World War II the democratization of educational opportunity had a twofold thrust: providing higher education for a rapidly expanding population of college age students born in the post-war baby boom, and extending new opportunities to students previously judged

unqualified for college. Senator Morse helped design programs of Federal aid to meet both needs.

Providing facilities for the sheer increase in numbers of students was the first priority. Morse often quoted the figures given in testimony in subcommittee hearings by Dr. Logan Wilson of the American Council on Education:

> We shall have to double the size of every university and college in this country by 1980, and beyond that the need is to establish a thousand new universities and colleges, with an average enrollment of 2,500 students, if we are to meet the facilities' needs by 1980.[3]

To convince his colleagues of the urgent need to expand facilities Morse entered into the Record a table of projected enrollments by State, the testimony of the President of the American Association of Junior Colleges and the representative of the Association of State Universities and Land-Grant Colleges.[4] The evidence pointed to a crisis in higher education which could no longer be ignored.

Efforts to provide major Federal aid programs for higher education had failed in 1962. By the following year time was running out. If facilities were to be expanded in time to meet increased enrollments, an aid bill had to be passed in 1963. Compromising his principles in order to get some legislation passed, Morse supported a facilities bill stripped of student assistance

provisions.[5] The result was the Higher Education Facilities Act of 1963.

Morse was aware that providing facilities was only part of the answer. Additional funds must also be provided for student assistance. Morse favored direct aid to students through loans and grants and opposed other programs designed to aid students indirectly. One indirect proposal appeared again and again in amendment form: Senator Ribicoff's program of tax benefits for the parents of college students.

The Ribicoff program would have enabled parents of college students to deduct college expenses from gross income in computing income tax. Morse believed that the tax benefit program would be extremely costly and would simply encourage colleges and universities to increase their charges. But more importantly, Morse opposed the tax benefit program as social class legislation. His arguments against the tax benefit proposal reveal his support of the graduated income tax as an instrument of social policy.

First of all, Morse argued that tax deductions would be larger for high income families:

> Deductions from gross income for tuition payments tend to favor the high-income groups. A high-income taxpayer might have a tax saving of 50 percent or more; a taxpayer at the bottom of the income-tax brackets would have a maximum tax savings of 20 percent.[6]

Secondly, the tax benefit program discriminated against taxpayers without children:

> The parents of young people who wanted to go to college would have a smaller tax to pay. However, the necessary revenue must be raised. This means that taxpayers who are not the parents of prospective college students would in essence, have to pay an additional amount in taxes.[7]

But the most convincing argument was that tax benefits were of very little help to low-income families:

> Senators know that parents with an adjusted gross income of $5,000 or less will have no taxable income against which this credit can be applied. They will gain nothing from it. Like so many other tax features, you have to have considerable income to begin with before you get preferred treatment. The Bible refers to this system as one of: "To them that hath, it shall be given," which in American parlance is called: "Them as has, gits . . ." This is the kind of inequity that we should be eliminating from the revenue code instead of adding.[8]

In 1966, when President Johnson began to curtail Federal programs through budget cuts, Morse contemplated supporting the tax benefit program. He viewed the tax benefit program as a last resort, however, as a means of channeling aid to students when direct aid programs proved insufficient.[9]

Although Morse favored loans for the construction of facilities and only gradually accepted the concept of categorical grants, he favored direct scholarship grants to students and reluctantly accepted loan programs as second best. Since the church-state issue was not involved, he was astonished at his colleagues' resistance to scholarship programs for the sake of economy:

> I am surprised that we get so economy minded all at once on the floor of the Senate. When a committee or an individual comes forward with a great bill to perform a great service for the welfare of this country, by putting boys in college, we become so economy minded that it is said, "We will loan them the money; we will not give it to them."[10]

In arguing against loan programs Morse pointed out that private investors were not inclined to make loans to students and that students were reluctant to borrow:

> It cannot be assumed that the private economy would lend sufficient money to individuals who need it, since the capital created by education is within the mind - not a separate piece of machinery upon which the lender can foreclose . . . It should be recognized that an 18-year-old may be least impressed by the long-run returns on educational investment, to himself and to society, and most sensitive to both the educational hinderences and the alternative lures of the private economy.[11]

Morse further supported his point by recalling his own mental state at age 18, how he almost lost interest in going to college, and how a high school biology teacher loaned him the money which made college attendance possible. Such operations of the law of chance are obsolete, he argued, and should be supplanted by scholarships financed by the Federal Government.[12] When opponents of Federal aid argued that scholarship aid should be granted through private institutions and State programs, Morse simply pointed out the facts: in 1961 three percent of the colleges in the Nation granted more than one-third of all institutional scholarships and 94 percent of the funds available through State programs were found in four of the 50 States.[13]

Morse's support of scholarships as opposed to loans is evident in his efforts to turn existing loan programs into scholarship programs by extending so-called forgiveness provisions. Morse supported the provisions of the National Defense Education Act which permitted as much as a 50 percent cancellation of the loan for students who actually became teachers. Similar provisions were made for nurses in the Nurses Training Act of 1964. In 1967 Morse introduced legislation to allow for the forgiveness of a loan to a college student who left college to take up arms for his country. He proposed eventual forgiveness of the entire loan at the rate of 25 percent for each year of service.[14]

It is not correct to say that Morse was opposed to loans or forms of student assistance other than scholarships. He simply favored scholarships. In actual practice he supported various forms of direct student assistance. He was aware that students from low-income families would need every form of support available:

> In my judgment, given the costs of college education today we need to have scholarships as a base, full utilization of all student loans, and in addition, if these youngsters are to achieve their goal they must be amply supplied with work opportunities while they are going to college. All three of these financial resources will have to be used in the overwhelming preponderance of the cases since by definition the youngsters selected can expect no help from family resources.[15]

Before Morse left the Senate the Federal Government had assumed a major responsibility in all three areas.

Democratization of educational opportunity was the goal which Morse was pursuing in his support of various programs of student assistance. To provide the opportunity for higher education directly to each individual student, Morse sought to destroy the barriers of income and social class which denied opportunity. Although he was deeply concerned about students from low-income families, he was also aware of the subtle barriers to opportunity which may develop in families of moderate and above average incomes. During hearings on the Higher Education Bill of 1965 Morse issued this warning:

> I think we have to be very careful that we do not lay down a rule of thumb, an automatic rule would bind a scholarship committee on a local campus, or a State scholarship committee. We should be very careful that we do not restrict them, in the granting of scholarships, to only children that come from families, we will say, with an income of not more than $5,000, although I think income might be one of the guidelines.
>
> The reason I say that is that you will be surprised at the number of young men and women who come from homes where the annual income is $7,000 or $10,000 or $15,000, but where, for various reasons, the parents do not have the slightest interest in sending children on to college. That is hard to believe, but I tell you it is true. There are family domestic problems in many homes that create this situation. A growing young man may have developed a conflict with his father, who says, "The last thing I will do is spend a nickel on him for school."
>
> We need some discretion, it seems to me, on the part of the scholarship committee to determine the real financial status of the student rather than that of the parent. You may have a parent that could, if he wanted to, send the boy to college, but he is not going to do it. Now, I want to help that boy get to college, irrespective of the fact that his father earns $10,000.[16]

By making family income only one measure of need, Morse focused primary attention on the needs of the student. If the democratization of opportunity was to be complete, no barrier--neither wealth nor poverty--should be permitted to stand in the way of a student seeking higher education.

If Morse was interested in broadening educational opportunities for students from various economic backgrounds, he was also interested in providing increased opportunities for students of varying academic abilities. Although Morse shared the typical college professor's commitment to excellence, he often rose on the Senate floor to defend the average student:

> The C student, when all is said and done, is the backbone of American education. The C student, the average student, is the backbone of American educated citizenry. We must stop denying to the C student an opportunity to attend college.[17]

Morse believed in giving students a second chance and was dubious about the great weight traditionally given to a high school transcript:

> But I want to point out that time and time again, so many times that I am not going to accept a high school transcript as an exclusive criterion for admission to college, the high school C student and low B student can make a satisfactory record in college. Frequently, greater maturity, the passage of time, a developing sense of values, a new-found ambition, and other similar factors cause a boy or girl to find himself or herself upon entrance to college. To deny such students admission to college, I think, is wrong, Mr. Chairman, from the standpoint of what it does to the individual student.[18]

Morse knew that decisions to expand or limit facilities for higher education had great implications for the education of the average student. If total resources remained constant during an explosion of the college-age population, the average student would be excluded through selective admissions procedures. During his futile efforts to get Congress to pass a major facilities and scholarship act in 1962, Morse said this about the C student:

> The C student, the average man and woman who graduates from the colleges of America, makes such a great contribution to the development of America that we cannot justify supporting the kind of discriminatory policy that would result if we should take the easy way out and say, "After all, we will settle this problem, not by giving the necessary financial support to the colleges, not by developing new colleges, not by aiding the development of the community college. We will merely limit attendance at colleges to meet the physical facilities now present, and those students who cannot meet the entrance requirements will have to do something else."[19]

It is not surprising to find Morse showing particular interest in institutions which seek to serve the average student as a matter of policy. He often noted in the Record those institutions which showed special concern for the C student. He praised the efforts of Florida Atlantic University in challenging the average student,[20] and lauded the Federal City College for its "open-door" policy.[21] He was a strong advocate of the community college and was proud of the efforts of his home State of Oregon in establishing community colleges across the state.

He understood the importance of dispersing community colleges geographically to spread the availability of facilities throughout the State.[22] Morse made certain that Federal programs for facilities and student assistance always included provisions for community colleges.[23] He was especially enthusiastic about the establishment of a community college in his home-town, Eugene, through grass-roots efforts and under adverse conditions.[24]

Senator Morse was particularly interested in establishing a community college and a public four-year college in the District of Columbia. Morse was an early advocate of home rule for the District of Columbia and even attached a home rule rider to the Higher Education Amendments of 1966.[25] He was deeply troubled by the urban decay of Washington, and fought for the establishment of public colleges as an instrument for releasing Washington's youth from the chains of the ghetto. Unlike the existing colleges in the Washington area whose concerns were national and international in scope, the public colleges would focus on the particular needs of the Washington community in an effort to close the gap between employment skills needed and the skills available.[26] He believed that there should be no tuition charge for the public colleges in the District of Columbia and advocated their geographical separation to insure greater availablity of opportunity.[27] In all these programs further efforts

toward the democratization of educational opportunity can be seen.

If educational opportunities can be broadened by extending them to students of diverse economic backgrounds and academic abilities, they can also be extended by encouraging programs in a variety of subjects and disciplines. On the 100th anniversary of the signing of the Morrill Act, Senator Morse paid tribute to the land-grant movement in American higher education. He showed how the single classical curriculum of the Colonial college was gradually broadened to include training in a variety of specialties leading to a wide range of careers. Morse referred to the land-grant colleges as "peoples colleges" and viewed their founding as a protest against "limited opportunities in both courses and acceptance of students."[28] Land-grant institutions extended these opportunities even further through university extension programs. "This is the program," said Morse, "which keeps the colleges and universities in touch with the people today through provisions of classes in a great variety of disciplines in a great many of our smaller towns and cities throughout the country."[29]

Unlike many of his colleagues in the academic world Morse had no prejudices about which subjects were "respectable" fields of study. He had equal respect for theoretical research and applied technologies, the sciences and

the humanities, the useful and the enjoyable. His rich appreciation for all fields of study is evident by his quotation of an excerpt from a letter by John Adams written to his wife from Paris in 1780:

> I must study politics and war that my sons have liberty to study mathematics and philosophy. My sons ought to study mathematics and philosophy, geography, natural history, and naval architecture, navigation, commerce, and agriculture, in order to give their children a right to study painting, poetry, music, architecture, statuary, tapestry, and porcelain.[30]

The democratization of educational opportunity results from broadening the scope of the subjects studied as well as from increasing the numbers and types of students who study them. Morse supported both efforts.

The most recent chapter in the history of the democratization of educational opportunity, and perhaps the most complex, is the account of efforts to extend opportunities for higher education to the disadvantaged. In recent years great attention has been given to students of high potential who, through some previous denial of educational opportunity, have exhibited only modest achievement. Morse was among that group of legislators who tried to devise programs for such students. Speaking on behalf of the Higher Education Amendments of 1966, he said:

> One of the hypotheticals that we kept talking about was the case of the boy or girl from the home of the sharecropper in areas of this country where we are trying to get young people in the South, or the ghettos of the North, or

> poverty-stricken areas anywhere in the country, who have the mental capacity and desire to go to college, to go to college.[31]

Morse realized that for most Senators, this hypothetical student was just that, a hypothetical abstraction, someone far removed from the daily experiences of Congressmen. He admonished his colleagues:

> We do not have boys and girls of our own in these ghetto schools. Most Members of Congress have not had the personal experiences which characterize the children who sorely need this kind of extra educational help. I think we ought to give more thought to what we are doing to these boys and girls.[32]

For Senator Morse the disadvantaged child was more than an abstraction. He had walked the streets of Washington, D.C., to get a first-hand impression of the ghetto. He was shocked at what he saw:

> I know of no ghettos anywhere in America--in Harlem, Chicago, Los Angeles, or any other great metropolitan area--that are as shocking in their awfulness as the ghettos of the Capital City of the Republic. As chairman of the District of Columbia Subcommittee on Public Health, Education, Welfare, and Safety, the subcommittee that has surveillance over the schools, I am shocked by what I see in the schools of the District of Columbia . . . Congress knows that as recently as 1957, when the Senator from Pennsylvania was a member of my subcommittee, we found more than 200 little boys and girls in the District of Columbia who were dependent 100 percent for their daily food supply, on garbage cans and backdoor handouts, in the shocking Negro areas of this city, in the alleys in this city, which at that time were lined with outdoor toilets. There has been some improvement since what became known as the Morse hungry children report of my subcommittee; but we have a long way to go before we take Washington, D.C., out of the depths of national disgrace.[33]

If Morse was dismayed by what he saw, his faith in the power of education was undaunted. He believed that the ghetto could be transformed through the initiation of appropriate educational programs. Properly trained teachers could reach over the depressing conditions of the immediate environment and touch the hearts and minds of individual students. Morse placed his greatest hopes in the Teachers Corps, a program to place specially trained teachers in ghetto areas.

The Teachers Corps was first proposed by Senator Kennedy of Massachusetts and Senator Nelson of Wisconsin.[34] The plan called for special programs of teacher education to prepare teachers for ghetto schools and, in turn, provided ghetto schools with the funds to recruit the specially trained teachers. In Spite of the apparent intrinsic merit of the program, appropriations were reluctantly approved at levels below the amount authorized.[35]

The unique aspect of the Teachers Corps program was its recognition that broadening opportunities for higher education depended upon similar broadening of educational opportunities at lower levels. It recognized what Morse had said as early as 1959:

> . . . thousands upon thousands of American boys and girls are denied a college education today because of no fault of their own. They go to grade schools and high schools so low in standards that they cannot qualify for college.[36]

The Teachers Corps program also recognized that responsibility for a student's failure lay with the teacher and the educational program and not the student. Morse once recalled:

> . . . in all my years of teaching I used to take the position that if a boy or girl of normal intelligence failed out of the law school it was my failure and my faculty's failure and not the boy's or girl's. It simply meant that we had failed some way, somehow, to find out where that particular student's best aptitudes lay.[37]

Morse was aware that there would always be a certain group of students who have no intention of doing satisfactory work, but in general he placed the primary responsibility on the teacher. It is that philosophy which was incorporated into the Teachers Corps program, and for that reason Morse was one of its greatest defenders.

The Teachers Corps program also recognized the importance of reaching beyond the school to other aspects of the environment which shape the child's mind and attitudes. Commenting on this aspect of the program Morse said:

> There is not even a book in their (ghetto) homes that we can really consider to be an educational book. There may be some comic books. There may be some other books of very questionable nature that should not be in their homes, but there is not a literary book. Why? Because they come from illiterate parents, poverty-stricken parents.
>
> Do not forget that you have a whole group of teachers in this country besides the teacher in the classroom. The home has to be a great

> teacher. The Sunday School has to be a great teacher. The people in the community in which children live must be teachers. That is all part of the educational process. Education is not ladled out only in the classroom. Here is a group of teachers--part of the Teachers Corps program--that works with the home, too.[38]

What the Coleman report confirmed through objective observation Morse intuited as a former teacher: the educational environment extends far beyond the classroom. Morse realized that the democratization of educational opportunity for disadvantaged youth had to begin long before their admission to college. To make higher education truly available to disadvantaged youth, colleges and universities must turn their attention to the total educational environment of the ghetto.

By the end of the summer of 1967 countless ghettos had been disturbed by rioting, destroyed by flames, and ravaged by looting. White Americans, growing frustrated with a problem which daily seemed more insoluble, were quick to point out the futility of programs such as the Teachers Corps. Others, such as Senator Morse, remained unshaken in their conviction that the problems of the cities could be solved, through substantial Government programs. Facing the issue of the riots head-on Morse said:

> I know the attitude of some who say, "Well, I certainly won't vote for it now at all, because of what they have done."
>
> Well, they are just forgetting the little boys and girls. They are taking it out on the bad judgment of some of the adults and are not

> paying any attention to the cause of the bad judgment.
>
> I don't support the bad judgment. I have made that perfectly clear. But I think it is pretty shocking to be reading in the papers these days, as we have in the last few days, the comments of people in and out of government that say, "Now, we have got to show them." And all they are saying is, "Now, we have got to do further damage to little boys and girls who are going to develop not into good citizens, but bad citizens, because of this attitude that is being expressed."[39]

Instead of focusing on the manifest symptoms of the sickness of the ghetto, Morse preferred instead to seek out the underlying causes. While others were condemning the riots, Morse continued to condemn, as he had in the past, the causes of the riots. Referring to James Conant's study of urban schools, Slums and Suburbs, Morse asked:

> More important, are we going to continue sitting on what James Conant of Harvard described six years ago as "social dynamite?" The explosion in our cities this summer cannot come as any surprise to any average citizen. Nothing has happened that was not expected, calculated, measured, and fully reported by the nation's most reliable social authorities. When he surveyed the big cities in 1961, Dr. Conant found large numbers of young males who were dropouts from the job market. It was then he warned us that these restless, unskilled, unemployable youths constituted "social dynamite" that could blow up our cities.
>
> It is easy now to blame the riots on outside agitators, on Communists, on this or that individual. But a lighted match does not produce an explosion without the dynamite being there first; what are we going to do about that?[40]

The ultimate challenge to a fuller democratization of educational opportunity was found in the urban ghetto. A long historical tradition indicated that the challenge could be met. If educational opportunity could be

extended to greater numbers and types of students through a greater variety of studies, then surely some way could be found to extend the opportunity for higher education to America's most disadvantaged students.

Much of what Senator Morse said about extending educational opportunities was in response to external pressures and events: to increasing enrollments, to rising costs, and to the growing crisis in the ghetto. His consistent response was an articulate appeal to make the academic world inclusive rather than exclusive. Except in the single instance where he was forced to delete student assistance programs from the Higher Education Facilities Bill, he argued insistently for broad financial aid programs with scholarships at their core. He believed that expanded educational opportunity would enrich individuals as well as American society generally. His concern for education in the ghetto was but another expression of his wider concern for all human life. Nowhere was his liberalism more evident than in his abiding belief that the problems of the ghetto could be cured through education and government programs, properly funded and intelligently conceived. One of his greatest disappointments was to watch the democratization of educational opportunity come to a standstill through neglect as his country's energies were consumed in war.

FOOTNOTES - CHAPTER VII

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[3]U.S., Congress, Senate, Senator Morse speaking for Higher Education Facilities Bill, 88th Cong., 1st sess., Oct. 11, 1963, Congressional Record, CIX, 19400.

[4]U.S., Congress, Senate, Senator Morse speaking for Higher Education Facilities Bill, 88th Cong., 1st sess., Oct. 10, 1963, Congressional Record, CIX, 19217.

[5]Ibid., 19216.

[6]U.S., Congress, Senate, Senator Morse speaking against Keating Amendment for Tax Benefits, 88th Cong., 1st sess., Oct. 21, 1963, Congressional Record, CIX, 19864.

[7]Ibid.

[8]U.S., Congress, Senate, Senator Morse speaking against Ribicoff Amendment to Revenue Bill of 1964, 88th Cong., 2nd sess., Feb. 3, 1964, Congressional Record, CX, 1795.

[9]U.S., Congress, Senate, Senator Morse speaking against Ribicoff-Dominick Amendment to Tax Adjustment Act of 1966, 89th Cong., 2nd sess., March 17, 1966, Congressional Record, CXII, 6150.

[10]U.S., Congress, Senate, Senator Morse speaking for Federal Grants for College Students, 86th Cong., 1st sess., July 21, 1959, Congressional Record, CV, 13822.

[11]U.S., Congress, Senate, Senator Morse speaking for College Academic Facilities and Scholarship Bill, 87th Cong., 2nd sess., Feb. 2, 1962, Congressional Record, CVIII, 1524.

[12]Ibid.

[13]Ibid.

[15]U.S., Congress, Senate, Senator Morse speaking against Lausche Amendment to College Academic Facilities and Scholarship Bill, 87th Cong., 2nd sess., Feb. 6, 1962, Congressional Record, CVIII, 1807.

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[17]U.S., Congress, Senate, Senator Morse speaking for Higher Education Facilities Bill, 88th Cong., 1st sess., Oct. 11, 1963, Congressional Record, CIX, 19399-19400.

[18]U.S., Congress, Senate, Senator Morse speaking on America's Education Needs, 85th Cong., 2nd sess., March 12, 1958, Congressional Record, CIV, 4141.

[19]U.S., Congress, Senate, Senator Morse speaking for College Academic Facilities and Scholarship Act, 87th Cong., 2nd sess., Feb. 2, 1962, Congressional Record, CVIII, 1521.

[20]U.S., Congress, Senate, Senator Morse entering Article about Florida Atlantic University, 88th Cong., 1st sess., Aug. 13, 1963, Congressional Record, CIX, 14825.

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[22]U.S., Congress, Senate, Senator Morse speaking for Establishment of a Public Community College and a Public College of Arts and Sciences in the District of Columbia, 89th Cong., 2nd sess., Aug. 12, 1966, Congressional Record, CXII, 19268.

[23]U.S., Congress, Senate, Senator Morse speaking on Failure to Pass Higher Education Act, 87th Cong., 2nd sess., Oct. 3, 1962, Congressional Record, CVIII, 22091.

[24]U.S., Congress, Senate, Senator Morse speaking for Public Higher Education in the District of Columbia, 90th Cong., 1st sess., Jan. 12, 1967, Congressional Record, CXIII, 404.

[25]U.S., Congress, Senate, Floor Debate on Higher Education Amendments of 1966, 89th Cong., 2nd sess., Oct. 7-10, 1966, Congressional Record, CXII, 25807-25918.

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[27]Ibid.

[28]U.S., Congress, Senate, Senator Morse introducing S. 3477, 87th Cong., 2nd sess., June 27, 1962, Congressional Record, CVIII, 11803.

[29]Ibid., 11800.

[30]Ibid.

[31]U.S., Congress, Senate, Senator Morse speaking for Higher Education Amendments of 1966, 89th Cong., 2nd sess., Oct. 7, 1966, Congressional Record, CXII, 25810.

[32]U.S., Congress, Senate, Senator Morse speaking for Increases in Departments of Labor, and Health, Education, and Welfare Appropriation Bill, 1967, 89th Cong., 2nd sess., Sept. 26, 1966, Congressional Record, CXII, 23841.

[33]U.S., Congress, Senate, Senator Morse speaking for Public Higher Education in the District of Columbia, 90th Cong., 1st sess., Jan. 12, 1967, Congressional Record, CXIII, 404.

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[37]U.S., Congress, Senate, Senator Morse speaking on America's Education Needs, 85th Cong., 2nd sess., March 12, 1958, Congressional Record, CIV, 4141.

[38]U.S., Congress, Senate, Senator Morse speaking for Increased Appropriations for Teachers Corps, 90th Cong., 1st sess., Aug. 2, 1967, Congressional Record, CXIII, 21009.

[39]U.S., Congress, Senate, Committee on Labor and Public Welfare, Education Legislation, Hearings, before the Subcommittee on Education of the Committee on Labor and Public Welfare, Senate, on S. 1125, H.R. 7819, 90th Cong., 1st sess., 1967, pp. 1456-1457.

[40]U.S., Congress, Senate, Senator Morse speaking against Crippling Cuts in Domestic Programs at Portland City Club, Portland, Oregon, Aug. 4, 1967, 90th Cong., 1st sess., Aug. 10, 1967, Congressional Record, CXIII, 22167.

CHAPTER IX

THE FUTURE SHAPE OF FEDERAL AID TO HIGHER EDUCATION

By the time Wayne Morse left the Senate the extent of Federal support for higher education had become prodigious. In total dollars spent and number of programs funded, Federal aid to higher education had reached an unprecedented level through the proliferation of programs Morse had supported. Unlike his colleagues in the Senate who continued to worry about the old "scarecrow" of Federal control, Morse turned to the future to contemplate the new and more complex problems arising from the developing partnership of education and the Federal Government.

One of these problems was the development of a coherent and integrated program of Federal aid. Morse was aware that heretofore education legislation had been passed in bits and pieces. No one knew better than Morse the technique of passing acceptable programs today while holding more controversial programs for tomorrow. Such pragmatism resulted in the eventual passage of an unprecedented number of laws, but the coordination of one Federal aid program with another was largely left to chance.

As colleges and universities across the land added coordinators of Federal programs to their staffs to better understand the Federal "monster" which had been created, Morse grew increasingly concerned about the problem of integrating existing programs. He presented the Higher Education Amendments of 1968 as a bill "mainly concerned with perfecting the statutory authorities for higher education now on the books."[1] Of that legislation he said:

> This measure, unlike many of its forerunners gives evidence that we have heeded the request of the educational community and the American public that we bring into the whole field of educational legislation elements which will permit the consolidation and the mutual reinforcement of our existing authorities.[2]

The problem was now not so much the creation of new programs and the development of new ideas as it was the consolidation of older programs and the perfection of established techniques.

Morse also expressed concern about the ability of Congress to adequately exercise its responsibility to review and evaluate existing programs. The Subcommittee on Education spent increasing amounts of time each year just in reviewing existing programs. Morse saw the need for establishing regular routines for review and proposed the following:

> If we are to have orderly consideration of all aspects of legislation, I think it imperative that we arrive at a cycle of consideration which would allow each session of the Congress to devote its attention to a major area.

> I would hope ultimately that we could arrive at a cycle which would permit in one year congressional review of the field of elementary and secondary education, and review in the second year of higher education, and in the third year a review of vocational and special education statutes. If this can be ultimately achieved, I think it will go far to improving the depth of the legislative oversight functions which in our committee we feel to be a very important part of our responsibilities in the consideration of proposals which come before us.[3]

The process of initiating new legislation was now intimately bound up with careful review of existing statutes.

If the review and coordination of legislation had grown problematic, an even greater problem, in Morse's opinion, was the relationship of the legislative and executive branches of the Federal Government. Programs which Congress had authorized were often greatly reduced in the fiscal recommendations of the Bureau of the Budget. To provide funds for the Vietnam war and curb domestic inflation, the executive branch had exploited its powers of fiscal control to the fullest, so much so, thought Morse, that the legislative prerogatives of Congress had been seriously usurped. During his final year in the Senate Morse frequently stated his objections to the growing power of the executive to distort and curtail the programs developed by Congress:

> May I say parenthetically that for some years this chairman has expressed, both in committee and on the floor of the Senate, his growing concern about the power that is being given more and more each year to the Bureau of the Budget.

> It begins to look as though the Bureau of the Budget is taking on legislative responsibility . . . I think we ought to appropriate the money. That is decided by the Congress. It ought to be spent for educational needs, and if the President signs the bill, then the money should be spent. His check is not to impound or freeze the money. His check is to veto the bill, and then let Congress decide whether or not it wants to override his veto.[4]

Congressional efforts to create an integrated and coherent program of Federal aid were increasingly being confounded by intervention from the executive branch.

As the total amount of Federal aid to higher education increased dramatically, the equitable distribution of that aid became a greater and greater problem. Morse believed that higher education was a National concern, and he regarded proposals to return Federal tax dollars to the States as absurd.[5] Yet Morse was conscious of the need to find ways of distributing Federal aid equitably among various levels and types of institutions in all regions of the country. In a major address to the leaders of the State colleges and universities Morse proposed a five-point program to insure a fairer distribution of Federal aid as follows:

1. Federal aid should go to private as well as public institutions.
2. All types of institutions--two-year, four-year, and graduate degree granting--should receive Federal aid.
3. Federal aid should go to all geographical areas of the country.
4. Certain areas of higher education, such as more costly research programs, should receive greater funding than other areas.

5. A maximum ceiling should be placed on grants to a single institution in any one year.[6]

Morse was evidently searching for ways to effect a more just distribution of Federal aid.

If Morse was seeking ways to distribute Federal aid more equitably, he was also trying to weigh the total involvement of the Federal Government in education against its other priorities and commitments. Morse had always believed that Federal support of education was inadequate, but in his last years in the Senate he grew impatient to the point of indignation with what he considered to be an alarmingly unbalanced commitment of national resources to military programs. Attacking the budget planning system at the Bureau of the Budget he said:

> If the PPBS system works the way that I am told it does, there must be some kind of measuring device down in the Bureau of the Budget where they measure the value of the life of one American boy against the lives of a number of Vietcong, the education of the boys and girls of this country against the present regime in South Vietnam, and the future of the lives of our boys and girls against national prestige. I call upon the Bureau of the Budget to supply it.[7]

Having developed a variety of workable structures for channeling Federal aid to American colleges and universities, Morse now saw the need to raise the over-all level of support far above present efforts. To do so would require a fundamental reshaping of national priorities.

Morse was sensitive to all of the above problems and many more as well. He entered into the Record an

article by the Director of the Commission on Federal Relations of the American Council on Education. In addition to some of the problems already mentioned, that article raised a series of questions about the future form of Federal aid. A sampling of those questions follows:

> Would a sharp increase in the Federal share in grants for the construction of academic facilities assist in stabilizing student fees?
>
> Has the time come when cost-sharing in government supported research should be the exception rather than the norm?
>
> Has the time come for higher education to reject certain tasks now thrust upon it?
>
> What will be the division of labor among institutions? Who will determine it? Should basic decisions rest with the states? or with groupings of states?
>
> Would it be desirable for the government to expand greatly and extend broadly the "endowment of instruction" concept of the Morrill-Nelson Act?
>
> Might an alternative approach be the payment of a Federal "cost-of-education" subsidy to the institution in which each student enrolls?[8]

The questions are not answered in the article, nor did Morse answer them elsewhere. They are interesting primarily as evidence that Morse was raising fundamental questions about the future shape of Federal aid to higher education.

Morse never spelled out the precise forms which Federal aid would take in the future. He left the Senate before he was given that opportunity. But there is

evidence that Morse was searching for a new approach. Morse was aware that old forms once adequate for the past were no longer sufficient for the future.

FOOTNOTES - CHAPTER IX

[1]U.S., Congress, Senate, Senator Morse speaking for Higher Education Amendments of 1968, 90th Cong., 2nd sess., July 15, 1968, Congressional Record, CXIV, S. 8638. (Daily Edition).

[2]Ibid.

[3]Ibid.

[4]U.S., Congress, Senate, Committee on Labor and Public Welfare, Education Legislation, Hearings, before the Subcommittee on Education of the Committee on Labor and Public Welfare, Senate, on S. 3098, S. 3099, 90th Cong., 2nd sess., 1968, pp. 478 and 829.

[5]U.S., Congress, Senate, Committee on Labor and Public Welfare, Higher Education Amendments of 1966, Hearings, before the Subcommittee on Education for the Committee on Labor and Public Welfare, Senate, on S. 3047, H.R. 14644, 89th Cong., 2nd sess., 1966, p. 244.

[6]U.S., Congress, Senate, Senator Morse addressing the General Session of the Joint Convention, National Association of State Universities and Land-Grant Colleges and the Association of State Colleges and Universities, Nov. 14, 1967, Columbus, Ohio, 90th Cong., 1st sess., Nov. 29, 1967, Congressional Record, CXIII, 34190.

[7]U.S., Congress, Senate, Committee on Labor and Public Welfare, Education Legislation, Hearings, before the Subcommittee on Education of the Committee on Labor and Public Welfare, Senate, on S. 3098, S. 3099, 90th Cong., 2nd sess., 1968, p. 479.

[8]U.S., Congress, Senate, Article by Dr. John F. Morse, "The Federal Government and Higher Education," Educational Record, Fall 1966, 89th Cong., 2nd sess., Nov. 10, 1966, Congressional Record, CXII, A5694-5696.

PART IV

CONCLUSIONS

CHAPTER X

REVIEW OF MAJOR ISSUES AND CONCLUSIONS

It is never possible to know precisely what a man thinks, for what he thinks can only be inferred from what he says and does. In the case of a United States Senator, even one so outspoken as Senator Morse, what is said and done is prescribed to a great extent by the role of the Office. Words are chosen carefully and ideas are presented selectively with a watchful eye cast continually toward the consequences. One ought not risk the claim, therefore, of knowing a Senator's mind. The conclusions drawn from this study are based on what Morse has chosen to make a matter of public record.

Most of what Senator Morse has said about Federal aid to higher education has grown out of four fundamental assumptions. In almost all that Morse said and did there is evidence of 1) an abiding belief in the value and goodness of the individual, 2) an optimistic faith in the perfectibility of society, 3) a firm trust in reason operating in an atmosphere of freedom, and 4) a devotion to the principles of constitutional government.

Morse's abiding faith in the value and goodness of the individual is evident in his determination to develop the full potential of each student, in his desire to resolve the church-state issue in order to aid individual students, and in his efforts to extend educational opportunity to students of various economic backgrounds and abilities. He was opposed to all schemes, such as tax exemption provisions, which tend to give advantages to some while withholding them from others. His concern for individuals knew no national boundaries, and he believed that all men could find a way to live together in peace.

Morse's faith in the perfectibility of society is evident in his optimism about resolving the urban crisis at home and the establishment of a peaceful international order. He believed that the ghetto could be transformed, that men could live without war, and that education was the primary resource for perfecting human society. He saw in the Teachers Corps program the way to transform the ghetto and in programs of world literacy the path to international understanding.

Morse's trust in reason operating in an atmosphere of freedom is evident in his efforts to develop adequate safeguards against the Federal control of education and in his firm defense of academic freedom. His objection to loyalty oaths and his support of peaceful and lawful

dissent are undergirded by a fundamental confidence in man's ability to manage his own affairs and reform his institutions. He sought an atmosphere of freedom for research and debate and believed that reason would lead eventually to the truth.

Morse's devotion to the principles of constitutional government are evident in his persistent efforts to develop more adequate vehicles of Federal aid within the framework of the Constitution. The evolution of his position on the church-state question is not so much a series of fundamental changes as it is a search for a form of aid which best reflects the principles of the First Amendment. His objections to unlawful protest were primarily on Constitutional grounds.

It may be concluded that Morse had a consistent position on Federal aid to higher education. Based as it was on more fundamental principles, his position was reliable and coherent. Except for minor changes, the positions he took were predictable expressions of a liberal political philosophy.

The term "liberal" has been put to various uses, and is, therefore, difficult to define. It once referred to the political philosophy of Locke and Mill and has sometimes been used as a label for a set of principles which today are often called "conservative." Max Lerner has defined the American tradition of political liberalism as follows:

> Its credo has been progress, its mood optimist, its view of human nature rationalist and plastic; it has used human rights rather than property rights as its ends but has concentrated on social action as its means. It has made "expedient change" an integral part of its methods and has taken from science the belief in the tools of reason and the tests of validity. It has kept its fighting edge through the emotional force of the reformist impulse.[1]

This definition of liberalism coincides almost precisely with the four basic principles described above. What Wayne Morse said about higher education is best characterized as a consistent expression of a liberal political philosophy.

If Morse's thought on higher education can be said to be consistent and logical, a coherent expression of political liberalism, what is its role and function in making history? Justice Holmes once said, "A page of history is worth a volume of logic."[2] Holmes also had this to say about law:

> The life of the law has not been logic; it has been experience. The felt necessities of the time, the prevelant moral and political theories, institutions of public policy, avowed or unconscious, even the prejudices which judges share with their fellowmen, have had a good deal more to do than the syllogism in determining the rules by which men should be governed.[3]

If what Holmes says about law applies equally to its legislative and judicial aspects, the logic of a Senator's thought may not be as important as its general impact on the legislative process. Although a certain coherence has been discovered in Morse's thought, the larger task

remains: assessing the role of his ideas in shaping the relationship of the Federal Government and education.

Reflection on the role of one man's ideas in shaping some aspect of history inevitably leads to further reflection on the meaning of history and the process by which it is shaped. Scholars disagree on the relative importance of the various dynamic forces which shape history. Kant saw reason at work in history leading man progressively to the perfection of the race. Marx saw history as a class struggle born of economic determinants. Toynbee viewed history as the cyclical rise and fall of civilizations. Carlyle believed that history was made primarily by great men. Others have given more weight to the importance of ideas.

In a book entitled Ideas Are Weapons, Max Lerner recalls the words of one of his teachers, Hermann Kantorowicz who said, "Men possess thoughts but ideas possess men."[4] Lerner points out that recent history has been shaped in large part by ideas such as racism, individualism, Nazism, communism, and democracy. The rest of his book is an examination of some of the important ideas which have shaped American civilization.

If Lerner is correct--that is, if ideas do in fact play an important role in shaping history--how does the

historian of ideas proceed? Lerner proposes the following method for studying ideas:

> The Copernican revolution in intellectual history will not have borne fruit until we adopt a completely naturalistic approach to them. The meaning of an idea must be seen as the focus of four principal converging strains: the man and his biography; the intellectual tradition; the social context, or the age and its biography; the historical consequences of the idea, or the successive audiences that receive it.[5]

This four-fold schema is a workable outline for examining further the impact of Morse's ideas about higher education.

The biography of Wayne Morse is the account of an academic man who became a United States Senator. It is not surprising that the ideas he set forth usually expressed the concerns of the academic community generally. In his experiences as student, teacher, and dean, he assimilated an appreciation for the life style, conflicts, and pressures of the academic world. His belief in the integrity of institutions of higher learning, his appreciation of the need for academic freedom, and his recognition of the need for increased financial support for facilities and students were natural expressions of his familiarity with the academic world. His ideas are a natural extension of his life experiences, and it is not surprising that his colleagues named him "Mister Education." His ideas were of great importance in

shaping the emerging partnership between the Federal Government and education largely because he was an academic man in the Senate.

The intellectual tradition which Morse represented and gave expression to was the philosophy of political liberalism. The chief characteristics of liberalism have been described above. Morse consciously represented that tradition and sought to articulate its basic principles in education legislation. Morse was what one might call an orthodox liberal, one who prided himself in consistently taking a liberal position and one who was quick to mark the heresies of those who chose "half-a-loaf" liberalism. Morse's ideas were an effective vehicle for translating orthodox liberal political philosophy into public policy in the field of education. His ideas represent a brilliant attempt to apply the concepts of a liberal political philosophy to a well-defined area of public policy.

The social context out of which Morse's ideas grew accounts for the problems he selected to address himself to and imposed certain limitations on the range of solutions he was able to propose. Morse was deeply sensitive to important national and international problems long before they erupted as major crises. He knew that the nation's efforts were lagging in education before Sputnik appeared in 1957. He knew that education in the

ghetto was inadequate well before major cities erupted in riots. He was among the first to see the folly in the Vietnam war and its disruption of national priorities. His ideas were shaped not only by the problems he confronted but also by those people whom he had to convince. If his arguments occasionally involved hyperbole, it was because of a formidably obstinate opposition. The arguments which he developed to justify his position on Federal control, the church-state issue, and tax benefits to parents of college students all are marked by occasional logical fallacies and inconsistencies. What he said in the context of debate on the Senate floor was often defined by the enormous pressures of his role as Subcommittee Chairman. His ideas serve as an important articulation of contemporary national problems as well as examples of solutions to those problems forged under great heat with the materials at hand.

The historical consequences of Morse's thought are still being determined. His departure from the Senate has been too recent to allow any long-range assessment of his contribution. Nor is it helpful to speculate on how his ideas may be used by those who follow after him. It is possible, however, to make a more modest assessment of the impact of Morse's ideas during the time he served the Senate.

In describing political liberalism Max Lerner has said:

> Its basic premise has been in a majority will capable of organizing itself effectively when the obstructions are blasted away by the dynamite of facts and ideas.[6]

If one were to single out the most important impact of Morse's thought on Federal aid to higher education, it would be its power to blast away obstructions with the dynamite of facts and ideas. Morse is not an original creative thinker; he is not a philosopher of education. His ideas are not the Ideas which possess men, but should be more modestly described as thoughts. His thoughts do not sum up an age, nor do they portend some new climate of opinion. Their function is political, in the best sense of the word, in that they serve the art of the possible.

If history is moved by great ideas, it is also moved by modest ones. If great ideas inspire men to action, modest thoughts enable men to take action, to justify their actions, and to establish the structures to carry out their intentions. Human beings need ideas to explain, to rationalize, and to give meaning to their actions. Politicians are not likely to be moved to action unless they can explain their actions. If they have real or irrational fears, they need to be reassured. If they are mistaken, they need facts. If they do not understand the problems they encounter, they need inter-

pretations. Once convinced of a need to act, they must have the appropriate vehicles for action. The thought of Senator Morse was superbly adequate to that task. If modest as well as great ideas shape history, Wayne Morse helped to fashion American higher education in one of its hours of greatest need.

One question remains: If Morse's ideas were adequate in implementing legislation, were they adequate in themselves? Apart from their efficacy in creating an expanded partnership between the Federal Government and higher education, were the forms of that partnership adequate to the task?

To inquire about the adequacy of the programs which Morse sponsored is to question the adequacy of political liberalism. If Morse is to be criticized it is not for the consistency of his arguments but for their underlying assumptions. Each of those assumptions is vulnerable to criticism.

Morse may have placed too much emphasis on the innate goodness of the individual. In a manner reminiscent of Rousseau, he placed the locus of evil in society, while maintaining the goodness of individual boys and girls. It is society that makes men bad; therefore, he thought, if we can only reach children with education soon enough, the problems of society will be resolved. Morse saw in the Teachers Corps program a way of hurdling

the conditions of the ghetto and getting to the individual child before it was too late. He believed that granting scholarship aid would overcome the most serious obstacle to higher learning and overlooked the motivational and personal problems which also obstruct learning. His efforts to broaden educational opportunity assume that students are generally highly-motivated and self-directed, and that all they really need is a fair chance. His efforts in international education presuppose an atmosphere of good will and overlook the equally natural tendency of Americans and foreign nationals alike toward exploitation. In failing to recognize individual limitations as well as identifying human potential, Federal aid programs have been open to abuse by individual recipients and institutions. The liberal political philosophy which Morse expressed was utopian in its assessment of human nature. Reinhold Niebuhr's criticism of modern utopianism is relevant at this point:

> There was little difference between the religious and the secular versions of modern utopianism. Both were informed by a common interpretation of human nature, which failed to see the darker side of human conduct and of historical possibilities, being persuaded that men would espouse the common good if only their minds were enlightened by education and their hearts warmed by a vital piety. The secular portion of the culture took these perfectionist ideas from the Enlightenment's conception of human perfectibility, and the church inherited the same optimism from the sectarian perfectionist notions which grew on the frontier. Thus evangelical piety and rational enlightenment combined to give American life a curious air of unreality; they failed to

> prepare the country for wrestling with problems of domestic justice in a technical age and problems of international justice in an age of tyranny.[7]

Morse's overestimate of the goodness of the individual led to an undue optimism about the perfectibility of society. He had, perhaps, hoped for too much to result from education. Nowhere is this more evident than in Morse's hope for world peace through world literacy. The factors which define the power relations among countries are extremely complex, and international understanding will doubtless not be brought about simply through education. The liberal hope is that the problems of society can be resolved if only the right program can be developed. The results of the search are inevitably inadequate, so that still another program must be created. When the search for the right program is combined with an undue reliance on the efficacy of education, the result is a proliferation of educational programs which have little relationship to one another but which all have as their goal the salvation of society. It is not surprising that Morse grew uneasy about the problems of oversight and review which his Committee faced in his final years in the Senate. Commenting on the tendency of the American to subscribe to the indefinite perfectibility of man, Alexis de Toqueville wrote these words over 100 years ago:

> Thus, forever seeking, forever falling to rise again--often disappointed, but not discouraged, --he tends unceasingly towards that unmeasured greatness so indistinctly visible at the end of the long track which humanity has yet to tread . . . Aristocratic nations are naturally too apt to narrow the scope of human perfectibility; democratic nations, to expand it beyond reason.[8]

In his last years in the Senate the optimistic faith which Morse shared with his fellow Americans was beginning to crumble under the weight of the absurdity of the Vietnam war. He was beginning to wonder if it was perhaps too late for the liberal dream, if America had indeed passed a point of no return, and if the urban crisis was the result of a series of fatal mistakes with irredeemable consequences. He had not given up his search for a way out, but that search seemed now to be directed less toward the right program than toward discovering a way of effecting a fundamental reordering of national priorities.

If the liberal political tradition has been unduly optimistic about the perfectibility of society through the unbeatable combination of education and money, it has also placed unwarranted emphasis on human reason. Morse believed too strongly, perhaps, that truth would emerge from open debate and that social change would take place when the fact of injustice was made known through peaceful demonstrations. He rightly supported the establishment of safeguards to protect academic freedom, but he

too readily concluded that academic men are always reasonable. His faith in the ability of colleges and universities to manage their affairs reasonably given adequate support and an atmosphere of freedom has been challenged by violent eruptions on countless campuses across the land. Only in his later years did Morse begin to see how self-interest and concern for institutional success can corrupt the results of research, making a mockery of both freedom and reason. Commenting on the rationalism of social scientists and behavioral engineers Reinhold Niebuhr has said:

> They all forget that, though man has a limited freedom over the historical process, he remains immersed in it. None of them deal profoundly with the complex "self" whether in its individual or in its collective form. This self has a reason; but its reason is more intimately related to the anxieties and fears, the hopes and ambitions of the self as spirit and the immediate necessities of the self as natural organism than the "pure" reason of the natural scientist; for he observes forces of nature which do not essentially challenge the hopes and fears of the self.[9]

If political liberalism establishes too large a place for reason in human affairs, it has also relied too heavily on the special gifts of reason granted to the founding fathers who drafted the Constitution. Liberalism has become synonymous with change, but for liberals change must always be within the limits prescribed by the Constitution. As a student of Constitutional law, Wayne Morse had an even greater devotion to the principles of

constitutional government than many of his liberal colleagues. Although he interpreted the Constitution's "general welfare" clause broadly, he was in many ways a "strict constructionist." In his search for adequate vehicles for channeling Federal aid to church-related institutions Morse was guided primarily by his desire to find a method which would satisfy the requirements of the Constitution. He accepted as given the dictates of the First Amendment as if its provisions were somehow absolute and eternal, unconditioned by the historical context of their origin. Carl Becker has criticized uncritical reliance on the Constitution as follows:

> We are rather too apt to regard our constitutions as sacred tables handed down from Mount Sinai--documents revealing those fundamental principles of government which, being universally applicable, need never be re-examined. It is as if in the eighteenth century we discovered and labeled our liberties, locked them safely away in oak-ribbed and riveted constitutions, placed the key under the mat, and then went cheerfully about our private affairs with a feeling of complete security . . . We feel that our civil liberties are safe because they are enumerated in the constitutions, and that our political freedom is safe because the government is so bitted and bridled and hobbled that it can't run away with the reins. We feel safe because, the fundamentals having been settled once for all, we feel that we have a foolproof and enduring government--in short, a government of laws and not of men . . . Having a government of laws, and so many laws makes us a legally minded people, predisposed to think that adherence to the letter of the law, if only we can be sure the law is constitutional, is sufficient for salvation.[10]

Efforts to develop fool-proof forms for aiding church-related institutions within the framework of the

First Amendment inevitably lead to both casuistry and inadequate programs. Taking account of current practice and actual need may be more important than making strict interpretations of constitutional restrictions.

The crisis which liberal political philosophy confronts today is part of the larger crisis confronting constitutional government generally. The desire for change has outstripped reverence for tradition. Young people today regard the checks and balances once instituted to protect fundamental liberties as having so "bitted and bridled and hobbled" the political process as to render it ineffective. They see the Constitution used to obstruct as well as uphold justice, to serve the status quo as well as to set legitimate boundaries for change. They abridge the free speech of others because their cries of injustice have not been heard, and they engage in unlawful protest to change unjust laws. They grow impatient with the piecemeal passage of new programs when what is needed is a reordering of fundamental priorities. Following the example of those who pursue national self-interest through violence abroad, they reject admonitions to seek change through peaceful means at home. For such as these, the Constitution becomes one more artifact of the establishment and a "liberal" is someone who is opposed to radical change.

The Achilles heel of liberal political philosophy is its view of human nature. If men were good and reasonable, society might be perfectible through constitutional government. Given human egoism, liberal programs always fall short of fulfilling their promises. Yet is there another practical alternative? Lerner reminds us: "However vulnerable, liberalism has nevertheless emerged as the central expression of the democratic faith."[11] The conservative Right is adequate to the challenge of current problems only insofar as it incorporates into itself a modified liberal philosophy. However impressive the rhetoric of the Radical Left, revolution and radical change have no broad political support in America. The last hope of America is liberalism and the last hope of liberalism is its ability to reform itself. If its present forms are inadequate and its underlying assumptions too utopian, its concern for human welfare is unsurpassed. It is not so much inadequate as untried.

Senator Morse's departure from the Senate marks the end of an era. Advocates of Federal aid search the horizon in vain for a new approach. Disillusioned liberals search without satisfaction for new roads to their dreams. Meanwhile the problems of the colleges and universities are compounded by confrontations between formidable representatives of tradition and innovation. The programs of Federal aid established while Morse was in the Senate were

a monumental achievement but were far less than the wealthiest nation in the world could offer its people.

Senator Morse will miss the Senate. For him it was more than a job, more than a way of serving his country, more than a forum for espousing liberal causes. Serving in the Senate was for Morse a religious vocation, a calling. In a rare moment of personal self-disclosure in a speech to a group of teachers Morse once said:

> Education forms the purposes of men and provides the tools with which to realize these purposes. In Proverbs 8:17-20 we are told of wisdom that:
>
> "I love them that love me and those that seek me early shall find me.
> Riches and honor are with me, yea, durable riches and righteousness.
> My fruit is better than gold, yea, than fine gold; and my revenue than choice silver.
> I lead in the way of righteousness, in the midst of the paths of judgment:
> That I may cause those that love me to inherit substance; and I will fill their treasures.
> The Lord possessed me in the beginning of His way, before His works of old."
>
> Your job, the inculcation of wisdom through education, is a sanctified work. When those of us in the Congress through legislation try to equip you with the necessary environment, we feel we, too, are working in the vineyard of the Lord.[12]

Wayne Morse will miss working in the vineyard of the Lord, and the voice of "Mr. Education" will be missed in the Senate.

FOOTNOTES - CHAPTER X

[1]Max Lerner, America as a Civilization, I (New York: Simon and Schuster, 1963), p. 729.

[2]Oliver Wendell Holmes, New York Trust Co. v. Eisner, 256 U.S. 345, 349, (1921).

[3]Oliver Wendell Holmes, The Common Law (Boston: Little, Brown, and Co., 1881), p. 1.

[4]Max Lerner, Ideas Are Weapons (New York: Viking Press, 1940), p. 3.

[5]Ibid., p. 6.

[6]Max Lerner, America as a Civilization, I (New York: Simon and Schuster, 1963), p. 731.

[7]Reinhold Niebuhr, Pious and Secular America (New York: Charles Scribner's Sons, 1958), p. 33.

[8]Alexis de Tocqueville, Democracy in America (New York: The New American Library, 1956), p. 158.

[9]Reinhold Niebuhr, The Irony of American History (New York: Charles Scribner's Sons, 1952), p. 82.

[10]Carl L. Becker, Freedom and Responsibility in the American Way of Life (New York: Vintage Books, 1945), pp. 84-85.

[11]Max Lerner, America as a Civilization, I (New York: Simon and Schuster, 1963), p. 730.

[12]U.S., Congress, Senate, Speech by Senator Morse given at Annual Convention of the American Federation of Teachers, Philadelphia, Pa., Aug. 14, 1961, 87th Cong., 1st sess., Aug. 22, 1961, Congressional Record, CVII, 16718.

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