

***“Veto the Slave Bill”***

*The struggle against Senate Bill 677 and the  
formation of a pro-farm worker coalition in Oregon*

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This paper is submitted to fulfill the requirements for departmental honors in the History Department at the University of Oregon.

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### ***Short forms***

The names of various archives have been shortened after the first reference in my notes.

The short forms are as follow:

Oregon Historical Society Research Library: OHS

University of Oregon Special Collections: UO SC

Oregon State Library: OSL

Oregon State Archives: OSA

## *“Veto the Slave Bill”*

Jim Conroy couldn't see the people he was speaking to. The young Catholic priest was standing at the top of the steps to the Oregon State Capitol, and bright lights were aimed straight at his face to make him visible in the dark. It was the end of June 1971, and Conroy was there to give Mass to the hundreds of people protesting in front of the Capitol in Salem, Oregon. Cesar Chavez, the leader of the national farm workers' movement, stood by his side.

The square in front of the Capitol was covered with hundreds of people—farm workers, students, Chicano activists, Portland liberals, union members, grape boycott volunteers—all who had gathered to urge Governor Tom McCall to veto a bill they thought unjust and unconstitutional: Senate Bill 677 had been written by the Oregon Farm Bureau and its agribusiness allies to prevent farm labor organizing. Some called it the “slave bill.”<sup>1</sup> This bill would have crippled efforts to unionize Oregon's farm workers before real work had even begun, and would have denied them rights enjoyed by almost all other non-agricultural workers in the

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<sup>1</sup> Jim Strassmaier, Kevin Collins oral history, incomplete transcript, Oregon Historical Society (OHS).

country. Put another way, SB 677 would have protected the state's farmers from unionization and ensuing fights for better pay and work conditions.

To the great surprise of growers and farm workers alike, McCall vetoed the bill. In remarks to the press, the governor said that he had vetoed the bill on the advice of Oregon Attorney General Lee Johnson, who believed it to be unconstitutional.

While SB 677 probably was unconstitutional, McCall's veto should be attributed to more than just Johnson's advice. Oregon's farm worker advocates built a diverse cooperative coalition to oppose SB 677, including the Portland grape and lettuce boycott committee, Chicano groups, churches, and anti-poverty organizations. Several members of this coalition worked for months to kill the bill in the state Senate, but failed there. Even after the bill passed both houses of the Legislature, these groups continued to pressure McCall to veto the bill and to raise awareness about the unfairness of SB 677. Later, the United Farm Workers Organizing Committee's leadership—most notably Cesar Chavez—made SB 677 into a national issue, and effectively tied it to the national farm worker movement. To be sure, McCall and Johnson had serious reservations about the constitutionality of the bill, but it would be unfair to discount the power and influence of the local and national groups that sought to persuade McCall to veto SB 677.

1971 was an important year in Oregon's history. McCall signed the Bottle Bill, furthering the state's reputation as an environmental leader. One percent of the highway fund was devoted to bicycle infrastructure, and major progress was made towards legislation to control urban growth. Strict limits were placed on billboards along the state's roads. McCall's veto of SB 677 has been lost among all these other efforts. However, it was a significant victory for the state's

farm workers, and set Oregon apart from much of the rest of the nation—at least briefly. Bills similar to SB 677 had been introduced into several other state legislatures across the country, and in the spring of 1971, many seemed likely to become law.<sup>2</sup>

This conflict about agricultural unionization and activism was not new. The United Farm Workers Organizing Committee and its predecessors had struggled to organize farm workers in California for several years, and a national boycott of grapes—launched by UFWOC in support of its attempt to unionize workers in California’s grape fields—had ended, successfully, just a few months before McCall vetoed SB 677. By the summer of 1971, UFWOC had moved on to the lettuce fields, and the national boycott had shifted to target that crop as well.<sup>3</sup>

As far back as the Great Depression, both the state and federal governments resisted efforts to unionize farm workers. The National Labor Relations Act, signed in 1935 by President Roosevelt, extended certain protections to unions and unionized employees, but it intentionally excluded farm labor and other types of seasonal work, as well as certain unskilled, low wage positions. The rationale for this exclusion was that farm labor was different: largely seasonal and adversely affected by strikes. Public interest was often cited to prevent agricultural unionization as well: a strike in the fields would be more deleterious than one in most factories, legislators reasoned.<sup>4</sup>

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<sup>2</sup> Brent Walth, Fire at Eden’s Gate: Tom McCall & the Oregon Story. (Portland: Oregon Historical Society Press, 1994) 322-24.

<sup>3</sup> Susan Ferriss and Ricardo Sandoval, The Fight in the Fields: Cesar Chavez and the Farmworkers Movement. (New York: Harcourt Brace and Company, 1997) 155-57, 161-68.

<sup>4</sup> Linda C. Majka and Theo J. Majka, Farm Workers, Agribusiness, and the State. (Philadelphia: Temple University Press, 1982) 113-14.

This omission left agricultural labor in a legal vacuum: while farm workers were technically free to unionize, they were not protected from intimidation or firing for pro-labor activity as most industrial workers were. Yet this absence of regulation also allowed farm workers to boycott businesses that sold products made by targeted firms: unions regulated by the NLRA and the later Taft-Hartley amendment were banned from using these secondary boycotts, but as an unregulated union, UFWOC and its supporters were not constrained as others were. (The secondary boycott was central to UFWOC organizing in the late 1960s and early 1970s.)<sup>5</sup>

Essentially, agricultural labor organizing was entirely unprotected and unregulated in 1971. Nationally, both labor and management agreed that some sort of law was necessary to remedy this, but they disagreed about the proper solution. SB 677's proponents claimed it was a way to fill this legal gap, but critics charged that its regulations amounted to unfair restrictions and that its protections were designed solely for the benefit of growers.

### *Agriculture and labor in Oregon*

Unlike parts of California and the southwest, Oregon lacked a major year-round agricultural work force in the late 1960s and early 70s. The state's farmers relied on seasonal labor: both migrant and local workers were employed on Oregon farms. Many local workers were students, housewives, and so-called "winos" willing to spend part of the summer in the fields, but the relative importance of this group fell as time passed. Most of the state's migrant

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<sup>5</sup> Majka and Majka, Farm Workers, 94-97, 208-14; Ferris and Sandoval, Fight in the Fields, 136-37.



labor originated in Texas and Arizona. Most of these migrant workers were Mexican-American, and almost all were permanently impoverished.<sup>6</sup>

Oregon's permanent Mexican-American population was on the rise during this period as well. The state's Mexican-American population was concentrated in agricultural areas, most notably the Willamette and Treasure Valleys, and near Hood River. Members of these communities were still largely employed in agriculture, and they would form the foundation of a variety of Chicano groups in the late 1960s and early 1970s.<sup>7</sup>

One of the groups founded by the state's growing Chicano population was the United Farm Workers of Oregon. In 1968, Ventura Rios, a former farm worker living in Dayton, had formed the United Farm Workers of Oregon. This group does not appear to have been officially tied to the California-based UFWOC or to its Portland boycott committee, but the two groups shared many goals and coordinated on several projects. Rios worked with the state to improve migrant housing with some success: McCall appointed a task force to study the issue in 1968, and its report (released in 1969) was highly critical of conditions in Oregon's farm camps.

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<sup>6</sup> Lynn Stephen and PCUN, The Story of PCUN and the Farmworker Movement in Oregon. (Eugene, Oregon: University of Oregon, 2001) 8-14; Erasmo Gamboa, "El Movimiento: Oregon's Mexican-American Civil Rights Movement," in Nosotros: The Hispanic People of Oregon, Gamboa and Carolyn M. Buan, eds., (Portland: Oregon Council for the Humanities, 1995) 47-49.

<sup>7</sup> Glenn May, Sonny Montes and the Building of Oregon's Mexican-American Community. (Manuscript) Forthcoming from the University of Washington Press. The term "Chicano" usually refers to Mexican-Americans, but during the late 1960s and early 1970s, it gained political significance as a denominator of ethnic pride and identity. In this paper, I use "Chicano" when referencing individuals who sympathized with the goals and ideals of the Chicano Movement, and Mexican-American to indicate heritage. For more on the Chicano Movement, see Carlos Muñoz, Youth, Identity, Power: The Chicano Movement. London: Verso, 1989.

However, UFW-Oregon was not able to organize large numbers of workers. (This was a common pattern in agricultural organizing. Like Rios, Cesar Chavez initially concentrated on providing tangible improvements for farm workers, and only moved to traditional union activities later.)<sup>8</sup>

The United Farm Workers Organizing Committee had a presence in the state as well. In 1970, farm workers in the Treasure Valley staged a wildcat strike and demanded union representation. Cesar Chavez announced that UFWOC would seek to represent the farm workers, but organization was hampered by a lack of appropriate regulation and support from state agencies. Although UFWOC was unable to organize these workers, the specter of a powerful farm workers' union left the region's growers worried.<sup>9</sup> "With cash crops like [apples, peaches, etc.] to play around with, Chavez could really create plenty of problems if he moved into Treasure Valley," one unnamed grower told *The Oregonian*.<sup>10</sup> Many farmers would echo his words when the Legislature considered SB 677 a year later.

### ***The anti-SB 677 coalition***

Even though few of Oregon's farm workers were unionized in 1971, the farm worker union's Portland grape boycott committee had long advocated for farm worker rights. Like other

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<sup>8</sup> "Labor Camp Report Asked," *The Oregonian*, 18 Feb. 1969, A17; Robert Olmos, "Ventura Rios Wants a Fair Deal," *The Oregonian*, 1 Sept. 1968, A12; Kernan R. Turner, "Oregon Law Banning Picketing of Perishable Crops faces Union Test," *The Oregonian*, 12 June 1969, A32; Letter from Ventura Rios to Governor Tom McCall, no date, Stella Maris House Papers, Mss 1585, OHS, 18/13; "Oregon Farm Workers Organize," *El Malcriado*, 15 June 1968, 11; Stephen and PCUN, Farmworker Movement in Oregon, 10.

<sup>9</sup> "Farm union eyes Oregon," *Eugene Register-Guard* [Oregon], 30 Aug. 1970, 6C; Priscilla Carrasco, "Huelga in Treasure Valley," *El Malcriado*, 15 Sept. 1970, 10-12.

<sup>10</sup> Stan Federman, "Chavez May Try To Unionize Treasure Valley Farm Workers," *The Oregonian*, 30 Aug. 1970, A36.

boycott committees in cities around the country, the Portland committee picketed stores selling scab grapes on weekends, passed out fliers, organized letter writing campaigns, and built alliances with other sympathetic groups in the area.<sup>11</sup>

Portlanders had been boycotting grapes since 1966, when Nick and Virginia Jones established a committee in the Rose City. In the early days of the boycott, Portland bought more scab grapes than many comparable cities. This changed in 1969, when purchases fell considerably. The committee had around 50 core supporters at any given time, and on a good weekend, 30 people would turn out to boycott stores selling scab grapes. Most of the committee's full-time volunteers were young—some were just out of high school—and drew inspiration from the glory days of the civil rights movement.<sup>12</sup>

Although most UFWOC volunteers in Oregon were far removed from the major battlegrounds of the civil rights movement by both time and distance, they were motivated by the same concerns for justice and equality that had inspired others a few years earlier. Jeanne McNassar became involved with the farm workers' movement while living in Chicago, and remained so after moving to Oregon in 1970, where she graduated from Beaverton High School in 1971. Her maternal grandparents, both Catholics, had endured discrimination by the Klu Klux Klan in Iowa, and her grandfather had joined the Knights of Columbus to boycott businesses owned by Klansmen. Also influential were her parent's frequent explanations of the civil rights

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<sup>11</sup> Jim Conroy, Joe Digman, Jeanne McNassar, and Don Orange, personal interview, 16 Oct. 2009 (Henceforth "Interview, 16 Oct. 2009."); "Boycott takes hold in Portland." *Venga!* Aug. 1969. Stella Maris House Papers, Mss 1585, OHS, 18/13.

<sup>12</sup> Interview, 16 Oct. 2009; "Boycott takes hold in Portland." *Venga!* Aug. 1969. SMH, Mss 1585, OHS, 18/13.

movement. When television news shows covered the African-American movements for equality, McNassar's parents told her that "what was happening to those people was wrong."<sup>13</sup>

Soon after enrolling at Beaverton High School, McNassar met Joe Digman, one of a handful of Mexican Americans at the school. A devoted UFWOC volunteer, he put his high school debate skills to use explaining the grape boycott to shoppers and store managers nearly every weekend. Digman had lived in East Los Angeles until he was 10 where his family had been poor. A union job at a munitions plant for his mother catapulted the family into the middle class, and by the time they arrived in Oregon, his mother was a hardened union supporter. Like McNassar's parents, Digman's mother explained the civil rights movement in terms of justice and equality: he would later embrace both themes working for the farm workers movement in the early 1970s. As a young Mexican American, he had been waiting for people like him to stand up and demand justice. He told me that

I heard about Cesar Chavez and the farm workers union in 1968 when I went to a Humphrey rally and someone gave me a 'boycott grapes' sticker. I asked what this was about, and he said "Well, the Mexican farm workers are striking." And I thought, well finally, the Mexicans are doing something! I wanted to be part of this, because the Mexicans were just taking it everywhere. It really pissed me off.<sup>14</sup>

One of Digman's best friends was Don Orange, a high school student from Portland. Orange recalls spending too much time working for the Portland boycott committee and not enough time at Adams High School: he never recruited as many volunteers at his school as Digman and McNassar did at Beaverton because he didn't go to class often enough. But he was

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<sup>13</sup> Interview, 16 Oct. 2009; Jeanne McNassar, untitled essay, no date, available at <http://tinyurl.com/yb3ctc8>.

<sup>14</sup> Interview, 16 Oct. 2009; Joe Digman, untitled essay, no date, Available at <http://tinyurl.com/yb3ctc8>.

certainly devoted to the farm workers' cause: during the protests against SB 677, he and Digman slept on the concrete steps of the state Capitol with dozens of others to keep up the vigil.<sup>15</sup>

These three friends found something like a second family in the Portland boycott committee. Digman and Orange lived in the boycott committee's house in North Portland after graduating from high school, and McNassar was often there as well.

By 1971, Nick and Virginia Jones had handed direction of the boycott over to Kate Barton, a woman just a few years older than the three recent high school graduates. Barton came to Portland in 1969 to wait for a job with United Airlines. She ended up volunteering for the boycott committee full time and never took the airline job. After the lettuce boycott began in 1971, she took over as the director of the Portland committee, and stayed involved for several years. During Senate hearings on SB 677, Barton testified against the bill on behalf of UFWOC, and helped organize both statewide and national opposition to the bill.<sup>16</sup>

Another important UFWOC volunteer was the Catholic priest who preached on the steps of the Capitol in late June 1971, Jim Conroy. The youngest Catholic priest in Oregon, Conroy was also probably one of the most radical. Other UFWOC volunteers found him mild-mannered, but Conroy also had a reputation as a great organizer. His loyalties to the Catholic Church and the farm workers movement often conflicted: Oregon's conservative Catholic establishment was uncomfortable with Conroy's outspoken support for farm workers. His appearance with Chavez was a step too far for Oregon's Archbishop, Robert Dwyer, a well-known conservative cleric.

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<sup>15</sup> Interview, 16 Oct. 2009. Kate Barton, personal interview, 24 Oct. 2009. (Henceforth "Interview, 24 Oct. 2009.")

<sup>16</sup> Interview, 16 Oct. 2009; Interview, 24 Oct. 2009.

Conroy told me that Dwyer threatened him with excommunication if he did anything like that again.<sup>17</sup>

Conroy continued his work with the farm workers, but not as a priest. A few weeks after McCall vetoed the bill, Chavez called Conroy and asked him to come down to UFWOC headquarters in Delano, California for a few weeks of training: initially, Conroy was uncertain, but eventually, he agreed. Chavez asked him to return to Oregon and organize full time, but Dwyer told the young priest that he would not be allowed to work for UFWOC while still a priest: Conroy quit.<sup>18</sup>

The farm workers union and related organizations were not the only groups to oppose SB 677. Also important was the Valley Migrant League, an Office of Economic Opportunity funded program designed to help migrant farm workers—most of whom were Mexican American—transition to more stable, higher paying jobs outside of agriculture. It also helped form strong associations—both formal and informal—within the Willamette Valley’s growing Mexican-American community. The VML had been founded in 1965 as a project dominated by Anglo-Americans, but by 1971, Mexican Americans with strong ties to the state’s growing Chicano Movement had taken control of the organization’s direction.<sup>19</sup>

Although technically prohibited from engaging in political advocacy due to its reliance on federal funding, some VML members still spoke out against SB 677. Sonny Montes, a former VML area supervisor, led an anti-SB 677 rally on the steps of the State Capitol in June 1971. At Montes’ urging, the crowd chanted, “Chicano power!” This cry—focusing on ethnic identity

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<sup>17</sup> Interview, 16 Oct. 2009.

<sup>18</sup> Interview, 16 Oct. 2009.

<sup>19</sup> May manuscript.

instead of economic justice—was quite different from those favored by UFWOC organizers. Other VML employees testified against the bill during Senate Agriculture Committee hearings and helped coordinate the protests that peaked during the last week of June.<sup>20</sup>

As mentioned above, the state's small (but growing) Mexican-American population was increasingly drawn to the politics of the Chicano Movement. Several VML employees, including Montes, were instrumental to the development of the movement in Oregon.<sup>21</sup>

One sign of the rising influence of Chicanos in Oregon was McCall's creation of the Governor's Advisory Council on Chicano affairs in 1969. The council consisted of 15 appointees, including Montes and Rios, the UFW-Oregon director. According to Glenn May, "while McCall was willing to talk, the committee accomplished little." The governor replaced this commission with one more broadly focused on all minority groups in the state in March 1971, just before SB 677 became a major issue. Many politically active Chicanos in the state were frustrated by McCall's decision and saw it as a step backward.<sup>22</sup> The state's Chicano activists played a small but controversial role in the anti-SB 677 coalition: they were motivated by a sense of ethnic solidarity, and several UFWOC volunteers believed that the Chicanos in the coalition could have alienated other (Anglo) farm worker supporters.

Oregon's religious groups were also influential in the debate over SB 677. However, their positions were somewhat ambiguous. In particular, the Catholic Church was divided between rural and urban groups: the former tended to support the bill, whereas the latter opposed it.

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<sup>20</sup> Senate Agriculture Committee minutes, 1, 12, 19 April 1971, Senate Agriculture Committee Records, Oregon State Archives (OSA), SB 677, 1971; May manuscript.

<sup>21</sup> May manuscript.

<sup>22</sup> May manuscript.

(Many of the state’s growers and ranchers were Catholic and influential in rural parishes.) Individual priests could always find papal encyclicals that seemed to support the farm workers, but as Conroy’s experience shows, this did not mean that the local Church hierarchy supported them. Kev Collins, the director of the Portland Archdiocese’s Social Action Commission, was one of several religious leaders opposed to SB 677. He called SB 677 a “slave bill,” and helped coordinate opposition with other religious groups in the state, including the Oregon Migrant Ministry.<sup>23</sup>

Despite the disapproval of the highest Catholic authorities in the state, farm workers were supported by many of Oregon’s religious leaders. Just the day before McCall vetoed SB 677, Reverend Bertram Griffin, the chancellor of the Portland Archdiocese and the president of the Greater Portland Council of Churches, noted that the Pope supported agricultural workers’ right to organize.<sup>24</sup> However, Conroy felt that despite clear biblical support for the farm workers, most of the state’s Catholic priests were not sufficiently motivated to oppose SB 677.<sup>25</sup>

The state’s liberal establishment also lined up behind the farm workers. Don Willner, a well-known Democratic state Senator from Portland, was a major supporter of the farm workers’

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<sup>23</sup> Testimony by Reverend Alcuin Heibel, Catholic Rural Life, Senate Agriculture Committee Exhibits, OSA, SB 677, 1971; Interview, 16 Oct. 2009; Jim Strassmaier, Kevin Collins oral history, incomplete transcript, OHS; C. Kevin Collins, “Testimony submitted to Senate Agriculture Committee at hearing on Senate Bill 677,” 19 April 1971, Senate Agriculture Committee Exhibits, OSA, SB 677, 1971.

<sup>24</sup> “Religious leaders ask farm labor bill veto,” *The Oregonian*, 1 July 1971, B16. It is worth mentioning that the popularity of liberation theology—an unorthodox interpretation of Catholicism focused on social justice—was growing rapidly in Latin America in the late 1960s and early 1970s. I cannot say how influenced Oregon’s religious leaders were by liberation theology, but they certainly would have been aware of it.

<sup>25</sup> Interview, 16 Oct. 2009.



cause: he had helped establish the VML and frequently advocated for legislation to protect farm workers.<sup>26</sup>

Other local groups actively opposed SB 677, but their contributions to the movement are difficult to define. Portland's new left supported the farm workers, as did the state's many union members. (However, Oregon's union leadership was not as active as farm worker advocates would have liked.)<sup>27</sup>

The diversity of the anti-SB 677 coalition was on display on the steps of the State Capitol in June 1971. Digman remembers

sitting there to watch the Capitol, and there'd be nobody there. Then there'd be two vans of buildings trades guys that would come, and it would be very much a hardhat thing, a labor thing. And then you'd have a bunch of Mexican farm workers, and it would be very much a Mexican thing. And then you'd have a bunch of religious Catholics come and it would be a very religious thing. All these groups were cycling through and depending on how long they were there and how they were mixing, the feel of it was different.

Later, Chavez and other national UFWOC leaders would make the battle against SB 677 into a national cause, but during the months that the bill slowly progressed through the legislature, farm workers in Oregon were reliant entirely on local allies. These groups united against SB 677 disagreed on a variety of topics, but were united by support for the farm worker cause.

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<sup>26</sup> Stephen Bender. One Night in America: Robert Kennedy, César Chávez, and the Dream of Dignity. (Boulder, Colorado: Paradigm Publishers, 2008) 2-44. Clark Hansen, Don Willner oral history, incomplete transcript, OHS.

<sup>27</sup> Interview, 16 Oct. 2009; "McCall's Veto," *Willamette Bridge*, 8-14 July 1971, 3.

### *The bill and its backers*

Oregon's SB 677 was part of a national response on the part of agribusiness to the growth of agricultural unions, most notably UFWOC in California. Farmers across the country interpreted the growth of both boycott committees and increasing unionization as a threat, and the national agribusiness lobby quickly designed legislation to limit the rights of agricultural workers.

The American Farm Bureau Federation, a powerful agribusiness association-cum-corporation with local affiliates in most states, initially tried to pass federal legislation with the help of Senator George Murphy of California, a man the UFWOC called "the grower's friend." Its efforts in Washington failed due to opposition from liberal Democrats, and the American Farm Bureau shifted to state legislatures.<sup>28</sup>

Bills similar to SB 677 were introduced in Colorado, California, Michigan, Florida, Minnesota, New York, Washington, Texas, and Wyoming. Although the specifics of each state's proposed law varied, all would have severely restricted unionization and other labor activity. The Farm Bureau and its allies in Washington (including the Nixon administration) still hoped for federal legislation, but this state-by-state strategy was the best they could do at the time.<sup>29</sup>

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<sup>28</sup> Dick Meister and Anne Loftis, *A Long Time Coming*. (New York: Macmillan, 1977) 178-79; Jacques E. Levy, *Cesar Chavez: Autobiography of La Causa*, (Minneapolis, Minnesota: University of Minnesota Press, 2007) 447-48; Majka and Majka, *Farm Workers*, 208-210.

<sup>29</sup> "Farm labor fights anti-Chavez law," *Business Week*, 19 Aug. 1972, 21; Levy, *Cesar Chavez*, 447-448; Meister and Loftis, *A Long Time*, 178-80; Majka and Majka, *Farm Workers*, 208-10; "The Farm Bureau's Anti-Farmworker Legislative Program," *El Malcriado*, 23 June 1972, 12-14.

Locally, SB 677's chief proponent and financial backer was the Oregon Farm Bureau, the state's affiliate of the AFBF.<sup>30</sup> The Oregon Farm Bureau had over 8,000 members statewide, and coordinated a statewide effort to pass the bill.<sup>31</sup> Several other agricultural organizations helped to lobby state legislators to pass SB 677, but none could match the political power and financial resources of the Farm Bureau.

These various state bills were all designed to limit the ability of farm workers to organize and promote their cause. In Oregon's case, several of the provisions used to accomplish this were constitutionally questionable.

SB 677 imposed stricter regulations on agricultural unions than the NLRA (and Taft-Hartley) did on other unions. At the same time, it granted only limited protections to farm workers and their unions. Opponents objected to several clauses in SB 677 on constitutional grounds. The bill would have restricted collective bargaining and arbitration, required unions to register with a special state board, and severely limited picketing, boycotts, and striking.<sup>32</sup>

The farm workers union and growers alike agreed that some sort of legal framework was necessary to facilitate collective bargaining. Oregon lacked a law to regulate agricultural unions, so farmers weren't required to negotiate with a union chosen by their employees. However, the bargaining system to be established under SB 677 was not neutral. It allowed only the employer

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<sup>30</sup> Later references to the Oregon Farm Bureau will use "Farm Bureau." Any references to the national organization will use AFBF.

<sup>31</sup> "1971 OFBF Membership," *Oregon Agriculture*, 25 Feb. 1971, 1; "Labor-Management Act Sought for Agriculture," *Oregon Agriculture*, 25 January 1971, 3.

<sup>32</sup> The following section relies on several primary and secondary sources (cited by paragraph), but I have not personally assessed the legitimacy of the constitutional objections raised by opponents of SB 677.

to compel fact-finding, and would have established a system of binding arbitration favorable to the employer: farmers would have been allowed to reject the conclusions of “binding arbitration,” but if the farmer chose to accept the deal, farm workers would not have been offered an out, as employers were.<sup>33</sup>

Additionally, SB 677 would have prohibited collective bargaining over the use or application of pesticides. William Lubersky, the Oregon Farm Bureau’s lawyer, told the Senate Agriculture Committee that “whether pesticides should or should not be used is a highly technical matter and is not an area which should be the subject of the emotions of collective bargaining.”<sup>34</sup> Farm workers disagreed: it was increasingly clear that many common pesticides were sickening workers and people near agricultural operations. The bill’s opponents saw this clause as just one more way agribusiness valued production over people.<sup>35</sup>

If McCall had not vetoed SB 677, all agricultural union organizers and representatives would have been required to register with a special state board. No other unions in the state were required to do this.<sup>36</sup>

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<sup>33</sup> Levy, Cesar Chavez, 447-52; “McCall’s Veto,” *Willamette Bridge*, 8-14 July 1971, 3; “Part Claimed Not Legal in Farm Bill,” *The Oregonian*, 3 July 1971, B7.

<sup>34</sup> Testimony by William Lubersky, 12 April 1971, Senate Agriculture Committee Minutes, OSA, SB 677, 1971; “Part Claimed Not Legal in Farm Bill,” *The Oregonian*, 3 July 1971, B7.

<sup>35</sup> Levy, Cesar Chavez, 447-49; “Veto saves ‘huelga,’” *The Oregonian*, 7 July 1971, A28; Letter from Senator Willner to Senator Dement, 9 April 1971, Senate Agriculture Committee Exhibits, OSA, SB 677, 1971; “Farm Bureau Exposed At Press Conference,” *El Malcriado*, 23 June 1972, 13-14; Majka and Majka, Farm Workers, 208.

<sup>36</sup> Letter from Senator Willner to Senator Dement, 9 April 1971, Senate Agriculture Committee Exhibits, OSA, SB 677, 1971; Majka and Majka, Farm Workers, 208.

SB 677 would have banned strikes when they would have been most effective—during harvest—and mandated a variety of unreasonably long pre-strike waiting periods during the rest of the year “The bill effectively precludes any effective use of the strike by migrant workers,” Attorney General Lee Johnson wrote to McCall.<sup>37</sup>

Similarly, major restrictions were placed on employees who wanted to unionize. Workers would only have been eligible to vote in union elections after working for one employer for 14 days in one year. Of course, many of Oregon’s migrant workers never stayed on one farm for 14 days in a year. If SB 677 had passed, they would have effectively been barred from unionizing.<sup>38</sup>

One provision of the bill targeted farm workers and their urban allies. SB 677 would have prevented secondary strikes and pickets designed to induce other unionized workers to stop handling scab products: for instance, this law would prohibit UFWOC boycotters from pressuring longshoremen to stop loading scab lettuce. Additionally, the law would have prohibited the picketing of grocery stores—the chief tool of the Portland boycott committee.<sup>39</sup>

Johnson would later advise McCall to veto the bill because he believed these sections to be unconstitutional. “Certain provisions of the bill give rise to constitutional doubts, but are not

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<sup>37</sup> “Part Claimed Not Legal in Farm Bill,” *The Oregonian*, 3 July 1971, B7; Majka and Majka, *Farm Workers*, 208.

<sup>38</sup> Letter from Attorney General Lee Johnson to McCall, 2 July 1971, McCall Press Releases, Oregon State Library Special Collections (OSL), 1971.

<sup>39</sup> Catherine Barton, untitled testimony, Senate Agriculture Committee Exhibits, OSA, SB 677, 1971; Majka and Majka, *Farm Workers*, 208.

clearly unconstitutional,” he wrote. “Other provisions of the bill are almost certainly unconstitutional.”<sup>40</sup>

### *Hearings in Salem, protest elsewhere*

State legislatures have rarely been friendly to farm workers. Oregon’s legislature was no exception in the 1960s and 1970s: with almost no exceptions, laws relating to farm labor favored growers. Even establishing modest housing standards was difficult, and unions and other worker advocates found few friends in either house. The geographical distribution of senators and representatives skewed toward rural areas where well-connected farmers and ranchers dominated politics. Even representatives from more liberal urban areas could not be counted on to support a constituency with no vote and no political power. A record of victories in the Oregon legislature likely made the Farm Bureau confident it would succeed again with SB 677.<sup>41</sup>

The Oregon Farm Bureau and a coalition of 30 other state agricultural organizations unanimously endorsed an early version of SB 677 at a meeting in Salem in early January 1971. William Lubersky, the Farm Bureau’s legal advisor and the principal author of the bill, presented his proposal as a fair compromise between labor and management. In February, the bill was referred to the Senate Agriculture Committee.

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<sup>40</sup> Letter from Attorney General Lee Johnson to McCall, 2 July 1971, McCall Press Releases, OSL, 1971; Letter from McCall to Secretary of State Clay Myers, 2 July 1971, McCall Press Releases, OSL, 1971.

<sup>41</sup> Mary Ann Casas, “Moreno v. Tankersley: The Migrant Class Action of 1969,” 2005. Held by the University of Oregon Library Scholars Bank, and available at <http://tinyurl.com/yznxonv>; Salvador E. Alvarez, “The Legal and Legislative Struggle of the Farmworkers 1965-1972,” *El Grito* (Winter 1972-73) 6-145; Frank Martinez, “Oregon’s Chicanos’ Fight For Equality,” *Civil Rights Digest* (Winter 1972) 18-20.

Technically, SB 677 was introduced “at the request of various agricultural organizations,” but it is fair to say that the Oregon Farm Bureau was the senior partner among these groups.<sup>42</sup> The Farm Bureau had members and offices in nearly every county, and was supported by the AFBF, which was focused on passing similar legislation all across the country. Other groups hoped the bill would pass, but the Farm Bureau’s political power far exceeded that of the others.

The Senate Agriculture Committee was a difficult venue for farm worker advocates to lobby. The seven-member Committee included five Republicans and two Democrats. (However, the Democrats held a narrow edge in the full Senate, which they controlled 16-14. Why the Republicans controlled this committee, despite the Democrat’s overall lead, is unclear.) Sam Dement, the committee’s Republican chairman, was perceived by his colleagues as a “good, conservative Republican,” with considerable sympathy for agriculture.<sup>43</sup>

By April 1971, the Agriculture Committee was holding regular hearings on SB 677. Initially, representatives from the Oregon Farm Bureau controlled the direction of the hearings. Lubersky and Howard Fujii, an Oregon Farm Bureau lobbyist, made a several presentations detailing each of the bill’s provisions, repeatedly stressing how fair the Farm Bureau’s plan was. Industry’s attempt to sway the committee did not go unchallenged. Don Willner, the liberal senator from Portland, objected to most of SB 677’s provisions. Willner was not on the Agriculture Committee, but he attended most of its hearings when SB 677 was to be discussed.<sup>44</sup>

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<sup>42</sup> State of Oregon, Journals and Calendars of the Senate and House of the Fifty-Sixth Legislative Assembly. (Salem, Oregon: Oregon Legislative Assembly, 1971) 722-23.

<sup>43</sup> Clark Hansen, Hector MacPherson oral history, tape 6 side 1, no transcript, OHS.

<sup>44</sup> Senate Agriculture Committee minutes, 1, 12, 19 April 1971, Senate Agriculture Committee Records, OSA, SB 677, 1971.

Willner provided the only criticism of SB 677 during the first two hearings in April 1971. He challenged the bill section-by-section, highlighting provisions he found unconstitutional or unfair. Lubersky was amenable to some of Willner's proposed modifications, but the core of the bill remained unchanged.<sup>45</sup>

The hearings attracted increasing numbers of witnesses as different groups around the state became aware of the bill's progress. Representatives from a number of farm groups—the Klamath Potato Growers Association, the Hop Growers of Oregon, and others—testified in favor of the bill, making familiar arguments about decreasing profits for small farmers, the destructive potential of farm labor unrest, and the aggressive tactics of the union organizers. Dozens of other organizations wrote to Dement to voice support for the bill. Representatives from many groups that opposed SB 677 also made appearances.<sup>46</sup>

Farm worker advocates were hardly convinced by the arguments made by growers. Kate Barton, the lettuce boycott coordinator for the United Farm Workers Organizing Committee in Portland, testified that it was an “extremely repressive” bill designed to deny agricultural laborers the rights and protections afforded to workers in almost all other industries. Barton questioned the common justification that agriculture was different, pointing out that perishable

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<sup>45</sup> “8 Amendments Adopted to Labor Relations Bill,” 25 April 1971, *Oregon Agriculture*, 3; Letter from Senator Willner to Senator Dement, 9 April 1971, Senate Agriculture Committee Exhibits, OSA, SB 677, 1971.

<sup>46</sup> Senate Agriculture Committee minutes, 1, 12, 19 April 1971, Senate Agriculture Committee Records, OSA, SB 677, 1971.



farm goods would be handled by unionized packers, truckers, and railroad workers after it left the farm, and that a strike by any of these groups would leave food to rot.<sup>47</sup>

The Portland boycott committee had been aware of SB 677's progress since March, when Wally Priestley, a former state representative from Portland, told Barton about the bill. After learning about SB 677, Barton, the boycott director in Portland, testified in front of the Agriculture Committee in April, and other volunteers went to Salem for other hearings. However, the UFWOC in Oregon lacked the political influence the state's other unions had, and assistance from allies would have been helpful.<sup>48</sup>

As April and May progressed, Senate Bill 677 remained a non-issue for most labor groups in the state. *Oregon Labor Press*, the state's AFL-CIO paper, didn't mention the bill even once until after McCall vetoed it. A few union lobbyists spoke before the agriculture committee, but their testimony was uninspiring and their appearances brief. Senator Vern Cook, a Gresham Democrat on the Agriculture Committee, was surprised by the lack of effort made by long-time union lobbyists: traditionally, labor made its desires clear in Salem, but this time, "the lobbyists for organized labor didn't seem to know it even existed," he remembered over 20 years later.<sup>49</sup> Although UFWOC was officially part of the AFL-CIO, the Oregon leadership of both groups appears to have been largely uncoordinated.<sup>50</sup>

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<sup>47</sup> Catherine Barton, untitled testimony, Senate Agriculture Committee Exhibits, OSA, SB 677, 1971.

<sup>48</sup> Interview, 24 Oct. 2009; Interview, 16 Oct. 2009. Priestley was first elected to the state Legislature in 1965, but lost his seat in 1970. He regained it in 1972 and served until 1985: while not a member of the legislature when SB 677 was considered, he was still an influential liberal voice in Oregon politics.

<sup>49</sup> Clark Hansen, Vern Cook oral history, tape 11 side 1, no transcript, OHS.

<sup>50</sup> Interview, 16 Oct. 2009; Interview, 24 Oct. 2009.

It was not just industrial unions that failed to aid Oregon's farm workers and activists. Barton made sure that Cesar Chavez, Jerry Cohen, and other UFWOC leaders in California knew about the progress SB 677 was making every step of the way, but for some reason, they seemed less than concerned. At the time, Joe Digman wondered if the organizing committee's leadership paid less attention to Barton than they should have because of her middle-class background and blonde hair. This seems unlikely, given that the UFWOC boycott committees relied on many middle-class Anglos.<sup>51</sup>

In fact, the organizing committee's California leadership was busy with a legislative battle of its own. Cesar Chavez was reluctant to commit many resources to Oregon because the UFWOC was preoccupied with California's Cory bill, which was nearly identical to Oregon's SB 677. "We were stretched thin," he wrote later. "The Oregon story is important because we were trying to keep them from setting a precedent. The only thing was, my heart wasn't in those fights. They slowed us down terribly." The union was also busy fighting a similar bill in Arizona, and continuing organization efforts and boycotts drained the organizing committee's resources as well.<sup>52</sup>

(Several VML employees also spoke before the Senate Agriculture Committee, as did representatives from the Oregon Migrant Ministry, but unfortunately only brief summaries of their remarks have been preserved.<sup>53</sup>)

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<sup>51</sup> Interview, 16 Oct. 2009; Interview, 24 Oct. 2009.

<sup>52</sup> Levy, Cesar Chavez, 447-51.

<sup>53</sup> Senate Agriculture Committee minutes, 19, 26 April 1971, Senate Agriculture Committee Records, OHS, SB 677, 1971.

Local opponents of the bill were not able to convince members of the Senate Agriculture Committee or the full Senate to reject or heavily modify SB 677. Hearings ended in late April, and the Senate passed the bill 17-13 in early May. (Three Democrats joined all fourteen Republicans to support SB 677.) Despite the efforts of Willner and other farm labor advocates, it was almost identical to the original legislation Lubersky had drafted in February: the Farm Bureau and its allies had won.<sup>54</sup>

Chances in the House were even slimmer. The lower chamber was heavily Republican, and the Speaker of the House, Robert F. Smith, was a wealthy rancher known to be sympathetic to agribusiness. The House deliberated SB 677 only briefly before passing it 42-18 on a near-party line vote, Republicans for, Democrats against. (One Republican joined the Democrats to oppose the bill.)<sup>55</sup>

### ***Local opposition mounts***

Despite Chavez's reluctance to help and the seemingly unstoppable progress of SB 677, the bill's local opponents continued to strengthen their coalition and protest the bill as it moved through committee and then the full Senate and House.

In Oregon and nationally, the farm workers movement was strengthened by its ability to appeal to a range of groups. Jeanne McNassar, the recent Beaverton High School graduate and UFWOC volunteer, remembers approaching groups with carefully tailored arguments. "If you were talking with a Christian you could talk about spirituality, but there were other ways," she said. Union members were reminded that the labor movement as a whole would be strengthened

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<sup>54</sup> Oregon, Journals and Calendars, 722-23.

<sup>55</sup> Oregon, Journals and Calendars, 722-23.

if farm workers were organized, and Chicano activists were told about the sufferings of *la raza* in the fields. For other groups, UFWOC volunteers referenced the similarity of the farm workers' cause to the African-American civil rights movement, or any number of other causes.<sup>56</sup>

McNassar and other volunteers were careful to keep others' views in mind as they built their coalition. She told me that "the farm worker movement grew to be so strong because it really did appeal to people's integrity and morality from a number of different directions."<sup>57</sup>

This remarkable diversity was on display during the late June rallies in Salem. The Portland-based boycott volunteers called all the contacts they had made since the boycott began in 1966, and the turnout was impressive. "We had people on our picket lines who were very conservative buildings trades guys, we had Republicans occasionally, we had people from Beaverton High School, young Jewish kids, Catholics, we had hippies walking the picket line, we had communists... Some of these people would never mix outside of the farm worker movement," remembered Digman. "We were seeing International Socialists and the Trotskyists. You never saw them anywhere there was work to be done."<sup>58</sup>

The various groups that composed the anti-SB 677 coalition were linked together by associations with the Portland boycott committee: it was at the center of a complex web of organizations (both formal and informal) united only by support for the farm worker cause. What mattered was maintaining a united front to pressure McCall to veto the bill, not the many issues where disagreement and division were all but guaranteed.

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<sup>56</sup> Interview, 16 Oct. 2009.

<sup>57</sup> Interview, 16 Oct. 2009.

<sup>58</sup> Interview, 16 Oct. 2009.

The Portland boycott committee was linked to most of the other groups that opposed SB 677. It was the only organization that could fulfill this role. Since its founding in 1966, the boycott committee had reached out to all types of people and groups throughout the Portland area. It naturally connected with unions, and its reliance on young middle-class volunteers for its picket lines connected it to the city's liberal establishment. The Portland boycott committee worked with the Black Panthers, the NAACP, and religious groups. All these groups could find some link to the farm workers movement.<sup>59</sup>

The anti-SB 677 coalition was hardly free of conflict. Beyond the expected political debates between, say, the International Socialists and the occasional Republican on the picket line, the coalition was divided. One of the most significant was between Portland boycott volunteers and the VML's employees.

UFWOC volunteers and the VML's employees defined "progress" for farm workers in very different ways. Generally speaking, supporters of the farm workers' union wanted to make agricultural labor into a respectable, well paying job. Don Orange explained the union's goal: "The idea was not to get people out of this craft, it was to build a strong union so people could say 'I'm a farm worker' just as well as anyone can say 'I'm a steelworker' or 'I'm an autoworker' or 'I'm a teacher.'" The farm union hoped to change the basic economics of farm labor.<sup>60</sup>

In contrast, one basic tenet of the VML's program was career education as a route to self-improvement: its brochures from the time showed young Latinos working as auto mechanics,

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<sup>59</sup> Interview, 16 Oct. 2009, *El Relampago*, Nov./Dec. 1971, 6, University of Oregon Special Collections (UO SC).

<sup>60</sup> Interview, 16 Oct. 2009.

receptionists, repairmen, etc.: anything *but* field work. As a condition of receiving federal funding, the VML's political advocacy was highly limited. It seems likely that many of the VML's employees and volunteers privately agreed that the entire system of agricultural labor was broken, but to speak out against it would have jeopardized their jobs and even the VML as a whole. (Just this happened in eastern Oregon in January 1971, when several Chicano employees of the Treasure Valley Community College were dismissed because "they were spending too much time working for 'the movement.'"<sup>61</sup>) As Orange told me, the VML was "designed to help the migrants with their nasty problems, not with changing the basic economics," as the union wanted to do.<sup>62</sup> *El Malcriado*, the official UFWOC newsletter, put it this way in 1968:

"While doing some good in education and vocational training, the VML has emphasized that farmworkers who to get ahead should leave farm work. Its generous salaries tend to buy off the natural leaders of the farm workers, many of whom end up teaching kindergarten or supervising recreation instead of organizing and building a union."<sup>63</sup>

This very basic philosophical difference led to significant conflict between the two groups. UFWOC volunteers felt that VML employees were insufficiently supportive of the grape and lettuce boycotts—the VML's leadership was rarely seen on the picket line—and criticized them for making a living off aiding others. Portland boycott volunteers belittled VML employees as "poverty warriors" and worse, and saw them as little more than representatives of one more welfare program that failed to address the fundamental failure of agricultural economics.<sup>64</sup>

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<sup>61</sup> John Guernsey, "Activist Firings Stir Ontario Chicanos," *The Oregonian*, 10 Jan. 1971, A1.

<sup>62</sup> May manuscript; Interview, 16 Oct. 2009.

<sup>63</sup> "Oregon Farm Workers Organize," *El Malcriado*, 15 June 1968, 11.

<sup>64</sup> Interview, 16 Oct. 2009; "Rivalry of Migrant Aid Programs Intensifies Uneasy Farm Labor Dispute in Oregon." *The Oregonian*, 21 July 1971, A37.

Another conflict quickly developed between UFWOC volunteers and the state's newly-empowered Chicano activists. The Portland boycott committee volunteers viewed the struggle against SB 677 (and the farm workers movement in general) as "a people's union movement looking for economic justice," as Don Orange put it. Jerry Cohen, an attorney for UFWOC, criticized some of the Chicano activists—he called them "Raza bullshitters"—for using rhetoric that could have alienated the farm workers' Anglo supporters.<sup>65</sup>

This conflict was similar to that between UFWOC volunteers and the VML: while both the Chicano activists and the UFWOC volunteers intended to improve the lives of poor farm workers, they were motivated by differing feelings of solidarity: The Chicanos were there because SB 677 discriminated predominantly against other members of *la raza*, and UFWOC supporters were motivated by the continued economic and social subjugation of farm workers regardless of race or ethnicity. (There was some overlap between the two groups. Joe Digman, the recent Beaverton High School graduate, had first joined the farm worker cause because it was largely a movement of Mexican-Americans.)<sup>66</sup>

It seems likely that there were other division within the anti-SB 677 coalition: one would expect as much in a group built on its ability to appeal to a large variety of people.<sup>67</sup> These conflicts predated the anti-SB 677 coalition and lasted beyond McCall's veto, but were highlighted during the spring and summer of 1971 due to the close coordination of less than

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<sup>65</sup> Levy, *Cesar Chavez*, 150-51.

<sup>66</sup> Interview, 16 Oct. 2009.

<sup>67</sup> Interview, 16 Oct. 2009; "Rivalry of Migrant Aid Programs Intensifies Uneasy Farm Labor Dispute in Oregon," *The Oregonian*, 21 July 1971, A37.

aligned organizations. Despite these differences, the various groups that composed the coalition were able to avoid any serious schisms.

### ***SB 677 becomes a national issue***

Even as local groups coordinated protests and recruited more allies, the farm worker movement's most powerful organization—UFWOC—was still unwilling to commit resources to the state. During June, activists and farm workers staged a few demonstrations in front of the state Capitol and strengthened their local coalition, but lacked the strength to organize any sort of national effort against SB 677: only UFWOC had the sort of pre-existing institutional structure required to put national pressure on McCall.<sup>68</sup>

Chavez overcame at least some of his reluctance at the end of June. On Friday, June 25, Cesar Chavez asked Jerry Cohen, UFWOC's lawyer, to travel to Oregon for a Monday meeting with McCall. Cohen later wrote that he wasn't sure what he could do to persuade McCall to veto SB 677, as he "didn't know a whole hell of a lot about Oregon." However, he was impressed by the work the Portland boycott committee and its allies had done already. Cohen did not need to build a local coalition. His task in Oregon was to apply political pressure and to make SB 677 into a national issue.<sup>69</sup>

Cohen spent Sunday in Portland working with the local boycott committee volunteers, and then traveled to Salem on Monday for a meeting with the governor. The UFWOC attorney had a well-deserved reputation for being "brash, immature, loud, and obnoxious," as Don Orange

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<sup>68</sup> "Agricultural workers plan to protest," *The Oregonian*, 16 June 1971, A23.

<sup>69</sup> Levy, Cesar Chavez, 449-52; Interview, 16 Oct. 2009.



put it, and several well-intentioned Portland attorneys cautioned Cohen to tone down his style when he met with McCall.<sup>70</sup>

Cohen did not intend to do so. When he and McCall met, Cohen aimed to impress the press rather than reason with the governor. “If you sign this bill,” he told McCall, “Oregon will become the Mississippi of the Northwest. We’re going to put up a picket line up around your state and prevent people from coming in.” He later conceded that even the best UFWOC boycotters couldn’t deliver on this, but it made headlines. After meeting with McCall, Cohen announced to protesters rallying in front of the Capitol that UFWOC would declare war on Oregon if the bill became law.<sup>71</sup>

Cohen was not the only national figure who arrived in Oregon at the last minute. Fred Ross Jr., a legendary UFW organizer, came to the Willamette Valley to lead an effort to unionize farm workers in the valley. He and Jim Conroy, the Catholic priest, spent their days driving through the Valley, stopping in fields and labor camps to tell farm workers about the protests against SB 677 and signing them up for the union. Although few Oregon farm workers were union members at the time, Conroy remembers that they already knew about UFWOC, and some were members. (Even though little organizing had been done in Oregon, some of the migrant workers that traveled through the state every summer were members.)<sup>72</sup>

“We just talked about how this would make it impossible to get a union, and if we ever want to get a union in Oregon, we had to stop these people. We just said, ‘We’re having a rally

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<sup>70</sup> Interview, 16 Oct. 2009; Levy, Cesar Chavez, 450.

<sup>71</sup> Levy, Cesar Chavez, 450; “Farm labor veto urged on McCall,” *The Oregonian*, 30 June 1971, A1.

<sup>72</sup> Interview, 16 Oct. 2009.

and need you to come,” Conroy recalled. Initially, he and other volunteers didn’t know that Cesar Chavez would soon be in Oregon, but they found that even mentioning his name gained them allies.<sup>73</sup>

Many of the workers they talked with also joined the union during their trips through the valley. Conroy remembers that he and Ross added several hundred workers to union rolls during the last few weeks of June 1971: it seems that the Farm Bureau’s attempt to keep Oregon’s farm workers unorganized invited more activity than would have happened otherwise.<sup>74</sup>

For four nights during the last week of June, farm workers drove to Salem—a short distance from some of Oregon’s most fertile agricultural land—to join the other protesters in front of the Capitol. At Cohen’s request, Conroy said a mass on the steps three times that week, culminating with a rally with Chavez on Wednesday night. (Four years earlier, Cohen had countered violent strike breaking in Texas with a crowd of praying women. Although no violence was directed against protesters in Salem, Cohen expected the mass to gain the farm workers sympathy and media attention. It worked.) Conroy followed the normal pattern of a Catholic mass, but his words were less about eternal salvation and more about justice on earth.<sup>75</sup> On one occasion, Conroy and the worshippers on the Capitol steps asked God

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<sup>73</sup> Interview, 16 Oct. 2009.

<sup>74</sup> Interview, 16 October 2009. Ross later wrote that strawberry workers staged wildcat strikes for higher wages, but no newspaper or archival sources corroborate his claim. He also wrote that “five thousand farm workers came to a rally with Cesar at the state capitol.” The latter simply did not happen. No other source gives a number anywhere near this high. Better estimates range between 500 and 1,000. (Fred Ross Jr., foreword in Levy, Cesar Chavez.)

<sup>75</sup> Levy, Cesar Chavez, 451; Interview, 16 Oct. 2009.

For the reconciliation of humanity through the revolution of nonviolent love;  
For the established churches, that they may be humbled, reformed and united;  
For all the poor and hungry, migrant workers and hobos, outcast and unemployed;  
For the people of the streets and ghettos, for children unwanted in their homes;  
For the wounded, for prisoners and exiles, for all those persecuted for conscience or  
resistance;  
For victims of discrimination, harassment and brutality;  
For the sick and suffering in mind and body, for all those freaked out on drugs or fear;  
For all oppressors, exploiters and imperialists, that they may be confused and disarmed  
by love;  
For the masters of war, Richard Nixon and Melvin Laird; Leonid Brezhnev and all the  
others, that they may be given a new transplant in place of their hearts of stone;  
For organizers, students and writers; for all who raise the cry for justice;  
That our tables may be spread with the natural fruits of the earth and that those who  
harvest them may receive just wages and treatment;  
That our grandchildren may inherit a restored planet.<sup>76</sup>

This was the pattern as June 1971 came to a close. During the day, hippies, Catholics, union members and organizers, students, Chicano activists, and others took turns protesting in front of the Capitol. As evening approached, carloads of farm workers began to arrive from throughout the Willamette Valley to state their opposition to a bill they believed would deny them rights afforded to almost all others. Joe Digman, the boycott volunteer, ran a handmade UFWOC flag (complete with a black eagle he had stitched himself) up the flagpole. After dark, candles were handed out and Conroy began his unorthodox bilingual mass, heard by both farm workers and their supporters and the attentive state troopers guarding the Capitol. Each night, Digman and Orange joined a few others to sleep on the concrete Capitol steps, and the two friends began their routine again the next day.<sup>77</sup>

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<sup>76</sup> Jim Conroy personal documents, in author's possession.

<sup>77</sup> "McCall's Veto," *Willamette Bridge*, July 8-14 1971, 3; Interview, 16 Oct. 209.

For many, the high point of the week was Cesar Chavez's appearance at the Capitol on Wednesday evening. Don Willner, the state Senator who had long lobbied for great protections for farm workers, drove Chavez to Salem, where he joined the crowd in front of the Capitol. The UFWOC leader repeated Cohen's threat of a national boycott of Oregon products, singling out the state's timber as a potential target. Conroy and Chavez shared the stage that evening. A writer for *Willamette Bridge*, a Portland alternative paper, described the rally as a "Spanish-language folk mass complete with candles, the host and choir leader, with the homily delivered by Chavez."<sup>78</sup>

The abrupt, unanticipated appearance of national farm worker leaders disrupted the assumed course of events in Salem. All of a sudden, Farm Bureau spokesmen and other advocates for SB 677 were less than certain McCall would sign the bill, and newspapers quoted farmers certain that major labor unrest—and a national boycott of the state's products—was on the way. Previously, the Farm Bureau had portrayed McCall's signature as almost a sure thing.<sup>79</sup>

The anti-SB 677 coalition was not about to give up before Cohen, Chavez, and others arrived in Oregon, but they were pessimistic about their chances. "We never thought we could win it" until Cohen arrived, Don Orange said. He and the other UFWOC volunteers I interviewed told me that the point of the movement against SB 677 was to raise awareness about the bill. Actually defeating the Farm Bureau and its powerful allies seemed like a long shot: they

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<sup>78</sup> "McCall's Veto," *Willamette Bridge*, July 8-14 1971, 3; Steve Erickson, "Chavez promises Oregon boycott if farm labor bill becomes law," *The Oregonian*, 1 July 1971, B23; April Baer, "What is Cesar Chavez's Connection to Oregon?" *OPB News*, 1 July 2009, available at <http://tinyurl.com/y8u4w5c>.

<sup>79</sup> "Final Status of Bills Concerning Agriculture," *Oregon Agriculture*, 25 June 1971, 3.

hoped to make it clear that the bill was not the fair compromise the Farm Bureau made it out to be even if McCall signed it.<sup>80</sup>

Although Cohen's threat of a picket line around Oregon was obviously bluster, the phone calls that cascaded into McCall's office were a different matter. People all over the United States and a few from Canada and Europe called to urge the governor to veto the bill, and many threatened to avoid Oregon products if he did not. Some specified that they would boycott Oregon timber if the governor let SB 677 become law. Any sort of boycott of Oregon's number one product could have been disastrous for the state.<sup>81</sup>

It was not just the presence of Cesar Chavez and Jerry Cohen that made a real victory possible: they brought resources and national attention unknown to the Portland boycott committee and its allies with them. Fred Ross coordinated a massive campaign of phone calls, and in short order, the governor's office was swamped with over 10,000 phone calls and letters from all parts of the country—a few even came from Canada. The day before Chavez spoke on the Capitol steps, McCall said he had never seen such pressure placed on an Oregon governor.<sup>82</sup>

This influx of resources and national leadership into Oregon was almost perfectly timed: local protesters had already learned that they had the power to challenge and disrupt the Farm Bureau's plans. The sudden centering of the country's attention on Oregon gave local activists a platform to publicize actions and arguments they had been making for months. The end of June was crucial to the success of the anti-SB 677 coalition because more people were finally

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<sup>80</sup> Interview, 16 Oct. 2009; Interview, 24 Oct. 2009.

<sup>81</sup> Levy, *Cesar Chavez*, 150-51; "Farm labor veto urged on McCall," *The Oregonian*, 30 June 1971, A1.

<sup>82</sup> "McCall's Veto," *Willamette Bridge*, July 8-14 1971, 3; "Farm labor veto urged on McCall," *The Oregonian*, 30 June 1971, A1.

listening to the protesters: their message had not changed, but their audience and delivery had. The anti-SB 677 coalition had featured prominently in Oregon daily papers just a handful of times before late June: in the five days before McCall's veto, the struggle in Salem made the front page in nearly every day in papers all around the state, thanks largely to the attention the national farm worker movement leadership brought to Salem.

On Friday, July second, McCall sat down at his desk and said, "I'm going to veto that son of a bitch." He did just that.<sup>83</sup>

### *After the veto*

McCall's veto shocked the state. The Farm Bureau charged that the governor's veto was "the result of blackmail," and letters to the editor poured into the state's newspapers.<sup>84</sup> Farm groups quickly predicted that the veto guaranteed chaos in the state's fields during the upcoming harvest. Lubersky, the Farm Bureau's lawyer, went even further, telling the *Oregonian* that "the entire Oregon economy will lose by this veto, and the agricultural workers in whom the governor has expressed interest will be the most grievous losers." An Oregon Farm Bureau executive told the *Eugene Register-Guard* that "the governor's action has done nothing but sell the agricultural industry down the river, and left it all to the whims and wishes of an unpredictable and ruthless organization." (One assumes that this "ruthless organization" was UFWOC.)<sup>85</sup>

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<sup>83</sup> Walth, *Fire at Eden's Gate*, 335.

<sup>84</sup> Harry Bodine, "Joy, gloom, criticism greet McCall veto of farm labor bill," *The Oregonian*, 4 July 1971, A16.

<sup>85</sup> "A fairer approach to farm labor rules," *Eugene Register-Guard*, 7 Oct. 1971, 12A; Walth, *Fire at Eden's Gate*, 335-36.

Union representatives, farm workers, and their supporters were equally stunned—and elated. They had not expected to persuade McCall to veto the bill, and many felt that his justification for the veto—Johnson’s recommendation—was political cover. UFWOC activists and their allies believed that their protests and the threat of a national boycott of Oregon products had made the difference. McCall maintained that “these threats very nearly made me sign the bill, notwithstanding the Attorney General’s advice.” There is no way to know what exactly motivated the governor, but the threat of a UFWOC-led boycott of Oregon timber doubtlessly made some difference.<sup>86</sup>

Although McCall had a reputation as a moderate Republican, he was not pro-labor, and the rural farm vote was to be important during the gubernatorial campaign in 1973. (McCall ran for his second term in 1973 and won.) It was widely believed that McCall aspired to higher political office—perhaps a Senate seat—and the Farm Bureau was not the kind of enemy any candidate would welcome. Many predicted that the veto of SB 677 marked the end of the governors’s political career.<sup>87</sup>

Yet he had been sympathetic to the needs of farm labor before. In 1959, while working as a television journalist in Portland, he had been a charter member of the Oregon Committee on Migrant Affairs, a group that lobbied for the passage of bills guaranteeing decent housing and working conditions in the fields.<sup>88</sup> In 1968, he commissioned a report on migrant housing

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<sup>86</sup> Interview, 16 Oct. 2009; Letter from McCall to Secretary of State Clay Myers, 2 July 1971, McCall Press Releases, OSL, 1971; Tom McCall and Steve Neal, Tom McCall, Maverick. (Portland, Oregon: Binford & Mort, 1977) 241-42; “McCall’s Veto,” *Willamette Bridge*, July 8-14 1971, 3.

<sup>87</sup> “Farm Labor Bill Protested,” *El Relampago*, Nov./Dec. 1971, 6, UO SC.

<sup>88</sup> May manuscript.

conditions that severely criticized the state's labor camps. However, little action was taken to remedy this.

Most remarkable to farm labor advocates was the progressive stance taken by Attorney General Lee Johnson. After the Legislature passed SB 677, McCall announced that he would consult with the Attorney General—a Republican without McCall's moderate reputation—to determine the bill's constitutionality. This announcement hardly reassured the bill's opponents. In 1969, Johnson had stated that he saw nothing unconstitutional about a ban on picketing farms during harvest. SB 677 contained a nearly identical provision.<sup>89</sup>

McCall made it clear that he would not tolerate any major labor disputes in Oregon's fields during the summer of 1971, and promised to intervene to maintain the peace. He also announced that he would form a Governor's Commission on Farm Labor Relations to draft legislation acceptable to both farm workers and farmers alike. In the interim, this commission was to help settle any labor unrest that might develop.<sup>90</sup>

Despite the dire predictions of major labor unrest, no significant strikes occurred that summer. The *Eugene Register Guard* reported that Lane County's farm workers were "reasonably content and creating little controversy, [as] is typical throughout the rest of the state." The *Oregonian's* Robert Olmos, whose coverage of the Chicano Movement was unusually thoughtful, wrote that although labor unrest was developing in Idaho's section of Treasure Valley, the Oregon side was trouble-free. Idaho's governor had just signed a bill nearly identical to SB

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<sup>89</sup> "Oregon Law Banning of Perishable Crops Faces Union Test," *The Oregonian*, 12 June 1969, A32.

<sup>90</sup> Letter from McCall to Secretary of State Clay Myers, 2 July 1971, McCall Press Releases, OSL, 1971.



677: growers in both states were learning that restrictive legislation could not protect them from *La Causa*. Chavez's threat of civil disobedience was carried out in Idaho, where representatives from Campesinos Unidos, a farm worker group active in Treasure Valley on both sides of the border, picketed the state house in Boise. They did not strike or picket in Oregon.<sup>91</sup>

(Strikes did hurt Oregon's agricultural economy during summer 1971, but the farm workers' union was not responsible for this. A major longshoremen's strike shut down most northwest ports, crippling the region's export-oriented wheat industry. At the same time, a railroad strike disrupted domestic distribution of other crops. Even the Japanese government noted the disruption: a trade mission to Oregon expressed concern that Japan might need to find other sources for its wheat, perhaps Australia or Canada. These strikes proved the point that Kate Barton had made several months earlier in testimony to the Senate Agriculture Committee—any number of unions could cripple the state's farms, yet only farm labor remained effectively barred from unionizing.<sup>92</sup>)

### *Moving forward*

In the middle of July, McCall announced the three members of his newly-formed committee on farm labor relations: Gordon Sloan, a former Oregon Supreme Court justice; Orlando Hollis, the former Dean of the University of Oregon School of Law; and the Attorney

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<sup>91</sup> Robert Olmos, "Unrest among farm hands casts shadow over harvest," *The Oregonian*, 18 July 1971, A1; "SB 677 Aftermath: An Editorial," *El Relampago*, September 1971, University of Oregon Special Collections.

<sup>92</sup> Stan Federman, "Early grain, potato harvests face 'disaster' from 2 strikes," *The Oregonian*, 27 July 1971, A14; Japanese trade mission documents, n.d., Tom McCall Collection, Mss 625-1, OHS, 17/2.

General, Lee Johnson. The committee was charged with “review[ing] Senate Bill 677 in light of the constitutional problems posed by that bill and other objections they consider relevant,” and was given 30 days to accomplish their task. The *Oregonian* noted that “the governor’s press release said ‘within 0’ days, which even if a typographical error, does not diminish the difficulty.”<sup>93</sup>

House Speaker Robert F. Smith was not satisfied that the governor’s committee could successfully resolve all the problems with SB 677. He appointed a task force to address the same issues. Smith, a Republican, was a rancher from Burns with sympathy for agricultural interests. As he told the Crook County Farm Bureau, SB 677 gave farmers “for the first time, the prospects of harvesting our crops without fear of coercion, or fear of a picket line which would eliminate a crop for a farmer.”<sup>94</sup> Smith’s appointees were instructed to draft an entirely new bill because he was concerned that any modification of SB 677 would face the same constitutional difficulties that earlier versions had encountered. Gordon Macpherson, a Republican from Lincoln County, headed the House task force. Two of its five members had voted against the bill. Both were Democrats. All five represented rural areas.<sup>95</sup>

Although these committees had similar tasks, they approached their duties quite differently. The House group rushed to hear testimony from agribusiness representatives and members of the state government, and the views of its three Republican members dominated.

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<sup>93</sup> “McCall ‘Thinks’ Reagan,” *The Oregonian*, 13 July 1971, A18; Harry Bodine, “Farm-labor bill to get rewrite job,” *The Oregonian*, 10 July 1971, A6; Statement by the Governor on creation of a farm labor relations panel, 9 July 1971, McCall Press Releases, OSL, 1971.

<sup>94</sup> “Ag-Labor Bill In For Many Questions Speaker Warns,” *Oregon Agriculture*, 9 Sept. 1971, 4.

<sup>95</sup> “Task Force Bill Due This Week,” *Oregon Agriculture*, 9 Sept. 1971, 1; “Ag-Labor Study Set,” 9 July 1971, *Oregon Agriculture*, 1; Journals and Calendars

The five traveled all over the state holding hearings on the issue, and hoped to draft new legislation quick enough to make passing a bill in a special session a possibility.<sup>96</sup>

Unlike the House task force, the Governor's committee was in no hurry. Despite McCall's request that the committee make the appropriate changes to SB 677 as soon as possible, its three members did not seem to think theirs was an urgent task. Hollis, the former U of O Dean, was on a trip to Russia and Scandinavia for much of the summer. The three met a few times in July for organizational purposes, but did not have anywhere near the number of hearings that the House task force did.<sup>97</sup>

Farm workers and their advocates viewed these two committees as near polar opposites. According to Frank Rivera, the VML's chairman, farm worker would have to be "absolutely stupid" to testify in front of the House task force. Rivera and others believed that Burns, the House Speaker, would not have appointed a committee interested in drafting a truly fair bill. Don Orange viewed Burns as a "millionaire agribusiness guy through and through." In fact, farm workers and union organizers chose to boycott the House task force's hearings.<sup>98</sup>

Rivera was not so absolute about the Governor's committee. He told the *Oregonian* that he would have been happy to testify in front of the other group, as its members were disinterested and well respected throughout the state. The Farm Bureau viewed this neutrality

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<sup>96</sup> "Ag-Labor Study Set," 9 July 1971, *Oregon Agriculture*, 1; "Ag-Labor Bill In For Many Questions Speaker Warns," *Oregon Agriculture*, 9 Sept. 1971, 4; "Task Force Bill Due This Week," *Oregon Agriculture*, 9 Sept. 1971, 1.

<sup>97</sup> "Ag-Labor Bill In For Many Questions Speaker Warns," *Oregon Agriculture*, 9 Sept. 1971, 4; "Task Force Bill Due This Week," *Oregon Agriculture*, 9 Sept. 1971, 1; "Ag-Labor Study Set," 9 July 1971, *Oregon Agriculture*, 1.

<sup>98</sup> Harry Bodine, "Migrant groups boycott hearings on farm labor relations measure," *The Oregonian*, 23 July 1971, A11; Interview, 16 Oct. 2009.

unfavorably, complaining that anyone appointed by McCall could not possibly understand the needs of agriculture.<sup>99</sup>

In late August and early September, both committees unveiled their proposed replacements for SB 677. Neither farmers nor farm workers were satisfied with the newly-drafted legislation. In both the 1971 special session (held in November) and in the 1973 regular session, bills similar to SB 677 never made it out of committee.<sup>100</sup>

### ***Conclusion***

Although McCall's veto of SB 677 was a significant victory for farm workers and their allies, it did not prompt any lasting unionization of agricultural labor in Oregon. UFWOC was able to recruit several hundred workers during its campaign against SB 677, but by 1973, the union's presence in the state had been reduced to almost nothing.

The boycott committee volunteers I spoke with viewed McCall's veto as a win for farm workers in Oregon, but all acknowledged that it was not a lasting victory. The mere absence of restrictive legislation was not enough to spur the unionization of farm workers, nor did it prevent abuses from continuing—as they still do.

The Governor's Commission on Farm Labor Relations and the similar House task force produced legislation that was reintroduced during a 1971 special session in November, but Senate Democrats were able to block it from reaching a vote. In 1973, a similar bill was

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<sup>99</sup>Harry Bodine, "Migrant groups boycott hearings on farm labor relations measure," *The Oregonian*, 23 July 1971, A11; Interview, 16 Oct. 2009; "Governor's Group Recommendations Ripped By Oregon Farm Bureau Federation Leaders," *Oregon Agriculture*, 1 Oct. 1971, 4.

<sup>100</sup>"Two Farm Labor Bills," *The Oregonian*, 3 Oct. 1971, A22; "Farm Labor Bill Protested," *El Relampago*, Nov./Dec. 1971, 6, UO SC.

introduced in the Senate, and it too failed to reach the governor's desk. Three failures in three legislative sessions practically guaranteed that no law would restrict agricultural labor organizing in Oregon, but this alone was not enough.

No law prevented farm workers from unionizing, yet at the same time, no law required farmers to recognize employee unions or to bargain in good faith. No law protected workers from being fired for promoting organization. Other protections common to most work places—wage an hour regulations, modest safety standards, etc.—were largely absent in the fields. Some gains were made in the 1980's when *Pineros y Campesinos Unidos del Noroeste* (PCUN, or Northwest Tree Planters and Farmworkers United) was formed, but generally speaking, legislative victories were few after the early 1970s.

If “victory” is more broadly defined to include not just legislative and legal success but cultural, social, and community progress, the years after the veto of SB 677 look better. Although the coalition that persuaded McCall to veto the bill weakened after 1971, this cooperative approach to farm worker activism endured. The Portland boycott committee cooperated more with UFWOC members in the Willamette Valley's fields: Digman and Orange remember the occasional farm worker joining them on the weekend to picket stores in Portland, which had been very rare before.<sup>101</sup> A few other causes attracted a similar coalition, most notably the founding of *Colegio Cesar Chavez*.<sup>102</sup> A number of Chicano cultural centers and groups were established in the Willamette Valley during the 1970s—later pro-farm worker activism in Oregon arose from these (formal and informal) associations.<sup>103</sup>

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<sup>101</sup> Interview, 16 Oct. 2009.

<sup>102</sup> Interview, 16 Oct. 2009; May manuscript; Gamboa, *Nosotros*, 56-59.

<sup>103</sup> Stephen and PCUN, *Farmworker Movement in Oregon*, 11-17.

The veto of SB 677 was a high point for the farm worker cause in Oregon. The unexpected intervention by UFWOC's national leadership in late June 1971 surely helped, but the defeat of SB 677 is primarily an example of how a diverse coalition can defeat a more powerful interest by appealing to many different groups.

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### *Notes on sources*

I've spent much of the last six months chasing documents in archives in Eugene, Salem, Corvallis, Portland, and online. A few short clarifications are necessary to make my endnotes more understandable, as a few of my sources are hard to find or do not conform to standard citation formats.

All periodicals and newspapers cited, with the exception of *Oregon Agriculture*, *Oregon Farmer-Stockman*, and *El Malcriado*, are available at the University of Oregon's Knight Library. *Oregon Agriculture* (the monthly publication of the Oregon Farm Bureau) can be found at the Oregon State University library. *El Malcriado* is available online at [farmworkermovement.org](http://farmworkermovement.org).

Citation of archival materials follow standard formats as closely as possible. However, both the Oregon State Archives and the State Library Special Collections organize their documents differently: in these cases, I have simply given as much information as is reasonable and necessary to find my sources.

I conducted two interviews for this paper: On October 16, 2009, I spoke with Don Orange, Jeanne McNassar, Jim Conroy, and Joe Digman for several hours, and on October 24,

2009, I had a long telephone conversation with Kate Barton. Transcripts of each will eventually be deposited at the Oregon Historical Society.

I've also used a number of oral histories, all of which are held at OHS. When available, I've cited transcript page numbers, but most of the oral histories I reviewed were not transcribed or had only very rough, unpublished transcripts available. As mentioned in my acknowledgments, I am grateful to Jim Strassmaier for making these unfinished—but still very useful—transcripts available.

The text of Senate Bill 677 can be found in most research libraries around the state, including at the University of Oregon. As noted in my text, minor changes were made to the bill during its time in the Senate Agriculture Committee: the various versions are held in the State Archives in the Senate Bill 677 file.

***“Veto the Slave Bill”***

*Bibliography*

*Riley Peck*

This bibliography takes a slightly different form than is standard. I have listed archival materials and other primary sources under a heading indicating where they were found. Secondary sources are listed last in a standard bibliographical format.

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