

Oral History of STEPHEN J. POLLAK
Second Interview-October 9, 2002

This interview is being conducted on behalf of the Oral History Project of the Historical Society of the District of Columbia Circuit. The interviewee is Stephen J. Pollak, and the interviewer is Katia Garrett. The interview took place at the Shea & Gardner law firm at 1800 Massachusetts Avenue, in the District of Columbia, on Wednesday, October 9, 2002. This is the second interview.

Ms. Garrett: Steve, when we last wrapped up, you indicated that you wanted to go back and talk about some of the folks that you grew up with in a little bit more detail, and I thought we could perhaps start there and then move into your college years. Some of the people you mentioned were Buzz Laurie, Mason Armstrong, Bob Jones.

Mr. Pollak: The young people with whom I grew up had the best of opportunities for education and personal fulfillment through career and other ways. I'm thinking of my high school classmates. Buzz Laurie, best man at my wedding, became a painter of western scenes. Ruth and I have wonderful paintings of his in our home. Mason died young and unfulfilled. Bob became a salesman and lived most of his life in the west – Colorado and Arizona. Noel Behn became a writer and published books. He's distinguished by having had that career. Of my very earlier friends, the Hotchkiss twins, one, Gene, became a professor of history and then president of Lake Forest College. The other, Jim, began his own investment advisory firm and made a great success. The story of my classmates born in the late 1920s is that the women went to college, married and raised families and probably did many things outside the home initially of a volunteer

nature and later had careers. That is the pattern my wife followed. My observation is that the women of that era did not expect to have a career in addition to family.

Ms. Garrett: Were these issues sort of what one expected to do in life? Do you recall discussing those issues with friends in high school?

Mr. Pollak: I recall discussing with male friends what we wanted to do in life. I would discuss with some of the several girl friends that I had, “what is the future.” I don’t recall discussing with girl friends what they would do or what they felt the future held for them to do. There was no currency like there is today to the issue of what women would make of their lives beyond family. It just wasn’t in the consciousness. That seems surprising now.

Ms. Garrett: And particularly look at your own household where your mom was very active in the political world.

Mr. Pollak: Right. The most descriptive word is expectation. My mother didn’t expect that she would be having a career or perhaps my father didn’t expect that – and that influenced her actions. Running a household was more time consuming. There were less labor-saving devices; there were more demands on the person running the household to do all that needed to be done. There wasn’t time for a woman, if the woman was the one keeping the household, to work in addition to working at home. We had help in the home, generally a farm girl from Michigan lived with us and helped, but that didn’t lead my mother to consider taking a job. The last oral history session we had in April led me to ask my mother a few

questions, to which I didn't have answers. I asked her why she shifted in her junior year from Smith to the University of Chicago. She's 97 now. She said she had met my father and wanted to get to know him better, or to catch him as a husband, so she moved from Smith to the University of Chicago, which was where my father lived, in order to see more of him. It was successful. She married in August after graduating from Smith in June.

Ms. Garrett: Interesting.

Mr. Pollak: Yes, in 1926.

Ms. Garrett: After that last session is there anything you wanted to add to amplify some of the issues that we covered?

Mr. Pollak: I went to my high school fiftieth reunion in 1996, and saw many of the men and women that I had known and gone to public school with. I found that the people that I had known and liked had grown into quite wonderful adults. They were adults you could have predicted they might be. It was easy to take up with them after a long period, some 45 or more years since I'd seen most of them. I'm not a big one for going to reunions. I went to my college's fiftieth in the year 2000. Six of my classmates were asked to speak to my class on topics that reflected their careers. One was a doctor, one, George Woodwell, directed the Woods Hole environmental project in Massachusetts. Another was a renowned investment security person. Another, Frank Gilroy, was an outstanding playwright; he wrote "The Subject was Roses." They spoke wonderfully. They

reflected a broad outlook on the world's problems. I felt they were a credit to the education that I had gotten there at Dartmouth.

Ms. Garrett: Was Frank Gilroy somebody that you had known in college?

Mr. Pollak: I had known him, but not well.

Ms. Garrett: What was he like in college? Was he active in theater?

Mr. Pollak: He was active in theater and produced plays and acted in them at college.

Another classmate with whom Frank was active in theater was Alan Tarr. Alan, I recall, was killed in the Korean War after college. My closest involvement with a group of students – it was all men at Dartmouth then – was with the swimming team. I swam for four years and was the captain my last year. I recall having a broad acquaintanceship in college but not having closeness with a broad number of people. The Hotchkiss twins from my hometown were close friends, as was a young person from Britain, Norman Clark. During World War II, Norm had lived in my hometown. His parents had sent him to the United States because of the bombing of London. He turned up at Dartmouth and became a very close friend. He was killed in my senior year in a car crossing Loveland Pass in Colorado – a head-on collision. There were no seat belts then. I always had roommates after freshman year and they became good friends. My enduring relationships are more with my law classmates. I consider my law education a more significant influence on my life than my college education, even though I had good professors and did well at the college.

Ms. Garrett: What was your major?

Mr. Pollak: I majored in economics with minors in government and history. I joined the Navy program when I arrived at college, which paid my tuition, books and \$50 a month. Tuition was very low then. The program required several things. Dartmouth students took five courses each semester, and the program required that one of those five be a Navy course. It required that I go to sea as a midshipman each summer and that I serve 15 months to two years in the regular Navy as an officer after graduation. When I graduated, almost immediately the Korean conflict began and subsequently President Truman extended my term – and the term for all like me – for a third year. So, I served three years in the Navy after college. One-fifth of my college education was devoted to what then were, in my view, inadequate academic courses on naval subjects.

Ms. Garrett: What are Navy courses?

Mr. Pollak: They were insignificant. One of the courses was on armaments. We had to memorize all the pieces of the 5-inch, 38-caliber gun, which seemed to me as useless a bunch of information as one could possibly imagine. We learned naval history, which was valuable, but the academic level of the professorial staff – generally regular line officers – was not high. It was not the most rewarding part of my education.

I was left with four-fifths of my courses in the regular academic lines. As a result, I concentrated my major in economics but I minored in government and history, with a purpose of taking courses that I wanted to take in the three fields.

I took the range of the English, economics, government, history, psychology, philosophy, physics, and botany courses. I had a lot of good college academic courses and good professors. English literature was a strong course. In my fourth year, I wrote my thesis as an economics major on monetary policy in the early New Deal period and studied Keynes and all of the efforts to lift the country out of depression with monetary policy. My professor for my thesis was a great teacher, Malcolm Kier.

Ms. Garrett: What did you conclude in your thesis?

Mr. Pollak: I was impressed that the theories of John Maynard Keynes had been significant in helping Roosevelt find ways to use monetary and fiscal policy to stimulate the economy. I recall reviewing the many different approaches tried by Roosevelt. I can't recall my conclusions, except that I found Keynes' ideas persuasive. Professor Kier had been a member of a committee of three persons responsible for setting minimum wages and hours in the textile industry, which was part of Roosevelt's National Industrial Recovery Act program. He had a lot to offer as a professor and helped me shape my thesis.

My recollection of myself in college was that I worked very hard. I was motivated to get good grades, and I hadn't seen the distinction between getting good grades and learning.

In my senior year I invited Ruth Scheinfeld, now my wife of 51 years, who was a student at Sarah Lawrence, to come as my date to the Winter

Carnival, which was in February 1950. I had known her since Christmas vacation of my sophomore year.

Ms. Garrett: How did you meet her?

Mr. Pollak: I met her in an unbelievable way. My sister, Louise, who is two years younger than I am, had gone to a three-week summer camp for girls in Wisconsin, a YMCA camp. She had met a girl named Ruth Scheinfeld from Milwaukee. When I came home in my sophomore year for Christmas vacation, my sister said to me one evening, "I'm going to go to a party in Glencoe [a nearby suburb] and a friend of mine from camp whom you might like to marry will be there. You should come with me."

Ms. Garrett: She said that straight out?

Mr. Pollak: Yes. I never went to parties in Glencoe. I went to parties in my own little town, but I accompanied her to the party and met Ruth and was very attracted to her. We saw each other during that holiday and I returned to school. Ruth always tells the story that she expected me to take her out on New Year's Eve, and then lo and behold I wasn't there and didn't call. I had returned for swimming practice without even giving her a proper goodbye or telling her what's what. I wasn't a very attentive suitor for the next couple of years, but I saw her at least when I was home. And then, quite amusingly, after inviting a couple of different women friends to Winter Carnival my senior year and being turned down, on Sunday of the weekend before Winter Carnival, which began on Thursday, I telephoned Ruth and asked her if she would come up. She knew it

was a late request and said, “Well, if I can find a ride, I’ll come, but otherwise I won’t.” She found a ride, she came up and I fell in love with her and wrote her every day until we married a year and a half later. I tried to become engaged to her when I was leaving to go to Korea on my Navy ship, but she said, “No way, I’m not going to go through my senior year engaged to some fellow who’s off in the Far East.” So, she went through her senior year. And I came home from Korea. She met me in Norfolk. We phoned her parents, said we wanted to be married in 10 days, and we had a big wedding in Illinois.

I started all of this by talking about my education. I visited Ruth at Sarah Lawrence a few times in the spring of 1950. Sarah Lawrence students did not receive grades. The college kept a transcript, but the grades weren’t revealed except when a student applied to graduate school. Rather, students received constructively critical reports on their performance in each course they took. I observed the education at Sarah Lawrence at close hand and thought it was superior to what I was getting. The students were encouraged to learn rather than to achieve good grades. And, of course, the students have greatly achieved. Ruth has just completed twelve years as a trustee of her college. As a result, I have a sense of the college today and it continues to be an amazing school. Dartmouth is a very strong school as well. The chemistry for me at my age didn’t allow me to maximize my opportunities at Dartmouth, although I did very well. I was a junior Phi Beta Kappa and a successful athlete, but whether I learned all that I could or got as much out of it as one could remains a question

for me. I suppose that's not uncommon. I'm sure I had a lot of growing up to do.

Ms. Garrett: I think that's part of the college experience. That's what it's designed to do.

Mr. Pollak: Me, too.

Ms. Garrett: You told in other places of how you came to attend Dartmouth, but I don't think that we've touched on that here.

Mr. Pollak: Going to Dartmouth was one of the fortuitous events of my life. My family liked skiing and my parents taught me to ski at a young age. For some reason I associated Dartmouth with skiing, and when I was 12 I wrote the college a letter saying that I wanted to attend. I anticipated being a skier there. Of course there were lots of years between 12 and college. Later, I applied formally to a number of different colleges, including Dartmouth. Preparing the applications was a very agonizing task, because it required a lot of introspection as to what college should be. I wasn't mature enough to be able to write the most insightful answers as to what I expected. I then proceeded to drive east with my friend Eugene Hotchkiss to visit colleges in the spring of my senior year. We picked up Gene's brother, Jim, who was attending Vermont Academy, and visited a number of colleges. I remember visiting Yale and not liking it so much but I can't say why now. I remember visiting Williams. On the day we visited Dartmouth, the acceptances had just gone out and the Hotchkiss boys and I learned that all three of us had been accepted. All three of us concluded right at that point that we would go to Dartmouth. That was how the decision

was made. Whether it was the herd instinct or what, I don't know. The Hotchkisses attended school in the class of 1950 along with their brother Frank, who had returned from the War. So, there were three of them. The Hotchkiss family did not have funds enough to send them all to school and pay the costs, so the twins were committed to joining this Navy program for financial reasons. I didn't have to join the Navy program for financial reasons. My parents were prepared to pay for my education, but perhaps having always thought I would serve in the Navy, having seen pictures of my father in his Navy uniform and seeing what the Hotchkisses were doing, I marched right along with them and signed up. My father generously contributed to a bank account the money that he was going to pay for my schooling, which then assisted Ruth and me in later years. Those experiences had a tremendous influence on my life. They influenced my selection of Yale Law School. They influenced how I spent my summers during college and how I spent three years after college in the Navy and all the experiences that came along with those decisions.

Ms. Garrett: If you had to do it again, would you make the same decisions – Dartmouth, Navy?

Mr. Pollak: For who I was at the time, those were good decisions. I think of myself then as being personally – not politically – conservative. Yet, at the college I was active in the recently-formed chapter of the National Student Association, which was a student organization created after the War to pursue social causes and social change. I went to its national convention. One of its planks was the

ending of discrimination in fraternities, which then, generally, had restrictive clauses in their charters barring religious minorities, Catholics, Jews, and certainly Blacks. I returned to Dartmouth and became a leader in seeking to require the fraternities to remove clauses in their charters that required such discrimination. That was surely swimming against the tide.

Ms. Garrett: How was that received?

Mr. Pollak: I don't think I felt like a pariah, but there was substantial opposition. I began something that led later to the College banning those clauses.

Ms. Garrett: What led you to attend the NSA convention?

Mr. Pollak: There was a chapter of NSA called the Northern New England National Student Association. It had meetings in Boston. I attended those, became an officer of the New England group I believe, and as a matter of course attended the national convocation in 1949.

There are a couple of good stories about the NSA meeting in Madison, Wisconsin. I was thrown in with many of the leaders of the organization. I didn't consider myself to be a national leader. As an officer of the Northern New England Chapter, that may have brought me together with the national leadership. Allard K. Lowenstein, later a congressman, was one of the leaders and impressive. There were other very impressive young people. It was soon after World War II and there were many issues. One experience reflects how sheltered and narrow my experience had been. It also causes me to believe that my college education and broadening experiences like NSA had a very

constructive effect. Even though there was a significant Jewish community in my hometown, it was not unusual for people to tell dialect jokes. I went to this convention in Madison and I remember meeting and being impressed with a student leader from CCNY, City College of New York, who not only was Jewish but his normal manner of speaking was in the dialect that had been used in these jokes. That was an eye opener for me. I was well impressed with him. His ideas were impressive. He was impressive. I never found anything amusing about a dialect joke from that point on. I thought it was just making fun at the expense of individuals whose homes and communities led them to speak with that kind of accent and use of the language. That was a broadening and formative experience. I met people that I continued to see and gained friends that I consider closer friends than I had at college. Someone who is active here in the bar in the District of Columbia and has had a distinguished career, Berl Bernhard, was my friend at Dartmouth and was one year junior to me. He was active in NSA and he picked up the antidiscrimination-fraternity-clause banner from me when I graduated. It may have been in his year that positive steps were taken by the College. But I remember speaking to Dartmouth's Interfraternity Council on the subject. There's a picture somewhere in the class yearbook of that event. During my junior year, I spent Thanksgiving with Berl and his family in New Jersey. I came down with the stomach flu, and Berl went back to college, and Berl's mother and sister took care of me for a week afterwards.

Ms. Garrett: And where did he live?

Mr. Pollak: Across the Hudson River from New York.

Ms. Garrett: When did you get active in the NSA?

Mr. Pollak: It had to be my junior year. It was close to the inception of the organization.

Ms. Garrett: What drew you there? If the meetings were in Boston, it wasn't something that you would have idly stumbled upon?

Mr. Pollak: Someone from NSA came to campus for an organizing meeting and I attended. It was the center of my social action in my time. John Dickey was president of Dartmouth. He had come from the State Department and became president in my freshman year. He had a significant influence on me. He commenced for all seniors a course in "Great Issues." He brought in major leaders in world affairs, academic fields and poetry. I remember Robert Frost talking to us. So, there was a lot of interest on the Dartmouth campus in social issues.

Ms. Garrett: McCarthyism was on the rise at that time. Was there any general awareness of it on campus? Was that discussed at all?

Mr. Pollak: It was certainly discussed and there was an awareness of it. In the late 1940s and 1950s there was certainly an attack on liberal organizations such as NSA. And I felt no deterrence from those attacks. But it was some wind that was blowing on the campuses. The common wisdom of social historians is that students in the 1950s were being disengaged from social issues. My era was not.

Ms. Garrett: I think that's right.

Mr. Pollak: I was benefited in college because there were many returned veterans and they were concerned about current issues.

Ms. Garrett: An interesting group to attend college with?

Mr. Pollak: Yes. My law class had returned Korean War veterans, of which I was one, and that made the law class a group with very rich backgrounds.

Ms. Garrett: Bringing a very different life experience to the table.

Mr. Pollak: Right.

Ms. Garrett: What about other political issues or events during the time you were in college? Alger Hiss -- did that make it onto anybody's screen?

Mr. Pollak: Certainly. I was aware of his case and the cases of Harry Dexter White, Owen Lattimore, and others. I considered the attacks on those persons unwarranted. In some cases history has proved me right, and in some cases history has apparently proved me wrong. I recall vividly Winston Churchill's speech in Missouri where he forecast the coming Cold War. I had considered Russia an ally and was resistant to the idea that it was now the enemy of our country. I was concerned with the limitations on speech that were pursued by the government in the interest of fighting communism. That was a major issue for me, but I don't recall being concerned about it as much from the standpoint of law as from the standpoint of policy and limitations on freedom.

Ms. Garrett: Did that concern take form in any action or articulation?

Mr. Pollak: I may have joined in NSA resolutions on the subject. I see myself as having been concerned, but I don't think I protested individually or wrote letters.

Ms. Garrett: Were there folks on your campus who were protesting?

Mr. Pollak: I think there were. I recall a couple that I met in NSA, who were attending Harvard or were teaching assistants there, named Chan and Natasha Davis. I think her name was actually Natalie. They were vocal opponents of the limitations that government was pursuing. I was impressed with them and I recall making some common cause with them. I may have engaged in social action that I can't now recall. They were on the left side of the issues. I was undoubtedly on the left side, too, on the liberal side. I was a strident opponent of McCarthy and all he stood for and those who stood with him.

I recall being active in opposing the Bricker Amendment. He was a Senator from Ohio who was pressing a "know-nothing" amendment to the Constitution, a piece of McCarthyism. One of my recollections of the coming of age of the American Bar Association was that it took a position in opposition to the Bricker Amendment, an unusual step for it then.

Ms. Garrett: What did you do at college besides study, swim and participate in NSA?

Mr. Pollak: One of the things I didn't do is I never skied because skiing muscles weren't considered fit for swimming. There was also the risk actually of breaking something, and I didn't want to be out of swimming. I was active. I did outdoor things. There was the Dartmouth Outing Club. I worked hard. I studied a lot of the time and had some interactions with professors. I had friends that I knocked around with and had dates taking me off the campus or having some young woman up to Hanover. I remember that I had an old 1936

car that I drove from Illinois. I would drive off in it somewhere. My freshman year I had a girlfriend from high school that went to Skidmore. I would often drive over the mountains to Saratoga Springs. I remember the town Saratoga Springs as very beautiful. That was a great time. I did the things that college students do. It was a good time. My only competitive sport was swimming, which took up the period from November through the end of March all my four years. I was very committed to that. I remember taking French. There were, of course, holidays. I would travel on the “sit-up” train back to Chicago, only probably for Christmas.

Ms. Garrett: Thanksgiving you would spend at college?

Mr. Pollak: Right, or go away as I said, to Berl Bernhard’s. I had family in New York and I would go down there. Mainly, I was up there in the middle of New Hampshire and that’s where I stayed. It was a good place to be. It was a great move when the college became coeducational. Going to school there with all men was not as good as going to school in a coed situation.

Ms. Garrett: It was fairly controversial when it went coed?

Mr. Pollak: Yes. There are many Dartmouth alumni who never forgave President John Kemeny for doing it. One of the things that burdened Dartmouth for many years was that the alumni had very conservative viewpoints on the academics and other things.

Ms. Garrett: Have you been involved in alumni activities since leaving Dartmouth?

Mr. Pollak: Way back I did some interviewing of candidates for admission. Later, for a decade or so, I served as a member of the Native American Visiting Committee, which was formed because John Kemeny in the 1970s undertook to make the college more fully available to Native American students. Dartmouth had originally been formed in part to educate Indians. In fact, very few attended, so Kemeny admirably opened the college up through recruiting and encouraging Native Americans to attend. They came and they had a difficult time. To help make the College more accessible to Native American students, the Native American Visiting Committee was formed. Its aim was to provide support for Native American students, to advocate for them and to encourage and support the program. I served on the Committee after I had served in the Civil Rights Division of the United States Department of Justice. Later, I became its chair for several years. We would meet two or three times a year in Hanover. I considered that a constructive activity. One of the mentors of the program was a gifted Native American professor on the campus, Michael Dorris who so tragically committed suicide. I knew him well. He provided us with support and insights to do what we were created to do. He was a wonderful man. I can't imagine what led him to take his life.

I have two sons. Both chose to go to Dartmouth. I never encouraged them to go there. My son David, who is the elder, was active in the theater and the theater people at Dartmouth became his group. He loved Dartmouth, had a good time there, got a very good education. His brother Roger followed him

there, but never liked it. He said Dartmouth was full of persons with great academic potential but no interest in academics. He took a lot of time off, working on Capitol Hill here in Washington and with environmental groups and doing various things. Then after his first two academic years were completed, perhaps in three years, he transferred to Berkeley. He loved Berkeley, met his future wife there and was much more satisfied. My connections with Dartmouth were closer when the boys were there and then I was doing this Native American Committee work. I've never been active as an alumni person. It's not my cup of tea. I've been interested and active in the Yale Law School. I'm just closer to my law class.

Ms. Garrett: And why do you think that is? More in common? More shared experiences or goals?

Mr. Pollak: Yes. By the time I got to law school, I had been married for a couple of years. Looking back, I still suffered from the "grind" syndrome. I worked very hard at law school. I think I was much more open to learning and having a more fulfilling educational experience. I was drawn to my classmates with whom I shared the experience. I was active on the Law Journal and then elected an officer. I was close friends with several of the officers. We shared interests in law matters and generally in public service, which was high on my agenda. One of my college and law school classmates was a close friend from Dartmouth, Robert Sisk. Bob was in the Navy program. He was a swimmer. He remains a close friend. Bob is a wonderful story. He was co-head of the radio station at

Dartmouth. He has a very deep and sonorous voice. He was well spoken. That aided him in becoming a very fine trial lawyer. He became head of the Hughes Hubbard law firm in New York. During college, I visited Bob at his home in West Hartford, Connecticut. He introduced me to a girl, Arlene Greenberg. It was she who turned me down, leading me to invite Ruth to the Winter Carnival in February 1950. Bob was one of three children -- two boys, he being one, and a sister. His father was a butcher. The family name was Sisitsky. Bob is a great story of a likely second generation American who made it big. His mother was a strong and inspiring person. It turned out that Mike Heyman and Berl Bernhard from Dartmouth were also with me at Yale Law. There were many really talented and interesting people at the Law School in my class. Arlen Specter, the Senator, was a classmate. Jon Newman, who became Chief Judge of the Second Circuit, was a classmate. Norb Schlei, who was an Assistant Attorney General in charge of the Office of Legal Counsel of the U.S. Department of Justice during the Kennedy years, was the editor-in-chief of the Journal and the star of the class. He and I had known each other in the Navy. So I had a lot of good colleagues at the Law School. I had good associations with the professors who, even though it was a time of great change at the Law School, were very strong. I consider myself extremely fortunate to have gone to the Yale Law School. The relationships with colleagues there, professors there, people who have gone there, are undoubtedly the most determinative relationships of my professional life.

Ms. Garrett: I would like to pick up more on Law School and touch on your time in the Navy at the next session.

Mr. Pollak: In my college senior year, at graduation, the Hotchkiss' uncle, George Kennan, gave the graduation address. While we were in college, he had written the great Mr. "X" article that originated the containment policy as a way of dealing with Russia. The Hotchkisses referred to him then and now as "Uncle George" and Uncle George talked with the Hotchkisses at graduation. I don't think I was present, but they often quoted him to me. He spoke to them about their upcoming military service. "If you make a career in the military and rise to the top, and the best people do rise to the top in the military, there are great opportunities for public service thereafter," he said. I believe he mentioned Admiral Kirk, who was then Ambassador to Moscow, as an example. In thinking about whether I would make a career of the Navy, I thought about his statement. While there were a great many useful experiences in the Navy, I found sea duty as a junior officer, which was what I had, generally boring and not sufficiently fulfilling to consider making the Navy a career.