

Interview with

# WILLIAM O. DOUGLAS

Associate Justice,  
U. S. Supreme Court

*produced by Howard Langer*



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#### Bibliography

For a very fine insight into the mind and character of Justice Douglas, read his informal autobiography, Of Men and Mountains (Harper, 1950). In it, he tells of his early struggles as a youngster against threatening physical disability and mental torment. He conquered polio by climbing hills--and he conquered fear by doing the things he was afraid of. A truly inspiring book, outlining his philosophy of life.

Another book well worth having on your library bookshelf is Justice Douglas' Almanac of Liberty (Doubleday, 1954). This is a compilation of important dates figuring in the history of American liberty. It covers a full calendar year.

For more information on the Justice's travels abroad, read one or more of the following: Russian Journey (Doubleday, 1956), his trip to Russia and Central Asia in 1955; North from Malaya (Doubleday, 1953), covering Malaya, Formosa, Indo-China, Burma, the Philippines; Beyond the High Himalayas (Doubleday, 1952), dealing with central Asia; and Strange Lands and Friendly Peoples (Harper, 1951), about trips to the Arab states, Israel, India, Persia, and Greece.

Howard Langer, Associate Editor of Scholastic Teacher magazine, was formerly associated with the National Citizens Commission for the Public Schools as an editor, and the Bridgeport (Conn.) Herald as a reporter. A graduate of Brooklyn College and the Columbia University Graduate School of Journalism, he is a member of the Education Writers Association.

SIDE I, Band 1

This is Howard Langer in New York (City). We are going to take you to Washington, D. C., to meet Justice William O. Douglas via closed circuit Television.

Who is this man William Douglas? How did he get here?

William O. Douglas was born October 16, 1898 in the town of Maine, Minnesota. It was the year of the Spanish-American war. The United States was emerging as a great world power.

At the age of three, William Douglas was stricken with polio. It was feared he might die--or, at best, never walk again. He lived. He lived to climb mountains.

When William Douglas was six, his father, who was a Presbyterian missionary, died.

Young William Douglas attended Yakima High School in the state of Washington. After graduating Whitman College, he went back to Yakima high as an English teacher. In 1922, William Douglas worked his way across the country to enroll at Columbia Law School in New York. He later graduated second highest in his law class. He became a law professor.

In 1934, he was called to Washington by President Franklin D. Roosevelt to join the Securities and Exchange Commission. In 1939, President Roosevelt named him to the Supreme Court.

SIDE I, Band 2

Here is Justice Douglas now in the Supreme Court Chambers.

He sits back in his chair, and looks at you across his huge, book-laden desk. His face is tan and rugged. His eyes sparkle.

Behind him, through the window, you can see the Capitol dome, white and shining in the Washington sun. Down in the street, the heavy Washington traffic is roaring by. As you can see, on the walls around in his office here are pictures of former Supreme Court Justices. On the walls directly in front of him is a picture of Lincoln.

SIDE I, Band 3

H. LANGER:

Justice Douglas, what is the function of the Supreme Court in America?

JUSTICE DOUGLAS:

Well, there are two main functions of the Supreme Court. One is to interpret the laws that Congress passes, and to supervise the administration of justice in the Federal courts.

H. LANGER:

What are the Federal Courts?

JUSTICE DOUGLAS:

There are three Federal courts--the District Court, where the cases start; the Court of Appeals, to which appeals from the District Courts are taken; and then the Supreme Court. And the Supreme Court has supervision over those Federal courts.

H. LANGER:

What other roles does the Supreme Court have?

JUSTICE DOUGLAS:

The second main role of the Supreme Court is to sit in review on state court decisions that involve the Federal Constitution. We're sort of what some people have called a "referee"--the referee of the Federal system.

SIDE I, Band 4

H. LANGER:

What does the court decide as "referee"?

JUSTICE DOUGLAS:

Our court has the final word on the constitutionality of state legislation that touches on the Federal Constitution, and it was thought that that was an important function for a court to perform so that there would be uniformity in the application--and interpretation--of the Federal Constitution throughout the country.

SIDE I, Band 5

H. LANGER:

Does the Supreme Court have any role in promoting social equality?

JUSTICE DOUGLAS:

No. Our court deals only with actual cases or controversies--actual litigations between people. We have no power to issue rules and regulations like some of the administrative agencies. We can only decide actual cases and controversies between individuals and our decision goes only to an adjudication of the dispute between them.



SIDE I, Band 6

H. LANGER:

Which Supreme Court justice has had the greatest influence on you?

JUSTICE DOUGLAS:

That's very hard to say. I have had personal contact with many in my 19 years and before that when I was studying law and teaching law and practicing law. I read many decisions and biographies of judges. I think probably one of our greatest judges in all history is Charles Evans Hughes, who was Chief Justice when I came on the Court. I served with him about three years.

SIDE I, Band 7

H. LANGER:

What qualities in him did you admire?

JUSTICE DOUGLAS:

I think he was pre-eminent in the field of civil liberties and was a very bold, courageous judge who saw clearly when it came to human rights, civil rights, the rights of minorities, etc. I think that probably Charles Evans Hughes had as much influence on me as any other single judge.

SIDE I, Band 8

H. LANGER:

Justice Douglas, you are considered by many to be one of the outstanding champions of civil liberties in America today. What strides have we made in this field since the end of World War II?

JUSTICE DOUGLAS:

Well, I think every generation needs education in the fundamentals of American government. Every generation comes to the problems that face us fresh, with a new look. I think that this oncoming generation is more aware of the importance of civil liberties than perhaps my generation was. I think there has developed by and large a degree of tolerance in America that did not exist 30 or 40 years ago--tolerance for minorities, for unorthodox points of view for all classes of thought and all races and religions and creeds. I think that, looking back over a period of 30 or 40 years, there has been considerable progress made in that connection.

SIDE I, Band 9

H. LANGER:

What is a typical week's schedule in the life of a Supreme Court Justice?

JUSTICE DOUGLAS:

We have the mornings for work in the office or in our chambers, getting ready for the cases that will be argued that afternoon, and for catching up with correspondence and doing research and working on opinions.

At 12:00 we sit. We sit from 12:00 until 2:00. We recess at 2:00 for 30 minutes, for lunch. We come back at 2:30 and we sit until 4:30 and then we recess for the day. By the time you get your desk cleaned up and all the chores done and the reading completed that has to be completed for tomorrow's work, you probably leave the office at about 6:00, 6:30 or 7:00 at night.

SIDE I, Band 10

H. LANGER:

Is that the routine throughout the month?

JUSTICE DOUGLAS:

That is the routine for two weeks out of each month, because we sit two weeks and then we recess two weeks. In the recess, we work on opinions that have been argued in the previous two weeks.

While we're sitting we have a conference at the end of each week and discuss the cases that have been argued and vote on the cases that have been argued and then the opinions are assigned for writing.

SIDE I, Band 11

H. LANGER:

How is the voting done? Is that done behind closed doors?

JUSTICE DOUGLAS:

Yes, we have--just the nine of us meet in conference and we take up each case in order and the Chief Justice presides and his views are stated by him and then the discussion proceeds by seniority.

SIDE II, Band 1

H. LANGER:

Justice Douglas, during your lifetime, you've come close to death a number of times. Did any of these incidents frighten you into being less adventurous?

JUSTICE DOUGLAS:

Well, no. These little incidents that happen to everyone whether in traffic or in the mountains, are a part of living. The incidents--close to accidents--that have happened to me have been in the mountains, but mountains I don't think are nearly as dangerous as crossing the street in a busy city in America.

SIDE II, Band 2

H. LANGER:

Speaking about mountains, you once wrote a book about men and mountains. Why are you so intrigued about mountains? Do they symbolize something special to you?

JUSTICE DOUGLAS:

Well, I suppose they do. I suppose they symbolize something a little different to everyone. The mountains are somewhat of a challenge. To some people it is the ocean that is the challenge...to sail the boat around the point, or to win in a race, or to get the diving championship. To others it's--it may be--well, in a polio case, it's learning to walk again without help. It may be the boy out for track who wants to break the world's record, the 4-minute barrier for the mile, and so on.

Each of these things has a challenge to the individual, and mountains are just another form of challenge to test yourself and your strength, to see how good you are, to see how much endurance you have--and then the reward, of course, at the top of an Alpine mountain, is very great because you're right on top of the universe.

SIDE II, Band 3

H. LANGER:

You have traveled all over the world, including areas visited by few Westerners, such as Tibet. How did people differ in the areas you visited?

JUSTICE DOUGLAS:

That's a pretty large question, and it's not susceptible to a short answer. One or two things I might comment upon briefly. In the first place, the lesson that travel teaches you is that people are people pretty much the world around and that people have

pretty much the same ambitions, they have the same motivations, the same idealism, the same kind of drive. They have the same spiritual nature. Travel emphasizes that the human race is one big brotherhood.

We tend to get isolated one from the other, and look upon other peoples with suspicion and mistrust. That is the great importance of travel and the interchange of students--to go abroad and stay abroad awhile, to get to know other civilizations that are as fine as ours, so that we can come onto a more understanding basis with the peoples of the world.

The second thing I've noticed about the peoples of the world is that they have quite a vast misunderstanding of America.

SIDE II, Band 4

H. LANGER:

In what ways are we being misunderstood by peoples abroad?

JUSTICE DOUGLAS:

America has been identified more with military means and ends and ambitions and aims, in their eyes. America has been interested in the big grants of foreign aid, and so on. So they've come to identify America with things military and with dollars--not with warmhearted friendship, understanding and sympathy, with ideas of freedom and liberty.

SIDE II, Band 5

H. LANGER:

In your estimation, have we been gaining or losing friends abroad?

JUSTICE DOUGLAS:

We have not gained many friends; we've been in the process more of losing them. We haven't carried our ideas of liberty and freedom abroad to any great extent. At least, that is the impression you get when you travel to Southeast Asia and the Middle East and Northern Africa. America there seems to be cold, distant and aloof. And one of the great problems of this generation is to carry to the world, to the peoples of the world the ideas that what we stand for is human freedom and human dignity--that we put humanity ahead of guns and dollars and that we have a common bond with the people of the world. That's our big problem for this generation, I think.



H. LANGER:

Do you have any idea as to how this can be done?

JUSTICE DOUGLAS:

Yes, and it's a matter of formulating our foreign policy in those terms--in the changing of the attitudes of our newspapers and inducing more people to travel--go abroad, teach in schools, go abroad to study as students--come to know these civilizations and carry the message of America, which is the great message of the Bill of Rights and the Declaration of Independence. Those are values that people in all the countries of the world cherish very highly.

SIDE II, Band 7

H. LANGER:

Do you think, then, that a study of American history is important to the American youngster today?

JUSTICE DOUGLAS:

Oh, yes--yes, indeed. History and the humanities and poetry are probably the most important subjects that a young person can take because those are the things that tie the peoples of the world together--reach the common denominator among all the peoples of the world.

SIDE II, Band 8

H. LANGER:

Justice Douglas, if you had a chance to speak to the youth of America, what would be your message to them?

JUSTICE DOUGLAS:

I would say to the young people of America, first, learn to live boldly and adventurously, get rid of all the fears that slow people up and inhibit them. Come to the world with an open mind. Get to study it and know it. Don't be afraid of it. Travel--travel freely and as much as you can, get to know the peoples of the earth and come on understanding terms with them. You'll find the earth a very exciting place to live, once you get on an understanding basis with it but you can't get on an understanding basis with it unless you are willing to live boldly and adventurously.

H. LANGER:

Thank you very much, Justice Douglas.

## TEACHING GUIDE SECTION

### Journalism classes:

There is no one "right" way to write a story based on this interview. The reporter must develop his news angle on the basis of his publication's readership.

For example, if one were writing a story for a law journal, the lead might well be Justice Douglas' choice of Charles Evans Hughes as having a great deal of influence on his thinking. A travel magazine lead might well be the Justice's plea for students to "travel freely and as much as you can" so that they can "get to know the peoples of the earth and come on understanding terms with them."

A man's adventure magazine would certainly want its story based on Justice Douglas' comments about what mountains mean to him: "just another form of challenge to test yourself and your strength ..."

If one were writing a news story based on this interview, the lead might very well go something like this:

WASHINGTON, D.C.--A stern warning that America was losing many of its friends abroad was sounded here today by William O. Douglas, distinguished world traveler and Associate Supreme Court Justice.

Peoples abroad, he said, had come to "identify America with things military and with dollars--not with warmhearted friendship, understanding and sympathy, (nor) with ideas of freedom and liberty."

### English classes:

Recording can be used to stimulate interest in a study of biography.

For example, what are some of the characteristics that make a great man great? Some men succeed despite overwhelming obstacles. What other men and women--in addition to Justice Douglas--overcame great physical handicaps?

### History and Social Studies classes:

Can be used to introduce or conclude a study of the Supreme Court.

What is the Securities and Exchange Commission mentioned in the record? Why was it set up? What is its main function?

Report on the career of Charles Evans Hughes prior to his service on the Supreme Court. What were some of his outstanding opinions as Chief Justice?



Report on the gains in U.S. civil liberties over the last 30 or 40 years. How were these gains brought about?

Draw a chart showing how a law case travels from court to court until it is reviewed by the Supreme Court itself.

## How to Conduct an Interview

### What's Your C.I.Q.?\*

On the line to the left of each of the following questions write *yes* or *no*.

- \_\_\_\_ 1. Do you try to learn all you can about a subject before seeking an interview?
- \_\_\_\_ 2. Do you plan your major questions in advance of the interview?
- \_\_\_\_ 3. Do you find it difficult to get the person you are interviewing to talk?
- \_\_\_\_ 4. Do you avoid disturbing the person being interviewed with arguments about his point of view?

If your answer to any of the questions is *no*, you can take a "tip" from us on how to conduct an interview.

\*Conduct Interview Quotient

### Tips for the Interviewer

Did we hear you say, "But, I'm *not* going to be a newspaper reporter!"

Why, then, should you learn how to conduct an interview?

The interview can be an important part of your social studies work. Further, it can be a considerable asset to you as an active citizen of the community.

From time to time, your social studies teacher will want you to consult adults in the community about a problem that has been raised in class. For example, your class has been debating the question, "Should eighteen-year-olds vote?" The teacher, or a classmate, suggests that the class make an effort to find out how voters in the community feel about the question.

What is the best way of preparing for such an interview?

**1. Know Your "Stuff."** You should have a good knowledge of the problem. Know the major arguments for and against lowering the voting age before you ask others their opinions.

**2. Get People to "Open Up."** You must get the person you are interviewing to talk at length. You've got to win his confidence—put him into the mood to "open up."

It's a good idea to start by interviewing people you know. You might start at home, after the dishes have been washed and dried: "Dad, at school today the class discussed the arguments for and against lowering the voting age to eighteen. We have been asked to interview an adult on the question. I know that you vote every year, and I wonder whether you would tell me how you feel about lowering the voting age so that eighteen-year-olds can vote."

Note that in starting the interview you should tell the person being interviewed exactly why you are asking him a question. Let him know very early in the interview that you are on a school assignment. State the problem clearly. This quiets any thought he may have that you are "prying."

Try, without being too obvious, to make the person you are interviewing feel that you are interviewing him because he has a worthwhile opinion to express. With a neighborhood storekeeper, you might, for example, say, "Mr. Delfino, as a businessman in our town, I know that you are interested in what the legislature is going to do about taxes this year. . . ."

**3. Don't Upset the Person You Interview.** The average citizen may be disturbed if you have a pencil poised and write furiously while he is talking. In such a case it is generally better to listen carefully and make notes elsewhere as soon as possible after you have finished the interview. (If the person you are interviewing is a public figure who has been interviewed many times in the past, he will probably not be disturbed by your note-taking.)

If the interview is one where a direct quotation on some important point is desirable, it is a good idea to check the direct quotation with the person interviewed, after you have written the story. Some prominent people insist on seeing the whole interview before it is published.

**4. Leave a Pleasant Taste.** When the interview is nearly over, you might ask a catch-all question, such as: "Mr. \_\_\_\_\_, is there anything else that you think I should know in order to understand fully your point of view?"

In concluding, be sure to tell the person you are interviewing that you appreciate his cooperation. In some cases it may be necessary for you to assure him that he will not be named, if he has expressed any negative feeling about being mentioned.

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