Interview with Dawn Clark Netsch
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Interviewer: Mark DePue

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DePue: Today is Friday, March 19, 2010. My name is Mark DePue; I'm the Director of Oral History at the Abraham Lincoln Presidential Library. I'm here this afternoon with Senator Dawn Clark Netsch in her office at Northwestern University School of Law. Good afternoon, Senator.

Netsch: Good afternoon.

DePue: You're one of those people who could go by a variety of titles.

Netsch: I've got so many different titles. (laughs) And some that I probably don't want to know about.

DePue: But "senator" is okay?

Netsch: That's fine. Yeah, that's fine.

DePue: Well, I'm delighted to have a chance to talk to you. You've been on our list of people we wanted to interview for a long, long time. Officially, this is part of the Jim Edgar Oral History Project, but as we discussed before we began here just now, hopefully you're willing to cover much more than that, because you've had a long and important position in Illinois politics since the 1960s.

Netsch: Yes. Well, it certainly has been long, that's for sure. (laughs) Right.

DePue: Since Otto Kerner.

Netsch: Right.

DePue: So let's start at the beginning, as I always do. Tell me when and where you were born.

Netsch: Goodness. I was born in Cincinnati, Ohio—the only easterner in my family. They considered Ohio east because they were all from the west. I was born on September 16, 1926, which makes me eighty-three years old right now. (laughs)

DePue: Well, you're doing extremely well.

Netsch: Thank you.

DePue: And just by the look of your office, you keep a very busy schedule.

Netsch: Very, very, yes.

DePue: Okay. Are you still teaching?

Netsch: Not this semester, at the moment, but I am still on the faculty *emeritus*, and I taught last year, and presumably I will next year.

DePue: Excellent. Tell me a bit about your family, your parents.

Netsch: Well, my father was, I suppose you'd say, a businessman in effect, whose business was destroyed by the Depression. So I grew up as a Depression child as well as a World War II child, which I maintain is why I am so thrifty. My husband always said I was just plain tight. (laughter) I said, "You know, we had to be careful about things when we grew up."

DePue: I understand you father was also a World War I veteran?

Netsch: He was a World War I **and** World War II. He went back into the service in World War II and served in North Africa, in—I guess it was, what, the Marshall Islands, I think, in the South Pacific eventually, and then was involved in the activity of flying things over the Hump into China.

DePue: So he was in the Army Air Force?

Netsch: He was in the Air Force, yeah.

DePue: Well, it's unusual that you go from the European theater all the way out to the Pacific and then to the Burma theater, I would guess, where he was doing the Hump.

Netsch: Well, he was not really—I'm trying to think—he wasn't in Europe in World War II; that was World War I.

DePue: Okay, I thought you said North Africa, though.

Netsch: I did. No, I don't consider that Europe, but… (laughs) But he was in North Africa, yeah, very much so there. I'm not sure. He obviously was not flying airplanes but was involved in construction, because that had been his life's work, in a sense, and knew something about that.

DePue: Constructing air strips and things like that?

Netsch: I think involved in things of that sort, yes.

DePue: What did he do in the First World War?

Netsch: Well, two things. One, he was very much in the trenches at one point, because I know the story that I've always been told—and I should be clearer about these things—is he was actually gassed at one time.

DePue: Was he in the infantry?

Netsch: Well, it was the Army. I don't know that it was all divided up that much. Yes, I assume it was. Yes, yeah. And the other thing (laughs) that at some point during the course of World War I, he ended up on the AEF, American Expeditionary Force, championship football team. Now, I have no idea how much of his service abroad that took, (laughs) but I know it happened at some point.

DePue: I think it's better than being in the trenches and being gassed.

Netsch: Yes, yes. Right. And I think that let to a—I assume it must have been a scholarship at Harvard after the war. He had started at Colorado College before the war and then went to Harvard afterwards. I'm sure he could not have afforded it, so there must have been a football scholarship or something involved in it for a while.

DePue: Was your father from Colorado originally, then?

Netsch: Oh, yes.

DePue: What was his name?

Netsch: William Keith Clark.

DePue: And your mother.

Netsch: Was a social worker.

DePue: Her name?

Netsch: Hazel Dawn Harrison Clark. I'm one of those last of the, what I call sort of unique minorities, pure WASP.[1] Not many of us left. (laughs)

DePue: Well, can you be more specific in terms of the ethnic background? Do you know what countries they had come from in Europe?

Netsch: The only thing I know really is—I mean, my mother's name was Harrison; her mother's name was Gatewood. You know, it's just English all the way through.

DePue: Clark is certainly—

Netsch: Clark is Scotch. It can be Irish also, but I understand that in my family's name, Scotch.

DePue: Does that mean you have either Presbyterian or Episcopalian in the background as well?

Netsch: Well, actually, I was christened in high Episcopal when I was three months old or something like that, but I did not stay with them, in an Episcopal Church, no. (laughs)

DePue: Was the family not strongly religious when you were growing up?

Netsch: They were not strongly religious. We went to Sunday School, yes, but there was not a strong religious streak.

DePue: What was your father's business?

Netsch: Well, the business that I remember mostly, of course, is what he came to Cincinnati to do. He built up, and I guess really owned, a company that made cinder blocks.[2] At that time pretty neat, well-regarded cinder blocks for construction purposes. That was the business that the Depression ultimately took, as it took everybody else's, practically.

DePue: Any other siblings?

Netsch: I had one brother. He was three years older.

DePue: Tell me more about growing up in the Depression. What memories do you have about that time period? Because it was tough for everybody, and I assume your father, losing his business, had a hard time finding other employment.

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[1] White Anglo-Saxon Protestants
[2] Early name for concrete blocks

Netsch: Yeah. Well, he managed to do that. I don't think he was ever for any long period of time, because he was pretty bright and knew that kind of business well. But he ended up working for Proctor & Gamble, I think initially. That may have been the first thing he did after the business finally sort of went under.

DePue: Did the family have to move when he found work, or…?

Netsch: Well, within Cincinnati, yes, because he had built a house out of these marvelous cinder blocks, which was really a very nice house in a nice suburb. Not a mansion—I don't mean that at all—but it was just very nice. Obviously eventually we had to give that up and lived in more modest circumstances. But, you know, I was never hungry, without food or clothing or shelter or something like that as so many other people were during that period of time. But I think that was the time also when my mother really went back to work as a social worker, and obviously spent a huge amount of time with the people who were at the absolute bottom of the economic ladder, many of them from what then we called the basin of the city, which was where the poorest people in Cincinnati lived. Now it's probably the richest people (laughs) in Cincinnati who live in the basin of the city, but not then. /So she dealt with people who really had very serious problems, obviously. Then after a while—I don't remember the timing on this—her focus was more on children's services. Maybe that was after the end of World War II. She remained a social worker until she retired at the age of—as she always said, "I want to retire before everyone else wants me to retire." She was maybe seventy-one, seventy-two or something, I think, when she retired.

DePue: Well, (laughs) she'd earned her retirement by that time.

Netsch: Pardon?

DePue: She'd earned her retirement.

Netsch: She had earned it, yeah. Most of the latter years, she worked with children's services in Cincinnati.

DePue: During those early years growing up in Cincinnati, do you recall conversations around the dinner table about politics ever?

Netsch: Well, what I specifically remember—not an awful lot—but my father, I think, was a hater of Franklin Roosevelt.

DePue: He was?

Netsch: And I don't know whether that had to do with economic conditions, the Depression, or whatever. I just have no idea. I do remember being given a

Landon[3] button. Landon was one of FDR's opponents—God, what would that have been? Thirty-six, I think.

DePue: Thirty-six, I think.

Netsch: Yeah, and I think I wore it to school. I actually for a long time, until somebody misplaced a big box of campaign buttons I had at one time, I kept that Landon button. It had a sunflower around it because that was his symbol, and I thought that was pretty funny.

DePue: Was he from Kansas?

Netsch: Yes. Sure, I think. Check me on that, but I think so, yes. I thought that was pretty funny, particularly after I had become, you know, a pretty flaming liberal Democrat, (laughs) here I was still sitting with my Landon button.

DePue: I was assuming, listening to you talk about your mother, that she might have been a Democrat or leaned that direction.

Netsch: She eventually became—I don't know whether she was at that time or whether she was sort of independent, more likely. But as time went on—and it may well have been a factor of the work that she was in. I mean, it's awfully hard, it seems to me, to be a social worker dealing with people who have so many problems and need so much help and not become (laughs) what I would call a flaming liberal Democrat. So I think after a while she was pretty clearly a Democrat after quite some time. I don't know exactly when it happened.

DePue: Did you go to public schools?

Netsch: **Absolutely.**

DePue: You say that with great pride.

Netsch: I **do**, and that's one of the reasons, I think, why I've always been such a passionate supporter of doing more for public education. I realized mine was a different time—I understand that—but it doesn't make it any less important now. I went to a high school that I remember to be about four thousand.

DePue: Big high school.

Netsch: Big high school, yeah. It was a big high school. I've been told that I may be slightly misremembering exactly how large it was, but it was quite large and was not quite a total melting pot but was, you know, pretty good in that respect. The poorest people, who were mostly black, as I said, lived in the

[3] Alfred "Alf" Mossman

basin of the city. What was their school?—Woodward, I think it was called—most would go there. But there were African-Americans spread throughout some other areas, including up in the sort of suburban part of Cincinnati, so we had a black population in the high school. I should go back and count it up someday, I guess, in the yearbook. I would make a rough guess it was 15 percent. I'm not positive of that. We certainly had the entire spectrum of economic status, from maybe just a step above the absolute poorest, but, you know, a lot of very, very, very modest if not poor people. Also a lot of quite well-to-do people. Interestingly enough, a lot of the people who were upper-middle class or higher in Cincinnati at that time did not always send their kids to private schools, so some of them were in the mix also. Probably fewer of them than (laughs) of the other end, but… So it was a real melting pot in that respect.

DePue: Was there a Jewish community in Cincinnati?

Netsch: There was a **very** important Jewish community. Most of it was in one part of the city that did not feed into my high school, which was Withrow High School.

DePue: Withrow?

Netsch: Yeah.

DePue: Withrow.

Netsch: W-i-t-h-r-o-w. I'm still a member of their alumni association or whatever, although I don't get back. We just had the, what, sixty-fifth reunion or something, and obviously (laughs) that's going to be about the last one. The reunions always came right at the worst time for me in terms of my teaching responsibilities here, so I have not been back for a reunion. But I'm on the list of Bob McGrath, who continues to mostly send us the obituaries; (laughs) that seems to be the primary business these days. But I remember Bob very well, and a few of my other classmates.

DePue: What kind of things were you involved in high school?

Netsch: Well, a couple of us ended up running the newspaper and wrote some pretty radical columns. And I was involved in the Latin Club; I was involved—in fact, one of the reporters here in Illinois, his father was in school with me at Withrow and brought him a picture of me in my Latin—my Roman toga at one time, which I say broke me up a bit. I was the chair of a—in fact, I dreamed up, I guess—a campaign to raise enough money to buy an ambulance to send for use in the war.

DePue: Oh, really?

Netsch: And we did that.

DePue: A military ambulance?

Netsch: Yeah. Well, one that could be used by the military, yes. We raised the money for it, and I remember at one of the football games presenting the keys and all that sort of thing. That was very interesting. Oh…

DePue: Were you a debater, by chance?

Netsch: No, I was not a debater. I think probably I was more interested at that time in the written stuff, and so a **huge** amount of time and attention on the school newspaper.

DePue: Of course, that's decades before Title IX, so there aren't many opportunities in sports.

Netsch: No. We all had to take physical education, but I didn't do too much on the outside. But I was a fan of the high school baseball team.

DePue: Were you a Cincinnati Reds fan?

Netsch: Yes. (laughter) And I may be the only surviving person who remembers Johnny Vander Meer's two consecutive no-hitters. In fact, I also still have—you know, I guess it's come back a little bit—you know baseball cards that people trade? I still have some of those who were players back in (laughs)—that would have been in the '30s I guess.

DePue: Well, now guys my generation go to fantasy camps and they walk away with their very own baseball cards.

Netsch: Their very own baseball cards. Yeah, I'd love to do that. No, I remember—I wasn't able to get to games very much, and I'm not sure why that was so, but listened to them. If I had to be home, you know, like doing housework at home or whatever, I remember listening to the Reds games frequently. Frequently, yes.

DePue: You're of the generation that remembers Pearl Harbor. Can you tell me about your memories of that particular day?

Netsch: Well, I remember—it was a Sunday, obviously. We were all at home. This was in Cincinnati. I think everybody was there. I mean, I think my father, my mother, my brother, myself. I have a feeling one of our grandmothers, who stayed with us for a while, was there also. It's interesting. You knew something terribly, terribly important and significant had happened, but you didn't—how can I put this—somehow you didn't quite know how to respond to it. It was like disbelief, I guess. It wasn't real. I mean, they'd come and **bombed Pearl Harbor** and we're going to **war**?

DePue: Did you know where Pearl Harbor was before that?

Netsch: Oh, I think so. I'm sure I did, yeah. We all listened on the radio to the president, obviously, which was, what? the next day, I guess, wasn't it? To jump ahead a little bit, it was [like] when we dropped the first bomb. You knew it was just unbelievable, it was an incredible event, but it was hard to get the physical reaction to it. In the sense, I guess, the bombing of Pearl Harbor and then the dropping of the atomic bomb on Hiroshima—you've got the same sort of thing.

DePue: So you know it's important but you can't quite comprehend the full scale of it?

Netsch: Well, yeah. (pause) Maybe that's an accurate way of putting it. And it's not that I wasn't so young that I was totally out of it, and I was always terribly interested in current events and all, but it is sort of a sense of disbelief, I guess, of unreality, and also a little bit of, Do we really know how to look that far ahead and know what the consequences are? I mean, with the beginning of World War II, I think in a sense that a lot of us sort of knew it was coming. We knew what Roosevelt was doing, (laughs) and…

DePue: In terms of trying to help England and…?

Netsch: Yeah, make sure that the bad guys were not going to win. But that's still a little bit different than being attacked on the east by the Japanese. Even though everything we read about the atomic bomb—you know, the most powerful blast, more than umpteen thousand tons of normal TNT or whatever, and it was still—Where's it going to lead? Not too long after that—this is probably —going into college—many of us became **passionate** advocates of civilian control of atomic energy, because that wasn't clearly the way it was going to go at that time, and we thought that was **very, very** important. Indeed, I think it **was** very, very important.

I'm jumping ahead a little now, but (laughs) I remember when I was in college we had a mock United Nations convention, and I happened to be a delegate from Egypt—I don't remember how all those things got—and obviously was very active in it. That's, by the way—another incidental—that's when Newt Minow[4] and I first met. Newt was involved—I think I even got him involved in that one. So, you know, we became friends then, and that's, (laughs) what, sixty years later or something? But as a delegate, needless to say, in my usual fashion, I was pretty active in the mock United Nations convention. I thought one of my greatest ideas and greatest contributions was, I thought I had found the most urgent need and justification for atomic energy: desalinization, (DePue laughs) because there clearly was going to be a water problem someday. It was not possible to do much desalinization then because it was too expensive. Here was this enormous source of energy; why not put it to one of the most important uses that could

[4] Newton Minow later was head of the Federal Communications Commission

be dreamed up? I still think that was a pretty doggone good idea. (laughter) So.

DePue: Let's jump back a few years again.

Netsch: All right, I'm sorry.

DePue: No, that's fine, that's fine. Obviously your family life changed after Pearl Harbor. How long after that did your father decide to go back in the military? Or was he drafted or called back in?

Netsch: No, no, he would have been too old to be drafted as such. I think he felt it was what he wanted to do. And how long was it? Gee, I don't know honestly remember. It was not like the day after or—

DePue: What was the mood of the country like during the war?

Netsch: I'm going to say some things, and I don't' think I can really prove them. I mean, you're asking a question that I can't even remember being asked before, and I'm trying to think back. One is a real sense of us, of pride, in being Americans and in being so doggone good (laughs) at the things we were then required to do, which was: arm the rest of the world, fight all over the world, in both—well, actually more than two sections, as it turned out. We were just awful good in helping save the World, and I think there was this sense that Americans sort of knew that at the time. Now, obviously it was combined with the horror, the sadness, of the number of people that were being killed. I think we were probably a little more openly bloodthirsty than many of us would feel comfortable about now, because the bad guys were really bad, and in a sense it made it much easier. You know, unlike some of the wars we've been fighting in recent times.

DePue: A clearer moral distinction?

Netsch: Yeah, yeah. We didn't even know about the Holocaust at the time, but we knew what Hitler was doing and the persecutions, and we knew **something** about the concentration camps, I think. I could be wrong in my recollection of that, but my sense is we had some sense of the number of people who'd been punished and executed. And then the Japanese—probably there were two things there. One, that was a pretty nasty, sneaky attempt, thing that they did to us at Pearl Harbor, (laughs) and boy, was it hard to forget that. I assume there may also have been a racial element in it too. I was, by then, being raised by a mother who I think had no racial biases that I'm aware of. I think my father may have, but he was by then away at war. But looking back on it, I don't remember feeling at the time about the Japanese. But sort of thinking back, you know, we did call them Japs frequently, and anything that happened there that was us over them seemed to me got an extra huzzah. (laughs)

DePue: Do you recall—did you know anything about the internment of the Japanese on the West Coast of the United States?

Netsch: I don't think so. It's not that it was a secret, so I must have known something, but I can't say that I can now remember that I was conscious of it at the time. How would I have reacted? I think I would have been a little concerned about doing that, even at the time, but I'm not sure, because there really was a **very strong** anti-Japanese feeling.

DePue: Well, that's the nature of warfare anyway, that you tend to demonize your enemy as a matter of fighting the war effectively.

Netsch: Well, I think that's true, yeah. And then especially an enemy that took you by surprise and killed so many people in a very sneaky way.

DePue: And weren't surrendering ever.

Netsch: Yeah, yeah.

DePue: This is going on in your high school years. You graduate in 1944, right?

Netsch: Forty-four, yeah.

DePue: What were your intentions after graduating?

Netsch: Go to college.

DePue: Did you have any particular career goals at that time?

Netsch: Foreign Service and politics—or, Foreign Service and government; I don't remember whether I used the word "politics" or "government."

DePue: When you told your friends you wanted to go into Foreign Service or government, what was their reaction?

Netsch: I don't even remember, (laughter) but their reaction was probably that I was nuts. No, I think even before I got to college I was talking about my ultimate goal was to be president of the United States. So.

DePue: And you would tell people that?

Netsch: Yeah.

DePue: And they would say…?

Netsch: I think it even got written in one of my yearbook things. I may be wrong about that, but I think so. I know that talking about going into the Senate, U.S. Senate, was there. What I realized was a problem after awhile, was that in some ways, the preparation for the two things—that is, a role in

government/politics and a role in Foreign Service—was different, and I had to make up my mind which way that I was going. (laughs) So I eventually sort of drifted more toward the government and politics.

DePue: Well, those kinds of aspirations aren't typical for most people of that age. I wonder if you can tell me who you most important influence was?

Netsch: No. And it's not because I won't, it's because—I have been asked that an awful lot of times, you know, what made me at that long-ago period have an interest in politics and government, and I'm not quite sure why. But one thing I have sort of been able to identify was, believe it or not, my English teacher in high school, who was marvelous. I don't remember how political she got in class, but she obviously was saying some things. I dimly remember that she was a Roosevelt supporter. But, you know, you wouldn't be allowed to be very open about such things in those days in a public school. But there's something about it that makes me believe that she was one of those who sort of whetted my appetite for all of that. And she was an English teacher, not a civics teacher or whatever else we called it at that time.

DePue: But she was one who liked to cultivate talent that she saw.

Netsch: Well, and she obviously was very interested in public affairs; I can still see her to this day. For some reason, she used to make fun of some of the then-current popular songs and would sort of do an imitation from time to time. The one that I keep remembering is "I'm in the Mood for Love." Nobody else would remember that song, it goes back so far. I don't remember why she found it—I can sort of see her up in front of the classroom—kind of making fun of it or using it at least in some way.

DePue: It's probably going to be stuck in my brain for the rest of the day now.

Netsch: (laughter) Right. But what that would have to do with government and politics, I'm not sure. But anyway, then, of course, when we began to sort of take over the school newspaper, my very good friend Martha and I wrote a column together, which we called "Et Cetera." I think she was the editor and I was the associate editor or something like that of the paper, and then we wrote this column. Most the time, we wrote it together, as I recall, and then once in a while I might write one or she would write one. I still have a few of those I came across.

DePue: You mentioned—you used the word yourself—they were kind of radical.

Netsch: Some of them were pretty radical.

DePue: Any that stick with you?

Netsch: Oh, yes. The one that I remember myself writing in which I advocated federal control of education. You can imagine how that sat with the local school

board and others. My recollection is they came out to have words, if not with me, at least with our principal about such… (laughs) I might have gotten tossed out of school for that. I remember what one of my main reasons was. I had become aware of segregation and horrible schools in the South. I was convinced that the education level, the facilities and all, for black kids in the South would never arise as long as the states were in control of education and that the only way we would ever get anything like decent education for black kids in the South was if the federal government took over (laughs) control of education. And of course, remember, I was raised basically in the Franklin Delano Roosevelt era, so the fact that the government would be doing something that radical was not that (laughs) radical for me.

DePue: You had a healthy percentage of African-Americans in your own school. Do you remember any incidents or occasions where there was some real tension there?

Netsch: Not specifically, no. What I remember more was perhaps a little bit of, sort of isolation. The one incident that I remember actually long predates that. We lived in the South one year—well, in Nashville, Tennessee. In southern cities then—and it may still be true—often black neighborhoods were very close by white neighborhoods. Obviously the schools were totally segregated, though. I remember sitting, looking out the window of my bedroom, I guess it was, one day, at an after-school thing, and some black girls were walking down the street across the street, going to their neighborhood, wherever it was. Some white kids were following them and sort of throwing stones at them and stuff. What I remember is that they were seething—and I'm not sure I could actually see that; this may be me thinking about it later—but couldn't do anything, because they would have been—who knows what would have happened to them if they had tried to turn around and fight. And I **still** remember that; that was probably maybe the most traumatic brush with, It's not an equal world, that I just so visibly remember it. Now, that was actually before I got to high school, though.

DePue: Well, going back to the question, Who were powerful influences—obviously this English teacher was. Anybody else in your life? That story you just told now would suggest that you were closer in terms of your emotional connection perhaps to your mother. Am I making too much of that?

Netsch: Oh, I think so, yeah. Yeah, in terms of anything like that, I think she was much more open to—and in a sense, more exposed to—quote "that other part of the world." Yes.

DePue: Why Northwestern when you're looking around for colleges?

Netsch: Well, number one, I'd always wanted to go to, at that point, Radcliffe. I really had pretty much convinced myself that that didn't make any sense because I knew I was going to be spending much of my life in largely male occupations.

I thought, you know, it's kind of silly to go to an all-girls school at that time. I was being **heavily** pressured to go to Miami University in Ohio by my godmother, who was the Latin teacher at the College Preparatory High School in Cincinnati, to which I had refused to go, (DePue laughs) which didn't sit very well with her.

DePue: So you were showing your independent streak even then.

Netsch: Oh, yeah. I didn't really want to go there. But even the counselors, such as there were, at the high school were very interested in getting me to go to Miami. But somehow I knew I didn't want to do it. One of my very close friends, a male close friend, who was—we were practically raised together, it seems. Healso worked on our newspaper called *Tower News*. He was a very close friend of Martha and Clark Stamen and myself, et cetera, a few others. He had looked into Northwestern. I don't know whether it came from him or from checking other sources. I developed a sense that Northwestern was well-known for, like, political science and some things like that. t was away from home, which of course is always [what] you want to do when you're (laughs) going to college. So I just got more serious about it. Finally—I don't think—you know, in those days, you didn't make these long treks around the country, looking over every school. I don't remember that I even got up here to look at it. But it was, A, coeducational; B, in or near a large city, which I liked very much; and presumably was good on political science. This seems like a good place. I think—let's see, there was one—the daughter of one of my mother's friends—was it Dorothy Steinem, I think her name was—who was attending Northwestern, so I think I got some additional insight from her.

DePue: Was your father an officer in the U.S. Air Force?

Netsch: In the Second World War, yeah—major.

DePue: And the reason I ask about that, because, of course, Northwestern was a private school, so a little bit more expensive than some of the public schools you could have gone to.

Netsch: I guess that's right, yeah.

DePue: Did you have to work as well to work your way through college?

Netsch: Not in college. Well, what I remember is the day I graduated from Northwestern, my father said, "Okay, you've got sixty days to become self-sufficient." (laughter) Of course my mother was working. The school was expensive, but nothing like it is today.

DePue: Well, we should mention—

Netsch: But I didn't have to work. I'm trying to remember, I don't think I even had scholarships as an undergraduate. I did in law school. But I managed, yeah.

DePue: Your major in college?

Netsch: Well, that's an interesting question, because I was in a four-year planned program. I was in the first class that went through on this program that Northwestern had developed. Your whole four years was planned out; a lot of the courses were planned out only for us. For example—oh, if I can remember all of their names—the Bases of Modern Society, which would have brought together usually the principal person—often the chairman of the department—and maybe three or four of the social scientists that prepared the lectures. In some cases they actually rehearsed the lectures before they gave them to us. Does the name Melville Herskovits ring a bell? No? He was one of the **real pioneers** in African studies and is still just an icon in that area. He's been dead now for a long time, but he was a very strong supporter of this. The idea was really liberal education. Bergen Evans, the English department; the chairman of the geography department; the chairman of et cetera—I mean, all these people. This was really a sort of a dream for a lot of them, I think. I still have things about the program in my files, (laughs) since I never throw anything away. So, as I said, most of our courses were planned for us. We were also required to do some math, so I had to go back and do math again, which didn't really interest me that much, and—

DePue: For statistics, perhaps?

Netsch: I think we did—yes, we did one statistics course. We got into algebra and a little bit beyond that. I had been very good in math in high school, but that wasn't where I was going, (laughs) so I just didn't—

DePue: What was the name of this program, though?

Netsch: It was just called the BA program, the Bachelor of Arts program. That's the way it was generally known.

DePue: So very much a liberal arts kind of a program, or…?

Netsch: Oh, absolutely, yeah, yeah. Then on foreign languages, if you were starting a foreign language, you were in class—let's see, five times two—I guess ten hours a week. If you were an intermediate, if you'd already had some background in a foreign language, you were in class at least six hours a week. Oh, what else? Then we had something in the last year called Tutorial Correlative Reading, and what it was—

DePue: (laughs) The name makes you go to sleep.

Netsch: Yeah, yeah. We were divided into very small groups and assigned to usually a pretty prominent member of the faculty. I was either lucky enough—or maybe unlucky enough—to be assigned to Bergen Evans, who was terribly well-known. And what you did was, you read something, and then you all came, in a small group of, oh, probably no more than five, maybe four or five students,

and the professor. You'd come and have discussion about it. I remember that's where I read *An American Dilemma*, the famous Myrdal book.[5] And (laughs) one of the others I chose was Karl Marx's *Das Kapital*, (laughs) because I thought you ought to know something about what the guy was saying. I don't remember what all the others were. But that was pretty special—and of course terribly expensive for the university, because think of all of the faculty time that was being devoted to a relatively small number of the total student body.

DePue: Did you have to be selected, or did you apply to become part of this?

Netsch: No, you just became part of it. That was the liberal arts program, starting the year that I started. You could be in journalism, you could be in business—I don't know, other things—you could probably still be going for a Bachelor of Science degree, which might have provided a different network—I'd have to look back at my notes on that, but I think that's right. But if you were going to be in what now they would call the College of Arts and Sciences, I think they now call it, but what would have been liberal arts at that time, you were in this program. We were all together, and of course we shared huge numbers of classes together also. Now, in the last two years, we were allowed to have, not a major; it was called a field of concentration. (laughs) So you could go into sort of with the rest of the world, and not surprisingly, I chose political science at that point, so I had some classes that would have been taken with other, plebian students (DePue laughs) who were not in our terribly special program. But it really was an **extraordinary program**, and they kept it going for a while, but I think probably what happened, from talking to others, is that—you know, it was just in a sense too expensive.

DePue: I'm wondering what the climate of the university was like in 1944 when, let's face it, all the guys are off fighting the war, or a huge percentage of them, and in 1947, when you had people coming back and were now going to school on the GI Bill, I would assume.

Netsch: I think almost all the guys were going on the GI Bill when they came back.

DePue: So was it a different university between those two years? Did you notice a difference?

Netsch: Yes and no. To some extent, some of the things that I was involved in would not have felt the difference that much. First of all, of course, there was a lack of men in school for a—not a total lack, because they were not all being drafted, although most of them were by that time, (laughs) so that there was sort of a different gender flavor to it and more of a sense that (sighs)—I'm grasping, groping now for words—that a good part of our generation was sort of not there for a while, and they were off doing other things. You know, there were military units on campus, obviously, ROTCs and—well, more than that,

[5] Swedish economist Gunnar Myrdal's ***An American Dilemma****: The Negro Problem and Modern Democracy*

even—so you were reminded, but my sense is that you didn't really get to know very many of the folks who then were off fighting because the timing was such. Actually, a number of those who were still on campus, males, would have been people who for whatever reason couldn't be drafted. I think they may have felt it more than we did, "we" meaning the female people on campus.

DePue: Do you remember, though, what it was like when those GI Bill students started to flood onto campus after the war?

Netsch: That was in a sense—you know, I graduated, well, in '48. Some of them were back by then. I felt it less there than I did when I got to law school, which was, well, another year later, actually. I used to say 50 percent of the male students, because they were all male students, had been in the service. I've been corrected several times that it was much higher than that, even, and I have never sat down and actually counted the noses. But they were in much more of a hurry because they'd all lost some part of their lives, and there wasn't much going on on extracurricular activities or anything else like that. Social things happened, yes. The only thing I remember in law school is a lot of us were fight fans, boxing fans, so that was a diversion, and a trip to the bar on Saturday night or something like that. But I look around here; there are about two hundred, I swear, extracurricular things that the students do here. I don't know how they have time to go to class at all, as a matter of fact. There's almost none of that in law school. Again, largely, I think—well, things were generally different—but I think a good part of it was the fact that so many of them had been in the service and they just were anxious to get on with their lives. I felt that much more, as I said, when I got to law school than I did in undergraduate.

DePue: Political science was your major. You still have the intention—your espoused ambitions when you were in high school were to diplomatic service, get into politics, be a senator, be the first female president of the United States, perhaps.

Netsch: I hadn't thought about it being the first female president; I just decided that that's the top of the line for what… I pretty much abandoned the idea of the Foreign Service by then because I figured I needed to take sort of a different approach; I needed to do much more with the foreign languages and much more with other things of that sort. Of course, the Foreign Service in those days, by the way, was as closed as everything else to women, practically. So I was more interested, I think, in government/politics.

DePue: Were you still as open about your ambitions in politics?

Netsch: Yeah, I think so. I seem to remember—in fact, we used to have a—I don't know whether this was tied to it or not, but I was smoking with a cigarette holder even then; I would tip it up out of the corner of my mouth and wave as

if Franklin Delano Roosevelt. (laughter) Now, that was just a joke; that was for fun, but…

DePue: How would you describe your political philosophy then at that time?

Netsch: Pretty liberal. **Very** conscious of race problems and race discrimination, which came out very much because, I was working on the—well, among other things, on the student newspaper there, and we raised quite a bit of ruckus about quotas that the university was imposing even on Jewish population.

DePue: Quotas to limit their…

Netsch: Yeah, to limit the number, yeah. There was no place for blacks to live on campus. Number one, we raised some Cain about the Jewish quota, which, of course, was totally denied. I think sometimes they were about ready to toss us out of school from time to time (laughs) for being troublemakers. Then we started—and when I say "we," I mean I wasn't alone in this, but I was always (laughs) involved in it, I guess—to try to find some way to make it possible for blacks to live on campus. When Cynthia[6] was doing that, she picked up some of this; I would have to back and recheck it. Somehow I think we did get a referendum, in effect, "Do you want blacks living on campus?" and the answer was "no" among the students, as I recall. So that was sort of the putdown. Then what we did, which I thought was pretty clever of us, we decided that maybe what we ought to do is to try to get an international house on campus. And an international house very likely would have, you know, some non-white-skinned people from Africa or—well, Asia wouldn't have been as much of a problem. And eventually we got the International House, and I think it actually got opened before I left school. But that was our only way, really, of getting around that. DePue: Did you live on campus?

Netsch: Yes. Oh, yeah. Well, actually, there wasn't anything else to do in those days, practically.

DePue: But it wasn't that far from downtown Chicago and some of the livelier jazz spots in town and things like that. Did you avail yourself of any of that?

Netsch: No. Actually, if you did anything, usually it was at Howard Street, which was the dividing line between buying a beer and not being allowed to buy a beer, because Evanston was dry in those days.[7]

DePue: Oh.

Netsch: There were a couple of jazz spots on Howard Street. And—oh, her name has just slipped my mind—but one of the persons who was **really good** used to

[6] Cynthia Grant Bowman, author of ***Dawn Clark Netsch:*** *A Political Life*

[7] The home of the W.C.T.U., Women's Christian Temperance Union, was about two blocks south of the campus.

sing in sort of a little tavern down on Rush Street [in Chicago]. Once in awhile, some of us would get there for that. Very little coming downtown, though. Very little of that. I don't know whether it was the cost or just sort of a different world. More likely if you were just partying, you'd go out north of Evanston into the non-dry suburbs, or if you wanted music or something like that, you'd be more likely to go to Howard Street. Maybe once in a great while at that time. DePue: You described yourself as a liberal. Most of the specific reference, though, is what we would qualify today as a social liberal, and—

Netsch: Yeah.

DePue: —I'm wondering how at that particular point in time, on fiscal issues, how would you have described yourself?

Netsch: You wouldn't think about it as much. I mean, that was just not quite as much part of the world. Not too long after that, I mean, out of college, where we had to start dealing with the idea of state budgets and how do you fairly raise money, I would have gotten much more focused on budgetary things, but not quite as much. It was political things. We had a mock political convention, of which I was chair, and I had to be more or less nonpartisan because most of the campus was Republican anyway, which we knew. One of the things that we did was—it was really pretty successful—we chased Harold Stassen, who was an icon at that time,[8] all over the Midwest and finally cornered him in a hotel room someplace in, I swear, northern Wisconsin to try to persuade him to speak at our convention, and we got him. So that was probably the highlight of the convention in the minds of most people. But we had a lot of fun with other things. We obviously had to have the Democrats represented—I mean, that would have just been a total disaster if it had only been one party, apart from—I mean, I had to suppress my own Democratic business, but we needed to have a balance. We got Emily Taft Douglas. Her husband must have—was he in the Senate by then or was he still just finishing up the war? I can't remember, but…

DePue: You talking Paul?

Netsch: Paul Douglas, yeah.

DePue: He wouldn't have been in the Senate at that time, I don't think.

[8] Twenty-fifth Governor of Minnesota, a perennial candidate for various offices including President, a delegate to the San Francisco conference which established the United Nations

Netsch: Anyway, we got her at one point. I can't remember why… But the other one was—we had somebody who was much more—oh, that was the Henry Wallace[9] days, too.

DePue: Oh, yeah.

Netsch: Yeah, so we wanted someone who represented the Henry Wallace side of the spectrum, and we were having terrible trouble with the administration on that. We had somebody in mind. I don't think we thought we could get Henry Wallace himself, but somebody else who was real heavily involved in his campaign. We couldn't get them to approve it. It was getting late, and we had to have somebody to represent that part of the political spectrum. We'd been dealing with the Wallace campaign, obviously; we ended up with, I think, if I remember correctly, his name was like Jonathan Steele, probably not an out-and-out communist, but pretty far along the (laughs)—much more radical than Henry Wallace or (laughter in the voice) anybody that the Wallace campaign would have sent. We knew this, but apparently the administration, whose approval we had to have, hadn't figured it out. (DePue laughs) So we had this guy there, and we had a great time with that. We thought that was pretty funny. (laughs) They became notorious for (pejorative voice) providing a forum for this radical, radical guy.

DePue: You had obviously been interested in the Foreign Service, so how would you describe your political philosophy at the time as far as foreign affairs is concerned?

Netsch: Uh… (pause)

DePue: Prior to the war, America in general was still very isolationist.

Netsch: Yeah, oh, yeah. I can only put it in terms of General Marshall.[10] Two things: one, I was very much a fan of the Marshall Plan. Well, as time went on, the Truman Doctrine, which was, at least don't go to war, just sort of close the…

DePue: Containment.

Netsch: Containment, thank you. I was looking for that word. The other thing, on which I was absolutely dead wrong—this was when I guess I was writing editorials, among other things, for the *Daily Northwestern*—and I remember (laughs) writing an editorial when George Marshall was appointed secretary of state saying, "Terrible idea; you should *never* put a military man in as

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[9] Henry A. Wallace was Thirty-third Vice President of the United States (1941–1945), Secretary of Agriculture (1933–1940), Secretary of Commerce (1945–1946). In the 1948 presidential election, Wallace was the nominee of the Progressive Party.

[10] George C. Marshall, an American military leader in the Allied victory in World War II, known widely for his work establishing Marshall Plan for the post-war reconstruction effort for Europe.

secretary of state." And I went on and on about my reasons, which seemed awfully good at the time. (laughter) They didn't turn out to be so good.

DePue: So it would be fair to say that you were a strong supporter of the United Nations and United States involvement?

Netsch: Oh, absolutely, absolutely, yes. In fact, gosh, even back in high school, I remember Harris Wofford, who later—much, much later—became the United States senator from Pennsylvania was the student founder—he was still a high-school kid. He was a good friend of a friend of mine in Cincinnati, high-school friend, and he was the founder of—oh, cripe, what was it called? It was in effect the One World Contingent, the student component of like the One World Contingent. Interestingly—I guess I did have some thoughts. Number one, as strong a supporter of the United Nations and the idea of the whole world kind of getting together and talking to one another (laughs)—as much as I supported that, I never got hooked on the one world business. I remember being with Harris Wofford at various things a couple of times, when he was either coming to school or seeing him when I was still in high school with his friend, and I thought, Uh-uh, that just isn't going to work.

DePue: What part of it didn't you like, the surrendering of some of the sovereignty, perhaps, or…?

Netsch: Well, I don't know whether it was the—yeah, it may be a little bit of that, but just the idea that these wildly diverse political structures, cultures, everything else, could **really** come together in quite that close-knit a thing. I guess most particularly—and I'm not sure this is what I was thinking at the time—but if not, I should have been—what we would not have wanted to do was in any way diminish what I thought then and still very much feel is the great strength of this country, which is the principles which we made work and put into our constitution and into other documents and then have made incredibly successful. Sure, it's much easier, obviously, when you've got a big isolated country that's terribly rich in resources and everything else, but it's still—

DePue: And it's got two big oceans, one on either…

Netsch: And two big oceans. It's still a pretty amazing thing that we've pulled off, even with all of that, I mean, and, you know, putting all this together, all of these things that are expressed—the Bill of Rights and other things, and then most of our court decisions over a period of time and the separation of powers, the independence of the judiciary, all those things—I would not have wanted in any way to be diminished. Some of it was fairly pragmatic; I didn't think it was very realistic. I thought you could do it through a structure like the United Nations, but it's not something that went beyond it, so I never really got pulled in on that.

DePue: Well, towards the end of your college career, your aspirations at that time in terms of the next step, what you wanted to turn to?

Netsch: I guess I knew I had to go to law school to get a foundation. You didn't have to be a lawyer to go into politics or government, but everybody sort of thought that was important, and actually, it is pretty useful. Exactly what I was going to end up doing or how I was going to get there, I'm not sure I knew. But I'm not sure you can—

DePue: But I know that's not what you did the first year out of college, though.

Netsch: No, I worked for the League of Women Voters for a year to make money. (laughs) I don't know why I would have worked the League to make money; I got paid so little. (laughter)

DePue: Well, I would guess, I mean, looked at that, because it matched your political philosophy.

Netsch: I mean, it actually turned out to be fun for me. Like most young people, particularly, I guess, coming out of a World War II atmosphere, there was the federal government and not much else. I think that year working for the League helped get me interested in the importance of both state and local government, and the fact that it could also be very interesting.

DePue: What was the focus, the agenda, of the League of Women Voters at that time?

Netsch: Whew. Oh, dear.

DePue: Let me ask you this, perhaps—and proving my ignorance,I think I got this name right—was Alice Paul still alive; was she involved at all with the organization?

Netsch: Alice Paul…

DePue: Was that the one back in the '20s, early—1919, 1920 when women got the right to vote, and she was the leader at that time. So this is thirty years later; I would think that she was not on the scene anymore.

Netsch: No. Frank Fisher's mother, Walter Fisher's wife, was the state president at one time. Walter Fisher was a very good friend of Governor Stevenson and actually chaired the Commerce Commission for him for a period of time.

DePue: Were you working for the state chapter of the League of Women Voters, then?

Netsch: Actually I think I was technically working for the Cook County League, but everybody was in the same office. And, ooh…it'll come back in a minute—somebody who continued to be very active and very, well, sort of a liberal

helper for a long time after that, whose name will come back to me in just a moment, and I remember those names and a few others.

DePue: Were they involved in that time in arranging debates between political candidates, anything like that?

Netsch: I don't think we did that. I don't recall that. Of course, there were a lot more women to participate in sort of grassroots reforms or whatever at that time. The League was not probably as, quote, "liberal" as it is perceived to be now by most of the people on the other side. But we were interested in maybe some revenue things, in modernizing the constitution and better election laws. Probably—and I'm saying "probably" because I can't absolutely pin it down in my mind—some of the non-discrimination things, too. But mostly in just better government and better election procedures.

DePue: Was one focus of yours that year, then, in applying to various law schools, or did you already know where you were headed?

Netsch: I think I knew. I had wanted to go to Harvard, which did not even take women at that time, believe it or not. They opened up to women, I think it was either in my second or third year when I was in law school, but you could not even apply to—well, you could apply, but (laughs) it wouldn't do you any good at that time. But I figured that, number one, Northwestern—you know, it's very interesting with all of this business about who's first, who's blah-blah now, but there weren't formal lists and formal evaluators and all—but Northwestern Law School was considered probably one of the top five in those days if you talked to people, and that's really the only lists that were kept, that sort of thing. But quite apart from that, I figured I had a better shot at getting scholarship aid (laughs) at Northwestern, and I did.

DePue: Well, how did that work out specifically, then, the scholarships that you did get?

Netsch: Well, you just go and apply for them, I guess. One I got covered—and I think this was one I had maybe all three years—covered tuition and had a little bit left over above tuition which probably helped to cover not many living expenses, but maybe the books and a few other things. I lived in miserable circumstances. (laughs)

DePue: Let's go back to the end of your Northwestern career, though—and I should have figured this out already—how did you end up in the class standing when you graduated?

Netsch: Well, I don't think they kept standing. I was Phi Beta Kappa, but I don't think they told you exactly where you were in the hierarchy.

DePue: And how did you end up in your law school class?

Netsch: Number one.

DePue: Were you—had that in mind as a goal?

Netsch: Nope. Nope. I mean, I wasn't averse to it at all, but I didn't start out with that in mind, no.

DePue: What was the percentage of male versus female in the law school?

Netsch: (laughs) Well, in my class there were three women who started. Two of them did graduate but went through on a different sequence, so in the graduating class of June 1952, I was the only woman. And as Harold Washington[11] used to say—and if he didn't, I would—there were only two faces who stood out in the graduating class of—I've still got the picture in there, by the way—in the graduating class of June 1952, his and mine. (laughter)

And let's see, in the class before me, oh, one, two—I don't know, maybe three or four at most.

DePue: Well, I suspect that there were some of the men in your class who were maybe competitive and who were vying for that top position themselves.

Netsch: Probably. Some of them probably didn't like me for a while, but they didn't like me at first because they thought I had a phony British accent. That's what my beloved friends, close friends, have told me (laughs) all the years since. They thought, Oh, God, who is that woman, and where did she get that phony accent? (laughs)

DePue: What was that all about?

Netsch: I claim it's only because I speak distinctly, and I don't have the usual Midwestern taking the *–ng*'s off the end of every word or whatever whatever. I don't know.

DePue: "We're goin' to the store."

Netsch: "Goin' to the store." "What's goin' on here?" "Goin''" or whatever. Anyway, they all teased me about that for a long, long, long time.

DePue: How about your particular area of concentration, or did you have one?

Netsch: You don't really have one in law school in those days; now, a lot of the students do. But no, most of our curriculum was required.

DePue: Was there any particular type of law that you were especially interested in?

[11] The first African-American to become Mayor of Chicago

Netsch: No, not that I really came down hard on in that respect, no. I never really wanted to be a litigator, which would of course be sort of one major component of the law, and I certainly never had any particular desire to go into criminal law. So no. I actually ended up in anti-trust law sort of almost by accident because of where I went to work in the summertime after my second year and then again when I went back to that firm after I graduated. But I hadn't really thought about that. In fact, I probably would have thought it was rather strange for a liberal—I'm not anti-business, I never have been anti-business, but I might have been described that way by some—but here I was defending corporations, (laughs) big corporations.

DePue: Well, you said you had employment—or maybe you were an intern—during the summertime?

Netsch: Yes. You could get—not to the extent that happened in later years—but there were always some summer jobs available in law firms. Well, my beloved friend Harold Shapiro would tell you the only reason I got the job at Covington was because he couldn't take it. (laughs) These are things that Harold and I have fought for years about.

DePue: Is this Covington & Burling in Washington, DC?

Netsch: Yes.

DePue: How did you end up in Washington, DC of all—I would think you'd take an internship or a summer job in a Chicago firm.

Netsch: Well, it was there, and, of course, you know, it was Washington, it's government stuff, or might be. And there weren't as many summer internships here or whatever we called them in those days, that I recall. I mean, a lot of the firms just didn't do that in those days. Covington sounded like a pretty interesting place to be. It was in Washington… It turned out to be very much so. I ended up working actually that summer for probably the two major prima donnas in the entire firm, one of whom, Tommy Austern, was a primary—because they had a lot of antitrust practice at Covington & Burling—but Tommy Austern was certainly one of those who was heavily involved into it. Then Howard Westwood was the other one, and did a lot of things, including some international stuff, too. So I just ended up having marvelous things to work on, I thought. One of which—no, that was after I got back there—I was going to say was the Texas city disaster litigation, which was tort litigation, basically, in the U.S. Supreme Court. Actually, the first case that I worked on when I went back to them after I graduated and had done my political thing, which was working for Governor Stevenson's campaign.

DePue: Well, I think we're right at the cusp of that anyway. You graduate in 1952, in May, I would assume.

Netsch: I guess May, early June, I suppose.

DePue: So the [Adlai] Stevenson presidential campaign is just really heating up by that time.

Netsch: Well, I had already been hired to work in his reelection campaign for governor in 1952, and then all of a sudden it morphed into a presidential campaign. And the other, you know, most horrible part of that was (laughs) I had to take the bar exam like the week after the Democratic convention here. Of course I was totally focused on what was going to happen to Stevenson and, sort of being out on the nearby streets in terms of his potential presidential campaign.

DePue: Was the national convention here in Chicago?

Netsch: Yes. Wasn't it? Yes.

DePue: Okay. I just want to make sure it was either the state or the national convention, so—

Netsch: No, I'm talking about the national convention, which was when some of his friends really kept pushing all the right buttons and finally got him to be a serious candidate for the nomination.

DePue: That's back in the days before you had this elongated primary career where the candidates were actually selected at the convention.

Netsch: Yes, that is correct. Yeah. And he gave that magnificent speech at, what was it, 2:00 a.m. in the morning, I think. Phew, like so many of his marvelous speeches, for whatever reason, circumstances required that they be given at midnight or two o'clock in the morning or something like that. (laughs) But he then became a presidential campaigner. Those of us who were going to be working in the gubernatorial kind of—well, I used the word "morphed" again—into a part of the campaign that became known as the Volunteers for Stevenson. That was separate and apart from the National Committee part of the campaign, the purely political part of the campaign. I mean, hopefully everybody worked together at some level or another, but it was kind of separate and probably aimed more at independent voters. There weren't as many in those days as there are now, but there were plenty, and other component parts. A lot of the people in that part of the campaign were people who knew Stevenson pretty well. I mean, people like Dick Babcock and Jane Dick; Porter McKeever, who was the one that I worked for; Lou Kahn(??); Hugh Will—you know, a whole lot of people who had known him around here were heavily involved in the volunteers.

DePue: When you were working for his campaign in '52, you stayed in Illinois?

Netsch: Yes.

DePue: Your specific job, then, was what, again? Did you have a title or a position?

Netsch: I was Porter KcKeever's assistant.

DePue: Okay. And Porter McKeever was doing…?

Netsch: A lot of communications and a lot of reaching out to writers and others who wanted to be involved in Governor Stevenson's campaign. He was one of the sort of main factors in the volunteers for Stevenson, which, as I said, was probably closer to the governor than the political people who are running the political parts of the campaign, yeah.

DePue: Is this in Springfield or Chicago?

Netsch: Well, some of it at one point was in Springfield, yes, because he was still governor. People like Bill Blair; let's see, I don't think Wirtz was with him yet then; Carl McGowan. Oh, I have to think a few minutes. Yeah. They were there. Well, they were sort of everywhere, really, but he was still governor, so he had to be there a good part of the time.

DePue: What was the mood in the campaign, especially as you got into October, early November timeframe?

Netsch: Well, I think some of us realized that it was uphill, but I think there was a lot of euphoria and a lot of feeling. There was such intense feeling about Governor Stevenson. You know, here's the sort of person we've been waiting for all of our lives, and you tend to put reality aside at that point sometimes and not look at the fact that he was running against a war hero. Interestingly enough, one of the themes of the campaign, on the other side—which I think he himself recognized—*It's Time for a Change.* The Democrats had had things in effect too long. We always have to—I mean, this country sort of thrives on that; we go one way and then we go another way. I know I got caught in it in 1994; it was time for a change. (laughs) I remember the governor talking about that more, recognizing that that was a factor, I think more than some of those around him did.

DePue: Well, 1952 is also in the midst of the Korean War. I think it would be fair to say the country had much more ambivalent feelings about the Korean War than they did about World War II.

Netsch: That's true.

DePue: What were your views about that, and what was the campaign's official position on it?

Netsch: What was the campaign's official position? Goodness, you're asking me to try to remember something—I'm not sure I remember that.

DePue: If you remember anything about [Dwight D.] Eisenhower's campaign, it was: "I will go to Korea," as if (laughs) that meant something specific, but it resonated.

Netsch: Yeah, right, right. (pause) At this stage, and when you ask this question now, I'm beginning to sort of mix up a little bit the feelings about Korea and the feelings about Vietnam, which were much more—how shall I put it—vociferously expressed, I think, than about Korea. I think a lot of Korea was—my sense is it didn't capture the country and tear it apart in the same way that the Vietnam War did. (pause) Why? Maybe there was a bigger sense that we did have a stake in it. Of course technically we were not at war anyway; Truman just sent the troops in.

DePue: A police action.

Netsch: Yes, a police action. It never seemed to dominate the everyday press and everything else. Of course, for one thing, television was not as dominant then as it was a few years later during Vietnam. My sense is, it didn't overwhelm us in the way that Vietnam did.

DePue: Were you drawn, then, to Stevenson more because of his domestic agenda?

Netsch: I was drawn to him because I thought he personified everything, almost, that one would want in a public figure, and that included certainly a domestic agenda. It included the fact that he was willing to take on McCarthy, and that he was willing to stand up and, quote, "talk sense" at a veterans' convention in I think it was Los Angeles. And maybe more than anything—and this is perhaps… Maybe I felt this way at the time, too—I hope I did, but I'm sure it has become a stronger feeling since then—is that he was one of the few who really did look ahead, look down the road to see where we needed to be going so that everything was not… One of the things that just does drive me up the wall about politics today and most politicians is, it's all here and now: the quick fix, the sound bite, or whatever. My feeling was that that just was not Adlai Stevenson, that he was—

DePue: That Stevenson was a visionary.

Netsch: Yeah. Well, a visionary—yes, yes, both in terms of what ought to be, but in terms of what was coming and what we ought to be thinking about in that respect, and didn't just go after what would be popular this moment. (laughs) As he certainly demonstrated, he was doing all kinds of things, like making an anti-war speech before the American Legion convention and all of that sort of thing. So.

DePue: Okay. Mood of the campaign, then, the evening of the election when the realization hit square in the face that, okay, he's lost.

Netsch: Oh, I think there were a lot of people who were just **devastated**, who sort of couldn't believe it, that it was happening, and whether or not they could believe it, were very, very sad about it. I don't cry at things like that, I don't think, but it seemed like such a glorious opportunity that was wasted.

DePue: By that time, though, did it surprise you?

Netsch: Not totally, no. I think there were still a lot of people in the campaign who really thought he was going to pull it off. I think some of us were doubtful at that point. I don't remember what polls were showing at that time; I don't even remember, but…

DePue: I think they were showing that Eisenhower was clearly in the lead.

Netsch: Yeah, I would assume so.

DePue: So you're at the end of 1952, you've passed the bar exam, you graduated number one in your law school class, then obviously you headed out to Washington, DC, to start your law career out there. And that was at Covington & Burling?

Netsch: Mm-hmm.

DePue: Tell me a little bit more about that career, especially the first couple of years.

Netsch: Well, it was probably the most prominent law firm in Washington but had a lot of real characters in it, so it was more fun than it might have been otherwise, because we all worked hard. Alger Hiss, for example—I mean, Donald Hiss, for example, was one of the partners, and (laughs) Donald Hiss was a real character.

DePue: You mentioned Alger. There's no relation there, I assume.

Netsch: Yes, they're brothers.

DePue: They were brothers? Okay.

Netsch: Yeah. I had met Alger Hiss[12] when I was in a summer program after my first or second year of undergraduate. I was in a YWCA program which took a bunch of young people from around the country, and we all had jobs—usually pretty lowly jobs—in government someplace in Washington that summer. We all lived in a great big old house that they had rented, and the program, the people directly responsible for it were actually two Quakers. He had been in the State Department, and I think she had been, too—I'm trying to remember—but there was a very strong State Department connection. But

[12] **Alger Hiss**, a U.S. State Department official, was accused of spying for the Soviet Union, imprisoned, but never convicted of espionage per se.

they were our sort of—not patrons—what's the word I'm—chaperones, I guess you would say. But, by the way, it was a mixed racial group. This was in nineteen forty… Let's see, I graduated in '48, so it would have been probably '46 or something like that. Pretty dramatic for Washington at that time. One of the things that we had to do—not had to do, one of the things that we did do—we went around to a different church every weekend, usually on Sunday, but depending on when the service was, just to sort of see how the other part lived. The people always had to call ahead of time to make sure that the group would be welcome, because there were several African-Americans in our group. And the one that was always so shocking was the church that had been primarily Franklin Roosevelt's church—which I think was St. Thomas Episcopal—had said, no, they thought it would be better for the group not to come. That always really fried some of us, I mean, or disappointed us, I guess. Anyway, well, this is background on something else. But we had speakers every week too, usually from some part of government. They'd usually have dinner with us and then make a talk and have a discussion. One of our speakers was Alger Hiss, who was a personal friend of the two people who were running our program, who were our chaperones. So I knew about Alger Hiss.

DePue: How did he impress you, at least from your perspective of seeing him as a speaker?

Netsch: Oh, very Quaker-like, almost. Quiet, intel—

DePue: Kind of Eastern Brahmin kind of a personality? The old family, East Coast elites?

Netsch: Well, that would probably come through maybe a little bit stronger. He seemed sort of like the man who… It was a couple who were our chaperones or whatever you wanted to call them who were running our program for the YWCA that summer, and they were both—well, they were Quakers. Actually, Alger Hiss was, too, and the thoughtful, quiet, nothing flamboyant, nothing in your face, really nothing arrogant, just somebody you might think of as a dedicated Foreign Service officer. (laughs)

DePue: So did it surprise you a few years later when all of this stuff came out?

Netsch: Oh, sure. I'm still dealing with it. (DePue laughs) Leigh Bienen[13] is absolutely convinced that he was everything they said he was.

DePue: Pardon me, who?

Netsch: Leigh Bienen, you know, the wife of—because she's written something in one of her things about it. Cynthia Bowman just gave me a book on Hiss which

[13] A senior lecturer at Northwestern University School of Law and criminal defense attorney whose areas of expertise include capital punishment, sex crimes, and rape reform legislation.

may be telling a slightly different version. I haven't read it yet, though. That's always been a problem for me.

DePue: Well, I've already picked up that you were no fan of Joseph McCarthy,[14] though.

Netsch: Oh, God, no. No, absolutely not. That was really frightening for a lot of us, I mean, that he could get away with what he got away with.

DePue: I think the next subject here—I know you clerked for Julius Hoffman. Can we do justice on that, or do you need to go make this conference call here for a few minutes?

Netsch: Well, I've got, according to this, seven minutes, so. (laughs)

DePue: Well, I'll let you deal with that.

Netsch: I'll just go in and at least see what's going on. So I'm sorry, what about—oh, Julius Hoffman, yeah. Well, I knew I was going to come back to Chicago, even though I loved Covington and enjoyed the practice that I had there—partly because there were so many marvelous guys in the firm—the ones that I had contact with, anyway.

DePue: Marvelous as in were you—you know, you're a young lady out there, and were you dating any of these gentlemen at the time?

Netsch: Oh, no, no, no, no. I'm talking about people like, well, Donald Hiss, Howard Westwood, Charles Horsky, who was very well known, a raging liberal, Democratic liberal, whose patriotism was not suspect, but just a marvelous human being. These were all partners, older people. Clayton…names begin to go away after a while. Then some of my own contemporaries, we became very good friends also, including one other young woman who was there, who has remained a good friend of mine, Virginia Watkin. And Lewis Cox, who was actually Archie Cox's younger brother, and, oh, Stuart Thayer, and, you know, there were a whole bunch of us who were very, very good friends. But they were all—no, there wasn't any dating relationship.

DePue: So Julius Hoffman.

Netsch: Well, he had been the graduation speaker at the very modest graduation of my law school class—it wasn't a big event the way it is now—and so we sort of knew him. He had just been appointed to the federal bench and needed help, obviously, clerkship help, and had been talking to—I wasn't here, of course; I was in Washington—but had been talking to probably the dean of the law school and probably Harold, my classmate and good friend. The word came to

[14] Senator from Wisconsin who became infamous for his exaggerated claims in 1950 of communist infiltration in U. S. government

me that he desperately wanted a clerk, and was I interested? It was earlier than I had planned, but I knew I was coming back to Chicago at some point.

DePue: Because…?

Netsch: It's my home. I mean, my adopted home, but it's the real world, which Washington, DC is not, and if I was ever going to do anything in politics or government, you have to live in a real home in a real world. (laughs) So I guess I talked to him, and he needed somebody, like, right away. What I realized was that—because I really did enjoy my time at Covington so much. What I kept saying to myself was, If I were going to practice law the rest of my life, I don't think I would ever leave this place. But I knew I wasn't going to, so it made it easier, almost, that I didn't have much time to think about it; I had to say, bang, yes or no, one day, quickly. So I said yes and then told my major boss at the law firm, who was absolutely the curmudgeon of the entire Covington & Burling, but we got along fine, which he would not openly acknowledge. Well, he did manage to tell some people once that, "Well, she's okay; she thinks just like a man." (DePue laughs) That was his highest compliment.

So anyway, I came back. Working for him was really quite easy. I mean, number one, he gave me a huge amount of freedom. He had so many old cases that—you know, they just dump them on the most newly appointed judge—so we had all these cases. They often had motions and briefing pending and all kinds of other things that had to be worked out, so I just had a **huge** amount of work to do.

DePue: This is specifically which court?

Netsch: Federal district court, here, in Chicago.

DePue: Is that the seventh, or…?

Netsch: Well, the seventh is the circuit. It's the United States District Court for the Northern District of Illinois.

DePue: So you can tell you're talking to a non-lawyer in this respect. Sorry about that.

Netsch: Yes, right, right. But he was very nice, and, as I said, gave me almost total freedom. The one sad part was I wasn't able to get into court very often because I was just so bogged down in all this paperwork that had to be done—I mean, all the briefing and everything. We disagreed on probably one—well, that I knew of—one thing. He was pretty tough on any conscientious objectors who had not gone into service. I didn't approve of that. He was also very tough on white-collar criminal guys, people wh cheated millions on their income tax or something; I thought he was absolutely right on that. You know, there was no reason why they should get off any easier than some of the others. He was probably a little tougher on some of the more what I'd call

street criminals, although not quite as much of it in those days, because most of the crime [now] in the federal system is drug-related, because the Congress has passed more and more and more laws dealing with drugs. There was some of it. I had a rule of thumb, which was: If a defendant was a user but not a dealer, they should get a pretty light sentence, and keep him out of the bad prison. My recollection is that Judge Hoffman sometimes went along with that, I think, as I recall. So for those of us who worked for him at that time, it was a pleasant experience.

DePue: Was he an Eisenhower appointee?

Netsch: Yes, he must have been, I guess. Yes Republican, yes, no question about that. You could see certain things. He had this **enormous** respect for the judicial process, which I think was part of what led to his downfall in the Conspiracy Seven case. Could be a bit of a martinet at times, no question—well, some who know him would say not "a bit" of a martinet but a lot of a martinet at all times. (laughs) I didn't see as much of that. I think that may have kind of developed a little bit as time went on. So it was a perfectly pleasant experience, except on conscientious objectors, where I didn't approve of what he did. (laughs) But those of us who did know him knew that as soon as his name was drawn out of a hat—and as far as I know, it was literally, because they had a blind system for assigning cases in those days—and as soon as a couple of us here who knew him heard that, we said, Oh, my God, it's like—

DePue: The Chicago Seven, you mean?

Netsch: This was the [Chicago Seven] Conspiracy case.[15] It's like a Greek tragedy waiting to happen—and that's exactly what it was.

DePue: Well, it certainly made plenty of good newsprint, didn't it?

Netsch: Oh, yes. And those guys knew exactly what to do to set him off, and we knew that they knew what to do, and we knew that they would be successful in doing it. Part of it was this—which most people would never believe about Judge Hoffman—is because he did have this sense of **reverence** for the **dignity** and the **discipline** and everything of the judicial process, and these guys were out to do exactly the opposite. I mean, they could not have come from more different worlds, and there was just no way that they were not going to be able to set him off as they did. In fact, two of us, I remember, here on the faculty, after some Northwestern function, were having a drink with the judge afterwards. We tried to get across to him that he was going to be tested and tried and that it was going to be very, very difficult, and as best we could do it, saying, "Try to keep your cool." We realized that we were not getting through **at all**. And it was sad.

[15] The Chicago Seven were activists who participated in violent anti-Vietnam War protests at the Democratic National Convention in 1968. The federal trial offered an opportunity for defendants to create a media circus.

DePue: You spent your time in Washington, DC with, as you described it, the elite of the law firm out there, and then you had this experience with Julius Hoffman in these early years as being a lawyer and learning the craft. What are the lessons you picked up during that time?

Netsch: Well, number one, the main thing is to be prepared, (laughs) to do your homework, and I think to try to understand the other side so you know really what you're dealing with. Another thing I felt very strongly about, and I was often cast aside on this, is to focus on—what I used to say, go for the jugular, I mean, the things that really count. I don't mean go for the jugular in terms of ripping somebody open, but, I mean, don't spend all your time on every conceivable little issue that might be raised, that might catch on to something, but really **focus** on what the dispute is all about, something I felt very strongly about and still do. Although I must say—I remember I think it was the DuPont–General Motors antitrust case, which was going around about that time—and it was really sort of a peripheral little issue that ended up (laughs) deciding that case, and I thought, Well, maybe I'm wrong about that. (DePue laughs) I know I've always emphasized that to my students, also, when they want to know how to write an exam. I said, "Don't give me seven pages on something that is not really the heart of the question that I've written out for you, the set of facts I've written out for you. Go for the jugular; go for what really counts." I still think that, even though I saw some examples where it didn't work, (laughs) that that was a one very important lesson, a second important lesson, yeah.

DePue: Well, the next area is getting back into the political world, so to speak, with Adlai Stevenson campaign, so maybe this is a good place to take a quick break and let you do this conference call.

Netsch: All right, I'll make a call and see what's going on.

(pause in recording)

DePue: Okay, we are back after a short break—make sure that we're recording here, and we are. We got you up to 1956, and obviously because of your involvement with Stevenson's campaign in 1952 it was natural for you to go back to the campaign. Did they come to you, or did you approach them about working in Stevenson's '56 campaign?

Netsch: I don't remember, to tell you the truth. (laughs) I'm not trying to be immodest or modest or anything; I just don't remember. I very likely… I mean, I knew a lot of people who were going to be involved in it by then—people like Bill Wirtz, for example, who had been law school teacher, and John Bartlow Martin, and… But I don't remember whether I had to bring it up or whether they said, We need a research person, or whatever.

DePue: What was your role this time in the campaign?

Netsch: I was primarily the research person assigned to the speechwriters.

DePue: Does that mean that this time you got to travel the country?

Netsch: Not most of the time. I got out on, I think it was two of the trips, because I was chained to a desk, looking up, for example, how much does an aircraft carrier cost right at the moment? For some reason I always remember—Bill Wirtz, who was very much with Stevenson, and of course I knew him well because he had been my teacher—and I somehow always remember that Bill Wirtz called—I swear it was two o'clock in the morning—I was still in the office, and he needed to know almost instantaneously how much an aircraft carrier cost. (laughs)

DePue: And you didn't have that at your fingertips?

Netsch: And I didn't have that at my… I don't know how I got it, but I did somehow, yes. But in theory what I was supposed to do and I did most of the time, except it was always difficult working with the governor in this respect, as he kept writing and rewriting his own speeches up until the last minute. But I would have a draft—I mean, apart from, you know, just specific things like the aircraft carrier cost—I would have drafts that I would then presumably have to do the fact-checking on and make sure they were okay. And so I've spent most of my time in the office in Washington.

DePue: Well, that was my question. So you were working out of a DC office?

Netsch: Yeah. DePue: Was the campaign in '56, in your memory, better organized, better structured, better financed?

Netsch: (pause) I don't think I know the financing part of it; I don't know that I ever paid that much attention to it, because, usually when you're running for president, there's the national party as well as other things. I don't remember that lack of finance was a major factor. Was it better organized? Of course, I was in a sense in a small world; I was in the world of the speechwriters in '56. I'm not sure I really can answer that question. The one thing, of course, you have to remember is, what was it, less than two weeks, I think, before the election, a small war broke out in the Middle East (laughs) known as the Sinai, the Six-Day War, and it just completely blew everything up, in a sense. But nobody could do anything about it.

DePue: In the middle of '56, though, was the campaign—was Stevenson himself relatively optimistic? I mean, he's taking on a very popular—

Netsch: Still.

DePue: —candidate who's an incumbent.

Netsch: Well, I think people sort of… Don't ask me what he was thinking, because I didn't have that much direct contact with him, obviously; I was not on the top-level rung. Although, I must say, my most direct contact was, we were both on the plane flying from Cincinnati to South Bend. He was going to the Notre Dame game. We were on the smaller plane, and it was bumpy. I have a delicate balance mechanism and I was not doing terribly well, so I was back in the one bathroom on this plane, (laughs) and I realized at some point I had to get out of there. So I opened the door, and the governor was standing right there, and I must have been green or yellow or something, and he was, "**Oh, oh, you look awful**. Let me…" He got a wet cloth to put on my forehead. (laughter) You know, what a romantic (laughs) encounter with the candidate.

I didn't really get to talk to him that much. I saw him on the train once on a whistle-stop. But I don't think he ever came into the speechwriters' office, that I recall. So I don't know quite what was going on in his mind. I think everybody realized that there had been this sort of euphoria in '52 about this really very different kind of presidential candidate. In fact, I remember a *New Yorker* "Talk of the Town" or something that was written sometime after the '52 where the writer said, Everybody said that he was speaking over the heads of the population as a whole, which was his problem—Stevenson's problem. So this guy had gone around New York City and was asking this taxi driver, and this taxi driver said, Oh, he thought he was marvelous, but of course he was speaking over everybody's head. And then he talked to his, I don't know, his garbage man or his whatever, whatever, whatever, and they would all say the same thing. "Marvelous, absolutely. I was so impressed with him, but of course he was speaking over everybody's head," (DePue laughs) which was always kind of hard to sell. What was your question? I've forgotten what the question is.

DePue: Well, I've changed the question just a little bit. What was the mood of the campaign itself? And I think—

Netsch: Oh. Well, I think probably everyone realized that it was tougher. We'd lost that incredible euphoria of '52. Eisenhower was an incumbent— incumbents are always tough to take on—and a well-liked person. And we were not really quite as heavily involved in war by then. (laughs) And then probably the Sinai war broke out literally within—I know it was within two weeks of the election, I think it was—and, you know, a general was in the White House. That's a pretty tough thing to deal with. The Democrats had always carried the albatross of being soft on war things, sort of not military enough and not tough enough on the rest of the world and that kind of thing. So I think probably most everyone realized it was a tougher race.

DePue: Did the experience in '52, then again in '56—obviously Stevenson lost that campaign in '56—did that temper your own personal political ambitions at all?

Netsch: No.

DePue: Or did it whet them?

Netsch: No. (laughs) No, I suppose if anything it confirmed that people who cared enough really needed to get into the process. I was and remain a devoted supporter of Stevenson, and terribly sorry, but, you know… In some ways I've always been maybe a little more realistic than some people who were kind of on cloud nine about a candidate. Just to illustrate that: In 1960, I was pretty sure Stevenson was not going to get nominated, although I must admit at the last minute I went out to Los Angeles to work in the last business before the nomination. But my sort of realism told me that he'd had his time, and unfortunately it had passed. It was very sad because he was an extraordinary person, but you had to live with that and move on. Some of the people who were there working for Stevenson in 1960 not only believed up until the last minute that he was going to be nominated but even believed after it was over that he was just that far away from being nominated in 1960.

DePue: Had not been convinced that [John F.] Kennedy was the guy to take up the banner?

Netsch: No, no. I understood it. I mean, I found it, as I said, very sad because I thought it was such an incredible missed opportunity. But that happens.

DePue: I think it was about this time—you had mentioned early in your life you had flirted with the notion of diplomatic corps, and you said, Well, maybe that's—

Netsch: Foreign Service, yeah.

DePue: Foreign Service. Was this a point in time when you were interested again in going into the Foreign Service in some way?

Netsch: No, no, I put that aside. I figured I'd taken a different direction. (laughs)

DePue: So I had that out of the chronological line here for your life, I guess. Did you then return back to law practice after that?

Netsch: Let's see, after which, now? After '56?

DePue: After '56.

Netsch: Yeah, yeah, I came back here and went to work at the Chadwell firm. Well, I should say what I really wanted to do and tried to do was, I wanted to go to the Middle East for a year. That has always been the part of the world that has interested me the most: A, for its archaeological/historical side, and B, because I'd always said that if there's going to be a third world war, it's going to start there, and I want to know more about it.

DePue: Well, I guess that's why I was thinking that you were looking into going into diplomatic service.

Netsch: No, no.

DePue: What did you intend to do if you went to Middle—

Netsch: Anything that would pay me enough to live. I talked to, like, the people who run the American University in Beirut, the American University in Cairo. One [member] of the speechwriting group had worked for Aramco[16] and so had lots of ties into that part of the world. He would try to think of some things and maybe send me to talk to a few people once in a while. But he was one of those who said to me—this was right after the Six-Day War, after the Sinai War—"Dawn, we're pulling our people out of that area right now. Why would we send in someone like you who has no experience there, no background there," et cetera? But we tried a whole bunch of things, and finally I had to give up; there was no way I was going to get to the Middle East.

DePue: But the places you mentioned are part of the Arab world; they're not part of the Jewish world. Where were your sympathies in that regard?

Netsch: Well, my sympathy was to get the gosh-darn thing settled. (laughs) And it's always been that way. I know I can get mad at the state of Israel one day—right now, for example, I don't blame Biden and Hillary Clinton[17] for—

DePue: Because right when Biden's taking a trip to Israel, there's talk about building new—

Netsch: Sixteen hundred new housing in East Jerusalem, yeah. No, but I'd always been fascinated by this, and by the fact that in some ways, the—I mean, even though they all come out of the Semitic background, they've been doing battle for a long, long time. I've also always believed—and I don't consider myself enough of an authority to stand too far on this—that one part of the problem is the fault of the West, not surprisingly, because we played games with that part of the world. You know, the Balfour Declaration,[18] and, you know, what we did—

DePue: Stuff from the First World War especially.

Netsch: Yes, yes. All I wanted was peace (laughs) in that area, and that meant it had to be peace on both sides. I mean, like it takes two to tango, it takes two to make

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[16] Arabian American Company – oil drillers and extractors

[17] At the time of the interview, Joseph Biden was U.S. Vice President and Clinton was Secretary of State

[18] Balfour Declaration of 1917: a letter from Arthur Balfour, Britain's Foreign Secretary, on "the establishment in Palestine of a national home for the Jewish people."

peace. But it interested me; I wanted to be there. Later, I even started taking Arabic lessons.

DePue: Have you ever had a chance to travel there?

Netsch: Well, no, just on vacations—

DePue: Okay, so you—

Netsch: —and mostly in—well, Egypt, Algeria…Tehran, Iran.

DePue: What year was that?

Netsch: Afghanistan, then moving farther west, yeah.

DePue: What timeframe did you go to Iran and Afghanistan?

Netsch: Well, that would have been in—I actually drove the Khyber Pass, believe it or not.

DePue: Oh.

Netsch: That's because we couldn't get out of Kabul; the place was fogged in.

DePue: Does that mean you've been in Pakistan, too, then?

Netsch: Oh, yeah. Well, we were on our way to Pakistan; we had to meet a young Peace Corps guy who had worked for Walter [later, Netsch's husband] at one time in Lahore. We had no way of contacting him to let him know that we couldn't get a plane, because they (laughs) wouldn't fly. I don't blame them; you had to go through this narrow mountain pass to fly into Kabul at that time. I said, "I'm not going to argue with the pilots about not taking out." So we finally had to hire a car with another couple who wanted to get to Peshawar or wherever. So we ended up driving the Khyber Pass, ha-ha, which, you know, it's sort of fun to be able to think about it. I don't think I'd try it now.

Clearly it's not a question of being—I mean, obviously, like any good liberal, Democratic American, I'm pro-Israel, I want Israel to be protected and preserved, but I was always a little more understanding of the fact that it was doing terrible things to a lot of other people—even the foundation of Israel, that is, the creation of Israel. You know, there were all these refugees who are still refugees, what?, seventy years later or something, and that the only way you were ever really going to get to have a peaceful Israel and a peaceful—the way the rest got carved up, however it was going to get carved up—was to get them to the peace table and get things settled.

DePue: Well, that's a little bit away from our narrative, but it's a fascinating footnote, shall we say, in your life here. Let's go back to the law practice, then.

Netsch: Oh, yes.

DePue: And you said what law firm?

Netsch: Covington & Burling.

DePue: So you returned in ’57?

Netsch: Oh, no, wait, here? No, you mean when I came back to Chicago?

DePue: Yeah.

Netsch: No. Well, it went through several names. Chadwell, Keck, Kayser, & Ruggles I think was its—no, it started—it was Snyder, Chadwell, Keck, Kayser, & Ruggles, (laughs) and then it was Chadwell—I mean, you know, went through… I must say it’s primarily known as the Chadwell firm because he was the best-known partner, really.

DePue: Did they specialize in any type of law?

Netsch: Very heavily in antitrust law. And a lot of—

DePue: Okay, so antitrust again.

Netsch: Yeah, a lot of food and drug law also. But I got in—well, one of the persons who worked with them, which was obviously a major connection, was Jim Rahl, who had been my antitrust instructor at Northwestern and was someone whom I dearly loved and admired. He did work for them, you know, legal memos and various and sundry things, even though he was a full-time faculty member here. So that was clearly (laughs) what I was getting into, antitrust, when I went there.

DePue: Did you have a natural affinity or feel that way about antitrust versus some of the other areas of the law, or is that just a matter of that’s what the firm specialized on?

Netsch: Yeah, and I had done a fair amount of antitrust when I was at Covington & Burling with both Tommy Austern and one of the other partners. So I had some background in it, and I found it an interesting area, even though it’s one that I should have been (laughs) totally antagonistic about. Not really, but… Because, you know, most the time we were defending big corporations.

DePue: Okay, so you were on… I guess I’d assumed you were on the other side of the discussion.

Netsch: No, that would be almost always the government prosecuting, although there’s some private antitrust enforcement also. No, in the large law firms, you’d be mostly representing the companies, the corporations.

DePue: Did you get involved in Chicago politics at the time as well?

Netsch: Well, not so much Chicago politics, but we were still trying to keep the Stevenson legacy alive, and really I would say the Committee on Illinois Government was still pretty strong at that time. It sort of grew out of Governor Stevenson's gubernatorial tenure, and it had been formed in about 1954, just actually a little bit before I came back here when I did the clerkship. It kept going, and it basically was designed to try to keep good government alive at the state level, and—

DePue: So very much an inspiration of the [Adlai] Stevenson [II] campaign.

Netsch: Oh, yeah, very much. Most of the founding members had had a chance to work in the Stevenson administration. People like (laughs) Dan Walker, interesting enough. Newt (Newton Minnow?) to some extent was a founder. Ab (Abner Mikva?), Jim Clement, Harold Shapiro—oh, I could—Peter Dannon(—whole bunches of them. Sort of the liberal issue-oriented people, the wonks, if you will, of the Democratic Party, who basically had no particular home in the regular Democratic Party. I mean, we were not especially welcome there, but we were more issue-oriented anyway. So they had formed that, and we played a role actually in [Otto] Kerner's election, provided a lot of the issue ideas and programs and proposals. What was the year that Austin at the last minute became the gubernatorial candidate? Well, that would have been '56, I guess.

DePue: What's the first name there?

Netsch: Austin, Richard Austin.

The—oh, the construction company. Oh boy… I'll have to look it up.

DePue: We can try to get that in the transcript.

Netsch: Yeah, had been nominated for the Democratic candidate for governor, and then there was a scandal—nothing like some of today's scandals, but a scandal about—I think a fund that he had used and not used properly, and so he resigned. And this was very late in the process, like, as I recall, in September, and then they put in Richard Austin, who was a—I think he was still a judge at the time. And, you know, who was going to help him kind of frame his campaign issues and his program and all? **We** did. When I say "we" did, the Committee on Illinois Government. So he was eternally grateful for what we were able to do.

DePue: Awfully tough, though, at that stage in the campaign, to go on to victory, and obviously Stratton won that campaign.

Netsch: Yes. Well, and especially when you get in that late, and there was a little bit of a scandal to go with it. But he did have some good programs, though, which

we had fed into him. As I said, he was very grateful. I don't know how grateful the Democrats were, but… (laughs)

DePue: You mentioned Dan Walker. What I'd like to have you develop a little bit more is what you had mentioned, that you're not part of the party establishment, if you will. Most people, when they hear that kind of terminology, are thinking, Okay, she's talking about the Chicago Democratic machine; she's talking about Daley's machine. But that's awfully early in Daley's administration. Did you see yourselves at that time as independents? Can you flesh out that story a little bit, especially the friction that might have existed between the two sides?

Netsch: Yeah, I think we did. It may not have been as totally defined. But a lot of it had to do with sort of the political machine versus the policy side, and most of us were more interested in the substance, programs and policies and legislation and that sort of thing, and were never really particularly welcome in the machine, which was pretty strong at that time. I mean, there weren't many places in the city—maybe a little bit in Hyde Park and a little bit on the lakefront up here—

DePue: Well, it's interesting to note that even—'55 was the mayoral campaign that Daley came in on his first administration—but even then, he was able to call the shots and pretty much bring an awful lot of people in on his coattails, it sounds like.

Netsch: You mean into the council or into…?

DePue: Well, let's say the slate of candidates that he favored as aldermen, for example.

Netsch: I'd have to go back and look at that. I don't really know what he was doing in terms of aldermen, because he was just barely getting there himself at that time.

DePue: Well, part of that is—

Netsch: Now, some of the independents probably at that time would have been supporting somebody like Bob Merriam, who was Daley's first opponent, I believe. Was that '55? I think that was the '55 race, yeah. Merriam, of course, was the kind of person that folks like this were interested in, and he didn't seem like a Republican to most people anyway. But as Committee on Illinois Government began to develop, it was more interested in trying to find a home so that people would pay some attention to why you get elected (laughs) and what you're supposed to do with it. There was no staff at that time, really, in the state Democratic Party or the Cook County Democratic Party, which was really the essence of it at that time. As far as any of us could see, there was no research, no programmatics. I mean, they do a platform at the convention every year or something like that, but they were there to win elective office,

(laughs) and they weren't quite sure what happened afterwards. So the people who came out of the Stevenson administration, of course, were much more interested in what you do when you get into office. What things need to be changed, and how do you go about doing them, and that sort of thing. So we were doing all of this research stuff, and they would use it once in awhile.

Actually, one of the Daley regular Democrats—his name will come back to me in a minute—who was the Democratic leader in the House back in those very, very early days, also turned to some people in the Committee on Illinois Government and made use of some of our ideas and proposals. So it wasn't so much a confrontation as it was, we were just on different wavelengths, really. In fact, one time, we needed some money to be able to publish our…

I've got a couple of our things in there, and one was a nice, big Democratic—what'd we call it?—a Democratic program or a Democratic agenda that we wrote in 1959 and called our Democratic Program for 1960, I think. And we covered things like transportation, toll roads, mental health, FEPC-type [Federal Employment Practices Commission] things, discrimination, et cetera, et cetera. We laid out backgrounds. A lot of it always was anti-Stratton.[19] I mean, no telling how bad he'd been on some of the things, but then, going ahead and proposing things that we thought ought to be done.

One of the things, of course, we started almost from day one was, we need to have state income tax, which we did not have in those days. We would explain why that was necessary et cetera. But we weren't trying necessarily to impinge on their territory. Oh, sure, there were a few independent Democrats who got elected. Well, Ab Mikva, Bob Mann… Let's see, within the city (pause) well, probably a couple that I'm forgetting at the moment. But that was not the main thrust.

As I said, at one time, probably at the time we were trying to publish our Democratic Program 1960, we needed some money, and so two of us got designated to go see "da mayor.", Jim Clement and I. We went in basically to tell him what we were doing, how we were helping Democratic candidates, and the fact that we needed some help and support. It was one of the most fascinating experiences I've ever had. It was just like sitting in front of the Great Buddha. There wasn't a sign of anything except this very large person sitting there. Jim and I used to laugh about it afterwards. What happens when you're getting no response, you know, you start talking a little bit faster and (makes speedy speech noises), that sort of thing. We sensed that was happening. But finally somehow we hit on the word we needed the money to publish. Immediately he responded. That was something he understood. You've got to have campaign posters, you've got to have palm cards. I don't

[19] William G. Stratton, Republican, two-time Governor of Illinois

know what else you have to have. But just somehow the idea of helping to pay printing costs was something he absolutely responded to.

DePue: Because he has a fiscal background.

Netsch: Well, he does have a fiscal background, too. Yeah, that's true, because he'd been the revenue director for Stevenson. So we actually got some money for it. The antagonism sort of built up over the years after that, where it became sort of an anti-every—or, I should say, the independent liberal Democrats became more motivated by the anti-machine thing rather than just carrying on the Stevenson direction. The other thing that was formed at the time—I know I was told by somebody that I had more of a role in it than **I** think I had—and that was the Democratic Federation of Illinois. That was the one that Dan Walker[20] was very, very heavy into, and I think it was probably one of the main factors in founding it with Victor DeGrazia and a few others. It was intended to be more of a political action group.

DePue: To identify candidates that might be able to take on the machine, then. Would that be fair to say?

Netsch: Well, maybe that, yeah, or—

DePue: I think it was in Walker's mind that that was what it was.

Netsch: Yes, and get involved in some of the campaigns and all. Yes. And we, meaning the Committee on Illinois Government, remained basically a sort of a research policy group until we finally faded out many, many years later.

DePue: Tell me your impression of Dan Walker during those years.

Netsch: I had known him in law school, by the way, so we go back a long, long, long, long time, and I think he was—

DePue: He was one of those ambitious guys coming back from the war.

Netsch: Yes, he was. Yeah, he really was, I think more so than I realized until much later. And more (pause) —well, you used the word "ambition"—more sort of aggressive, more… Because he didn't seem like that as a person, particularly, but I think in terms of his agenda and all. I think DFI was very much that way. As I said, I don't remember having that much to do with DFI, although somebody told me I was wrong, that I was listed as a founding member or something once. But a very, (pause) I was about to say in-your-face approach. I think that slightly overstates it; I don't think Dan was quite that way in the early years, but it was more of a "them and us" or "them against us" approach, I think, than a lot of us in the Committee on Illinois Government were taking,

[20] The Illinois governor, a Democrat, who made history later by beating the "Chicago machine"

because we weren't necessarily running for office; we were trying to get some substance (laughs) to those who **were** running for office.

DePue: Do you remember him from your days working on the Stevenson campaign? Because I believe he was involved in the Stevenson campaign, too.

Netsch: No, he was not in my particular part of it. I'm trying to remember whether we ever crossed paths, because I would have known him by then because I knew him in law school. But I don't remember seeing him in the Stevenson… Was he actively involved in the campaign? If so, he was probably working out of Springfield.

DePue: Yes, and I can't recall the specifics of it and how deeply involved he was. I know he was a strong supporter—

Netsch: Oh, sure, yes.

DePue: —and obviously that manifests itself in being in the Committee on Illinois Government, and the same thing that you said, to carry on that tradition that Stevenson represented. Okay.

Abner Mikva[21] was another one that did emerge and was able to get political office. Your reflections on him during those days.

Netsch: Oh, well, Abner was just very much one of us and very bright, very policy-oriented, very substantive. Pretty good at politics. Of course, in those days, the early part of it, you can't put too much of a score on, because we had election to the state house by cumulative voting and multi-member districts, and you had bullet voting[22], and it was possible to get an independent Democrat elected from time to time. Of course Abner was one of the very early ones in that respect. But he was somebody that we all felt very comfortable with and felt was just great in every respect, and has remained so—a very close friend still.

DePue: I read in the book here—we should say that just within the last couple months, there's been a book published, and you referred to the author a couple times here earlier, Cynthia Grant Bowman—*Dawn Clark Netsch: A Political Life*—and so reading during the time we were taking a break, that you had an opportunity to go to the 1960 Democratic convention, maybe not as a delegate, but you were there. Do you recall that?

Netsch: That was the Jimmy Carter convention.

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[21] Mikva served in all three branches of the federal government: Congressman from Chicago, federal judge, and White House counsel under William J. Clinton.

[22] Each district elected three representatives and each voter was allowed three votes, divided among two or three candidates or all given to one. Giving all three votes to one representative was called "the bullet vote."

DePue: Sixty.

Netsch: Oh, 1960.

DePue: Yeah.

Netsch: Oh. (pause)

DePue: It would have been the Kennedy convention. Were you there during the time that there was still the buzz about Stevenson.

Netsch: Oh, I was working. Yes, yes. Well, I was working for—wait a minute, 19—no, 1960 was—right, that was the Kennedy thing, and the convention was in Los Angeles, yes. I wasn't even going to go for a long time because that was the one where, sadly, I sort of felt that it wasn't going to be Stevenson. But I think so much of him, at the last minute I just couldn't stay away. So I went out with all the rest of them, and we worked in our little headquarters there in Los Angeles. No, I was not a delegate, though, absolutely not.

As a matter of fact, two people I met at that time, briefly. One was Mrs. Roosevelt, who of course was a **very** strong Stevenson supporter. She came into the headquarters at least once, I think maybe twice, and spoke to everybody a little bit. And then the other one, which was really funny, was when… You know, the candidates all had to go around to all of the delegations because this wasn't all decided beforehand in primaries. And right next to where the Stevenson offices were—which were relatively modest, in whatever hotel it was—as I recall, it was the South Carolina delegation. One day I just happened to be in sort of a back office of the Stevenson thing, and the door opened, and guess who was standing there? [John F.] Jack Kennedy. He was trying to avoid going out the front door of the South Carolina delegation where the press would all be waiting for him. So he saw this door, and he didn't know where it led, so he came into there. (laughs) I said, "Well, Senator Kennedy, welcome to the Stevenson headquarters." (laughs) He was very gracious about it all, and somehow we got him, you know, back through our maze of little offices and out comfortably.

DePue: I was waiting for you to say Strom Thurmond.

Netsch: Oh, no, no. Interesting, yeah. I assume he was staying indoors in the delegation. No, this was Kennedy, so. But it was funny that he (laughs) opened the door and he was in the Stevenson headquarters. But no, I was not a delegate, I just was there like the others working. And as I said before, feeling a little sad about it because I had so wanted this really quite unique, remarkable person to be president, and it was pretty clear he was not going to be.

DePue: After that convention were you able to gain some enthusiasm about Kennedy's campaign?

Netsch: Yes. I don't remember how active I was in the campaign, but yes.

DePue: Did you become involved in Otto Kerner's campaign.

Netsch: That would have been 1960.

DePue: Correct, same year.

Netsch: Yeah, so I think probably that's where a lot of our time was spent. I'm trying to get these dates back in some order now, because we were working a **lot** with Kerner. When I say "we," I mean the Committee on Illinois Government, because we had all these research papers, if you will. They needed them because there was no state party that did that sort of thing in those days, really, and so we did feed a lot of things into Governor Kerner. And we met with him, I don't remember how many times—some probably met more than others—but I do remember a couple times that we were meeting with him and going over some of the issues that we had spent time on.

DePue: Okay. Well, I assume that there's something that caught the attention of the Kerner folks that you were brought on board right after he was elected.

Netsch: I think it was more the other way around. We decided when he was elected that there needed to be somebody there to look out for the substantive program, to help make sure that there would be a lot of these good things that would be proposed; we weren't sure that there was that kind of a staff backup.

I almost literally remember this day. We were sitting around our very small office, the Committee on Illinois Government. And who was there? I don't know. Jim Clement, probably; Jim Moran; Harry Goulter; Vic deGrazia; Peter Damm and myself, et cetera, et cetera;, and Adlai—young Adlai, I mean. We realized we needed to have somebody on the governor's staff. So it was almost as if everyone looked around the room, and they either were married and had responsibilities or were at a critical point in their legal careers or something, and they suddenly looked and me and said, "She hasn't got any responsibilities. She's it." (laughs) So I sort of became the elected person to go to Springfield. Then they had to talk to [Theodore "Ted"] Isaacs and Kerner to persuade **them** that they needed some additional help; I was not in on those conversations. I can't remember who did—(considering softly) were there other people we were bothering? I guess not—I can't even remember who did actually make the contract with Isaacs and the governor, but they agreed. So I was (laughs) the chosen one to go to Springfield.

DePue: At a time when the governor's staff was **tiny** in comparison to what it is today.

Netsch: There were like five people.

DePue: This is probably a pretty good place to stop for the day, because we had agreed to go a little bit beyond four o'clock, and we are definitely beyond four o'clock.

Netsch: Yes, that's great. Oh, yes.

DePue: So we're going to pick this up again tomorrow at 9:00 o'clock, and I'll have a little bit more time to read up on your experiences with the Kerner administration before we begin again. It's been wonderful, I appreciate the time, and I guess we'll close with that.

Netsch: Okay. Whew!

(end of interview #1)

Interview with Dawn Clark Netsch

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Interview # 2: March 20, 2010

Interviewer: Mark DePue

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DePue: Today is March 20, 2010. It's a Saturday, and we're in the residence, the home, of Dawn Clark Netsch. Good morning.

Netsch: Good morning.

DePue: It's delightful to be here with you this morning. It was fun to take a quick tour of your home here and see all of the influences of Walter.[23] We'll talk a little bit about Walter today, but we have quite a bit to talk about first about your experiences with Governor Otto Kerner. I think we left off yesterday with basically the process in which you ended up working with the governor, which was a good story; I liked that.

[23] Walter Netsch, her husband, a well-known architect

Netsch: (laughs) Yeah.

DePue: So let's start—

Netsch: They didn't come after me; we went after them in a sense.

DePue: Yeah, not exactly what I was thinking I would hear, but that's why we do these things. Tell me about Otto Kerner, his personality—let's start with that.

Netsch: **Very** sort of laid back in a sense, very gentlemanly, really soft-spoken, sort of deliberate, very gracious. Well, that's a pretty good description of how he comes across, I think, to a lot of people. I don't remember that he ever raised his voice or shouted at anyone. I actually cannot even remember his getting angry, at least in my experience with him.

DePue: A lot of things you read about Kerner, they at least mention his military experience; he was a general in the Illinois National Guard at the time.

Netsch: Right, right.

DePue: Did he have a military bearing?

Netsch: I don't know that I would have thought of it as military. I suppose in the sense that, you know, he held himself well and all of that. I guess I would think of a military bearing as being something maybe a little more—(laughs) I will regret saying this—in your face, and he didn't come through that way at all. But there was certainly something **very dignified** which I think probably might fit in with the military. He was a presence, but not a flamboyant presence in any sense of the word, and not one that sort of came after you, was in your face, or sounded terribly authoritarian.

DePue: Would you describe him as being charismatic?

Netsch: I'm not sure I would, because he was a little bit too laid-back and soft-spoken, I think. It wouldn't be my definition of charismatic.

DePue: You also hear mentioned—

Netsch: But a pleasant appearance, which is different from the—"charismatic," you think of somebody who just envelops a room. You know, it's interesting. I'm trying to remember—I didn't really see him give speeches to large groups very much during the course of—certainly not during the years that I was working for him. I'm trying to think even in the campaign that preceded, and I don't remember a lot of those occasions, so I (laughs) have no clear idea of how he would come across in speaking to a large crowd.

DePue: He's also described as a handsome man, but good for television.

Netsch: I think he probably was, yes. Not probably, he was.-

DePue: Okay. How about his political philosophy, his outlook?

Netsch: Well, it's interesting. It's nothing that came sort of smashing through. You don't identify, or at least I would not have identified him with being a clear conservative or a strong liberal or something of that sort because so much of it was within him, it seems to me. The one place where I probably saw it most—although I must say he felt very strongly about, oh, something like the sanctity of the judicial system and independence of the judiciary—and I saw that because we were in the process, while he was governor, of changing some parts of the judicial code, much for the better. We didn't get rid of the election of judges, but there was major restructuring in the sense of the judicial code in which I thought he was very, very interested. Probably the thing that he had the most impact on that I'm not sure everyone would have associated him with was civil rights and civil liberties; he obviously felt those things very strongly. We saw it in several ways. Number one: legislatively, we got the first Fair Employment Practices Commission law passed, which was a real major breakthrough. (laughs) It doesn't sound like much in retrospect, but it was.

DePue: What exactly did that accomplish, then?

Netsch: Well, it was the first time that employment discrimination based on race or ethnicity was not legal, was illegal, in the state of Illinois. Almost every—

DePue: How about sex?

Netsch: No, we did not have sex initially, I think, because that was not as big an issue then. We hadn't even gotten to the race issue (laughter) at that time. We were probably about the last northern state—northern, reasonably industrial, reasonably liberal state—that passed FEPC. So that was a **big** breakthrough. Then we went through an **unbelievable** series of events in making the appointments to the first FEPC. Gee, I'd forgotten about all of that. He was very good in really reaching out for some people that would have made that first one work well, which of course was very important. One of them got turned down by the Senate, and I was the one who was involved in all of that; I remember being with the person after the Senate had voted him down. He said, "You know"—Earl Dickerson, it was—they can't hurt me, not after my long career." Because he'd had a long, distinguished career by then. But, oh, what a traumatic and emotional experience it was, really, trying to get good people onto that first FEPC. Then, actually, after that, the question was whether we would go after housing discrimination, which, of course, is **much** more sensitive.

DePue: Especially in a city like Chicago.

Netsch: Yeah. Well, a state like Illinois. We did support it, and did not make it. I mean, we didn't get that passed. That wouldn't have been the same year, so it was either the second year of that legislative session, or it might have been the second session that I was there working.

DePue: Which would have been 1963, I think.

Netsch: Yes.

DePue: Do you recall how the sides lined up in the housing discrimination issue? Was it strictly partisan, or was there a break in the regional as well?

Netsch: Oh, very much regional, too. The one that I remember specifically—I don't know why, I guess because he and I talked about it so much afterwards—Bill Redmond, who was from DuPage County, a House member who later became Speaker of the House for quite some period of time, and a very, very marvelous, decent guy, but from DuPage County. I remember (laughs) being literally on my knees by his desk (DePue laughs) when the vote was coming up, **begging** him to vote for the fair housing, which is what it was always known as—fair housing. We both remember afterwards, although obviously I'm not sure what made me say it at the time, but I said, "Vote for fair housing and I'll make you Speaker someday." (laughter)

DePue: As if you had power over it.

Netsch: As if I had any power to do that. We laughed a lot about that later. But, you know, even for the suburbanites—of course there were a lot of them then because we had the multi-member districts and cumulative voting, so there were people like Bill Redmond and Glenn Schneider and Harold Katz later and some of those—they often were more liberal than, well, certainly than their Republican counterparts in the same area, and also more liberal than some of the city Democrats—

DePue: Well, I was going to say—

Netsch: —who tended to be pretty conservative.

DePue: —that there is a block of people who were very close to [Richard J.] Daley who I would imagine at that time were very strongly opposed to some of those issues.

Netsch: Had real problems. My recollection is—and I haven't gone back to look at the roll call since we did it, probably—that on the FEPC, probably we got a fair number of the Chicago ethnic Democrats; on the housing, no.

DePue: Do you know what it was about Otto Kerner's experiences and background that caused him to be very empathetic towards civil rights issues?

Netsch: (pause) No, I'm not sure I do know. He came out of basically a Czech Bohemian background, which would not necessarily have led in that direction. I can't imagine that his military background—and the military was a very important part of his life and his being, I think, there's no question about that—and I think that's one reason why Ted Isaacs was such an influence in his life, unfortunately. Of course, I knew nothing about his father. I mean, I didn't know him, although I gather he was a rather admirable person. Maybe it came from that. I literally do not know.

DePue: Yeah. Certainly his World War II experiences would have been in a segregated Army—

Netsch: Oh, absolutely.

DePue: —but then, of course, after the war, Truman integrated the military. I don't know to what extent that was going on in the state of Illinois. That took later in many states, I know. Okay.

How about this question: Would you describe Kerner as more of a politician or more as an executive who wanted to get things done once he got to office?

Netsch: Executive. I wouldn't have any hesitancy in saying that. I suppose anybody who'd gotten that far is a bit of a politician, but he did not come through as a heavily political type. And some of what he'd done—you remember he'd been the county judge—a lot of what he'd worked with was with the mentally ill, because all of those who were being committed or questions or whatever went through the county judge in Cook County, and so that was something he'd had a **lot** of experience with and was obviously **very** empathetic to. I thought of him more in connection with a lot of those things. He was marvelous. You know, we had a very dramatic, innovative legislative program, and he loved (laughs) all of this stuff.

I think I may have mentioned before that one of the things that he was well known and respected for at the time was his willingness to stand up on a lot of the both civil rights and civil liberties issues, though he was much more sort of interested in things… One of the other things that was very important, because we didn't pass as much as the non-discrimination as we would have liked—we got FEPC, but we hadn't gone beyond that—and one of the things that he did that I was heavily involved in working on, with Roger Nathan at the time, who was—oh, dear, what did… We had a commission whose name, of course, I've momentarily forgotten, and Roger was just great on all of this also; the two of us sort of worked on an executive order, which the governor wanted and signed, which basically prohibited discrimination in any public services or anything that had public money in it. We could do that. We couldn't affect the private sector without legislative authority, but in our judgment, the governor **could** say, as the chief executive of the state, "We will

not administer any of our programs in any way—whether it's scholarships or education funding or health funding or whatever it might be—we will not administer any of it in a way that discriminates on racial or ethnic grounds. That executive order got a lot of attention when it was promulgated.

DePue: Recall the year that was? (pause) Sorry to put you on the spot here. (Netsch laughs) It would have been in his first term, though?

Netsch: Yes, yeah, because I was not there in his second term.

DePue: Well, I think it's worth mentioning that those first four years—I mean, all through this timeframe—this was a very busy time for the civil rights movement in the United States as well.

Netsch: Absolutely.

DePue: We're talking about the era of sit-ins, of the Freedom Ride, of the emergence of Martin Luther King in the late fifties, and he's getting more and more prominence during this timeframe. So is that part of the response to that civil rights movement, you think?

Netsch: Oh, well, yes. It was tough to get anything passed legislatively; some of the non-discrimination things were simply not going to be put into law. For whatever reason, Illinois was not quite ready for it yet, I guess. But Kerner felt these things very strongly, and this was one way of doing it. We couldn't do everything, but where something could be done, he was gung-ho for doing it.

DePue: And it sounds like in a couple of cases, Illinois beat the federal government in terms of legislation.

Netsch: I think that's right.

DePue: The Civil Rights Act I think was '64; the Voting Rights Act—

Netsch: Well, that's right. Yeah, yeah.

DePue: —was '65, I believe, so. Okay. What was the relationship like that Kerner had with the black community, especially up in Chicago?

Netsch: Well, I probably didn't see much of it, because I was sort of focused and embedded, if you will, (laughter) in Springfield on things that involved state legislation and administrative agencies and all of that, so I was really not out on the streets with him at all in Chicago. I can only sort of speculate. I don't think he developed what you would call a close sort of intimate relationship with very many folks. I would say—

DePue: Period.

Netsch: Yeah. I would say the same thing about his relationship with Daley. I think it was cordial most of the time, although I do remember one day he was mad because Daley was trying to do something that had to do with fiscal policy; he never bothered to consult the governor about it beforehand and was pursuing legislation, and that was very awkward. It's interesting; I'd kind of forgotten about that. But anyway, I think it was cordial, respectful, but not a close relationship. That's my impression. And my sense is that may well have been the same thing with respect to major figures in the African-American community.

DePue: What was the organization of the inner circle, if you will, the governor's office?

Netsch: (laughs) It wasn't much of a governor's office in those days. I am **absolutely always spellbound** about the number of people who seem to be required to run it these days.

DePue: Jealous, to a certain extent? (laughs)

Netsch: Well, yeah. I worked my tail off because I had about sixteen different responsibilities, and each one of them was (laughs) sort of a full-time job. I once semi-joked when I was looking at the governor's office some years after I had been there. I said, "You know, there are now fifty-four people who did what I was supposed to be doing when I was there." It was a very small structure. There was somebody who was usually sort of the chief of staff. For a good part of the years that I was there, it was Bill Chamberlain, although, let's see, Bill didn't come in immediately, but he was there part of the time. Oh, Bill Rice, it was, I think, who came from the—went back to the University of Illinois.

DePue: What was the last name, Ryson?

Netsch: Rice.

DePue: Rice.

Netsch: Dick Thorne was obviously—Richard Thorne—was very, very important. He was the communications, press secretary, (laughs) advisor, et cetera, et cetera, et cetera. And, let's see, then there were a couple of people who worked with and under Dick Thorne: Bill Feurer, who became a lawyer and very prominent in Springfield, and his secretary, his scheduler, who both sat outside of his office.

DePue: And one person you haven't mentioned yet—and I don't know if he had a formal role—Ted Isaacs.

Netsch: Oh, no. Ted was usually—I think his formal role was director of revenue or something like that. I think that's the title he carried most of the time and did.

But Ted, obviously, was **the** most influential person, but he was not part of the staff in the sense that he interacted with most of us. Maybe a little bit with Dick Thorne because Richard had been with the governor a little bit longer; I think probably Ted talked to him sometimes, but he just didn't talk to any of the rest of us.

DePue: Well, it mentioned—

Netsch: And then, by the way, somebody that came on later on and helped out a lot on substantive things was Norton Long, who was an academic; (laughs) Norton was quite a character also. But pretty much the same problem. I mean, Norton used to get very frustrated also about the fact that we just never knew what Ted was advising the governor because he never bothered to talk to any of us to speak of.

DePue: It was mentioned in the book about you here that I was reading last night that Isaacs had the back door that he got into the governor's office—

Netsch: Yeah.

DePue: —so he could circumvent all of you folks. Tell us a little bit more about Isaacs's and Kerner's personality and that personal relationship that the two men had.

Netsch: Well, it grew, I assume, out of their military duty and interrelationship. I don't know that I could ever explain why they were such close friends, but they were. Governor Kerner relied heavily on Ted, and it was almost as if he were dependent on him sometimes. Ted was a much—you know, I describe Kerner as sort of gentlemanly, laid back, quiet, dignified. Ted was for the most part not that way. He was abrasive and a sort of in-your-face kind of person, a very different personality—that is, (laughs) as much as we saw of him. And was also probably much more into, oh, how shall I call, maybe the political world, and by that, I don't necessarily mean like the Mayor Daley world, but all the people who sort of circled the governor's office and the executive administration. I think Ted had more to do with those folks certainly than any of us.

DePue: The fundraising side as well?

Netsch: Probably fundraising side, yes, yes. There were times when one or another or several of us had made a recommendation. This came up a bunch of times; I can't remember all the specific incidents. But when we were doing the bill reviewing, when I was doing the bill reviewing for the governor—you know, a lot of substance went into all that—we would make our recommendation,—because we had a marvelous team of people whom I did not pay at all, (laughs) and put—

DePue: People that you're falling back from your legal connections from Chicago?

Netsch: Yeah, and, you know, people like—well, and eventually Harold Katz, Jim Moran, Jim Otis, Claude Sowle, just a whole bunch of marvelous, freewheeling, very substantive, very bright people, many of them out of my Committee on Illinois Government background. I would get them down there. Of course, they were all doing their own thing, practicing law, or I think Claude was on the faculty at Northwestern at the time. So they couldn't spend the whole week there always, but they'd get down as much as they possibly could and work all weekend. We'd work like until two o'clock every morning when we were there or something. I paid them nothing. I think I was able to get enough money to cover their expenses and made them double up in rooms at the Governor Hotel, which was then not the highest ranking of the hotels (laughs) in downtown Springfield. At one point I remember—I think it was Jim Moran, you know, who later became the chief judge of the federal district court up here, (laughs) and a very dear friend—I think it was Jim who once submitted like a petition to the governor complaining about the working conditions and said, "This is unconscionable." (laughs)

DePue: Well, the hotel you mentioned, that was neither the haunt of the Republicans or the Democrats, was it?

Netsch: No, no. Usually it was thought of as the hotel where some of the sort of malcontents— (DePue laughs) you know, like Ab Mikva and Paul Simon and Tony Scariano, the sort of independent Democrats—had tended to stay there, which I'm sure is why I chose it for my team. (laughs) In fact, I think—

DePue: That's kind of an inside baseball comment.

Netsch: Yeah, right, right. I remember once I think they even had to share bathrooms. I mean, I don't think every room had its own bathroom—you know, connecting rooms with a bathroom in between. I think I remember one of the Jims complaining about that.

DePue: This didn't go on all the time, though, did it? Can you tell us a little bit about the legislative calendar, if you will?

Netsch: Let's see, it would start usually in January and go through to—not every day, though—until the end of June. Typically they didn't quite end on the end of June, so the tradition in those days was to hold the clock or to turn the clock back. It's interesting—a lot of people still think that's done. It's not done anymore; it hasn't been done for a long time. But that was because after a certain time period, you had to have an extraordinary vote in order to pass legislation. After midnight on June thirtieth, I think it was, you had to have—in those days it might actually have been a two-thirds vote, because this is before we rewrote the constitution, and almost all the extraordinary votes were two thirds rather than three fifths. That's a tough thing to get, obviously. So instead of having to deal with that, they would just turn the clock back before midnight and leave it there (laughs) until they'd finished their work.

DePue: And this was a time when legislators all had other employment, other jobs.

Netsch: Oh, yeah.

DePue: This wasn't necessarily their main full-time occupation.

Netsch: No, no, no, and that was true for, actually, a long time after that and theoretically is still true, but **very** much true then. In those days they had no offices, they had no secretarial help; there was almost no substantive staff. There may have been a few people working for the leaders, but not very much. One of those who was a member of the state Senate at the time was Russell Arrington, with whom I had a marvelous (laughs) testy relationship. I was not assigned to do the floor work, I think probably for a couple of reasons. Well, one, they had somebody else to do that. Bill Chamberlain basically was the one who was doing most of the legislative liaison, we would call it now.

But inevitably, because I was responsible for the content of so much of the legislation and for keeping track of the things that we were supporting and not supporting and sending lists out. I had made out the—oh, later they used to call these, not the boob tube, but, I don't know, something strange—(laughs)telling the legislators, at least from the governor's perspective, whether they should support or oppose legislation. Not every single piece of legislation, but the ones that were on our list. Some of the legislation, of course, was our own legislation, and we wanted the legislators to know about that, so hopefully they would support it. At least if they were Democrats, hopefully they would support it. So I was responsible for putting that list together every week, but I wasn't supposed to be up on the floor all that much, I think maybe because it was me, and sort of a liberal female.I think the fact that yes, because I was female, was probably a part of the problem, and they weren't quite sure about how the legislators would respond to that. But actually I got along very well with some of them and developed reasonably good relationships. Some I could get very close to. I'd have to talk to them, because I'd have to talk to them about legislation. I wasn't supposed to be, most of the time, the one who was trying to get their votes, the vote-counter sort of person—somebody else was doing that—I was just trying to help the—

DePue: Was there somebody on Kerner's immediate circle who was the dedicated legislative liaison?

Netsch: Oh, Bill Chamberlain most of the time. It was also sort of—I don't know whether he had the title chief of staff. We were all kind of called "assistant to the governor"; there was no clear hierarchy in terms of the titles, I think, but there were responsibilities. I mean, Dick Thorne was the press guy and the media guy; Bill Chamberlain was not only the one who had the major responsibility for legislative relationships but was considered—I think we

would have thought of him as kind of the chief of staff during the time that he was there.

DePue: You mentioned Russell Arrington. Some would say that Russell Arrington was every bit as powerful as the governor, whoever the governor might be.

Netsch: I think that is probably not far from the truth.

DePue: President of the Senate at that time?

Netsch: Yes. Was he actually presiding? Of course, no, the lieutenant governor presided in those days. Yes. He was the Republican leader, and the Senate tended to be heavily Republican in those days, so he was in that sense the most dominant person. As difficult as he was, I think most of us would say, Thank heavens that he was. I think all of us who were around the legislature in those days would say that Russell Arrington probably did more to professionalize the Illinois General Assembly than anyone else. Now, I realize that there are people out there who would say, What a pity; (laughs) we should never have tried to professionalize…

DePue: To professionalize it in what way?

Netsch: Well, staff, more substance, some resources—like having a secretary or eventually having an office. Building up the few support agencies like the Research Council and the Legislative Reference Bureau, which was the bill-drafting part of the legislature, and just trying to give it a little more substance, really. He felt **very** strongly about all of that.

DePue: Was he the one who went from every-other-year legislative sessions to yearly legislative sessions?

Netsch: Well, I don’t know that it was he so much. Theoretically we were still on biennial sessions during all of that period of time, but what happened was the state became responsible, it seemed to me, for more and more business that had to be conducted, and the budget was **always** a recurring problem. I don’t think we’ve ever had a time where it wasn’t a struggle every year to get the budget together. Actually, with a biennial budget, which technically it was, it means you actually start putting the figures together more than two years before the money’s going to be spent. As time went on, that simply was not realistic. So I think there was a lot of pressure, primarily from the budget side, and then from the fact that there was just so much more business that the state was involved in, so you couldn’t get it all done in one six-month session. More and more and more, the legislature would provide for coming back, and if they didn’t, the governor might call them back into session.

DePue: Wasn’t that a period of time that the legislature had the lead in developing the budget?

Netsch: No, I think it was still primarily an executive budget, but the legislature—

DePue: I thought that was a provision of the new constitution that put more power in the executive branch.

Netsch: Well, it certainly spelled it out explicitly, no question about that, so that it is constitutionally an executive budget. But my recollection is that the budget still basically came out of… Well, no, let me qualify that a little bit. I think the governor presented a budget, but there was **huge** strength in something that was known as the Budgetary Commission, which was chaired by—you'll have to provide his name. How could I forget it? Ugh. He was the senator from the University of Illinois. (laughs) He and his Budgetary Commission—I'm backtracking a little bit. Technically I think the governor presented the budget, but the Budgetary Commission really, I think, controlled it to a large extent. That also meant that their staff, chair, or whatever they called him, executive director, Ted Leth, was probably the single most important person (laughs) on the budget, and he was a **real problem**. (DePue laughs) So, you're right.

One of the things that the Committee on Illinois Government had always wanted to do was to restructure how all of that was done. Oh, I know one thing. Some of this is just coming back now. I think the budgetary commission at one point had both representatives of the governor's office—that is, of the executive branch—and, of course, the legislative members on it. We smart folks in the (laughs) Committee on Illinois Government, and I think joined by others, said, "No, that's mixing up the roles too much. The Budgetary Commission ought to be the legislature's part of the budgetary process, but not with any executive members on it. We, the executive, have our own role, our own set of priorities, and we ought to be going in that direction, obviously working with the legislature, but not trying to meld them, which, in effect, did undercut, I think, the role of the executive branch.

DePue: Separation of powers issue, then?

Netsch: Basically a separation of powers issue, yes. So I'm slightly redrawing my original point. It's true, I think, that the governor did actually present the budget, but there's no question that the legislative role was **much, much** more prominent, and **very** insulated, if you will, because most of the legislators, I would assume, had no idea what was going on at it because they had no staff, they didn't even have an office in those days or anything. So the legislature's part was heavily controlled by this monster called the Budgetary Commission, and particularly by its chair and its executive director, Ted Leth. One of the many proposals that the Committee on Illinois Government—and through it, really, I was able to manage to get some of this out into the—

DePue: You were their ambassador.

Netsch: Yeah, their ambassador, right. Number one, we wanted a separation of powers on this between the executive and the legislature and probably wanted more of an executive role than we thought the Budgetary Commission permitted. We wanted a—oh, what was the expression that was used in those days? Today it might be called a zero-based budget, but it was a—well, the word is eluding me at the moment, but it was one—a **performance** budget, I think—in which you really tried to measure things beforehand: what your objectives are and how much money is needed to provide those services, and then hopefully look at it again afterwards.

DePue: In other words, don't just take last year's budget and tweak it in one line or another.

Netsch: Yeah, which is what traditionally happened. I think we had a couple of things in mind. One was that that seemed to be a much more accountable way of determining the amount of money that was going to be spent on any given thing. And I will have to be very honest; we also wanted to do anything we could to cut Ted Leth out of the process. We were painfully aware—and this, by the way, from some of the people even who had been in the Stevenson administration or had kept tabs on what was happening in between—and the feeling was he did what he wanted, along with the chair of the Budgetary Commission, whose name will still come back to me one of these moments, and that it was not necessarily an enlightened or an accountable way of determining how the public money was going to be spent. We considered him the evil incarnate, I think, and wanted to do anything we could to clip his wings.

DePue: Was Leth a legislator?

Netsch: No, no. I assume his title probably was executive director of the Budgetary Commission. He was a staff person.

DePue: Does that mean he was a Kerner appointee?

Netsch: Oh, no, no. He was the Budgetary Commission's appointee. Oh, no, Governor Kerner at times knew the problems that Ted Leth (laughs) proposed, and as I look back, I think he was probably helpful and supportive in our efforts. I mean, they were basically his efforts. I was not a legislator; I couldn't put in my own legislation. But we could sometimes work through him if he was sympathetic with some of the proposals that we had, and I think he was very understanding of the fact that Leth did his own—and Leth would sometimes—now more and more of this is coming back.

The governor would say we needed X number of dollars of support for something, and Leth would just in effect thumb his nose at the governor. So it was really a terrible state of affairs, and nobody knew who was really pulling the strings for Leth, whether it was just himself or whether it was these couple

of guys who really ran the budgetary commission. But indeed, they were pretty powerful. And they did, in fact, literally thwart the governor from time to time.

DePue: The people on the Budgetary Commission, would those have been Republicans?

Netsch: The chair was, certainly. I would assume that it was a bipartisan commission. I cannot at the moment remember whether it was evenly divided or not.

DePue: I wonder if you could tell me what it was like to be a woman, a young, shall we say liberal, somewhat assertive woman (Netsch laughs) in a man's world?

Netsch: It was interesting. (laughs) I never was really—I don't know, this was just my problem. I think people assume because I was sort of early in all this that I was heavily discriminated against—and I probably was—but I always claim I was too dumb to realize that I was being discriminated against. The only thing that was quite clear was that I was not allowed to go to the legislative leaders' meetings, which were held in the mansion every, what, Monday night or whatever it was before the legislative session started that week.

DePue: Were other staffers in there, other governor's staffers?

Netsch: I think once he arrived on the scene—and he wasn't there at the very beginning—I think Bill Chamberlain did. I'm not sure that Dick Thorne was there all the time; he might have been in part. But I was the one (laughs) who was responsible for legislative program, and they'd have to send messages back to me about decisions that had been made, but I wasn't necessarily there when the decisions were being made. Unfortunately that had to do with—well, it was blamed on the fact that people like Paul Powell were not comfortable in my presence. And some of it unfortunately, also, had to do with the concern about Mrs. Kerner.

DePue: Well, you've mentioned a couple names there that are important. Let's start with a little bit of a sketch of Paul Powell.[24] (extended laughter)

Netsch: As the saying goes, they don't make them like that anymore—thank heavens. Charming, could be just an absolute delight. Of course, filled with stories—a great storyteller and all.

DePue: And he was on the House side, correct?

Netsch: Yes. But an old-fashioned, I assume **scoundrel** in the literal sense. I don't know whether everybody knew quite how much (laughs) he was making on the side, apparently. It was sort of interesting—

[24] Democrat, Secretary of State from 1965 until his death in 1970 when $800,000 was found in shoeboxes in his hotel room.

DePue: Well, before you get too much further, I'm always intrigued by: he's from southern Illinois, he's a Democrat, but what always intrigues me, he kind of fits the model we have in our minds of what a southern Democrat for the federal level would have been at that time as well.

Netsch: Yes, pretty conservative, yes, on most things, yes. That was true, a lot of the Democrats who were from southern Illinois—well, when I used to try to explain the differences in the legislature to, say, my constituents up here or something, I sometimes remember saying, "Remember, Cairo, (pronounced kay-ro, as done locally) Illinois is farther south than Richmond, Virginia," and I said, "not only geographically, but in terms of mindset."

DePue: They can't even say "Cairo" (pronounced as in Egypt) correctly.

Netsch: (laughs) Right. Paul Powell certainly reflected the old style, literally, politician, of, you know, you take care of your friends and not much interest in substance, interested in what you could bring back to your district, obviously, and a few other things like that. But (laughs) I guess in my usual non-intimidated way, we had sort of an interesting relationship. When I first arrived in Springfield, obviously I was sent around to meet people. When I was in his office, somehow we got started talking about McCormick Place—you know, the early McCormick Place.[25] [in Chicago] (laughs) I explained to him that I'd been part of a group that had done everything in its power to keep McCormick Place from being built on the lakefront, (laughs) and that was his great monument. That was an interesting beginning for us, (laughter) and I'm surprised we ever spoke after that.

Oh, the other one, I had forgotten about. At one point the legislators had their own national association. I think then there was just one—no, it was split into a couple of different ones, and one was the National Association of Legislative Leaders; they were sort of separate from all of the routine run-of-the-mine legislators. Now it's all just one arrangement. They had their meetings every year, and one year—it must have been maybe the second year I was there—they were meeting in Las Vegas and Reno. Governor Kerner said, "I want you to go out there this year with them. You just ought to know some of them a little bit better, because in a sense, even though you're not the legislative liaison, it's inevitable that you've got to deal with some of them because you're dealing on the substance of legislation. I just think it's a good idea if you go along and get to know a few of them better." And I did. (DePue laughs) Of course, Paul Powell, George Dunne, I want to say I think Bidwell was one of the Senate Republican leaders. Ooh, … maybe Blair was one of the House Republican leaders at that time, too. Anyway, I went along on this thing.

[25] The enormous convention center in Chicago

The famous story of all—honest to gosh, it really happened—is I taught Paul Powell how to play blackjack. I swear he had never played it before, and needless to say, I hadn't played it very much, because (laughs) I don't think I'd ever been to Las Vegas before, for one thing. So I remember sort of teaching him what to do or how to do it once, and then he got hooked. As far as we know, he would stay up all night down—of course, you have no sense of day or night in Las Vegas; at least you didn't in those days—and he would stay down there and play blackjack all night.

The other thing that was interesting was his wife Daisy—I think that is correct—came along. Now, she was not usually around. It became known later, of course, he had at least one mistress during the long period of time, because she was the one who was with him at Mayo's when he died, I think. I assume—I'm sure her name was Daisy—probably knew about all of this. She was not well; I don't know what the problem was, but she had some very serious medical problems, I think. But she came along, and she was an absolute pistol. She was (laughs) the funniest thing I have ever seen, and she took no guff from him **at all**. (DePue laughs) So that was sort of a delight. Anyway, we got along well in Reno and Las Vegas, (laughs) and I suppose that helped a little bit in relationship afterwards. But I think he understood that we came from two different political worlds, and the two were never going to meet.

DePue: Where did you learn blackjack? (laughs)

Netsch: That's an interesting question. I think as kids we used to play it sometimes. I'm trying to remember whether we played in—I don't remember playing in college, but, you know, someplace along the way.

DePue: The other person you mentioned here—this is a while back now—is Mrs. Kerner, Helena Kerner. Tell me about her.

Netsch: Well, it's (pause)…—I may not want all of this on the record, although a lot of it's been put on the record, I guess. Most everybody in Springfield thought of her as primarily an alcoholic. I think probably she was that, but I think there were emotional, mental things that went beyond just the fact that she drank too much. I was warned by—I'm pretty sure I'm not going to want all of this—by Dick Thorne when I first arrived to work for Kerner. He said, "She will be after you at some point. All you can do is just handle it the best you can. It has maybe something, but not totally, to do with the fact that you are female, because she goes after Ted Isaacs the same way. Anyone who spends too much time with the governor and gets to work with him too closely, she will be after." That certainly happened. So one of the reasons why I couldn't go to the meetings at the mansion was that she—now, she wasn't at the meetings—but would presumably know that I was in the executive mansion, and that would further inflame her.

It was all **very,** very sad to all of us. He was, as far as anyone could tell—number one; I don't think he was ever, ever, ever unfaithful to her. Certainly none of us ever saw any signs of that. The one thing that he was, he was extremely, well, protective of her. He did not ever talk about the problems that she created and was always very gentle and solicitous to the point where some of us thought, Maybe if he would just knock her around once in a while—I'm slightly overstating this—but, you know, just to try to get her to understand that she needed help and that she needed to go do something about her condition. But there was never any sign of that at all. I mean, he was just unbelievably gentle and kind and solicitous and everything with her. But there were some pretty bad public scenes from time to time, I gather. The only thing, I was allowed to come to the Christmas party at the mansion, and I assume there might have been a few other occasions when I would see her, but for the most part, I kept out of the way as much as possible.

DePue: When you went to the Christmas party, was Walter with you?

Netsch: No.

DePue: You didn't have an escort, then.

Netsch: Well, we weren't even together in those…

DePue: Okay, so that was early in.

Netsch: Yeah, yeah. And, you know, none of us could quite figure out what to do about it, but it was something that we all felt very sad about. I don't know whether Tony—whom I call Tony—Anton remains a friend. I see him from time to time or talk to him from time to time, but one thing we don't much talk about is his mother. Because she was—

DePue: Okay. Tony Anton? Oh, Anton is Tony's—

Netsch: Anton Kerner. Who was not literally the governor's son—except I think he may have formally adopted him at some point—but Tony always—Anton he is now—always considered Kerner his father.

DePue: Well, that refers back to his grandfather, Anton Cermak,[26] and Helena then is obviously—

Netsch: Helena, yeah.

DePue: Helena, I'm sorry—she's his daughter, so had that connection as well.

Netsch: Right, yeah.

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[26] Cermak was the mayor of Chicago, Illinois, from 1931 until his assassination in 1933 by a bullet intended for President-Elect Roosevelt. He was acknowledged as the creator of the Chicago Democratic machine.

DePue: This is an unfair question, but do you think originally that marriage was something of a political arrangement?

Netsch: I have no way of knowing that. I just wasn't around. She clearly was not in the same condition when they were married, and it could have been a very loving, happy relationship. I just don't know.

DePue: Okay. You've talked a lot about your personal relationship and others on the staff. How was Kerner's relationship with the legislature?

Netsch: Aah… (pause) Probably a little standoffish. He was not terribly close to most of the legislators. Of course, inevitably, the governor deals primarily with the legislative leaders, which would have been Paul Powell and…the Senate leader and the…

DePue: Well, Arrington would have been the—

Netsch: Well, he wouldn't be—well, except, you know—the weekly meetings, for example, and other things like that, would not have been with the Republicans; it would have been primarily with the Democrats. The one that I dealt with primarily—this is a factor of, what, age and a few other things. (laughs) Names elude me all the time now. Anyway, I know—somebody I remember—

DePue: We will get that into the transcript.

Netsch: Yeah. I think it was—they got along okay. My guess is they never really cottoned to him, some of them, very well. Most of them, of course, were very much part of the Chicago regular Democratic organization, and that's where their orders came from. That's why, when I was thinking back a little bit ago and mentioned the—I wish I could remember what the exact issue was—but it had something to do with a tax measure, a revenue measure. Daley had decided that was part of his legislative program, and it did have an impact on the state, of course. The Democrats in the legislature just assumed it was the legislative program, because they were so used to taking their orders from the mayor that they never thought about the fact that the governor might not want that particular program. (laughs)

DePue: Recall who the mayor's man in the legislature would have been at the time?

Netsch: Well, certainly, I would assume, in the House in large part, George Dunne—who was my state representative, by the way, which was interesting. George was sort of an interesting guy, because he often would be much more willing to come and talk to and participate with folks like me who were not part of the regular Democratic organization. We had our own little Democratic Club going where I lived at 1350 Lakeshore. Paddy Bauler was our ward committeeman, and (laughs) he had no use for any of us. We knew there were Democrats, and we wanted to get Democrats together on thing. George had no

problem with coming to our meetings if we asked him to speak and being perfectly nice to us and all. I think I had a pretty good working relationship with him when he was one of the spokespersons in the House. He was smart and a lot more substantive than somebody like Paul Powell, for example.

DePue: How about the relations that Kerner had with the mayor, with Daley?

Netsch: How was I to know? (laughs) I think it was probably sort of perfectly cordial but not close, and not one where there was a real coming together of cooperative, collaborative, whatever, arrangement. I mean, that would be my general impression, as evidenced by the fact… This is one thing I do remember getting very annoyed about sometimes. I made up the list based on (laughs) things that were decided usually over in the mansion where I was not present, but also because I knew what our own legislative program was in the governor's office, and so I made up the list every week of the things that we were for or against. Then sometimes I would find a legislator saying, Oh, this is a no vote, or, This is a yes vote, or, We're supposed to support this or oppose this or something. And I said, "Where did that come from? It's not part of our program or agenda." It came from the mayor. Most of the guys considered that he was as much their boss as the governor. They would sometimes literally "mistake" something as being part of the legislative program that we had nothing to do with and might not even be happy about. That happened enough times that I remember being very annoyed about it sometimes and sort of having a little scene with some of them about the fact that this was not part of the legislative program. If you want to be for it, that's your business, but it has nothing to do with us. (laughs)

DePue: You were the CIG's representative on the governor's staff.

Netsch: Well, no. Yeah.

DePue: Okay. Maybe not officially, but certainly—

Netsch: No, no. I mean, it just—that's sort of, yes, the way it happened, yes.

DePue: Did the mayor have people on the staff as well that were representing his particular agenda?

Netsch: Not that I'm aware of, no. I have no idea what Isaacs relationship with Daley was, if they had one at all. But certainly not the other ones that I knew. Actually, Bill Chamberlain was a downstater; he was from Springfield and was really just a delightful person. He didn't start out in that role. As I said, the person from the University of Illinois was very much—he was sort of there I think when Governor Kerner arrived and remained on staff in sort of a major role for awhile. He was still there when I arrived on the scene, and then at some point, left to go back to the University of Illinois, I think primarily as their lobbyist, and Bill Chamberlain came in. I'm trying to remember where Bill came from. I can't remember right now. But he then was, as I said before,

kind of the chief of staff role, I guess you would call it. But he certainly would not have been—as far as I know, Daley had no secret spy (laughs) on the governor's staff. But he didn't have to; I mean, he ran the state—well, that's not quite true, but if he wanted something, I would say, yes, he was in charge, because he was the most powerful Democrat in the state, no question about that.

DePue: Okay. How about Kerner's relationship with the press?

Netsch: I think it was good. Of course, he didn't have a huge amount of interaction, not nearly as much as would happen today, I think, especially because the whole media thing has changed with cable television and everything else going on. My impression is that they liked him. One of the things that always—you know, this is such a dramatic change for those of us who've seen this in other contexts—is the difficulties that Mrs. Kerner presented, the press never reported on at all, I don't think, ever. Some of the press were exposed to it, and they just didn't talk about it. It's sort of like President Kennedy. I mean, everybody in Washington knew he was a womanizer, (laughs) and the press never talked about it at the time. Of course, some of that is not just their relationship with Otto Kerner, it's the fact that the whole media business has changed and it's become so much of a "gotcha, gotcha" kind of thing. It's just so sad.

DePue: You mentioned that your focus was on the substantive issues, and that's why you were there in the first place, so let's go through some of the more important legislative initiatives and substantive issues. Board of Higher Education—let's throw these out here and get your reaction.

Netsch: Yeah. Well, that came in part from things we brought from the Committee on Illinois Government et al. But he may well have taken a position on that during the campaign, also—I don't remember specifically—but it was very much part—we had an early legislative program. People like Gill Steiner from the Institute of Government played a major role in helping us to put that together, so it wasn't just the Committee on Illinois Government, it was people like Gill Steiner. I think Sam Gove may have been involved somewhat, too, although Gill was our more upfront person. And then there were several other people over there.

DePue: Was Sam at the Institute of Government and Public Affairs at that time? Is that the name for the institution at the University of Illinois? I think it is.

Netsch: Yeah, the Institute of Government and Public Affairs. I think it existed at the time, yes, and I think Sam was there at that point. There was, oh, somebody who was very good on personnel issues and… Oooh. I'll think of a few more things. Anyway, they all were enormously helpful in putting together the legislative program, which included a Board of Higher Education.

DePue: The purpose of the Board of Higher Education, then?

Netsch: Well, its sort of official purpose was to try to coordinate all of the public institutions of higher education so that they had some idea of a plan for how higher education was going to be made available and distributed throughout the state of Illinois, instead of the competitiveness that everyone felt was really taking place in the legislature where every one of the institutions had its own—well, mostly, like the guy who ran the budget from the University of Illinois. The idea was that everybody had their own person, and it was all competitive, and who could get the most money out of the budgetary process and all that sort of thing. But a lot of it also had to with a famous personage by the name of Delight Morris, who had become the guru of Southern Illinois University and had—the impression I remember is that he practically had taken over the leadership in getting money out of the legislature from the University of Illinois, which the Budgetary Commission was never going to allow. (DePue laughs) All of the other universities, i**ncluding** the University of Illinois, were scared to death of Delight Morris and his power with the legislature and what he'd been able to pull off, getting tons of money for expansion of Southern Illinois University and all. He was quite the ogre in the minds of the others. I am convinced that one reason why were able to get the Board of Higher Education was that the University of Illinois realized that that was maybe the only way they were going to be able to rein in Delight Morris. So their person who was also the Budgetary Commission person and a very powerful figure in the Senate, was primarily for the board, although we really had to work hard to keep him in the process. I think there were some particular things that he did not want done. I'm trying to remember back. It seems to me some of it had to do with whether there could be any representation from the public universities on the Board of Higher Education. I think we had to fight that out with—and I was heavily involved in some part of that, I remember, because I was doing the structuring (laughs) of the legislation. I think our final compromise was to allow—what did we finally allow?—maybe two members of the board could come from the public universities, and the rest would be other people. So we did finally get them on board, and I think they wanted it, but they probably wanted it on their own terms—when I say "they," meaning University of Illinois—and were sort of used to having things on their own terms. So it was a very, very difficult thing. I could even now visualize—I can't remember what we were necessarily talking about—meetings that we had in the governor's office with the various people there to try to work out some of the details. But we did finally get a Board of Higher Education.

What I was then responsible for was helping to put together suggestions for the governor for the first members of the first board. We knew that was very, very, very important, because any time you get a new institution that has to make its own image, establish its own credibility, et cetera, it's critical that the first board have that kind of stature in order to be

able to pull of what we assumed were going to be some pretty tough decisions that they would be making over a period of time.

I remember having what I called a chart, and it had to do with region, with political bias or affiliation with—you know, where they'd gone to school, private, public, trying to—it was like a big jigsaw puzzle, (DePue laughs) in a sense, and trying to make sure that everything was balanced out as beautifully as possible. I consider my great contribution was—well, I worked on all of the members of the board—but helping to persuade Ben Heinemann,[27] or thinking of Ben Heinemann to be the first chair; I assume Kerner was persuasive also (laughs) in getting him to go along. But that was my idea, I think. That turned out to be absolutely brilliant, (laughs) I think. There were some other very good people on the first board also.

DePue: I'm wondering if this was prior to the time that Mayor Daley was pushing for University of Illinois in Chicago, the Circle campus. I think it was, but I'm not certain.

Netsch: You know, I'm trying to think. Walter designed the campus, but we were not even seeing one another at that point as far as I know. But when was it the… Huh. You know, there may have been some overlap. Because…I think it was the late '50s, maybe early '60s, that all of that battle was taking place about the…

DePue: Acquiring the land and…?

Netsch: Well, yeah, there was a long battle. I've heard this, actually from Walter, you know, where would it be? Well, somebody wanted it in the suburbs, somebody wanted it someplace else. Walter had nothing to do with the final location. I mean, he was not in a position (laughs) to have anything to say about that. My recollection is he always thought it ought to be on Meigs[28] Field, or maybe the railroad property, which of course was very extensive at the time. But the decision, I assume, was the mayor finally—

DePue: Well, let's not go into too much detail on that one, then. How about the Capital Development Board?

Netsch: Gosh, I wish we'd done that back then. The idea was, instead of the haphazard way in which capital projects were determined and then funded. There wasn't always enough money to go around for everything that needed to be done, so what got done was often a factor of the political clout of whoever was pushing for it, whether it was a university project or a prison or a mental health facility or whatever it might be. So the idea was to have a board which would have—I can't remember who all we put on it; when I say "we," those of us who sort of

[27] Chairman of the **Chicago** & North Western Railway, which inaugurated a new commuter plan
[28] A small airport literally at the shore of Lake Michigan near the Chicago Aquarium and the Observatory. It handled only smaller aircraft and was extensively used for business.

proposed this initially—but it would have, obviously, representation from state agencies, but also other folks who could provide some balance, I think.

DePue: Some professionals who were trained in the finance or construction or in architecture and things like that?

Netsch: Well, or just planning, yes. The idea was to develop a long-range capital program that would determine what **are** the most immediate needs, what are the priorities, and then set them up for funding in a priority fashion, instead of having an absolutely haphazard, clout-driven way of doing capital projects.

DePue: What now would be called earmarks.

Netsch: Well, but earmarks, or at least the connotation that comes with it, it seems to me, is the clout—yeah.

DePue: Okay, that's probably an unfair analogy.

Netsch: Yeah. No, the idea was you'd have a rational multi-year plan—maybe a five-year plan, maybe a little bit longer, but certainly a five-year plan to begin with. As I recall, that's what we even wrote into the statute. It was a great idea, and that one's one we didn't get passed.

DePue: Where was the resistance on that one?

Netsch: (pause) Oh, dear. I'm not sure I remember precisely where the resistance was. I think it was just…

DePue: Do you remember the fundamental objections that people had to it?

Netsch: I think a lot of it was indifference: Who needs that? We do it our way. The most likely source of a general resistance might have been from the universities, but I don't recall that that was true.

DePue: Okay. Let's turn our attention now to revenue. This is a day and age before there's a state income tax, so finding the monies to do things is always going to be a challenge, and a lot of it is, well, should we raise taxes? If we're going to raise taxes, where do we go for the taxes? How much were you involved in those discussions?

Netsch: Well, there wasn't a huge amount of activity taking place at that period of time, as I recall. Now, in terms of what ought to take place… Again, coming from my background, we were strong proponents of bringing the state into the twentieth century by having a state income tax. We were the only—as I recall—the only northern industrial state left that did not have a state income tax, which meant that so much was being paid for out of sales taxes and property taxes, of course, at the local level, because so much of the funding was put on that, including the school funding. In order to sort of modernize

the whole system, you know, my kind, (laughs) the Committee on Illinois Government kind, said, we have simply got to have a state income tax. And the first thing we needed to do, we thought, was to try to change the revenue article to make it clear that we could have a state income tax, because it was believed at the time—erroneously, but believed because of a prior Illinois Supreme Court decision, the Bachrach decision back in the '20s—it was believed the state could not have a state income tax because of the constitution. That turned out not to be the case, but that was the conventional wisdom at the time. We had always pushed very hard for a proposed constitutional amendment. I'm trying to remember. There certainly were proposals, during the period that I was on Kerner's staff, to amend the constitution. The people who would have been proposing it would have been the Paul Simons, the Abner Mikvas, the Tony Scarianos, our kind of… (laughs)

DePue: The independent Democrat type.

Netsch: The independent Democrats, right. It's interesting. I'm trying to remember. It seems to me at one point Governor Kerner was willing to go along with that, but I can't quite bring to mind whether that was just he wasn't opposing it or whether he was really actively supporting it. I think it may have been the former. But in any event, that didn't happen, obviously, until we got a state income tax; somebody or another was pushing for it every time.

DePue: Well, I know that this is inevitable, and you've mentioned some of these already, that if you need a little bit more revenue, you'd turn to things like an addition to the gas tax or cigarette tax or utilities or some of the corporate fees that were being paid.

Netsch: Yeah, yeah. There was one other that is kind of an interesting story. One part of our legislative program was an escheat bill. That means that money that has laid around dormant in bank accounts and utility accounts and sixty zillion other places and never claimed, after some period of time escheats, that is, goes to the state. A lot of states already had escheat laws, but we did not. So one point of our legislative program was to pass an escheat law. That was where I ended up spending so much time working with Russell Arrington. He was not opposed to it particularly, and somewhat surprisingly, because a lot of it's in banks, for example—or at least I don't think he was terribly opposed to it. We ended up sort of cooperatively on it.

So you had to work out a couple of things. Number one, funds and what sources ought to be eligible for escheat, and then what period of time should they be dormant before they are eligible for escheat; then the question was, what to do with the money that the state (DePue laughs) was going to be getting. Now, nobody, of course, had any idea how much it was going to be, because we had never done it before. We assumed that there would be a reasonably good slug of money right after the legislation was passed, because

all of the accumulated money that met the timeframes would be coming into the state. We assumed it would be more for some undetermined number of years—three or four years or something like that—while all of that began to be brought back to the state. Then it might sort of settle down into more of a pattern after that. We thought it would be not inconsiderable, but not—you know, wouldn't blow the mind. Russ Arrington was convinced it was going to be about two hundred—as I recall, the figure—this may be my imagination now—he thought it was going to be like maybe two hundred million dollars, which is a **huge** amount of money, and—

DePue: Per year?

Netsch: No, no, that early slug, and then we all agreed it would settle down at some point after that. We didn't think it was going to be anything like that. But the answer is, nobody really knew. But you knew that it was going to be a nonrecurring large sum of money right after the legislation was passed, and so what do you do with it? **Well**—this was one of my great ideas, I think—I said it should go into the underfunded pension funds. We finally agreed on that, I guess, because my argument was that if it's non-recurring revenue, particularly that big hunk—let's say—in fact, I think I remember once saying, "Okay, let's assume, Senator Arrington, that it's two hundred million dollars. You don't want to build that into your operating revenue base because it's not going to be there the next year or two years later, and, you know, you'd get all askew. You should never put one-time money into your operating base. And he certainly agreed with that. So we did; we created the Unfunded Property—Unfunded Property fund—what's its name? It still exists. The escheat money—I got curious a year or two ago and looked it up, and it's still running about 180 million a year, I think—not stupendous, but not inconsiderable.

DePue: A hundred and eighty million a year?

Netsch: I think it was 160 to 180 million, I believe, yeah.

DePue: And it still goes to the grossly underfunded pension fund.

Netsch: Yes, I know. I thought that was simply marvelous. Nobody knows that, I think, and nobody knows this funny little story about how it ever came about. But I have sometimes told the story only to point out the fact that even in 19—this would have been probably '62 or something like that, 1961 or '62—that even then we considered that we were underfunding our pension funds.

DePue: And it's only gotten worse since then.

Netsch: Ugh, yeah.

DePue: That's one of the state's biggest nightmares. Well, one of the things that would have certainly taken money would be mental health reform. Can you talk a little bit about what the Kerner administration was doing in that area?

Netsch: Well, I think the main thing was to put some really incredibly professional, respected people in charge. Dr. [Francis J.] Gerty, of course, was the primary one then. He had a marvelous reputation in all of this, and Kerner persuaded him to move in and be in charge of the mental health program. Interestingly enough, one of his very young staff assistants, who remained a very close friend of mine, is Lowell Sachnoff, who is a very well known lawyer in Chicago and started out as sort of an administrative assistant type to Dr. Gerty.

Now, I don't want to oversimplify it, but probably the main thing was to try to get people out of the warehouses, because we had, as I recall, probably about forty-five thousand people in mental health institutions, and almost all of them—the big hospitals like Manteno and the one in Anna and all over—but just basically warehoused in these big institutions. Dr. Gerty's program was the mental health centers. Did we use the word "center" or "clinic"? I guess "center." The idea was at least to start breaking into this pattern. I think his original program was like about seven mental health centers that would be much smaller in size and in occupancy some of which would be built even closer to the Chicago area because so many of the patients obviously come from here also. But spread around. In fact, Tinley Park is one that I think is about to be closed because it's no longer being accredited, which is sort of sad. Then I know there was one, I think, in Lincoln and one in, I want to say, in Anna. There's one in Champaign. But the idea was to just deinstitutionalize—they wouldn't be completely deinstitutionalized—it would be a residential setting, but to get them out of the warehouses and also get them to where they might have care more accessible than they do in those great big warehouses and to begin even to change the circumstances under which people get institutionalized. That is, many of them can be treated on an outpatient basis. Or many of them could be treated in these much smaller centers but on a shorter-term basis so they didn't have to be institutionalized forever and ever. So it was a quite different approach. My sense is it's gone beyond that now, even, and that even the centers, which were such an innovation at that time, are thought to be maybe putting too many people together and you want to get them almost into private small group homes or something of that sort.

DePue: So much of the emphasis now is on proper medications and medication regimes that these people would be under.

Netsch: Yeah, right. But what he was doing was basically just restructuring the system. Of course, Kerner had background in that because he'd been the county judge that dealt with all of the people who came into the court system with mental health problems.

DePue: So he was the one who was having to make the decisions whether or not to institutionalize somebody?

Netsch: Yes, I think that's probably correct, which is never an easy task, by the way, but particularly when you had so few options to send them to. So there's no question that it just completely turned the attitude toward and treatment of the mentally ill, I think, upside down during that period of time.

DePue: I know you have a function that you need to get to here in a little bit. We still have some more time, and I guess now it looks like we'll get through Kerner's administration; maybe that's about it. But there are a couple important things I think you want to talk about, so I certainly want to ask you about. Veto of bills, (Netsch laughs) the process.

Netsch: Yeah. Well, the legislature then, almost more than now, usually passed everything in the last two weeks, at best, of the legislative session. They would go home on June thirtieth, or if the clock had been held back, it might have been July one or two or three or four or something, and they would dump this **huge**, huge number of bills on the governor. My recollection is, one time it was like 1,456 bills, and another time I think it even got up to seventeen hundred or something like that—just a huge amount. Of course, in those days, under the old constitution, presumably the governor had ten days to act on a bill.

Well, there's obviously no way you could do that, so number one, an arrangement was worked out with the part of the legislature that puts the final bills together and gets them signed by the Speaker and the president and then ultimately sends them to the governor, that they would not dump on us at once, which was very nice, because it would have been a nightmare otherwise. So I could send up to the—what did they call it, the legislative…whatever we called that branch at the time, anyway—and send up and say, "Okay, I'm ready for fifteen bills or twenty bills. Let's take those that deal with local government so we can kind of see things in kind of a pattern; then they would accommodate that. So we would get the bills.

But obviously I alone could not handle all of that, and so that's when I reached back to some of my friends and (laughs) conned them into coming down to Springfield to help review. We would do a very close review of all the legislation and then make our recommendations. If we were recommending a veto, we would usually draft a veto message. Once in a while you'd even draft a message on why a bill is being signed. That's much rarer, but sometimes there's a policy thing involved in it. Otherwise, just a memo recommending that the bill be vetoed or signed. All of those would go to the governor, and he would make obviously the final decision. Although I must say, one of the funniest events we had—you know, because we worked **so intensely** on all of these things and got so **involved** in them—one of my helpers was—I don't remember what the subject matter was at the moment, it might have been environment or something like that, and he got **so** involved in this, he was going to sign the veto message himself. (DePue laughs) I said, "No. No, Harry, you're not the governor. You're supposed to be making a

recommendation to the governor." (laughs) So we had a lot of fun with that. But it was very substantive. The governor might have disagreed with us sometimes, but usually we were pretty persuasive. A couple times we had lost out on something, and it had to be because Ted Isaacs had gone in the back door and talked to the governor and of course never bothered to talk to any of us about it.

DePue: And you're left wondering, What in the world happened?

Netsch: Well, we could figure out what had happened.

DePue: Do you recall a controversy that emerged over dispensing birth control? Birth control to married women. (pause) No?

Netsch: I don't.

DePue: Okay. How about horse racing legislation?

Netsch: Aaaah, yes.

DePue: A little bit of an irony when you're dealing with Otto Kerner.

Netsch: Yes. Well, there were two things. One is, going back a few steps in time, I think—what was his name? Miller, I want to say—was the chair of the racing board. I think he had actually been initially appointed by Governor Stevenson, so of course we would assume everything's okay with somebody who had (laughs) been appointed by Governor Stevenson. I remember, he was pushing very hard to get some legislation introduced; of course a lot of this went through me, and he was pushing me, but I didn't really have that good a sense of what it was, so I think he went to Isaacs. I can't tell you any more at the moment. I mean, I don't remember whether it was good, bad, or indifferent. I remember being a little uncomfortable about the legislation but feeling all this push from the then-chair of the Racing Board who I think started out probably as an ally of Marge Everett and may have ended up being on the other side. And I remember sort of reaching out and saying, "He keeps telling me we got to introduce this, but I need some guidance on this one." But that was beforehand.

But with respect to our review of legislation, what we were always on the lookout for was Paul Powell; we knew (laughs) he had his hand in some legislation, and we obviously didn't trust him very much. And in fact, we did identify a bill—and Jim Otis, I know, was the one who was dealing with all of the horse racing legislation—and he identified a bill that was just a terrible idea. What it did was, it provided sort of a monopolistic protective area for every one of the tracks. You couldn't have another form of racing within—I don't know what—like two counties or a hundred miles or something.

DePue: So it protects the harness racing tracks, the horse-racing tracks, racing dates, perhaps? Because I know that was always an issue.

Netsch: I don't think that racing dates were involved in this piece of legislation. I am tempted to say—and I could be wrong about this—that the legislation never specified anything about racing dates. I think the board usually made that decision, but I could be wrong. But this had to do with where you could open up potentially competitive tracks and things. It should have been a flagrant violation of the antitrust laws, for one thing, but it was clearly a protective, unconscionable (laughs) sort of thing, so we recommend to the governor that he veto it. We either knew or suspected—I think we may have known by that time—that it was Paul Powell's legislation; I mean, he's the one behind it, and on behalf of—I don't know which one—maybe a whole bunch of the tracks. We said, No, it's a terrible piece of legislation, it ought to be vetoed.The governor vetoed it, and we felt very good about that.

Now, the thing I would also have to say is—and I don't remember that there was any legislation that clearly came out of the Marge Everett group at that time—but we would not have been suspicious as we were (laughs) of anything that Paul Powell was behind at the time. Because, remember, she was thought of as kind of the queen of racing. I mean, the Everett family and whatever the tracks were were thought of as being this is the way it ought to be run and this is the crème de la crème of horse racing and everything.

DePue: Her family owned a couple of the tracks, then?

Netsch: Oh, yeah, the Everetts were the main racing family. Of course, what we didn't know at the time is, I think she turned out to be—I've got to watch my language—but she was heavily involved in whatever was happening that was not supposed to be happening and should never have been allowed to get a license out in California, which Jim Thompson (laughs) gave her or helped her to get by saying she was a lovely person and everything was fine, although she clearly had been spreading some money around. But I don't think we would have been sophisticated enough to be suspicious of anything that had her fingerprints on it at the time. But we were concerned about (laughs) anything that came out of Paul Powell on horse racing. (laughter)

DePue: Well, here's another fascinating footnote in Illinois politics, and kind of interesting, because we're about ready to relaunch another redistricting. I'm talking about the 1960—I think it's '64—the Bedsheet Ballot and the redistricting fiasco that led to the Bedsheet Ballot.

Netsch: Well, at that time, they just simply didn't work it out. The governor was involved in it. We vetoed, I believe—when I say "we," I mean I think Governor Kerner vetoed—one of the redistricting bills that had passed.

DePue: The procedure for writing the redistricting at that time was what?

Netsch: The legislature did it, and it was in the form of legislation of a bill, and so the governor had a role in it. That was argued—

DePue: So the dominant party in the legislature called the shots, initially.

Netsch: If there were a dominant party, yes, but there wasn't always. Well, actually, the Senate was almost always Republican in those days. (laughs) Why can't I remember. If Powell was Speaker, then the House had to be Democratic at that moment in time. I've got to go back and look on that. There was a question raised at the time—I do remember this—about whether the governor had any role to play in the redistricting legislation. There wasn't much doubt in my mind or I think anybody else's mind that as it constitutionally stood at that point in time, the governor did in fact have his veto power. I am quite sure that the one was vetoed, and then everything kept messing around and messing around. They finally did not get a redistricting law passed, or a redistricting in the **form of law** passed. That then led to the provision in the constitution at that time which provided that if the process failed, then all the members of that House would be elected at large. There was some question—I think I discovered this because I had to go back and reread the constitutional history on redistricting just a few months ago—and I think there was some question about, gee, maybe the Senate should be done at large also. I don't know whether there was an attorney general's opinion or whether they just let it happen at the time; they decided that it was only the House that was going to be elected at large, that the Senate didn't come within that particular provision of the constitution as it then read. So that's what happened. All of the members, then 177 members of the House, were to be elected statewide at large. The legislature did pass some laws to try to deal with this, and one of the laws did provide that no party could nominate more than two thirds of the 177 members, the idea being that you could end up with a 100 percent Republican or a 100 percent Democratic House and that that would be just utterly disastrous. So they did put a limit on the number that could be nominated. And both parties did nominate two thirds. Then the ballot itself was often referred to as the Bedsheet Ballot; it was very long—and I think it was orange, as I remember. It was a nightmare for most people. That was a major factor, by the way—not the only factor—but it was a major factor in the decision of the 1970 Constitutional Convention to provide for some way of making sure that we **never** went to an at-large election again. I have reread all of the debate on redistricting because I had to testify just recently before a Senate committee that was beginning to decide what to do about redistricting. So I went back and read everything, and reread everything. There were several other factors, but the one that all of those who developed what came to be known as the tiebreaker, for example, kept saying over and over is, The one thing that we do not want **ever** to happen again is an at-large election. Absolutely undemocratic, absolutely confusing to the voters, an absolute disaster.

DePue: Well, that brings us up to another nuance of Illinois politics at that time (laughs) that I always love to talk about, the cumulative voting process, the bullet ballots, all of that. That to me is somewhat unique to Illinois as well.

Netsch: Oh, it was, quite unique. And it actually developed out of a—

DePue: I think you need to start with explaining (laughs) what it is, because anybody today would say, huh?

Netsch: Yeah. What was provided was that every legislative district would have one Senator and three representatives. In voting for the representatives, the voters would have three votes, and they could use them any way they chose. So effectively, you had multi-member districts for the House—three members from each district. Every voter had three votes to distribute in any way that the voter chose with respect for those three candidates. When this was devised by Joseph Medill[29] in the 1870 Constitutional Convention, the assumption was that it would allow a minority party to have a chance of having representation in the Illinois House of Representatives, because you could—

DePue: Now, as I understand it, there ares four people on each ballot, two from each party?

Netsch: Well, the constitution didn't say that, no. What happened over a period of time was that the legislature passed a law—I've forgotten exactly when this was passed—which said that every party cannot nominate more than two. The idea was that there might be some districts in which one party was so dominant that it could take all three of the seats in that district even with the so-called cumulative voting, so this was done to sort of balance that out. But the idea was that you would end up with, say, the strongest party in a district probably electing two in the general election, and the minority party, one. The idea again was at that time, at the time Joseph Medill thought about this, the north was heavily Republican and the south part of the state was heavily Democratic. There was sort of no way for a Democrat in the north to have any representation in the legislature and no way for a Republican in the southern part of the state to have any representation, and he thought that was very undemocratic and not a good idea. So the idea was, by cumulating your votes, you could elect at least one person of your own party, even though you were a minority in that district.

So let's take the general election first. Three candidates—or maybe four candidates—let's say each party has nominated two. The dominant party's going to be able to elect two for sure, but if the members of the minority all give all three of their votes to a candidate of their party, then that person's going to be elected also probably. So it was a way of producing minority representation, and for the most part, over the hundred years that it

[29] Owner and editor of the *Chicago Tribune* and politician. The Medill School of Journalism at Northwestern University is named for him.

was in effect, that's exactly what it did. It was absolutely unique. It was also then eventually extended to primaries as well as to the general election, and it did two things. In some places, like Chicago, it made it possible for independent Democrats occasionally to get somebody elected. I was in the Senate, so I was not a recipient of this, but people like Abner Mikva, Tony Scariano, et cetera. It made it possible for a Democrat in the exurban area, the Collar Counties, to get elected occasionally—someone like Bill Redmond, who ended up being Speaker of the House, a Democrat in DuPage County. If he had run one-on-one, he would never have been elected to the House, but because of cumulative voting, he had been able to be elected to the House.

The other thing that I discovered when I was spending a lot of time thinking about it when we were having our 1970 Constitutional Convention was, it also made it possible for some districts to be terribly uncompetitive, in part because the legislature had said, You can't nominate more than two; that tended to sort of freeze everybody in. There might be a little bit of competition for the one minority seat, and there might be some competition eventually for—I mean, during the primary period—for the other seats, but what it basically meant was, things got pretty well locked in.

DePue: So an advantage for the incumbents.

Netsch: Yeah, and this was particularly offensive in some districts in Chicago, which were controlled presumably by, quote, "The Mob." They were called the West Side legislators, and they could get elected over and over and over just because of the way the cumulative voting had finally settled in after a period of time. So there was both good and bad for it. It was also true that in a lot of the other districts around the state it had become pretty much non-competitive, the way it worked in fact. I mean, sure, you would get the one person from the minority party and the two from the majority party, but by controlling the primaries and all, there really was not much competition. So, as I said, there was both good and bad in the process—probably more good than bad. Although, I must say, during the Constitutional Convention, I spent a **lot** of time agonizing on this. As an independent Democrat, I'd sort of grown up believing in the cumulative voting, multi-member district, because it's the only way we'd ever been able to get anything. I kept saying to myself, If I were designing this from scratch, though, would I do it that way? For a period of time during the 1970 Constitutional Convention, I was a supporter of going back to single-member districts. Big mistake on my part. (laughs)

DePue: Well, if you don't—

Netsch: I changed.

DePue: Well, if you don't mind, we will pick up that discussion when we get into the convention, and we'll refer at that time to the Cutback Amendment that comes to 1980 as well. We're getting close to the tyranny of the clock, here. Do you

have time to talk about your decision to leave the administration, or should that be where we pick up at the beginning during the next session?

Netsch: Well, there were two things. One, I had been married for a year and lived in (laughs) Springfield and went home on weekends, and I thought maybe it would be nice to go back to my home. That was certainly a major factor. The other was a level of frustration having to do primarily with Ted Isaacs. I got the indication that the legislative program for the next session of the legislature was not even going to be in my hands anymore, that Ted was probably going to take that over. Both for Norton Long and myself, that was just unacceptable. I even had one sort of face-to-face with Ted about it, but nothing ever got resolved in face-to-face meetings (laughs) with Isaacs. But I guess I'd had enough of him.

DePue: Was there any issue dealing with Mrs. Kerner as well that caused that decision?

Netsch: No, no, because that had been pretty much the same throughout. I mean, she went wild about me, but she went wild about some other people also.

DePue: Okay. Well, thank you very much. I spent more time than I had initially anticipated on the Kerner years, but this has been great, because it's not often discussed, at least in oral history, so this is going to be a wonderful addition. Thank you.

Netsch: Well, the only thing that people in this generation remember is that he went to jail, and there were a lot of other things that were really—I mean, there were things in the administration that were very, very, very good, very forward-looking, and, so.

DePue: Okay. Thank you.

(end of interview #2 #3 continues)

Interview with Dawn Clark Netsch

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Interview # 3: July 29, 2010

Interviewer: Mark DePue

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DePue: Today is Thursday, the 29th of July 2010. This is Mark DePue, the Director of Oral History with the Abraham Lincoln Presidential Library. This afternoon I have the distinct pleasure of being in Chicago and having my third session with Senator Dawn Clark Netsch in her office at the Northwestern law school. Good afternoon.

Netsch: Good afternoon.

DePue: Our last session, we met in your home, and it's a gorgeous home—

Netsch: Thank you.

DePue: —and plenty of conversation pieces in the home.

Netsch: (laughs) Yes, a lot of artwork.

DePue: We talked primarily about your work with Governor Otto Kerner, and I think we pretty much ended up with your departure from there and some of the issues and concerns that you had at the time. What I'd like to have you start with today is just talk briefly about meeting Walter[30] and getting married and that portion of your life, if you would.

Netsch: Well, (laughs) actually we met when I borrowed his apartment for a political meeting. He lived in actually the penthouse apartment of one building, and I lived on the fourth floor of another building, but I had a Democratic Club going. We were part of Paddy Bauler's ward,[31] so needless to say, we had no attention at all from the organization, but we wanted to get out as many Democratic votes as we could for the things that we cared about. So we had a Democratic Club going. One of the members was an architect who also had an apartment there. I believe it was the time we had Paul Douglas, the senator, as a guest speaker, and needed a larger place to hold everyone. For some reason, our resident member could not give us his apartment—I can't remember why—he said, "Well, I know the architect over in the other building, Walter Netsch. I don't even know what his politics is, but why don't you call him and say I, Jerry Loebl suggested it, and see whether you could work something out." I followed up on that. He was very amenable. We eventually made arrangements for the day of whatever the meeting was—and I think it was Paul Douglas. I went over one day because he, it turned out, was going to be out of town (laughs) on that day, so he was just going to make his key

[30] Walter Netsch, architect of the soaring U.S. Air Force Academy Chapel in Colorado
[31] Bauler, the 43rd Ward Alderman who operated from his tavern, famously said, "Chicago ain't ready for reform," after residents defeated a popular reform referendum.

available to the apartment, which was very (laughs) trusting. I do recall that he and one of his colleagues were down on the floor of his apartment working on the designs of the windows for the Air Force Academy chapel. Of course, I didn't know quite how important that was at the time. But anyway, I borrowed the apartment, and of course it was very attractive to others to get them to come to our political meetings, and we had other guests. Then we got involved in an aldermanic contest against Paddy Bauler, and Walter actually got sort of interested in that and helped out on it. In fact, I think on election night, we would have the gathering there in his apartment.

DePue: What year was this, then?

Netsch: Well, I do remember the aldermanic would have been…'59, I guess. Yeah, Frank Fisher, who was part of the Walter Fisher family, which is very prominent in Illinois. In fact, Walter Fisher, who was a marvelous person, was one of Governor [Adlai] Stevenson's appointees to run, if I recall correctly, the liquor commission, and everyone was kind of stunned. I think I was told later that Walter Fisher said to Governor Stevenson, "Liquor commission? What are you talking about? I don't know anything about that." And he said, "I want someone there that I can absolutely trust." Anyway, so Frank Fisher was one of the sons of that family and active in sort of independent things, and he was running against Paddy Bauler. So we mounted our campaign against Paddy Bauler, and Walter participated in that. We would have meetings back and forth and back and forth. I don't know how much longer it was, maybe another year or a couple of years, we began to see one another more socially, not just for a political meeting. Let's see—well, we were seeing one another regularly when I was working in Springfield for Kerner. Our standard joke is that the courtship took place at Comiskey Park.[32] He'd pick me up when I would come in for weekends—of course, I couldn't come in all the time on weekends because I often had to work down there—but when I came back for weekends during the baseball season, he'd pick me up at the airport and we'd just make off for Comiskey Park, because I was a White Sox fan also. (laughs)

DePue: So who had got into being a White Sox fan first?

Netsch: Well, I suppose since he was born and raised on the South Side of Chicago, he grew up as a White Sox fan. I had adopted them in about 1954, I guess, long, long before I met Walter, so it had nothing to do with that—thank heavens. He could have tolerated anything, but not somebody who wasn't a White Sox fan. I adopted them when they played baseball the way I thought baseball should be played, which was: great pitching, great defense, great base-running, no home runs. Luis Aparicio and Nellie Fox were my heroes, for example. So we were fine in that respect. Then, I don't know, eventually I guess we decided—you know, people didn't live together in those days without (laughs) the

[32] At that time the playing field of the Chicago White Sox baseball team.

benefit of marriage very often—so we decided to get married. (still laughing) No one in Springfield knew that this relationship was going on.

DePue: Well, that's my question: why were you keeping it so low-key?

Netsch: Well, number one, I just don't believe in spreading personal relationships around, and I just didn't talk about it. It was my business, nobody else's business. And I wasn't quite sure whether I would get married because I never wanted (laughs) to get married. In fact, we sort of joked about it, and there was some truth in this, that I didn't tell anybody because I wasn't quite sure I'd go through with it.

DePue: Does that mean he had to talk you into it?

Netsch: Well, no, it just became sort of the right thing to do eventually. But I do remember that the governor was getting ready to take a trade mission trip, abroad, so he was going to be gone for several weeks when we finally had decided, Walter and I, that we were going to be married on a given date. I thought probably I should let him know, so I did. (laughs) He had no idea that something like this was imminent. I don't know that I said, "Don't tell anyone," but it was understood that this was just a personal, private matter, but I just thought he should know about it. Then rumor came out in Springfield that maybe I'd gone off and got married or something—I'd just said I was taking some time off—and of course (laughs) nobody there knew that I was getting married. I remember Bill Chamberlain desperately trying to track down this rumor. I don't know where they finally did track it down, but anyway, so that was it.

DePue: Well, if I may, I would think you had to work on keeping it out of the public and out of the press.

Netsch: Well, it was taking place in Chicago, and the press was mostly down here. Nobody was hounding me up here in terms of the press.

DePue: Okay. What's your wedding date, then?

Netsch: October 19, 1963.

DePue: Did you take a honeymoon, then, the two of you?

Netsch: Yeah, we went to Cape Cod. Walter had some very close friends there whom I also knew, and they arranged for their—it was either—I think it was their house that was available. It was a gorgeous time, of course, to be in Cape Cod—

DePue: Well, let's jump ahead—

Netsch: —and Barnstable and around that area, that part of the Cape.

DePue: So you were with the Kerner administration for a couple of years while you were married, then?

Netsch: Well, actually it was just about a year more than that. Yeah, I commuted back and forth. Right.

DePue: Let's talk then about your departure from the Kerner administration. I think we addressed that just a little bit last time, but if you can bring us up to speed on that again and then go into what's the next step in your life.

Netsch: Well, I suppose there were a couple of reasons for leaving. One was: I was then married and I was just commuting back and forth all the time. Second, there was no question that the tension with respect to Ted Isaacs had (laughs) increased quite a bit. I think I remember at one point hearing—and I don't know whether it was a rumor or whatever—that he was going to take over program; basically the programmatic agenda had been my agenda. We had some awful good things that were on that agenda in that first term, and what I was hearing was I was not going to have anything to do with it, or not much to do with it, and he was going to take that over. That was sort of the last straw also. So I thought that between the tensions and the fact that I really probably (laughs) ought to get back to Chicago, that it was time to leave.

DePue: And bringing you back to Chicago, then, what was the next opportunity you found yourself?

Netsch: That was to teach.

DePue: Did they come asking you, or did you—

Netsch: No, actually, they asked me. They'd asked me once, oh, I think maybe a year or a couple of years before that, and I wasn't ready to do it. Teaching had never been on my career desirability anyway. I'd never thought about doing it, particularly. Then they'd reopened the issue, so I began to think about it more explicitly and talk—

DePue: To be explicit here: this is for the Northwestern University Law School.

Netsch: Yes, right.

DePue: Wasn't it, at this time, a boys' club, so to speak?

Netsch: Oh, yeah. There were no women here. Actually, there were very few women law teachers at that time. There were a couple of well-known ones: Soia Mentschikoff [33] was always the best of those, and I want to say—I think Herma Kay Hill[34]—oh dear, I'm getting it a little bit wrong at the moment—

[33] Professor of law at the University of Chicago, later Dean of University of Miami School of Law
[34] Dean of Boalt Hall (School of Law) at University of California - Berkeley

who was at one of the California schools. There were, I'm sure, some others, but there weren't very many around; that is correct.

DePue: Was it your sense at the time that they were asking you so they could get a female member onto the faculty or because you have the other credentials they were looking for?

Netsch: I don't think they were particularly thinking of a female member. (laughs) It obviously was not a problem for them. But they knew me. You know, I'd been a student here, and actually, I had taught a part of a seminar when I was in private practice here, which is interesting, because I had almost forgotten about that until not too long ago. Some former students—I mean, long time ago former students—remembered that they had had me for that seminar. I had done a little bit of adjunct teaching here, so they knew me, they knew my teaching, I guess. I don't know that they were trying to break the barrier or scratch the ceiling particularly. Oh, and also, one of the faculty members, who had been my instructor as well, I had practiced law with. The firm I had practiced with privately in Chicago, he did work for also in antitrust, so they knew me from that also.

DePue: Would it be fair to say, though, that choosing education as a career versus going back into private practice at some law firm in Chicago, that that wasn't going to be as lucrative financially for you?

Netsch: Oh, heavens, (laughs) that certainly is true. But then I had reached a point where I really wasn't interested in going back into private practice. I absolutely enjoyed my couple of years at Covington and Burling, and I enjoyed my almost four years at the Chadwell firm here, but I just knew that wasn't what I wanted to do with the rest of my life. You don't go into either politics or teaching to get rich.

DePue: Had it been in your mind before that teaching might be a good profession for you?

Netsch: I can't say that it had **never** crossed my mind, but it certainly was not on my list, no. I hadn't thought about it.

DePue: Well, tell us a little bit about those first couple years teaching, then.

Netsch: It's hard work, (laughter) and it remains hard work (laughs) some forty years later.

DePue: Well, I would think especially so when you're for the first time preparing your lectures and notes and exams for classes you've never taught before.

Netsch: Yeah, you really have to work very, very hard at it. Of course, one of the areas that I was teaching was antitrust, which was an area that I really knew pretty well. But like all beginning teachers, I was assigned to teach—what did we

call it then?—real estate transactions, I think it was called. As I jokingly said to myself, I wouldn't know a mortgage if it bit me, let alone an incorporeal hereditament.[35] Hereditaments—that was one of the legal things that was important in the teaching of (laughs) real estate transactions, so practically every night was spent with six or seven textbooks and other treatises spread out in front of me, as well as the casebook itself, while I tried to make sure I understood more than the students did.

In some ways, by the way—and I sort of recognized it at the time, but I think perhaps even more later—in some ways, those are almost your best teaching years, particularly in a new subject, because your understanding, comprehension level is just a smidgen above the students', which means that in a sense, you can understand questions they have in their mind—particularly in something as sort of strange as real estate law, easements and literally incorporeal hereditaments and all that kind of stuff. I know once in a while, I remember, I would at lunch be asking one of the teachers who had a much deeper background in property law and other things about—I would have a couple questions on my list to ask, and often they were things that they hadn't thought in years because they knew this stuff so well and they were teaching. That helped me to realize that sometimes when you're brand new to a subject, you actually can deal with the students and help them understand and communicate with them better.

DePue: Well, plus you have the advantage of having four plus years on the Kerner administration working on these issues and concerns in a very different, more practical kind of way sometimes.

Netsch: Yeah. Right, right.

DePue: I wonder if you can do a little bit of compare and contrast with some of the other law schools in the Northwest region. I would think especially down the street you've got the University of Chicago Law School, St. Louis University, some of the other—University of Illinois. Where would Northwestern at that time be in the mix?

Netsch: Oh, one of the two major ones, no question about that. It's interesting, now everybody's obsessed with the lists of who's in the top ten or the top fifteen or whatever. When I was a student here and for some time afterward, nobody kept lists like that that I can recall, but we always sort of understood and didn't care much about the fact that we were thought of as being one of the probably three to five best law schools in the country. But it just wasn't a big deal for most of us who were students here at the time.

DePue: Were there things that Northwestern was especially well known for?

[35] Property that can be inherited.

Netsch: Well, in a sense, not really, because specialties were not as much a part of it then. At least when I was a student, we all took the same courses. They were almost all required, and you had only a few choices really available over a period of time. So that for a school to be known as environmental or as international law or as whatever, there wasn't quite as much of that, I think; at least that's my recollection and impression. It was I think generally true in the major law schools at the time that we all took basically the same courses. In fact, it was interesting.

A few years ago, one of the classes—I want to say it was the class of '60, it was one of my first classes that I taught after I came back, so it would have been maybe the class of '69 or something like that—had asked me to come back when they were having their fiftieth reunion or whatever it was and also asked if I would talk to them a little bit. So I went back into the files and pulled out things—you know, the tuition at the time, the size of the law school student body and faculty, all sorts of things like that, and also just the difference in the curriculum. And I said, "Today"—when I was talking to them this was, what, four years ago or something?—I had somebody count up. I think there are something like 208 courses during the course of the year that are available to the students. There were something like forty-nine (laughter) when they were students, and even fewer when I was a student. So it had changed quite a bit.

DePue: Reflecting back on those years, what were the classes that you most enjoyed teaching?

Netsch: Well, I taught antitrust, real estate, which I can't put at the top of the list; in those days, I had a seminar on state and local government law. I think I clearly enjoyed the antitrust more, because I knew the area of law pretty well, and it was a challenging area to teach. It was interesting: State and local government was a seminar at the time, and I thought back to when I had taken state and local government as a student, and my teacher was Willard Wirtz, who later became the secretary of labor in—it would have been the Carter administration,[36] I guess.

DePue: State and local government—what was the thrust of—it's not going to be too far down the road here you're going to be dealing with writing the Illinois Constitution with the Constitutional Convention, and certainly one of the hot topics in that exercise was local government—so what was the thrust that you were teaching when you first started to do that?

Netsch: Well, bear in mind when you're teaching at a law school, particularly in those days—even more so in those days, I should say—you don't try to push onto the students your points of view; you're trying to get them to understand what the law is and how it developed and what is underlaying it. Sure, some of the

[36] He served in both the Johnson and Kennedy administrations.

things that particularly interest you or intrigue you also get out there, and I'm sure some of your own ideas occasionally, but you don't lecture, so you're not up there saying, "This is the way it is, and you students should know this" at all.

DePue: Were you using the Illinois 1870 Constitution as the model, or any particular state?

Netsch: It wasn't Illinois law. In fact, if you look here at the casebook, there are Illinois cases, and there are a few areas of law where Illinois is particularly interesting, but the students come from all over, and a casebook is written for use in schools all over the country, so it is not particularly focused on Illinois. Now, what I did do, probably even when I was doing it as a seminar, and certainly when I shifted the course into a regular three-hour course rather than a seminar, I do always give the students a copy of the Illinois Constitution and whenever I can find ways to have them sort of look back and see what that constitution says about whatever the issue may be. That is not to be provincial particularly, (laughs) but because I do want them to see the fact that there are states—most students come into law school and they don't have any idea that states exist, let alone that they have constitutions and that there are all kinds of other things. I'm slightly overstating it. So I want them to see what a full-bodied state constitution looks like. Happily, of course, ours is a very modern one and a good one in that respect, so it makes a very useful supplemental teaching tool.

DePue: But that wasn't the case in '66, '67 when you were teaching this class.

Netsch: No, that's right. Yeah, right.

DePue: And back at that time, you'd come out of the Kerner administration, you'd worked on an awful lot of legislation in the process of being there, you come here, and now you're teaching state and local government and you have cause to go back and read the Illinois constitution as well as others. What had you come to decide that needed to be fixed most?

Netsch: Oh, well, I mean, a few things were fairly obvious. Number one, it needed to be shortened and made less specific. There was no question that the 1870 Illinois Constitution dealt with a lot of how you should regulate warehouses, all kinds of things about the banking system, much more explicit than a constitution in my judgment should be or needed to be. That was certainly one of the banners that I carried into the Constitutional Convention itself. Secondly, that there ought to be a good balance of power between the governor and the legislature, which had to do with the votes required, vetoes, things of that sort. I had in my research that I was doing—I suppose while I was teaching and before I became a delegate—had come across, for example, the amendatory veto, which only a couple of states had at that time, and based on my own experience realized how enormously useful it could be. So things

like that sort of intermixed. I was a **very** strong home rule proponent, and I supposed that grew in part out of my teaching, but it also grew out of my experience in Springfield.

I still occasionally regale my students with this. I can remember one time when Chicago had had one of its recurring police scandals, they had brought in O.W. Wilson,[37] an academic, to clean things up. There were all kinds of problems because Chicago couldn't do a lot of things for itself; it had no legal authority. The one that was always the funniest for me—the most telling, I suppose, is a better way to describe it—was O.W. Wilson had concluded that the police cars were not sufficiently separated, in the public's mind, because everybody had revolving red lights—all kinds of emergency cars and everything else. So he said, "Okay, I want revolving blue lights so people will be able to identify their police cars and turn to them." He could not do that without getting a bill passed in Springfield. So a beautiful example of why home rule is a good idea. (laughs)

DePue: You've given us a great example; can you give us the textbook definition of what home rule meant and means?

Netsch: Well, basically and almost always, it is constitutional. It is a constitutional provision which allows designated units of local government basically to govern their affairs and property as they choose unless the state legislature has decreed to the contrary.

DePue: Counties as well as cities and municipalities?

Netsch: Well, that varies. Now, our home rule, as it turned out, in the 1970 constitution is limited; cities of twenty-five thousand or more get it automatically. If a city wants to have it and is under twenty-five thousand, it can pass a referendum, and there are provisions for that, and then it also provided that counties that were presided over by basically a chief executive—this was aimed at Cook County, obviously—would have home rule automatically or could adopt it later pursuant to legislation that would provide for it. Interestingly enough, Cook County is still the only county that has home rule in Illinois, even though several other counties have passed laws which give them a chief executive, but just the way the enabling statute was set up, they were not—well, sometimes it still gets disputed, by the way, but in general they are believed not to be home rule units. But there are loads of home-ruled cities now.

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[37] **Orlando Winfield Wilson,** was an influential leader in policing as the Chicago Superintendent of Police, Chief of Police in Fullerton, California and Wichita, Kansas. He authored several books on policing.

DePue: Well, I'm finding in just the kinds of questions I'm asking you, I'm getting you into the Constitutional Convention discussion. I didn't necessarily want to get there that quickly, but this is all crucial and important information we're addressing. So let's take a step back again. Just from reading Cynthia Bowman's book that just got published about you, I understand that race relations law was another area that you were getting into at this time, is that right?

Netsch: Yes.

DePue: What drew you into that field?

Netsch: Well, I suppose, I don't know beginning at what age, but I'd always been very conscious of the fact that we had basically a divided society in this country and that a part of that society was not treated very well. I don't know if this is anything we ever got into, but I remember when I was writing our often-controversial column for my Withrow High School newspaper, one of the columns I wrote advocated federal control of education. If I remember correctly, one of the main reasons why I wanted federal control of education was to try to overcome the terrible disparity as a result of racial segregation in the schools, particularly in the South. So I think I had always been very focused that way. I would like to think, and I think it is probably true, that my mother had some influence on that, because she was a social worker and worked during the Depression and later, and of course was often working with people who were African-American.

DePue: None of us are divorced from what's going on in the nation or the community at large, and this is the time when you've got the civil rights movement and Martin Luther King—I can't recall exactly, was it '66 he first came to Chicago?

Netsch: Well, that was in the '60s, yeah, yeah. I was oriented on (laughs) civil rights a long time before that. Actually, one of the courses that I just made up and put on the curriculum—that would have been after I started teaching, though—I think I called it race relations, and it had a lot to do with the Fourteenth Amendment and all of the things, whether it was the contract buyers' suit here, housing discrimination, employment discrimination, all kinds of things that revolved also around the Fourteenth Amendment. My feeling was that the students didn't get as much as they ought to of that part of constitutional law—in part because their basic constitutional law had to cover **so** much—and because this area fascinated me a lot, so I did make up this course called race relations and put in a lot of interesting areas of constitutional law that did involve that and also often brought in guests who lived some part of it or another. That was when I was teaching, though, I should say.

DePue: Right. Apparently you still had an opportunity to be involved in local politics as well at this time.

Netsch: Yes. Which time are we talking about now? I've been jumping around so much.

DePue: Well, '64 to '69 timeframe we're looking at.

Netsch: Yeah. Oh, yeah.

DePue: What were you doing in that respect?

Netsch: Well, a lot of what we were doing had to do with the Committee on Illinois Government, and helping out in various people's campaigns, also. The Committee on Illinois Government basically grew out of Governor Stevenson's administration and was made up of a lot of people who actually had had a chance to work in his administration. I had not, because I was just finishing my law school, and as we may have talked about, I was already hired to work in his reelection campaign, after which I hoped I would have been working in his gubernatorial administration except that it turned out to be a presidential campaign and not gubernatorial, so that part of it was over.

But a lot of my good friends had been in his administration, and one of the things that everyone wanted to do, because he was our role model, was to try to maintain, not just the integrity, but the sense of substance and good policy that Governor Stevenson had represented with respect to state government, because again, not enough people paid attention to state government at the time. You know, you're focused on the federal government, or, depending on where you live, you may be focused on your own local community. One of the things that we realized was that the states have **enormous impact** on practically everything. We just wanted to make sure that the kind of legacy that we believed Governor Stevenson stood for was going to be literally a legacy, so that was basically what it was about. So it was good state government.

In fact, I was looking for something else two days ago and found a copy of one of our documents from 1959 called *A Democratic Challenge*, in which all of us took various aspects of state government. My particular subject at that time happened to be the whole mental health program, which had been in a **shambles** before Governor Stevenson; everyone was just stashed away in fifty thousand–inmate warehouses and all that sort of stuff, so we were making all kinds of proposals for that. We were probably the first ones who openly advocated the need for a state income tax (laughs) in Illinois, which didn't make us very popular with everybody. So we spent an awful lot of time on our Committee on Illinois Government.

DePue: Again, we're talking '50s and into the '60s now. That group would have been synonymous with thinking of yourselves as independent Democrats?

Netsch: Yes. Yeah, that's clearly what we thought of ourselves as. Now, independent in the sense that we were not part of the machine and often were not even

welcomed by the regular organization. A couple of times, we turned out to be quite essential for regular Democratic candidates. Austin, when he ran for governor, was terribly dependent on our research and position papers and things like that and welcomed them, so we had a very good working relationship with him. Let's see, I guess that's when Paschen had to drop out because of some kind of an inter-office scandal, and then Austin took over; that's when we fed him all of the work that we'd been doing all of these years. There were a couple of people even before that who were part of the, quote, "machine," that is, the regular Democratic organization, but also were interested in substance. One of them was the Democratic leader in the House at one point. Oh, there were several others. We could have working relationships with someone like that, but there was no research done on state issues.

The state parties—I don't think either one of them, certainly not the Democratic Party, had a staff of people figuring out why a particular issue should be important and what the background of it was. That sort of thing didn't exist, so in a sense we were not completely anathema to the regulars because basically we were not a political action group; that is, we were not trying to take over precinct organizations or something, so I suppose in that sense we were not an absolute threat. From time to time they realized that they needed some… I guess they realized it; anyway, they took advantage of it from time to time.

DePue: When we hear the phrase "machine" today we automatically think of Chicago. Is that the connotation you'd want to put on it?

Netsch: Mm-hmm, yes.

DePue: Then is CIG also a function of the Chicago area independent Democrats?

Netsch: Basically, yes. Now, we would like to have had a broader statewide reach. Well, Paul Simon was always part of it—and I think Jeanne Hurley, who later became Paul's wife—in the early days. And I know Jeanne's brother—what was his first—oh, cripe—Bill Hurley, I think—remained fairly active in it. So we tried to reach out.

DePue: Simon's from Troy, I believe, which is pretty small-town southern Illinois.

Netsch: Yes, yes, yes. That was his newspaper at the time, yes. He was always very much a part of the group. But, you know, it's awfully hard, just because of distances and everything else, (laughs) to have completely volunteer organizations which have a **really** strong, well-maintained statewide base, so we were never successful in that respect as we would like to have been, so it was heavily in Chicago area, yes.

DePue: Well, no doubt you noticed I got out a map of Chicago neighborhoods, because I wanted to get you rooted into your neighborhood at Chicago at that

time, and then go back to this discussion about race relations and what you were experiencing just in terms of race relations within Chicago.

Netsch: Well, the area that is marked on your map Near North is my base, which was not even up to Lincoln Park. (laughs) In fact, I remember when we bought the lot where we built our house—Walter and I, and I still live, one block north of North Avenue—at first I wept a little bit—not literally—I said, "That's just like moving to the suburbs to me. I've never lived that far north in my life." (DePue laughs) So yes, my area was Near North.

Again, jumping ahead on timeframe, when I was in the legislature, my legislative district included Cabrini-Green and also included a big hunk of Lakeview, which at that time was not what it is now—I mean, not as, quote, "elitist" as it is now—and had a pretty substantial Hispanic population. One of the early battles that we had to fight often there was to try to slow down the gentrifying and try to help protect the base of a lot of the Hispanics that lived there, because they were lower-income—not public housing–level income—but they were not middle-class income; they were being gentrified out, and it was very sad to see that happen.

DePue: You mentioned Cabrini–Green. Cabrini–Green was a [government housing] project, and a rough-and-tumble area, was it not?

Netsch: Oh, yeah, yeah, it could be and often was, but it was part of my legislative district, and I spent time over there. Never had any problems, by the way.

DePue: At the time—again, this is late '60s now, and you're getting interested in the civil rights law, race relations law—were the kind who were coming out of Cabrini–Green going to all-black schools, were the schools segregated in Chicago at the time?

Netsch: (pause) They were probably somewhat less segregated because there were more white kids going to the public school system. As you probably know, now the percentage of white kids in the system is about 10 percent. You can't do much integrating with 10 percent out of your total thing. But it sort of would depend on where the school was. For example, some of the elementary schools that were in the Cabrini neighborhood were pretty clearly all black. Cooley High School—I can't remember what the exact percentage—it was a high school that no longer exists, which is just sort of just outside of Cabrini–Green; I mean, it was near there. As I recall, **heavily** African-American. On the other hand, Lincoln Park High School—I think that's what it was known as at the time—I believe was probably **very heavily** white with not too much integration at that time. So yeah, the schools were pretty segregated, yes.

DePue: Was this the time, then, that there was an awful lot of white flight to the suburbs going on?

Netsch: Well, yeah, that was going on over a long period of time, and sure, that was part of what was happening. Then what began to happen in the area where I lived was gentrification. I'm jumping around a little bit, as usual, but Walter had designed a church for St. Matthew's Methodist Church, which is right bang on the edge of Cabrini–Green. We became very close to the people who were part of that church; in fact, a couple of them I still see or talk to a lot. One of the things that he remembers, Reverend Jackson, who was there—not Jesse Jackson, obviously; this was a different person who was the minister while the church was being built—and a couple of the other distinguished elders of the church, that he remembers their saying is they were slowly losing their constituency, their membership, because either they were moving out consciously because they were getting better jobs and could go to better housing, or they were being pushed out by gentrification, which was beginning to take place even then. DePue: I'm going to change gears just a little bit, but this is still part of that same time period, and I think it's also about the timeframe that you got more involved in the ACLU. [American Civil Liberties Union] Is that correct?

Netsch: Uh…

DePue: Or involved, I should say.

Netsch: Yeah, yeah. (pause) Well, I was on the board for a long, long time. I can't remember—yeah, yes, I would say yes.

DePue: What was it about ACLU that drew you to them and to their mission?

Netsch: I'm an old civil libertarian, (laughs) what can I say? I have **always**, of course, felt **very strongly** about the fact that government should not tolerate discrimination, that it should protect people's right to stand up and be counted, and not only vote—which had been a problem in the early part of my life—but to be able to move ahead, not to have any barriers that government put into place, and indeed, to use the power of the judiciary and the legislative process to break down discrimination. And respect for individual persons, which I hope is the basis of it all, and then you could see the terrible things it was doing to our society.

DePue: Okay. I'm going to go take you back, then. How closely were you paying attention to what was going on in the Kerner administration and in communication with people who were still working for the administration?

Netsch: Well, I certainly stayed in touch with them to some extent. You know, we were beginning to head to the constitutional convention—I think that would be right, wouldn't it—and I know there was a constitution study commission, for example, that Governor Kerner had three or four appointments, and I was one of them. Then some of the individuals that I had a good relationship with there—Dick Thorne, Bill Chamberlain, Dick Feurer, some of the others I

would stay in touch with. I can't remember that I really had occasion very often to see or talk to the governor, but I might have from time to time.

DePue: Were you surprised when he took the judgeship, when he resigned from the governorship to do that?

Netsch: I don't honestly remember whether I was specifically. I guess I would not have been, at least looking back at it now, (laughs) I think I would not have been too surprised. I might have thought, well, maybe he'd finish the term or something, but I think that was always something that was high on his list and meant a lot. Remember, he'd been a judge; he was a county judge, and his father had been a judge, and I think that was in some ways… Believe it or not, he was really not that intensely political at all. In fact, I think some of those who were more political would have said he was not as political (laughs) as he should have been. I think he had a sense of the importance of the role that the courts play and of justice and that sort of… You know, people forget about the fact that his record on things like civil rights and civil liberties was **very strong** as governor. I mean, the executive order which prohibited any state agencies from discriminating in any way, shape, or form, before we could pass some of the laws that had to be done. In that first term, one of our major legislative items was passage of the Fair Employment Practices Commission Act. We didn't even have an FEPC in Illinois yet when he became governor, and almost right away, after we finally got FEPC and we went through the **painful throes** of getting the members appointed—because the Senate turned down Earl Dickerson, who was one of the most distinguished African-American businessmen and also a lawyer, and, ugh, what a time all of that was. But we finally got a commission in place.

I think it was just the next legislative session, quote, the radicals started saying, "We ought to get fair housing now. We've got fair employment; we should get fair housing"—which of course was my position also. I think most people would have said, Well, let's swallow this one first, and whatever and whatever, but I was up on the floor on behalf of the governor trying to get them to pass fair housing, which was a pretty **radical** idea at that point, (DePue laughs) believe it or not. A lot of the veto messages were really very well-based in that kind of approach. So he was very strong in areas like that, and I think some of that reflected that fact that he in some ways was certainly more judge than politician.

DePue: Well, maybe that's one of the things obviously that President Johnson saw in him when—I can't remember the formal name—but what became known as the Kerner Commission addressing urban violence.

Netsch: The National Commission on Civil Disorders.[38]

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[38] 1967 President Johnson formed the committee on **Civil Disorders** in hope of finding a peaceful solution to the rioting which was plaguing large cities.

DePue: Did you have any involvement with that?

Netsch: I spent a summer in Washington working for it at his request.

DePue: Anything that you recall that was especially noteworthy about that experience?

Netsch: Well, yeah, several things, probably. One of the things that was fascinating in terms of what you're interested in, is the suspicion and distrust of Kerner on the part of so many of the staff people. Most of them—and this is going to sound a little strange on my part, probably, but most of them sort of came out of the elitist East—you know, the Harvards, Yales, Columbias, et cetera, et cetera. I think they just, you know, Who is this Midwestern governor that we don't know anything about, and what's he up to? The fact that Johnson appointed him might have made them a little extra-suspicious. There was a **huge** amount of suspicion of Kerner. John Lindsay was, I think, the vice chairman, and of course, Lindsay was the liberals' knight in shining armor, so it was fascinating to kind of be a part of that. And of course, I was probably suspicious because clearly I was there because Kerner wanted me there. So that was one of the interesting things. I know after I had left—I don't remember how long it was, quite some time, and probably after the report was finally put together—one of the persons who had been, if not **the** chief staff person, at least one of those who was in charge of all of it, had written me a note at one point and in effect said, "I'm sorry we did not appreciate Kerner and did not understand and hope you weren't too hurt by it also," or something like that.

DePue: A little bit of vindication, then.

Netsch: Yeah, yeah, which was very interesting. The other thing that was fascinating was there were several occasions when I had to go into FBI files. (laughs) What was stunning was there just wasn't anything there. Now, there may have been some that we never saw, for example, but most of it was things that most anybody could have gotten access to. I mean, the idea that there was all of this—you know, secret agents had been out there collecting information on whatever whatever, and terribly classified—baloney, they just weren't that interesting. (laughs) I was absolutely stunned by that.

DePue: Were you proud about the end result of the commission report?

Netsch: Oh, yes. Oh, yeah, yeah. I think it was basically absolutely right, and its findings and conclusions, we're slowly becoming a society—what was it—part black, part white—the famous provision in the report. I think it was very important and really had a lot of credibility, and I'm not sure people expected that to be true. And I think to some extent, the fact that Kerner was not an identified liberal, really, in most people's minds—because most people just didn't know that much about him. I mean, he wasn't like a John Lindsay

where, you know, you would have expected a **strong** report and a strong civil liberties, civil rights–oriented report. Kerner was sort of more Midwestern, middle everything, and not terribly well known in that respect, and I've always thought that helped to give the report and its findings credibility.

DePue: And acceptance, then.

Netsch: And acceptance, yeah. It doesn't mean it all came to pass, obviously.

DePue: Well, the next couple of years were busy years in the United States and in Illinois as well.

Netsch: Yep, yep.

DePue: Let's stay with Kerner just a couple more questions. What were your feelings, then, when he was indicted[39] and went to trial?

Netsch: Well, obviously very sorry, very sad.

DePue: Were you surprised?

Netsch: Yes, yeah. I never—and to this day it's still true—I never saw any sign of greed, or taking advantage of his position, or power-focused, or anything like that. I just simply never saw any sign of it. A couple of incidents. I remember when he had sent me out with the legislative leaders at a meeting, believe it or not, in Reno and Las Vegas. They were meeting there, which was hardly surprising. (laughs) He said, "Because you're doing so much work on the legislation, you've just got to have a better relationship with these people and sort of get to know them a little bit better." That was Paul Powell, among others, for example. When I came back, I somehow came to realize that their fares, I mean, their expenses—I think I have this right—were being paid for by some private lobbyists, but they also charged them to the state, because it was state business that they were on. I told the governor about this, and he basically blew the whistle on them. And, you know, this was the Paul Powells and the—who else would have—Bidwell, and I can't remember who all the others were at that time. He said, "That's absolutely improper, and we will see that it does not happen."

DePue: Reflecting back on all of this and knowing that he's going to be indicted and convicted here—now we know that—what do you think his tragic flaw was? What was it that brought down Otto Kerner?

Netsch: Well, what many of us believed and believe is, it was his sort of total trust, primarily in Ted Isaacs. They had the military service together; that also was something that was **very** important to Kerner and something I think cherished and sort of was part of his DNA, and so his close relationship with Ted was

[39] Kerner was convicted of bribery, conspiracy, perjury, and other charges related to two Illinois racetracks.

kind of fueled in part by that. I think he probably had total trust in him, and I suppose in that sense there was a weakness of character that, you know, he didn't stand up and be himself and be in charge of everything.

DePue: Easily manipulated, then?

Netsch: Well, I don't know whether manipulation was too strong a term, but it's something like that, at least that is what those of us who were around at the time believe. And by the way, interestingly enough, it wasn't just those of us who were working for him. I know some of the, for example, Republicans who knew him and had worked with him in his public career in state government who, to this day, simply do not believe that he did anything wrong or was capable of doing anything wrong. It just did not accord with the Kerner that I knew.

DePue: That Kerner conviction came later than this, but I want to go back and ask about 1968, because Chicago was in the middle of the world's attention for a while there in '68, and '68's a pretty tumultuous year. Can you tell us your memories about that particular year, especially the Democratic convention and the riots? Well, and also the Martin Luther King riots that happened in the spring of that year?

Netsch: Well, obviously, very, very well-aware of that, and then during the convention (laughs) you could almost not be aware of it because the whole city was practically locked down in a sense. We lived in our apartment at that time, and we were just on the eighth floor, but day after day you'd see the helicopters flying around overhead and look down on the street and there'd be police cars all over, wherever you went, as a matter of fact. And the police cars, of course, always had the tape across the windows on the assumption that they were all going to get rocks thrown at them. It was like an armed camp. I had tried on the Sunday night before the convention began—Walter was out of the country as I recall, right then—but I had tried to go up to Lincoln Park where I knew some of the young people were convening. Much to my regret—although I should say much to my relief, probably, but at the time regret—one of our mutual friends who had been, quote, "put in charge of me to keep me from getting in trouble" (laughter) said, "No, you are not going up there" and somehow persuaded me, restrained me from doing it. I probably would have—well, I would not necessarily have gotten my own head beaten in.

DePue: Well, I guess that answers my question, then: would you have been able to identify with those who were on the street?

Netsch: Oh, yeah. Yeah. Now, not some of them—not the ones who were there just **deliberately** to cause trouble in a violent sense. But most of them were not that way, not even the Abbie Hoffmans and some of the others. In fact, I remember at one point stopping some young man on the street—I swear it was on Michigan Avenue—who I think even had a bandage over his head or

something and just talking to him a little bit. You know, probably eighteen, nineteen years old or something. He didn't come there to cause violence or anything; he came because he was so outraged by the Vietnam War and by a government that was simply not listening and this sort of thing. The vast majority, I am convinced even to this day, were of that sort. And then the other two groups, the ones like the Abbie Hoffmans, I mean the Conspiracy Seven guys who were using it for not necessarily bad purposes but were happy to see things get a little bit out of control, and then probably a few who were really determined to try to make sure that violence did take place. But I don't think that was more than a relatively small proportion of those who were there. So yes, the answer is. One night, Walter and I went down in front of the Hilton—what night would that have been? one of the critical nights—and there were young people all over there, obviously. And I do sort of dimly remember sort of smelling some of the…

DePue: Tear gas?

Netsch: Tear gas from probably inside the hotel. We weren't tear gassed, but (laughs) I remember when we were standing out in front of the Hilton and down Michigan Avenue were coming the armored trucks and the whatever they call all those things, with the—what do you call…?—the wire up in front—

DePue: Barbed wire?

Netsch: Barbed wire up in front.

DePue: Concertina wire, probably.

Netsch: Yeah, yeah. —and the armed guys up on front, (laughs) some of them with machine guns. (laughs) I remember saying out loud, "What the hell do they think they're going to do with those machine guns?" (laughter) We were not hurt. When we were finally going back home, off on the side street we saw some young people being chased, still, by the police, but we were not in the bloody part of the violence by any means, but really distraught about what we were seeing and the fact that so much of it was, we thought, misguided—that is, the response was misguided.

DePue: The response from the police department?

Netsch: From the police and the government. I think if they hadn't closed the parks down and if they'd have allowed them to go out and sort of camp in the parks, I think an awful lot of that violence might not have taken effect. I talked to people who were part of the mayor's administration later about this, but even at the constitutional convention, I remember David Stahl—my impression is that there were several people, and I like to think David Stahl might have been one of them—who were trying to allow the kids to camp out in the park and that sort of thing and thought it would help to defuse things. But they got overruled, and I think that was part of what lead to the violence.

DePue: Do you see any distinction between the way the National Guard was dealing with the crowds and the city police were? Or pretty much one and the same?

Netsch: (pause) That's interesting. I hadn't even thought about that, if at all, for a long time. I suppose there was a little bit less kind of provoking on the part of the National Guard. I think they might have been better trained for dealing with this kind of thing. Mostly what I'm thinking back on now is all the videos and everything else that we've seen, the photographs over a period of time about it. It usually was the Chicago police who seemed to be waiting with their billy clubs and dragging people and that sort of thing.

DePue: Well, Dan Walker was the one who was put in charge of that commission to study the violence, and would you concur with the most loaded terminology in that report—

Netsch: A "police riot"?

DePue: A "police riot." Would you concur with that?

Netsch: Yeah, I probably would, yes. I don't know that I would have used that exact terminology, but I do believe that an **in**appropriate—not just inappropriate—an incorrect response not only helped to trigger the violence but helped to make it worse than it might otherwise have been. I think the Chicago police were not able to handle that and apparently were not getting the right instructions to be able to deal with it. It was a lot worse than it ought **ever** to have been.

DePue: I'd like to also get your reflections on—

Netsch: And one other thing (laughs)—

DePue: Go ahead.

Netsch: —just as part of this. As soon as the convention was over in '68—in fact, I think it was the night the convention was over—two of our very close friends, the Clements, and Walter and myself, and a newspaperman, who probably had no business coming by our house, whom we knew, we all put on black armbands and marched off to Schaller's Pub and Grill [*sic*], which was the heart and soul of the eleventh ward regular Democratic organization. (laughs) We're probably lucky we got out alive. It was very interesting. Two of them, Walter and one of our group, were [Eugene] McCarthy supporters; I was a Kennedy supporter. So we had our black armbands on with our buttons turned upside down as a sign of distress and all. (laughs) We were really asking for it.

While we were there, in the early part of the evening, they kept playing the Mayor Daley marching song—I did not even know there was a Mayor Daley marching song (DePue laughs)—and then "Battle Hymn of the

Republic," which had been Bobby Kennedy's sort of theme song; they'd just play them over and over and over, looking at us. We learned later that there were people there who thought Walter was John Kenneth Galbraith.[40] (DePue laughs) He sort of looked like him. After awhile, after they'd all been drinking a lot and the night got over, things got friendlier and we could all talk back and forth. But that was not (laughs) probably a smart move on our part.

DePue: This is going back just a few months, but I want to get your response, your feelings, about both the Martin Luther King assassination and the RFK [Robert F. Kennedy] assassination, and of course the riots that led after Martin Luther King's assassination.

Netsch: Well, I don't know whether you can say it was—I mean, some of the saddest moments probably I think —certainly in the lifetime that I had lived—in part because of the individuals involved, and **most** particularly Dr. King, but also the fact that this was no way to resolve these very complicated issues or feelings by going out and killing the people who stood for them. I mean, to me, it was just such a horrible, what, lamppost example, basically un-American, and you might say, Well, of course it's un-American to kill somebody, but in a bigger, broader, deeper, longer-range sense than that, because Dr. King was the embodiment of, We are going to solve this problem, we are going to get through it, we are going to act in accordance with the principles that we all say that we adhere to—and that was the antithesis of it. And Kennedy's was also—it was a terrible thing.

DePue: You've got the student rights movement that percolates and grows into this anti-war movement, you have the strong civil rights movement that's all going on at the same time, all of these traumatic events that are going on in 1968, and you're seeing what's going on in the war, it radicalized a lot of people. You came from a long liberal tradition. What was your thought about what the road ahead was going to be? Because so many people were asking, Something is seriously wrong with the United States.

Netsch: Well, I think even then I was absolutely convinced that in terms of what—I'll call it—the law can do, we would win out. There was no question that the law was going to go the right way in terms of discrimination and all that it embodied. The saddest part, the worst part, was going to be, What would we do with the fact that we had basically created two societies. That's why I think the expression in the Kerner report was so telling and so important. We had, to a **very** considerable extent—remember there wasn't a huge amount of black middle class in those days. And, you know, we segregated and sat upon a huge hunk, I mean, a very significant portion of our population. Had we done that so totally for so long that it was just not going to be possible for it to become part of what this country has always been terribly good at, which is assimilating. (laughs)

[40] A widely read Canadian-American economist.

People used to hate the **Irish**, and they did **terrible** things to them; they used to hate the **Italians** and did terrible things to them. Now, sure, it was different because they were white (laughs) and eventually they could blend in, if you will. But you knew that it was not only wrong but that it was essential to reach a point where the same thing would happen with respect to the African-American population. Now one would have to add also the Hispanic population. What we saw was everybody's sort of pent-up frustrations and angers and biases—deep, deep prejudices—prevailing during that period, and it was very sad. I don't believe I really thought that was going to continue forever. If we could find a way to begin to get the black population out of the hole that we had dug them into, both educationally and in terms of where they lived and other things… No, I don't think I was totally despondent, although it was pretty (laughs) unpleasant while it was happening.

DePue: I don't want to—well, I guess I do want to belabor this question, this point. Where you were at at the time, though. I mean, there was a portion of what's going on, a portion of this society, especially the youth, that were saying, We need to make a more radical change, we need to be more revolutionary, and that kind of things. Your thought was this was no time to…? Well, what were your thoughts at the time?

Netsch: Well, I'm probably not a radical, despite what some of my colleagues used to think about me. I think I would have thought that, number one, we've got to stop killing one another and beating one another up, and then start focusing on the things that can make a difference, of course, education being probably **the** primary one—that and economic status. I don't know, if someone had said at the time, Okay, you are by definition a radical or a revolutionary—which I don't think I was—so you are now free to go do what a radical or a revolutionary would do, I'm not quite sure (laughs) that I would have known what to do because I obviously **strongly** do not believe in violence, and I would have probably beaten a lot of heads together to try to change any laws that still had not been changed at the time. And, you know, we're still working on a lot of civil rights things—I mean, legal things. Because that's what I was convinced we would always be able ultimately to be successful in doing.

DePue: That the law was the approach, to work within the structure of the government through law as a vehicle?

Netsch: Well, through law, through education, trying to get that system working a lot better, which is one of the many reasons why I've always been such a passionate advocate of the public education system. Because even with all the interesting things that charter schools do and other things, most kids who come out of the lower level of society, if you will, are still going to be going into regular public schools. We can't pass laws that remake their parents, although I would be happy to try to do it if I could, and so we can only work with what we have; one of the things we **do** have is the public education system.

DePue: Well, this is probably the perfect transition that I've stumbled upon myself, that you've led us to, and that is to get to a more concrete, specific discussion about the Constitutional Convention. So do we need to take a break here for a second, or you want to go ahead and…?

Netsch: Let me just go get some more water.

DePue: Okay, we can do that.

(pause in recording)

DePue: Okay. We took a very quick break, and we're back at the conversation I'd been steering us toward all along here today.

Netsch: (laughs) Which is…

DePue: And that's the Constitutional Convention. Reading Cynthia Bowman's book, you were involved with this thought process that's leading up to the constitutional convention years before we ever got to that point, so can you tell us a little bit about the preliminary work that went into this?

Netsch: Well, this is something that had been talked about and actually attempted, I think even back in Governor Stevenson's administration. And the Kerner administration—I think we made a play for it, too, to get a constitutional convention, unsuccessfully. I was just part of a big group that thought, yes, we did need to do something about rewriting our constitution. When it got to be further along the line, there were a couple of Constitution Study Commissions that were created by the legislature. As I recall, I was not on the first one, but one of our Committee on Illinois Government persons was, Jim Otis, and that was the one that ended up recommending specifically and explicitly that we did need a constitutional convention, which I think really was why the legislature finally went along with proposing it. They then were involved in some lawsuits challenging some things they passed. They helped work on the implementing legislation for the convention et al. I was not on that thing, but obviously it was something that my group, the sort of independent, liberal Democrats of which Jim Otis was a major one, were all sort of on the same page on something like that even though Jim was the one who was sort of on the spot in a sense.

There was a second on, then, a second Constitution Study Commission, which Kerner did appoint me to; I sat on that one, and we continued to work on how the convention should proceed and what it should be generally doing. I think we were the ones who authorized the series of research papers on the various component parts of the constitution, and I ended up writing the one on the executive article. I suppose I was designated to do that because I had been in the executive branch (laughs) at one point. That was published then in book form, preparing for the convention itself.

DePue: What was required to get to the point where Illinois would convene a constitutional convention?

Netsch: I think years of frustration, for one thing, years of everyone being told that our constitution was horse-and-buggy and that it prevented us from doing a lot of things we should be doing. Obviously the single most important issue was the income tax. Everyone believed that the Bachrach decision back in nineteen twenty—what was it?—'21, I think, '21 or '23, had held that Illinois under the 1870 constitution could not have an income tax at all. Literally you could get away from it because the one that had been passed that the court dealt with in the Bachrach decision was a moderately graduated income tax; what the court held was that an income tax is a **property** tax, and under the constitution, property taxes had to be uniform, equal. So there was a way of getting around Bachrach, but everyone believed that Bachrach basically prohibited a state income tax. Almost all of us—well, that's a slight exaggeration—but many of us understood that Illinois simply had to, that there was no way that we could continue to fund public services without a state income tax. I think we were the last of the northern industrial states to enact a state income tax.

DePue: Well, we're so far removed from it now, I think most people have forgotten. I grew up in a different state. But Illinois did have a property tax at the time, did it not?

Netsch: State property tax? No. The state property tax had basically been phased out in, I would say, 1932, and substituted by the sales tax. That was a major development in the early Depression years because almost all property was in foreclosure, and the property tax simply did not make any sense anymore. It had been the major source of revenue, even to state governments, up until that time. I'd have to look back up the exact years, but I'd say approximately 1932, we undid the state property tax and adopted a state sales tax.

DePue: Well, I'm confused. I had heard stories of people going door to door. You had to declare how much personal property you had in your home, and that you would be levied a certain tax based on that, and so there was a certain amount of honesty, and—

Netsch: Oh.

DePue: —how many rooms you had in the house and things like that.

Netsch: Well, there were two parts to the property tax—and were, up until we rewrote the constitution and took one of them out—the real property, that is, the land and buildings, and then personal property. Under the 1870 constitution, both had to be assessed and taxed at the same rate. I assume that was true during the period we had still a state property tax; it certainly continued to be true after we basically got rid of the state property tax and just left the property tax for funding schools and local government, which is the way it is right now.

But all property had to be taxed at the same rate. Well, a savings account, which might in those days have earned a maximum of 5 percent, you're going to tax at 7 or 8 percent? I mean, it's gone. Your clothing, your household effects…? So what happened—and that was true even under the local property tax—was that the assessors actually would say, "Don't bother with all of your personal property." Usually they would ask only for the automobile, for—I think there was one other item that was often insisted on. I suppose if you owned a boat or something like that, and maybe one other thing. And then sometimes at the suggestion of lawyers, a taxpayer would say, "In accordance with local custom and usage, the total value of my total effects is…" one hundred dollars or two hundred dollars. Some, of course, just never filed at all, and everybody knew this. I mean, it was flagrant violation of the law, but it was the understanding that the law simply would not work; you could not tax and assess personal property in the same way.

DePue: Did you say this was discontinued in '32, or this was still going on all the way up until the convention?

Netsch: Oh, yeah, it's still going on to this—well, except for one thing it was going on to this day. We changed one thing in the constitution. Yes, it was going on up until the time of the convention. I have not really gone back and studied all of the intricacies of the property tax in Illinois when it was still the state property tax, or when the state still had a property tax—there always was a local one as well—I assume that the same practice prevailed for the state property tax until it was finally repealed. But even after it was repealed, this process of lying about your—with the full knowledge of the local officials—lying about the amount of personal property you had continued up until we changed the provision in the Constitutional Convention in 1970.

DePue: What got to the point of the Constitutional Convention convening? Was there an issue on the ballot in '68?

Netsch: Yes. Yeah, they finally got the issue on the ballot.

DePue: That took a certain number of petitions to get there, or how did that occur?

Netsch: No, the legislature put it there by—I assume it was probably a two-thirds vote by both houses in those days, because most of the vote requirements in the 1870 constitution were two thirds. We changed almost all of them to three fifths. It was after one of the Constitution Study Commission reports that affirmatively proposed that Illinois have a Constitutional Convention and made the case for it. That was the constitution study report, of which I have a copy. Let's see, that would have been probably the 1967, and then I think it was in the next legislature, in 1968, that the legislature actually **heeded** the recommendation of that study report and adopted the resolution to put it on the ballot. Then it had to be approved by the voters, and then that led to the

convening of a constitutional convention. So it was basically the same process as is provided for in the current constitution.

DePue: Okay. And I understand from Bowman's book that Governor Ogilvie actually assigned you to the constitutional research group, which would have been in early '69, probably?

Netsch: Yes, yeah.

DePue: That was just another step towards the process of…?

Netsch: Of preparing for it, yeah. I think by that time we knew there was going to be a convention, but we hadn't had one for a hundred years, (DePue laughs) maybe we ought to sort of bring a few things up to date. I think you're right; I was thinking that the research group was a recommendation of that second Constitution Study Commission, the one of which I was a member.

DePue: That would have been '67, I believe.

Netsch: No, the '67 one was the one that recommended that we have a constitutional convention, then we passed the resolution to convene one, and then there was another Constitution Study Commission that was making proposals about, Well, what do we do now, (laughs) how do we elect delegates, and various and sundry things like that. I was thinking that the research came out of that—well, it may well have been a recommendation also of that Constitutional Study Commission. But I gather that she's saying—and I think this is probably correct—that Governor Ogilvie probably actually appointed the research group, yes. Vicky Ranney was our editor, I remember.

DePue: Vicky Ranney?

Netsch: R-a-n-n-e-y, the wife of George Ranney, who's very active right now on our reform stuff. And I think Sam Gove was—maybe they were both editors of it. I've kind of forgotten. Vicky Ranney and Sam Gove, who's very much a part of the Institute of Government and Public Affairs.

DePue: What led to your decision to run as a delegate to the convention?

Netsch: It was so natural. (laughter) I mean, why not? (laughs) It was about state government; I knew quite a bit about the whole business to begin with. I certainly had been an advocate of cleaning up the constitution for a long period of time. And in the sense, I suppose, because it was the first elective office that I ran for.

DePue: Now, maybe I'm making too much of this, so you can tell me if that's the case, but again, we're talking about the late sixties with this trauma that's going on in society and people looking for ways to redress the problems they see existing in society and the country and the government. I would think that

would be a huge motivator. Okay, I don't like the violence, I don't like what some people are suggesting; here's another alternative. I can make a big difference in what the future of Illinois is going to look like.

Netsch: Yes, but to be honest, I'm not sure that we would have—or that I or some of the others, at least—would have associated it that directly with the turmoil that we'd been through in 1968 especially, because I don't know that we would have thought of one state's constitution as having that much impact on what we saw as so much of the underlying cause of the disruption, if you will, which was two things: one, the Vietnam War, and secondly, the underclass that we had created in this country.

DePue: So issues that rightfully needed to be addressed at the federal level, then.

Netsch: More at the federal level. Now, I know one of the points I've often made when I've made speeches about how come we had a successful convention when practically nobody else was successful at that time, and produced a very strong bill of rights and all that sort of thing. I said, "You know, in some ways it really was quite amazing, because we were going to the Vietnam War, we went through the invasion of Cambodia, all the things that were just sending kids out into the streets and occupying university buildings and that part of the phase; it was less the racial component of the violence of 1968 and more the aftermath of Vietnam and all. But it was a pretty troubled time.

DePue: Kent State[41] occurred during that time.

Netsch: Kent State occurred. It's very interesting. To a considerable extent, we were amazingly isolated from that, maybe because we were dealing with something the people just didn't know anything about. Most of the issues in writing a constitution are not the most hot-button issues of the day. You know, how you describe separation of powers and how much home rule (laughs) Chicago should have…

DePue: A little bit more esoteric than how the White Sox are doing?

Netsch: Quite a bit more esoteric, quite a bit more esoteric. I think that may have been one reason. I would say we got modest coverage, although there were a couple of people who could answer that question much better—Charlie Wheeler, for example, who's still down there and still teaching—he covered us early on. I don't think Mike Lawrence did, but I know Charlie Wheeler did, and there might be one or two others. I don't think most people were (laughs) panting to know what we were doing from time to time, which probably was a good thing.

[41] In 1970, students protesting the bombing of Cambodia by United States military, clashed with Ohio National Guardsmen on the Kent State University campus. Four students were killed, creating a national uproar.

DePue: It was probably one of the best things that you could have in your favor. Tell us about the process of running for that office, running for that opportunity.

Netsch: Well, of course, that's one of the things that the legislature had to set up. They decided to have a two-stage—the first thing and the most important thing, they decided to make it nonpartisan, which I think turned out to be **enormously** important in the end—but secondly, they decided to have a two-stage thing. One would be a primary, and one would be the general, but without the party labels. I think we had to get petitions circulated, as you do when you're running for office. I don't honestly remember that phase of it that directly, but I'm sure that's one thing we had to do to get yourself on the ballot. We were running from Senate districts, and so obviously every Senate district differed in terms of how many candidates there were. I think there were some that had eight or ten or twelve candidates or more, even. Momentarily forgetting how many we had here, but more than four. The idea was that four would be, quote, "nominated" in the primary.

DePue: I think Cynthia said eight, but I could be wrong on that.

Netsch: Well, eight what?

DePue: In the primary, there were eight candidates.

Netsch: That's probably correct, then, yeah. Four would be, quote, "nominated," and then there would be a runoff and you'd get the two highest. We did run without party labels, although people generally knew what your party was.

DePue: But the machine still had a role in endorsing candidates, did it not?

Netsch: Yes, yes. I was told I was not going to be endorsed, although, interestingly, because of my Democratic Club days, we had a pretty good working relationship with George Dunne at that time, who was the committeeman of the forty-second ward and the major political power in this area. He was one of the few of the regular Democrats who would reach out. When we used to have our sort of Democratic Club meetings over at 1350 Lakeshore, he'd come to meetings and speak and talk about things; he was a much pleasanter or easier person (laughs) to get along with. But even so, the expectation was that they would have their candidates and it would not be me, although I made my presentation. In fact, at one point I was told who the two were that were going to be endorsed by the Democrats in the area. One was Malcolm Camen, who did end up being endorsed and ended up winning and has been a good friend of mine ever since. The other one I will not mention because it's awkward. (laughs) Anyway, but it wasn't me. Then something happened, like on the eve of the election—I'm not sure that I—

DePue: Of the primary or of the…?

Netsch: No, this was the primary, I think, yeah.

DePue: Okay, that was September twenty-third, as I understand.

Netsch: I don't know that I ever knew what it was. The only thing that I remember, which was very fascinating, was I had a call from George Dunne, and he wanted to know where I stood on what we would call the "parochiaid" provision of the constitution.

DePue: "Parochiaid?"

Netsch: The provision that dealt with, No public money can be used for religious purposes and that sort of thing. I said I hadn't really worked it out but my sense was that probably what needed to be done was to continue almost exactly what we had at the time, because it was a pretty strong provision, actually, in words. That was never explained to me. I could speculate about how this came up, but nobody ever said anything to me. And then I discovered—and it was very, very close to the election day, I swear—that they were going to support me. I don't know whether they used palm cards for anything as off-the-beaten-track (laughs) as the Constitutional Convention election, but if they did, I assume maybe I ended up on that, which was a total surprise to me and to everybody else.

DePue: "Palm card." Is that the term you used?

Netsch: Well, the palm cards are the things that were always used by the regular Democrats, and possibly by other people, in which they just put the names of the people that were to be voted for.

DePue: And they would then spread that around in the…?

Netsch: Oh, they would spread them around through the precinct workers, to everybody. I think there's probably still some ward organizations which continue to use palm cards. I haven't seen one in my election area for a while, but I'm sure there are some that are still used.

DePue: Well, you have a reputation for being a very hard worker. How hard did you work in this campaign to be elected?

Netsch: I think I worked pretty hard. (laughter) I'm not sure I can define it or measure it exactly. The one thing I felt very strongly about, I remember, was in making sure I campaigned over in Cabrini, because something that I fully knew—I guess I fully knew at the time—was that usually the regulars didn't bother much. They knew they were going to get those votes, they knew how to get them, and they didn't bother to—their candidates didn't go over to Cabrini or very much of anything like that. And that was even, though, I think George Dunne was more respectful of people in Cabrini than a lot of the ward committeemen would have been. But I just didn't think that was right, so I did campaign over in Cabrini. I probably had a bigger audience at a couple of my events there than (laughs) in any of my more upper-class white areas.

DePue: This is a special election, though; it's not occurring with a city election or any other election?

Netsch: Yes, yeah, yes.

DePue: So I would assume that the turnout was very low for it.

Netsch: It was pretty low, yeah. I don't remember precisely what it was, but…

DePue: How about the matter of raising funds?

Netsch: Aaah. Yeah, you had to do it. You know, it's nice, I managed to put that out of my mind. I can't remember how much we raised or how much we had to do, but I think my four co-chairs were able to—honorary co-chairs, like Stan Harris, I think Phil Klutznick—(laughs) I had some pretty big names as my honorary co-chairs, and I assume that helped to attract some money. I honestly do not remember how much we had to raise or spend. I would have to go back and ask John Maguire, who was my campaign manager in the Constitutional Convention.

DePue: Were a lot of people seeing this an opportunity, as their opening into politics?

Netsch: I don't know that a lot of people were, no. There might have been some. Of course, it turned out to be an opening. The scuttlebutt always was—or the conventional wisdom, I guess I should say—always was that one reason why the legislators didn't want to have a constitutional convention was that they didn't want to provide an opportunity for neophytes to get their sturdy legs so they could run against them. (laughs)

DePue: Well, I never thought about that, but the legislators themselves weren't the people who were vying for this opportunity, were they?

Netsch: No, no. Very interesting. It ended up we had only two legislators who actually served in the convention. There may have been a few others who ran, although there couldn't have been very many more that actually ran for it, but we ended up with only two legislators serving in the convention itself, which was very interesting. But of course there was a lot of overlap, really, and scheduling conflict. Remember, then the legislature was even more of a part-time thing than it is now. I mean, that has been growing over the years.

DePue: I want to get your opinions about—well, we've been talking about it quite a bit—but the Chicago Democratic machine at the time.

Netsch: In the Constitutional Convention?

DePue: No, in the process of running, and just the way the machine operated in the first place.

Netsch: Well, my guess is that it was harder to get the ward committeemen and the precinct workers really revved up (laughs) about a constitutional convention. But they were out there. They knew what they were supposed to do. They were not always successful; I mean, we were seeing some breakthroughs even then. For example, the district, well, sort of just north of here, Bernie Weisberg, Elmer Gertz, Peter Tomei, farther north. You know, there were a bunch of folks who were able to be elected. Anyway.

DePue: Were you aware of Michael Shakman's challenge against the machine?

Netsch: Oh, sure. Let's see, when was the original Shakman Decree?

DePue: That was years later. It took years to work through the court system.

Netsch: Yeah, yeah.

DePue: Were you sympathetic to his efforts to…?

Netsch: Yes. One of the things that was interesting: I remember rather vividly a conversation with one of the constitutional convention delegates, who was an African-American and had come up through the machine, really. He was not a judge at that time, but he later became a judge, so he was not a dese and dems and dose sort of guy at all. I can remember him—because, you know, our group of independents in the convention, and we did meet together, work together. We had quite an impact on some of the provisions, too. Some of us were engaged in a conversation with him one day and probably talking down patronage and all that sort of thing. He really let us have it; he said, "You know, what you folks, you well-educated white middle-class folks do not understand is that for most of our lives, the only jobs we could get were the jobs that the machine would give us, that the Democratic Party would give us. I'm sorry, we simply cannot look on patronage as something evil; it was our way of surviving." I have always remembered that, and even though I am still anti-patronage, I think some of the things that the opponents of it say, they ought to sort of stop and think once in a while about what it did mean to a lot of, particularly African-Americans, in those early days. Now, sure, you can come right back and say yes, but they shouldn't have put you in shackles and slavery for doing your political work and all that sort of thing as a result of it, and sure, we could say that with justification, but yeah, it was an interesting part of the learning process there.[42]

DePue: One of the things that Cynthia was talking about in the book that I just wanted to hear the story firsthand from you: You mentioned going over to Cabrini–Green and having an event over there, and apparently Walter one time showed up there as well.

[42] For more on the Shakman Decree, see Mark DePue's interview with Michael Shakman conducted on February 15, 2008, which can be found in the *Illinois Statecraft – General Interest* collection.

Netsch: Oh, yeah. Well, he didn't show up; he went with me. I can't remember the question, but I had one extremely close friend over there, John Stevens, who helped—and, of course, we knew some of the people from the church, too, from St. Matthew's. They had set up this one nice event, a decent turnout in—it was either a school sports floor or something, I've forgotten. I remember it was a fairly large room. Anyway, things were going pretty well, and then Walter (laughs) raised a question that just sort of was racially toned—not that he was racially bad in any respect—but whatever it was, it just (makes explosion sound) sort of kind of blew everything. Because I had been trying to persuade people in that community that they had nothing to lose and possibly some things really to gain by a constitutional convention, and whatever it was that Walter brought up, (laughs) it kind of blew it. I remember John Stevens saying, "Well, that's the last time we let Walter come to one of these events."

DePue: Apparently he liked to be provocative sometimes?

Netsch: Ooh, to put it gently, yes. Yes, he was very provocative, right.

DePue: Well, I'm dying to know what the conversation was, once the two of you got back home.

Netsch: Well, I didn't try to argue about it then. He would not have understood, because he would have said, **"That was the right thing to ask.**" (DePue laughs) One other interesting event that I remember—oh, this was actually after we had adopted the constitution and I was out trying to sell it to my constituents over in Cabrini. John had helped set up a meeting in the ground-floor room. I guess in some of the newer buildings they call them party rooms or something like that, but it didn't (laughs) seem like a party room. But anyway, it was the room where people could gather on the ground floor over in Cabrini. The thing that was interesting was, again, considering how remote a constitution is to most people's real-life experiences, I had better turnout for that than I did for most of the other kinds of meetings. It was very interesting; people really sort of did want to know, and these were Cabrini people.

A lot of questions and things, and in the middle of it all, we had a small riot. I have no idea what started it, but people up above in the high rises—I assume some of the younger people, but who knows—were throwing bottles and things over into the courtyard. The police arrived, and things got a little bit noisy. I don't think there was any gunshot. I don't remember hearing, anyway. In fact, it was interesting: I was probably the only white person in the entire place, and the police couldn't have cared less. I mean, they paid no attention to me, and they were right, because none of this was directed at me. It was, something had set somebody off, and they were doing things—

DePue: So it didn't have anything to do with your particular event, then?

Netsch: No, no, no. We were there on the ground floor, and we could hear all these bottles and cans and everything and all the noise and the voices and everything, but it wasn't aimed at me or what I was trying to do, so the police were probably quite correct; they couldn't have cared less about me. (laughs)

DePue: Well, we've been talking about the whole campaign. September twenty-third is the primary, which you got through. I think you might have been the top vote-getter in the primary.

Netsch: I think I was, yeah.

DePue: And you definitely were for the November eighteenth election, the general election, so now you're a candidate.

Netsch: No, now I'm about to be a delegate.

DePue: Delegate. Now you're a delegate. So what's your thought in terms of approaching this whole process and the strategy which you wanted to pursue?

Netsch: Well, until you sort of get there and see who else is there and things begin to kind of settle in, that you can do that much. I certainly had very strong ideas about some of the things that I wanted to accomplish constitutionally, some of which were reflected actually in the papers that were written in that book. But, you know, you don't just show up and say, Well, this is the way it's going to be as far as I'm concerned. (laughs)

DePue: So was there jockeying for committee appointments?

Netsch: Oh, that went on for a long time, yeah. I wanted to be, interestingly enough, the local government committee. I assume what happened was that they—you know, it's interesting, because I was such a strong proponent of home rule, but I guess they didn't trust me or something there, so—

DePue: "They"?

Netsch: The regulars. Because there were all sorts of people who were trying to get everybody—I mean, apart from saying Witwer—I mean, we had to elect Sam Witwer[43] first and the officers of the convention.

DePue: But even "the regulars" is more vague than I'd like here for… Who are the people who are the powers? Who are "the regulars"?

Netsch: Oh, you mean, in the convention?

DePue: Mm-hmm.

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[43] An American actor and musician who appeared in individual episodes of numerous television shows

Netsch: Well, Tom Lyons was the principal spokesman for the mayor, I think; David Stahl, who was the mayor's—what was he?—chief executive assistant or whatever he was called at the time—very bright guy.

DePue: And he's a delegate?

Netsch: He's a delegate. Oh—I have a little problem with names—his brother was later a member of the Mc—it's not McDougal, it was… I'll come back to it in just a minute. He was also apparently a major sort of water carrier for the regulars in the convention. Then there were a variety of others, but Tom Lyons was the chief point person, I think, and he was elected one of the vice presidents at the convention. You sort of had to do that because the Chicago Democrats were (laughs) the most single, cohesive political force in the state of Illinois at the time.

DePue: I know there is also a group of people who self-identified as being independent Democrats, and you obviously were one of those. I've got a list here as well. Peter Tom—

Netsch: Peter Tomei. [pronounced toe-may]

DePue: Tomei. Ron Smith, Frank Cecero.

Netsch: Frank Cicero.

DePue: Cicero, I'm sorry. Al Raby, Mary Lee Leahy.

Netsch: Mary Lee Leahy.

DePue: Bernard Weisberg—I think you just mentioned him.

Netsch: Yeah, Bernie Weisberg.

DePue: And Wayne Whalen.

Netsch: And Wayne Whalen.

DePue: Okay, any others that you recall?

Netsch: I'd have to look at my list again. I think that is most of us, yes.

DePue: Did that particular group form a caucus?

Netsch: Well, "caucus" wouldn't be a totally apt description, but we formed a group, I guess. We self-formed a group, and we met **all the time** and talked over things **all the time**. Now, we didn't have a position that everybody had to go and take, although, of course, we agreed on huge numbers of the issues. We split, for example, on one of the hottest issues in the convention, which was whether we would continue to have multi-member districts and cumulative

voting for electing the House or go with single-member districts. That had always, at least in independent Democratic circles in Chicago—well, independent Democratic circles anywhere, really—was sort of the litmus test, almost. But we ended up with some different viewpoints among our own group on something like that.

DePue: What were some of the areas that there was strong consensus on?

Netsch: Merit selection of judges, a **strong** bill of rights with nondiscrimination provisions all over the place. We were helped in that because one of our guys, Elmer Gertz, ended up being chair of the bill of rights committee. I ended up not being chair of anything, although I think Sam Witwer had intended for me to be. And—

DePue: You say that with a certain grimace on your face.

Netsch: Oh, yeah, yeah. I should have been.

DePue: Why?

Netsch: Well, because I had been around, I had a lot of background in state government, I was a law teacher, and I had all the qualifications and credentials, (laughs) really. And Sam knew me, too, but I think somebody undid me at the last minute. The final offer I got was to be chair of revenue. I said, "Okay. I really wanted local government, but that's fine, all right, if that's it, that's it." Then the next thing I heard, I was not even chair of revenue, I was vice chair.

DePue: Do you think this was because you were a woman, because you were an independent…?

Netsch: Well, if the regulars were responsible, it was because I was an independent. I think there was a lot going on there. The trouble was, the last two critical weeks, we had gone, of all places, to Jamaica for a vacation and a rest, so I was not even there to participate in the process and to see what was happening.

DePue: Well, I know that this is nonpartisan, but you clearly identified yourself as a Democrat; I would imagine the "regulars" that you've been talking about are Chicago Democrats with the machine backing. For some of these chair positions, some of the choice positions, were Republicans involved?

Netsch: Oh, yes. Oh, yeah, yeah, because it was not—well, let's see. For example, Parkhurst, who was a state legislator—wait a minute, there must have been—was Parky a state legislator at that time, or did he become one afterwards?

DePue: Parkhurst, you said?

Netsch: Yeah. I think he was one still—isn't that interesting? I vehemently said there were only two legislators, but Parkhurst was a longtime Republican member of the House, and he was chair of local government. No, wait, I guess Carey was chair and Parky was his vice chair. But it was mixed up. Of course, Sam Witwer was a prominent Republican, who was president of the convention.

DePue: Was it a delegation, though, that was dominated by the Democrats, or was it pretty evenly split?

Netsch: What delegation—when you say…

DePue: The convention delegates.

Netsch: Oh, the 116 delegates? Oh, no, it was all over the place. The majority of those from Chicago were, of course, part of the regular organization, but there were a bunch of us. You know, the ones you've just mentioned—Peter Tomei, Ron Smith Murray, Elmer Gertz, Bernie Weisberg, myself, I said Al Raby. Well, Mary Lee I think was not—was she?—yeah, she was elected from a Chicago district, I guess, at that time. So, you know, there were those of us who were from Chicago, but I would say probably all of the rest of the Chicago delegates had been supported by and came out of the regular Democratic organization. And some of them were very good delegates, no question about that. I mean, Tom Lyons certainly was. McCracken—that was the name I was just trying to—Tom McCracken was the other one, who particularly seemed to be the point person on matters of, oh, the personal property tax and property tax, things of that sort. They all, in one way or another, had their connections through the regular Democrats. But suburban people were probably more Republican than—and some were just pure—I mean, there were a couple of League of Women Voters. Anne Evans, I don't know whether she was a Democrat at the time; she probably leaned that way. She was very much a League of Women Voters person, I mean, a very good government-oriented person. There were folks like that, and then some pretty strong, prominent Republicans from various parts of the state.

DePue: Again, on the surface, though, it's nonpartisan, so it would be—

Netsch: Yes, it is.

DePue: So the delegates organize themselves around other issues and platforms more than they did on party lines?

Netsch: Yes, yeah, and that's one reason why the fact that we were elected technically on a nonpartisan basis became **so** important. I have **always** emphasized this in **all** the talks I made about why we were successful, because it made it possible for groups to come together basically without regard to partisan lines; it would have been much more difficult to do that if we'd been elected as Democrats or Republicans. I mean, for example, we developed a very close working relationship with some people like John Parkhurst, and Conley, the banker

from Peoria, and other folks like that. They were strongly for, among other things, single-member districts but were quite helpful in our passion to get merit selection of judges. So we could come together on things like that and sort of, some would say make deals, which is part what we were doing.

DePue: That's what politics is about.

Netsch: That's what it's about. (laughs)

DePue: Were there any divisions or tensions between city, suburbs, rural?

Netsch: Mm-hmm. Yeah, everybody was sort of suspicious of and hostile to the regular Democrats, no question about that. I mean, in the first place, they were probably the only pretty cohesive group in the convention. I remember one of the delegates who was part of the regular Democratic thing saying to me one day—I'd forgotten what—we'd just voted on something, and he said, "Gee, it must be nice to be an independent Democrat and not vote the way you're told to vote." (DePue laughs) I always found that very telling. They tended—not all of them, but some of them—tended to be pretty arrogant, because they had the largest single claque of votes in the convention, if you will, so there was a fair amount of resentment of the regular Democrats. But there was also, fortunately, a recognition that if, on some of the big issues it did not go the way Mayor Daley wanted it to go, forget about having a new constitution. That almost happened. He didn't decide up until it was like less than a week before the vote on the constitution itself that he would support it; if he hadn't, of course, it would have gone down. A lot of the delegates recognized that, a **lot** of the delegates resented that, but they also knew that they needed to go along with it if they wanted to have a successful convention. There were some issues on which that became extremely important.

DePue: Okay, two questions in that regard, then. Tell me again who Daley's man in the convention was?

Netsch: Well, Tom Lyons was the principal one, I think. He was a lawyer. He had been in the state Senate, as a matter of fact, at one time; he was not at the time of the convention. He later became the Democratic county chairman. I think he may have followed George Dunne in that position and remained county chairman for a period of time, then died a few years ago, not too many years ago.

DePue: The second question, then: what were the big issues as far as the regulars, the machine was concerned? I would assume home rule is almost at the top of the list.

Netsch: Home rule is certainly one. Property tax classification; retaining the personal property tax, which most people wanted to get rid of, because that's the one we talked about earlier that was flagrantly disregarded and with the connivance, really—maybe "connivance" is not the right word—I mean, with

the full understanding and knowledge of the elected people who were supposed to enforce it because it was unenforceable, and everybody knew it was unenforceable, but it was **very** important to Chicago, for reasons which I'll be happy to explain if you want, but so that the personal property tax, classification of real estate, and of course the continued election of judges. They were also very big then on retaining cumulative voting in multi-member districts; I don't know that that was their—it certainly wasn't their hottest issue, because it didn't always work to their benefit. I mean, the reason why we were able to get independent Democrats into the House from time-to-time in those days was because of cumulative voting.

DePue: Yeah, that almost seems counterintuitive, quite frankly.

Netsch: Yeah. But I guess they thought they would control more than they would not control. Let me think. Those were probably their biggest items.

DePue: Well, please do flesh out the personal property tax issue.

Netsch: Well, I don't think they were defending the fact that it was being flagrantly violated and that something had to be done with it, but most of the effort on the other side was to abolish the personal property tax altogether. That meant a **big hunk** of money for Chicago because Chicago got a lot out of that component of the property tax. And I think it wasn't just from personal property, that is, your automobile or something like that, but things like inventories of businesses. And the personal property that was involved in business was also assessed and taxed as personal property, and that represented a pretty big hunk of money for the city of Chicago. They were **not** about to give that up, and that's why that was such a hot—oh, that issue almost broke the convention up—well, half a dozen times is not accurate—but several times, no question about that. **Finally,** the compromise was reached, which was that it would be abolished by 1960—it couldn't have been 1969 because we were already in 1970—it must have been 1979. Where's your constitution? Well, it's not in there anymore because it's been changed. But anyway, that it would then—and this was the compromise—it would be **replaced** by a tax on corporations that would not be included in the cap on income tax in the revenue article. So those who said, We will not leave this convention unless we can get rid of the personal property tax, they got that a couple years down the road, and Chicago got, but it will be replaced so that they presumably were not going to lose the revenue. To this day I think I can remember the day that Tom McCracken—because he was the one who played the key role in that for the city—stood up on the floor and explained the compromise that had been reached.

DePue: Well, I confess that I'm confused about something, because I know this is the timeframe that Governor Ogilvie is pushing through—he and Russell Arrington, primarily—pushing through the first income tax for the state of Illinois as well. How did that impact on that particular discussion?

Netsch: Indirectly, but let me put the timeframe in. As I said earlier, one of the compelling reasons for the need for a constitutional convention was the belief that we could not constitutionally have a state income tax. Nevertheless, the legislature, under Ogilvie's direction, really, had, on a nicely structured roll call, (laughs)—which is what legislatures are very good at—had passed a flat-rate income tax in, basically, 1969. It was being litigated as the convention was being called. And the funny part, or the ironic part of all of this was, that right, I think almost just literally months before we actually started meeting, the Illinois Supreme Court upheld it. Well, they sort of overruled Bachrach, but they also recognized that the income tax that had been involved in Bachrach was a slightly different form, and so all of a sudden, one of the compelling reasons for the convention had vanished. Excuse me—we did have an income tax by the time and that made a lot of difference—because I was on the revenue committee—a lot of difference in how we looked at things on the revenue committee. One of the things that it had unfortunately led to was writing into the constitution that we would have a flat rate tax because that is what had been passed and upheld, that's what everybody had learned to sort of live with, and there was a ratio. Did it start out at 3 percent and 4.8 percent, I think for corporations, 3 percent for individuals. I think that's the way we started it out, I believe.

DePue: Two and a half, I believe.

Netsch: And so that ratio was written into the constitution, which is ridiculous, but it was. Then it also led to a lot of the discussion about local government revenue—you know, could local governments have their own income tax? Many of us would have said yes, I mean, us, as they would call us, free-spending or big-spending liberals, because we thought then, and I still think, it's basically the fairest form of taxation, of raising huge sums of money out of the public sector. But anyway, that got to be very interesting as the convention went on. At some point, Mayor Daley sent word down that he wanted the convention flatly to prohibit local income taxes unless the legislature would subsequently authorize one. What we understood—and none of us ever talked to the mayor, so we (laughter) just had to take this third- or fourth-hand—was that he was getting concerned about the fact that the thought of a local income tax would be attributed to him; blamed on him; and would be a problem not only politically, but maybe a problem even in getting the constitution improved. So the constitution does flatly prohibit a tax measured on or by income unless it is explicitly authorized by the Illinois general assembly.

DePue: Okay. I know that we're getting close to the end of the day. Do you have about ten, fifteen minutes more for today?

Netsch: I've got to stop at 4:30, yeah, because I've got to pack up a whole lot of things.

DePue: Then I want to just ask you a couple more questions specific to the revenue and finance committee, because that was very much part of what you were involved in, anyway. My next question then is: why flat tax and not progressive tax?

Netsch: Well, it was a combination of things: one, the fact that the income tax that had finally been enacted and upheld was a flat rate tax. The second part really was—I suppose you could call it a philosophical or an ideological difference—some of us worked **very hard** not to have the constitution mandate a flat rate tax. We did everything we could. (laughs) My argument always was, and my proposals, both before we started our committee work and all during the committee work of the revenue committee, was, Don't say one way or the other. Let the legislature decide from time to time. It may be that at one period, a flat rate is right, but at another period it's not. Don't write it into the constitution. At the very least, don't do that. I wouldn't have gone too far to have it explicitly authorize a progressive, because that clearly was going to be trouble, but just don't say, and then the legislature could decide from time to—

DePue: Why at that time was progressive trouble?

Netsch: Because of the federal, primarily. Everyone forgets about the fact that—and I believe I'm correct in saying this—that the federal income tax progressed up to about 70 percent at that point in time.

DePue: At that point in time it probably was. Back before Kennedy, the top rate was I think even as high as 90 percent.

Netsch: I don't remember that it was ever that high.

DePue: But that was one of the reasons that the tax code was so complicated, because there were all kinds of loopholes.

Netsch: Yeah, that also, right. But it was a steeply progressive tax. In the first place, there were a lot of delegates who were relatively conservative and a lot who were **very** pro-business and didn't want to do anything that would be anti-business for the state of Illinois, so that was sort of the ideological, philosophical, et cetera, thing if you wanted…But the other thing really was that everyone thought that that was absolutely unacceptable. Of course, we would never have ended up at that steeply graduated a tax. None of the states have one that goes anywhere close to that. But the concern was that that steeply graduated, progressive federal tax was absolutely the worst thing in the whole wide world, and we do not want our state to have anything to do with anything like that. So I think probably, simplifying the argument against, as much as anything, it was the fear of having something a little bit like the federal tax.

DePue: The next question then is the five-to-eight ratio between individual tax—

Netsch: And corporate.

DePue: —and corporate tax.

Netsch: That was because that was what was built into the one that was passed. You know, 3 percent for individuals and 4.8 for corporations. Again, it was really an attempt on the part of people who were business-oriented to say, Hey, we're not going to let you bunch of crazy liberals get a hold of this thing and tax the business community out of its bazoo, so we're going to put a cap on how far you can tax the business community, the corporate community, at least.

DePue: But still, the corporate community ended up with a higher tax rate than the individuals did.

Netsch: Yeah, but they could sort of live with that, and that's what was on the books then at the time, anyway. That had been a compromise and a compromise that I guess people were prepared to accept and adjust to, but they didn't want it to get any worse than that.

DePue: Now, I could be dead wrong on this one, but I think the original individual income tax rate was 2.5 percent and it was late in the Thompson administration that took it to 3 percent.

Netsch: I think you're right, yeah. That is correct, yes.

DePue: Anything else in terms of revenue and finance? Even though it sounded like you didn't necessarily want to end up there in the first place, this ended up being a very important discussion.

Netsch: Oh, yeah, I loved it. Of course that sort of became my major focus when I went into the legislature then: fiscal policy and revenue policy. It wasn't that I didn't want—I might even have listed it on my list of things that I was interested in. I know that it was not my first choice, though, originally. But I spent a huge amount of my time—in fact, the other sort of interesting thing was, when I went into the legislature, even the first year, we were allowed to list the committees we would like to serve on in the Senate, and I put revenue down first. They wouldn't let me be on revenue. (DePue laughs) The next year, I think I did the same thing—wouldn't let me be on revenue. It took me several sessions before… The thing that I never understood about that was, looking back I could sort of understand why they might be a little afraid of me in charge of local government, although why, I'm never—I mean, it would not have made any sense because I was such a strong home rule proponent—but what did they think I was going to do on revenue that was going to undo the city of Chicago? I could never figure out why they would not let me be on revenue for such a long period of time. And I still haven't figured that one out.

DePue: Well, we have more that I'd like to cover in the constitutional convention, because I do think it's an important document and has a lot to say with where we are today in the state of Illinois, so if you'll allow me to pick that up tomorrow, that would be wonderful. Any closing comment for today?

Netsch: No, except (big sigh, then laughter) I'm getting tired.

DePue: Well, that's another good reason to stop at this time. But it's been very interesting to listen to you explain all this, and even somebody like me can understand what you're explaining, (Netsch laughs) so thank you.

Netsch: I would expect you to be able to.

(end of interview #3 #4 continues)

Interview with Dawn Clark Netsch

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Interview # 4: July 30, 2010

Interviewer: Mark DePue

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DePue: Today is Friday, the 30th of July 2010. My name is Mark DePue, the director of oral history with the Abraham Lincoln Presidential Library. It's a beautiful but a little bit overcast cloudy sky here in Chicago. I'm sitting across the table from Dawn Clark Netsch. Good morning, senator.

Netsch: Good morning. At least we have a great lake view from the law school.

DePue: Absolutely. It is a great place to do these interviews, except the worry about interrupting somebody who might actually be trying to do some work here.

Netsch: Yes, right. (laughs)

DePue: Okay, yesterday we spent a lot of time laying out the beginnings of the Constitutional Convention, which, as you know, I think is a very important issue because it has so much to do with the history of Illinois politics from that time onward. What I want to pick up then is just kind of go through some of the other issues. Since you worked on the revenue and the financing portion of it, we've already talked about some of that, but to hit some of the other highlights here and ask you to reflect on your views at that time and perhaps today as well. One of the things that the constitution did was to very deliberately set up a bill of rights. I think most people would say it was a very progressive document.

Netsch: It was a **very** progressive (laughs) bill of rights, which I think is quite amazing, because it was a pretty chaotic, tense, troubled time. I think it's probably accurate to say—at least this is my recollection—that there was a lot of—mmm, what shall I call it?—resentment against the young people who were, quote, causing trouble, sitting in at university buildings and protest marches and all kinds of things like that. I mean, it was the period of the Vietnam War. The bombing of Cambodia was something that really set people off and was a huge, huge issue. So there was a lot of anti–civil rights, anti–civil liberties sentiment out there—my sense and recollection is—and yet we got an unbelievably strong bill of rights, which is I think one of our great accomplishments.

DePue: Here's my assumption. You can correct me when I'm wrong on this one, but this would be an issue, the bill of rights, if you start with the U.S. constitution's bill of rights, that that would be something that both conservatives and liberals could essentially agree on, that here's the start point, and we need to kind of develop or flesh it out a little bit from there. Would that be a correct assessment?

Netsch: I'm not sure I understand your question. When you say that it would be a starting point—for what?

DePue: Well, for the Illinois constitution bill of rights.

Netsch: Oh, you mean that we would start with the federal?

DePue: That that would be a model, that conservatives and liberals could both essentially agree on the parameters.

Netsch: Well, I'm going to say yes, but I'm not 100 percent sure of that, because I'm sure you have seen, as I have, both then and even up to this day, surveys that occasionally have suggested that if the U.S. bill of rights, the federal bill of rights, were put up to a vote today, it wouldn't pass, (laughs) or at least a number of provisions in it would not pass. But even so, I think you're probably right. Now, it's not true that we didn't have a bill of rights in the old constitution. We certainly had a lot of things that were protected in the 1870

constitution, but this one I think is much more of a stand-alone and obviously dealt with some of the issues that would not have even have been thought of probably in 1870.

DePue: Well, one of those might have been the crime victims' rights that were laid out—

Netsch: That was actually added later.

DePue: Okay.

Netsch: Yeah. That was one of the few amendments—I don't have my copy of the constitution here—that was added—

DePue: Here, I'll let you go ahead and look at it here.

Netsch: Yeah.

DePue: And here is one that was significant: no discrimination on the basis of sex.

Netsch: Right. That would certainly not have been in the 1870 constitution. It was what sometimes was called a mini–Equal Rights Amendment. Interestingly enough at the time, and for a while, I didn't even think we needed it because I was so convinced that the U.S. constitution was going to be interpreted in the right way, that is, that gender discrimination would be found to be a suspect class, just as race discrimination had been found by the Supreme Court, and that it would be upheld only if there were a compelling state interest, using the language of art for interpreting the Fourteenth Amendment. I really believed that at the time; as it turned out, I was wrong. Gender discrimination has been sort of in between the lowest common denominator, which is kind of economic regulation and the racial discrimination, for example, which is subject to the **strictest** scrutiny by the courts in order to be upheld. Gender discrimination is what sometimes gets described as intermediate, somewhere in between. So I sort of missed that in a sense. But in any event, we do have a gender discrimination provision. I'm trying to remember whether any other state constitutions had that at the time. Very possibly, but it was pretty forward-looking, yes, absolutely.

DePue: Well, and we probably should put this into the continuum of the discussion about women's rights and the Equal Rights Amendment. The Equal Rights Amendment passed, was approved at the U.S. congressional level, in 1972, so two years after this discussion that you had in the state. Did you all have a feeling or an understanding that that was in the works at the national level at the time?

Netsch: Oh, yes, we certainly knew that, sure. Because actually, the attempt to have a federal Equal Rights Amendment had been around for a long time, long before the last congressional authorization, if you will, which was in 1972.

That was part of the extension of the right of the states to vote on it. The original ERA—I'm supposed to remember all these dates—came out of Congress I want to say in '68, I think.

DePue: That it was first forwarded to the states?

Netsch: I believe that is correct, because, remember, we voted on it in Illinois, and it got a majority vote in the Illinois Senate in nineteen…

DePue: It was passed in May of 1972. That's when the U.S. Congress first passed it and the seven-year clock started at that time, so.

Netsch: In '70?

DePue: Seventy-two. Now, we can correct the record, but that's what all of my documentation shows. It first came before the Illinois legislature in 1972.

Netsch: Okay, yeah. Seventy-two, eighty-two. All right, yes. All right, I think you're right, correct.

DePue: Because they got an extension in '79.

Netsch: Yeah, that is correct. I stand corrected. Time flies. (laughs)

DePue: Well, that's hopefully one of the places I can help as we move forward through this. Okay, anything else on the bill of rights?

Netsch: As I hinted once earlier, probably the most important, or one of the might-have-been most controversial issues, was the one that dealt with the capacity of the state to be involved in religious things. We had, in our old constitution, what is often called a Blaine amendment, which a number of the states have, and—

DePue: Blaine?

Netsch: B-l-a-i-n-e. It is a very tough provision, usually, that deals with the just no public funding of religion in any way, shape, or form. It's tougher than the U.S. constitutional provision in that respect and grew out of some business back in the 1800s. As I said, a lot of states adopted a Blaine Amendment. We had basically a Blaine Amendment, and the question was whether it was going to be strengthened or weakened in the process. What we basically did was reenact what we had before. That was the (laughs) one way of avoiding terrible controversy on that particular issue. That's a little bit different from just the free exercise.

DePue: At the bottom of the page there is religious freedom. Wouldn't it be addressed in that one?

Netsch: (pause) No. I'm looking for it. Where did they put it?

DePue: We're looking at a copy of the Illinois constitution here, so.

Netsch: Yeah. Crime victim rights after indictment…du-du-du-da-do… No, that was not self-incrimination, double jeopardy. Some of these trace the… Right to remedy and justice, which tends to be a… eminent domain… *ex post facto*… This is another one. Where did we put the doggone thing? Well, it was not in the… (pause; laughs) It was not in the bill of rights, but it was thought of in that same… Here, let's see, it's probably in the legislative article. Believe it or not, I've momentarily forgotten where we put it. (laughs) We'll find it. We'll find it.

DePue: Well, we're only forty-some years removed from there, so…

Netsch: (laughs) We'll find it. But in any event—legislative immunity, impeachment, adjournment. Well, we'll at some point… Anyway, but a couple of other things that I think are worth noting: one, we did have an explicit nondiscrimination provision, particularly related to employment and property rights. Section Seventeen: "All persons shall have the right to be free from discrimination on the basis of race, color, creed, national ancestry, and sex in the hiring and promotion practices of any employer or in the sale or rental of property." Specifically aimed at those things.

DePue: Was sexual orientation even part of the discussion at that time?

Netsch: No, no. Not really, no. I'm trying to remember whether it ever came up. I mean, that was something down the road quite a ways. What was the other thing I was just thinking of that was important? You know, even the sort of mini-Equal Rights Amendment was pretty controversial. Another issue by the way—well, two other things. One that is **extremely** important but has not necessarily been given full effect, I think, by our Illinois Supreme Court, is that we wrote in a freestanding explicit privacy right, and that could become terribly important at some point, particularly in the highly controversial area of abortion rights. The abortion issue came up—there was one delegate in particular who was **very** strong on pro-life, anti-abortion. I actually would have to go back and sort of reread everything that happened at that time, but it just didn't grab the delegates very much in terms of wanting to deal with it in the constitution, and so there is nothing about abortion one way or the other.

DePue: But there is about privacy.

Netsch: But there is a privacy right. One of the points I made to a lot of folks, particularly in the pro-choice community, of which I am a part, is that, okay, if the U.S. Supreme Court should ever overrule *Roe v. Wade*,[44] which I still don't think they're going to do—I think they're just going to chip away at it

[44] The U.S. Supreme Court decision which struck down state laws restricting abortion

until there's not much left—but if they got too tough in that respect, a decision—let's say they overruled *Roe v. Wade*. It doesn't mean the states can't do something on their own; all that's saying is that it's not a violation of the federal constitution, but there could still be violations of a state constitutional provision. That's where the privacy right could become very important—not just on the abortion issue, but—

DePue: Let's get that one in parameters, then, too. By 1970, the Supreme Court had already ruled and basically declared that privacy is one of the implicit rights that's covered by the constitution, but we're three years prior to *Roe v. Wade* in making that connection with abortion.

Netsch: Well, they had recognized some privacy things, yes, but there certainly is not an explicit privacy right in the U.S. constitution. They have given privacy some constitutional protection. I think this is a more accurate way of saying it—somebody will correct me, I'm sure (laughs)—but not on the basis that there is **in** the U.S. constitution a privacy right as such.

DePue: Well, again, to put things into context, I have to believe that during the time you folks were discussing this, these abortion issues were working their way through the court and headed to the Supreme Court. Because '73, of course, was the *Roe v. Wade*…

Netsch: Was *Roe v. Wade*, yeah.

DePue: Was that part of the context? I guess that's what I'm asking.

Netsch: That they were in the courts? I suppose so. It's interesting, because as hot an issue as it still is today—and I do remember the passionate feelings of the delegate for whom this was practically the issue—but I don't remember that there was all that much back-and-forth discussion about it. Well, maybe I should stand corrected, because I do remember: I was not a member of the bill of rights committee, but I now recall that one day, Father Lawler, who was one of the delegates, a Catholic priest, for whom this was, of course, a major, major issue, he and one other delegate—

DePue: You don't want to mention the other delegate's name, or…?

Netsch: Yeah. It was… (DePue laughs) I have to get my list out. It'll come back in a minute. We were told later by Elmer Gertz, who chaired the bill of rights committee, that one day Father Lawler brought in what purported to be a pickled fetus. So yes, (laughter) it was a hot issue. There would have been, of course, more discussion within that committee about more details, and they may have talked about the fact that their court decisions are beginning to come forward. I don't remember that there was that much emphasis or that much acknowledgement of the role that the courts were playing at that moment in time. This was '70, so they should have been making their way

through the courts, yes, but it was an issue that was not explicitly built around what the federal courts were going to do with it.

DePue: Okay. Another one of the things that came out of this constitution was the three-fifths rule for ratifying amendments.

Netsch: Yes, (laughs) and that was a lesson in: Don't ever write constitutions in light of what's going on today and the world out there. I think that was primarily because there had been a series of proposed amendments, most of them—I guess all of them, actually—in reaction to decisions of the Warren court. Well, one person, one vote, for example, that and some of the other Warren Court decisions. As a result of that, there was a series—I think it was three proposed constitutional amendments—that were making their way through the state legislatures. I may not remember them all. One of them was going to set up a court that, on state issues, in effect, overrode the U.S. Supreme Court. You know, sort of a reviewing agency of U.S. Supreme Court decisions which affected the states. I think another one explicitly took away from the federal courts the right to deal with the makeup of state legislatures because there was so much resentment of *Reynolds v. Sims*.[45]

DePue: The irony, of course, is you've got the U.S. Senate that doesn't have to follow those rules, but now the states did.

Netsch: And that always had to be explained. The court in *Reynolds v. Sims* did explain that was part of the deal to create the United States in effect, a constitution that would make it possible to bring everybody together, and so it's irrelevant in that respect, the U.S. Supreme Court said. Everett Dirksen,[46] I recall, was one of the leading, if not the leading proponent, of these pro-state, anti-U.S. Supreme Court decisions. (laughs) They had resolutions from—let's see, you needed three fourths of the states, I think—all but about three states—probably at the time we were going into the Constitutional Convention or roundabout then, and nobody was noticing this in the outside world, but a lot of people on the inside who understood and cared about government were **very concerned** about it; the concern was that three fourths of the states would pass the resolutions calling on Congress to hold a constitutional convention for the purpose of adopting these amendments. Was it the Con Con, or was it specific amendments? In any event, it was about to happen, so there was a real concern among inside government people about this. I think to a very considerable extent, that's why we required a three-fifths vote to ratify a proposed constitutional amendment—or, I think also probably to call on Congress to convene a convention.

DePue: Do you recall in your minds if that applied for both an amendment to the federal constitution and to the state constitution?

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[45] The 1964 Supreme Court ruling that the legislative districts across states be equal in population.
[46] U.S. Senator from Illinois.

Netsch: We'd always required a three-fifths vote to approve state constitutional provisions. Well, actually, it used to be a two-thirds vote—

DePue: Which is a lot higher bar then.

Netsch: Even before that, it was measured by the number of people who voted in the election, and then the famous Gateway Amendment in the 1950s, which was intended to break the stranglehold, because there was no way of amending the state constitution with that kind of requirement because you'd always have a huge number of people who don't even vote on the proposal to amend the Illinois constitution, and their failure to vote was a negative vote under the old way. And so the Gateway Amendment of the 1950s was an attempt to overcome that obstacle and provided for a two-thirds vote on the proposition or a majority in the election. So basically we'd had a major vote requirement for amending the Illinois constitution. What we did in the constitution in almost every area was we reduced the vote requirements from two thirds to three fifths. Two thirds was thought to be, just doesn't make any sense in the modern age. So it takes three fifths to vote to propose an amendment to the Constitution—a three-fifths vote in both house; it takes a three-fifths vote to authorize a general obligation bond issue; it takes a three-fifths vote to override the governor's veto; and I'm sure there are several other places. At the moment I can recall only one place where we left the vote at two thirds, and that was to close meetings of the Senate or House to the public. Private or closed meetings of the Senate or House would still require three-fifths. We do still require a two-thirds vote of the legislature of each house to close meetings of the Senate or House to the public. I think there may be one other extraordinary place where we left the vote at two thirds, but basically we were reducing the vote to three fifths.

DePue: We're going to pick this subject up again, but only when we get into our discussion about the Equal Rights Amendment fight that went on for a decade in the legislature.

Netsch: Yes. Well, the three-fifths vote became (DePue laughs) the *cause* **célèbre** on the Equal Rights Amendment.

DePue: They ended up having to live with that.

Netsch: Yeah.

DePue: Okay. Another one of the issues that the constitution I believe took up was environmental protection.

Netsch: Yes, and I can't add very much about that except in some ways it seems to me it was just emerging as a major public policy issue at that time. I think I do recall often saying that one of the things that bothered some of us was that some of the younger people were kind of moving away from making civil rights their *cause* **célèbre*****, and partly because it was frustrating to overcome***

all of the forms of discrimination that existed, and that they were sort of taking up the environment as their **cause célèbre*****. I remember being very frustrated, and I think that was true at the time of the constitutional convention—I know it was in some of the years after that—being very frustrated because I saw younger people, the younger generation, substituting the environment for civil rights as the thing that they were going to get most riled up about. Not that I didn't think that the environment was terribly, terribly important, but I remember feeling frustration that they were frustrated by not being able to overcome all the things that had built up for two hundred years in racial discrimination, and gee, it was much easier to deal with environmental issues. But it was beginning to become known and recognized as a major public policy challenge, yes.***

DePue: Well, for purposes of definition here, "civil rights" would certainly include racial relations, but would that also include in your mind equal rights for women and for gays and lesbians and for other categories?

Netsch: For me it would, yes. There would be some overlap (laughs) in the terminology even and in the categories, but I think civil liberties is usually thought of more in terms of the protection of things like free speech and privacy and things of that sort.

DePue: Okay. Let's change gears here a little bit. I know you worked on some of the drafting of the portions that dealt with executive power. I'd like to have you talk about that, even though you weren't assigned to a committee to address that, I don't believe.

Netsch: No, I had made a bunch of proposals that dealt with executive power. Then on the floor—well, possibly in committee initially, but certainly on the floor—I was a pain in everybody's whatever because I was the principal advocate of the short ballot at the executive level, doing away with the other elected state officials.

DePue: Attorney general, comptroller, treasurer.

Netsch: Secretary of state.

DePue: Secretary of state. All of them?

Netsch: I think I had proposals in one-by-one to get rid of all of them. The hardest was the attorney general, I think, because you could certainly make a good case that there ought to be somebody out there watching over the executive branch; that was the hardest case to make, I think.

DePue: Before we get too far into it, I'd like to have you lay out each side of the argument. Whichever one you want to start with—the reasons for keeping those separate constitutional officers, the reasons you were arguing against it.

Netsch: Well, I suppose the two reasons for—one perhaps substantive and the other more political—substantively, I think, a lot of people would argue that you need more check and balance on the governor, and you get that by parsing out some of the power and some of the responsibilities. The political—and this was an argument that was made very often during the debate on all of this—is that it provides sort of a, shall we call it a training ground or a starting point, starting-off point, if you will, for people who are interested in government to get into it and in a sense sort of prepare for higher office. It provides options for hopefully good people to run and get their feet wet in terms of learning about state government and perhaps preparing maybe to run for the highest office, which is the governorship. There certainly is something to that.

The argument on the other side was, I must say, a very political science argument. Almost all political scientists believe in a short ballot and focusing and centralizing responsibility. To some extent it is more confusing to the voters the more offices they have to vote for, to keep everybody separate and to know enough about the candidates for the various offices. Although, I must say, Illinois's got a fair number of state elected officials but not nearly as many as some of the other states had. A lot of states at one time elected basically their utility commissioners, their agriculture commissioners, their everything-else-under-the-sun, so we're not as bad as some of the states, but it is still true that people have to learn more about more people and keep them straight in order to do that. My argument was with respect to some of the functions, that that's the very problem; it does diffuse responsibility, and it's the governor who's the central focus.

I worried about that a lot on—well, two things. Let me just deal with the attorney general's office, because that was the most delicate one to propose. But there had been times in history when the attorney general, either of a different political party or just of a different mindset, could just make a governor's life miserable by various rulings. There's an argument to be said for, Let the governor have his own lawyer—his or her own lawyer—and let the legal challenges come from another place. And they will come. I mean, there will be plenty of people who will sue to challenge almost anything (laughs) that's controversial that the chief executive does, but the chief executive needs to have solid legal advice. This was a little more delicate, because during the many years that Bill Scott was attorney general, he took the position that no other part of the executive branch could have anyone who was identified as their lawyer: the governor or any of the governor's agencies. There was only one lawyer, and that was the attorney general, and the attorney general controlled all of the legal business of the state. So what a lot of the state agencies in those days had to do—and what the governor had to do—was to hire people and not call them their lawyers—an assistant or a consultant or whatever it might be. But it got to be a little bit silly at that point. So, that was on that office.

On the treasurer's office: the main purpose of the treasurer is to be involved in any bond sales and to invest the money, and that seems to me very much a part of the governor's responsibility, (laughs) so I thought a good argument could be made there. You might have a little bit more of an argument on the opposite side with the comptroller, because it is somebody else who is looking over the governor's shoulder with respect to the state's finances; There's some argument to be made for that, but even so, it's still the governor who's primarily responsible for all of that. We certainly had learned that through the Orville Hodge[47] thing that those officers who aren't watched as closely are in a good position sometimes (laughs) to do bad things, as Orville Hodge did. Secretary of state is mostly ministerial.

So those are basically where the lines were drawn. Very interesting, though. Up until very late in the game, we had combined the offices of comptroller and treasurer; that is, there was going to be one fiscal oversight office; I'm trying to remember whether we called it the treasurer still or called it the comptroller, but in any event, we did have those combined up until one time. And then after we'd already resolved that, we thought. Sometimes these issues got brought back again, and one of the delegates was particularly hot on this issue for some reason and brought it back up again and at that point prevailed, so we had two fiscal offices as well.

DePue: A point of clarification for me—the Department of Revenue, is that part of what the governor has control over?

Netsch: Oh, yeah. Yeah.

DePue: Okay. So the collecting of money is still under the control of the governor.

Netsch: Yes, although there are—let's see. The attorney general collects fees on a variety of things; so does the secretary of state.

DePue: Secretary of state.

Netsch: Yeah, but the basic revenue-collecting is still under the governor.

DePue: Was part of your argument for all this a merit argument as well, that the governor can appoint people who are talented and experienced in these fields versus somebody who just has political motivations for doing them?

Netsch: I don't remember that I made that argument a major thing. It's sort of a side—because you don't know in the elective process. Although, because of the Orville Hodge thing, I'm sure the point was brought up. But it had more to do with the structural balance of the executive branch.

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[47] Illinois's Auditor of Public Accounts for four years who embezzled $6.15 million of state funds.

DePue: Okay, this one is very much a structural issue as well, I believe, and one that you also champion, and that's the amendatory veto.

Netsch: (laughs) Yes.

DePue: So if you can talk the line-item veto and amendatory veto, because I think the governor is given both of those powers.

Netsch: And a reduction veto.

DePue: And a reduction veto.

Netsch: He has three vetoes—well, four—the total veto. The governor had an item veto in the old constitution. Well, all right, I'm dealing with two things, really. My own experience had taught me that the item veto was not all that useful because sometimes the only way you could use it really was by totally vetoing an item, and the appropriations bills were set up so that that was often impossible to do. Either you got something that wasn't worth vetoing, or you had to take out a big hunk, more than you wanted to, by that. So that was one reason why I was for a proposal of the reduction veto. When the legislature and the governor were at odds over how much ought to be allocated for some particular function and the legislature put it in at one level, and the governor couldn't veto that entire item because there would be nothing left, but the governor then would be given the right to say, No, you're spending too much on X, Y, Z, and in order to balance things, I'm going to reduce it. So that was the reduction veto.

DePue: And that was very specific to the budget process.

Netsch: Yeah, yeah. It would take only a majority to restore the item. The legislature could restore it by only a majority vote; it did not require an extraordinary vote. But it was a way of just making a better balance between the executive and the legislature with respect to the appropriation process. That's one.

The amendatory veto, I came across when I was doing the research for and then writing the section on the executive article for the research book that was done before we actually went into the Constitutional Convention. At that time, I think there were four states which had an amendatory veto; I believe at least one, maybe two of them, really didn't use it very much but had it on the books. My eyes lit up, (laughs) because I had done the bill review work for Governor Kerner for several sessions and realized how many things happened at the very end of the legislative session, in the last couple of weeks, usually, and sometimes just completely messed up a piece of legislation.

The example I was most painfully aware of was that we were trying—this was back when I was doing work for the governor, not when I was in the legislature—we were trying to reduce the residency requirement for voting. The Illinois constitution at that time, as I recall, required a minimum of sixty

days residency to vote in a state election. Of course, the states basically are in control of determining how elections are conducted and all. It was quite clear by then, I think because of a court decision, that we could reduce the number of residency days at least for voting for federal office, and that was a major breakthrough. That meant people could vote for president, Congress, et cetera, without having to meet this long residency requirement, and so we wanted to do it. There was a Republican House member named Hoover who also wanted to do it, so he had proposed the legislation. I'm pretty sure that both houses were probably under Republican control at that time. I could be wrong about that. But in any event, he was doing it. He had proposed the legislation, and we were gung-ho for it, and the legislation passed.

But after it passed and it got to us for review, we found that an amendment had been tacked on at the last minute, and I'm not sure I can reconstruct precisely what it did, but the effect of it was that in order to carry out that reduced residency for voting for federal offices, the county clerks would have had to maintain I think it was three separate records and three separate qualifications. It was an administrative nightmare. We thought, oh, what do we do now? And I remember spending time talking to representative Hoover, because we wanted it to happen, I mean, we were gung-ho for it, but you couldn't do it; it wouldn't have worked. I'm sure he probably said, "Well, do it anyway," and we said, you know, it just doesn't make any sense. So we're left with only one option; that was totally vetoing the bill. In those days, you know, we weren't in session quite as often, so it meant that it would be another—

DePue: Two years.

Netsch: Yeah, another year and a half, anyway, before we could undo it. We said, No, we'll do it; come back. We want it, we want it, but we just cannot accept the bill as it was. When I started reading about the amendatory veto, I thought, Ah, that would have been perfect, absolutely the perfect solution. We would have simply gotten rid of that one thing that messed up the procedure. Quite clearly the sponsor would have been very happy with it, and we would have made it effective, basically, two years before it became effective. It was that sort of experience that led me to put in, first of all, a member proposal. We started out in Con Con [Constitutional Convention] with member proposals. Sometimes they were provisions that were very well written out, and sometimes they were just ideas—you know, Article One should do X, Y, or Z. But those were then all spread around to the various substantive committees and gave them something to work with. Well, one of the ideas that I had put in was for the amendatory veto, (laughs) which went to the executive committee. Apparently there were some strong proponents of it on the executive committee, and it became part of the proposal of the executive article committee and got adopted.

DePue: Now, one of the things I wanted to ask you about is your perception of what the amendatory veto allows versus what other people did at that time or maybe later on, because I know that years down the road, people thought it was strictly about correcting technical errors.

Netsch: Technical things, yeah. Well, that was the argument that was made. I made it, I think, pretty clear on the floor that it was not that. The famous question—this was quoted in one of the Supreme Court decisions—was—oh, well, we ought to go back and get it exactly—it was something about, It does more than just allow for technical corrections? The question was posed to me as the principal sponsor, and the answer was, "Yes, sir," and no elaboration, but I wanted to make that very clear. Now, the problem I have is I think several of the governors have hideously abused it. (laughs)

DePue: Well, I guess that's the slippery slope, isn't it?

Netsch: Sure. But that's not unusual in interpreting constitutional language.

DePue: Would it be fair to say the amendatory veto essentially gives some legislative power and authority to the governors, then?

Netsch: Yeah, but the governor has legislative authority and power anyway, for heaven's sakes. First of all, in any of the vetoes, but also just in making sure that his ideas are introduced by individual legislators, and giving a State of the State address with proposals in it. The governor is a part of the legislative process, the problem here is that the governors too often have sat back and not participated on certain issues, and then, *poof*, (DePue laughs) all of a sudden come out with major things without it having been through the legislative process. Most of the amendatory vetoes, if I remember seeing some surveys recently, do get accepted; most of them don't basically change the substance of the legislation, and so it still is a very useful device. But I could give you untold examples of where I think the governors have abused it. I think Jim Thompson way overdid it. In fact, I remember (laughs) once on the second floor of the state capitol building, he had done something and I was very ticked off about it, I guess—I was told about this by some others who were nearby participants or were listening—that I said, "You keep doing that and I'll take this amendatory veto away from you!" (laughter)

DePue: Maybe you had a little overstated your ability to do that at the time, huh?

Netsch: Well, there was enough hostility toward it I think if I had proposed doing that, I probably (laughs) could have gotten it through. I know Mike Madigan[48] is very anti–amendatory veto and in fact set up a big study task force one time, of which I was a member—this goes back a long time ago—to try to get people to understand what was happening and to slow the process down. My understanding, it still requires that any amendatory veto must go through a

[48] Speaker of the Illinois House of Representatives

committee process and be in effect ruled on as to whether it is an appropriate use of the amendatory veto.

Maybe to illustrate it, let me give a very, very current example with respect to Governor Quinn. There was a fairly routine bill that dealt with parts of the election code. I don't actually know what its basic purpose was, but it was not anything particularly controversial. He just placed on it an amendatory veto that would have created what we call an open primary for Illinois—that is, people can vote in the primary without declaring their party. It's an interesting thing for me, because when I first went into the state Senate, I used to propose an open primary, and I got clobbered on it by all of my colleagues. I don't think I ever got more than three votes (DePue laughs) in committee in all those years.

DePue: What, we don't know who we can go and solicit funds from, or…?

Netsch: Yeah. And a lot of people will not vote in a primary—sometimes with justification—because they have to declare; that is, they think it may cause them problems in their job or something like that, and some people just don't want to. Now, I don't like that; I think you should be willing to have a party and stand up for it, but that's not the way everyone feels. That's why I proposed it, and I'm still very sympathetic to the idea. But the idea of changing the election law in the state of Illinois, that dramatically, by means of an amendatory veto, which has never been through the legislative process and voted approval by the legislature is not an appropriate use of the amendatory veto.

DePue: Well, one of the governors that you did not mention, of whom there were plenty of allegations he was abusing the amendatory veto process, was Rod Blagojevich.[49]

Netsch: Oh, yeah. Horrendously. I'm trying to remember what some of the examples were. One that we felt very strongly about was, we had finally passed a pretty important what I will call ethics election reform bill. When I say "we," I mean the outside reform groups, with the help, obviously, of sympathetic members of the general assembly. It had taken a lot of effort (laughs) to put it together and get it in a form where we could get it through both houses. Then Blagojevich, which was typical of him at the time, said, "Oh, it's just not good enough" and then used his amendatory veto to rewrite it. Now, much of what he was rewriting were things that we would like to have had, but the problem was we couldn't get them passed; the legislature, for reasons good or bad, was not going to go along with those provisions. Some of them were a little beyond anyway. We had begged him to sign the bill and then if he wanted to get any additional things, to do it with separate legislation subsequently. But of course he paid no attention to what we said and used his amendatory veto.

[49] Governor of Illinois, elected for two terms but impeached during his second term.

It was pretty clear we were going to end up losing the entire bill as a result of that because the legislature wasn't about to go along with a lot of these changes. It took weeks and, I don't know, probably several months of **agonizing** negotiation to try to get something together where we would get the essence of what we had passed. We did, finally, but it was by putting aside the bill and the amendatory veto and basically redoing the process. That was just one that I was directly involved in, but yes, he abused it also. I will say something for Jim Edgar.[50] My impression is and my recollection is that he was much better in not overusing and abusing the amendatory veto.

DePue: Do you have any reason to regret your position on the amendatory veto when it was first established in Con Con years later when you had the experience with Thompson and especially saw what Blagojevich was doing with it?

Netsch: No, I still think it is terribly useful. It may not be quite as essential now because the legislature is in session more or less all the time. Formally it is a single legislative session for the two years that the House members are elected, and they come back and forth and back and forth, but there are no *sine die*[51] adjournments until literally the last day of the two-year session. So the fact that they're there more often probably means that some things can probably be corrected more readily than they could have been back when I first proposed it.

But I still think it saves a lot of time, and really, a lot of what could be conflicts which were really quite easily resolvable. A lot of times the amendatory veto is used to just fix up something that just makes it work better. Let me give another example. This is one that I suspect has come up several times. I remember having passed a bill while I was still in the legislature. I don't even remember what the subject matter was at the moment, but by the time I got it passed, it quite clearly needed more time for everybody to gear up to implement it. I actually suggested to the governor that he use the amendatory veto to delay the effective date for a year so we'd just have more time to get it going. I thought that was a perfectly appropriate use of the amendatory veto. Without it, either we would have had a too-early implementation date, which nobody would have been prepared for, or the whole bill would have been vetoed. So there are lots of times and circumstances when the dispute between the governor and the legislature is not all that big; it can very readily be resolved and just save a huge amount of time and trouble by using the amendatory veto.

DePue: Would it be fair to say that based on our conversation we've had about the amendatory veto; about the short ballot; and perhaps even merit appointment of judges, which we'll talk more about here in a little bit, you were in favor of the strong executive model of government?

[50] Governor of Illinois earlier than Blagojevich.
[51] Without a day assigned for a future meeting; indefinitely.

Netsch: Well, yes. For example, we have an executive budget pretty well written into the constitution, which I think is the way it ought to be.

DePue: Versus one that's developed primarily from the legislative branch.

Netsch: Yeah, but to some extent that was, I guess sort of implicit if not explicit, even in the old constitution. We've always had a pretty strong executive in Illinois, and yes, I believe that. But I also feel very strongly that it ought to be a pretty good balance, which is, for example, one reason why we reduce the votes on overriding the governor from two thirds to three fifths, why we made the legislature a continuing body for the two years that the House members are elected so that it could control itself pretty well and be more inclined to do so. I think there were several other ways. In some ways I think the finance article, by, to some extent putting some brakes on the governor helped that balance of power also. The legislators are the ones who are sort of elected all the time by the people, and I'm very (laughs) committed to that. But my own experience had suggested, because the legislature is not there all the time and has other things on its agenda, that you do need a chief executive with some pretty strong centralized powers.

DePue: Well, let's talk about a couple of the things that did not make their way into the constitution. Maybe these are under the category of power that the people still would retain; one of them would be voter recall, another issue that came up with (laughs) Governor Blagojevich a few years ago.

Netsch: Yes, we did have some discussion. I'd have to go back and reread all this stuff, but my recollection is that it was just was not very high on anybody's list. I think even more critical in that respect, probably, was the voter initiative.

DePue: That was the next one on my list.

Netsch: Oh, yeah, we had lots of discussion about that. My group in particular—the sort of independent, liberal members of the convention—we spent a lot of time discussing that among ourselves, and then, of course, there was discussion on the floor as well. And very interesting, because, although some might have thought that we were the ones who would be strongly pro-initiative, most of us were strongly anti-initiative.

DePue: Because?

Netsch: Well, two things. One is, we'd seen what happened in some of the states that were strongly initiative. Even not long ago, California had propositions on its ballot, some constitutional, some just pure legislative, and—

DePue: But that was prior to Proposition Eight, wasn't it?

Netsch: Yeah. Well, you mean—well, Proposition Eight, or Proposition Thirteen, do you mean?

DePue: Well, which was the one that dealt with caps on property tax in California?

Netsch: Proposition Thirteen.

DePue: Thirteen, okay.

Netsch: Now, my timing might be off, but I remember one initiative—this was a statutory initiative rather than a constitutional one that went on the ballot in California—had to do with obscenity law. Now, one of the most difficult things in the whole wide world is to draft obscenity statutes, to balance the fact that you don't want all that yuck out there with basically your first amendment rights.

DePue: Define obscenity. (laughs)

Netsch: Yeah, define obscenity. That went on the ballot by initiative. Another one was a **major** piece of campaign finance reform, et cetera, that—I'm exaggerating because I don't remember the exact—but it was like a 150-page piece of legislation that was on the ballot by initiative. Again, very tough stuff to draft and get the right balance. It just was insane what was happening. California was the worst offender in that respect. The idea that all of this is grassroots, it's frustration of the people and the voters raising these issues—most of them are very well prepared and funded by somebody who's got a special interest in it. That certainly has been true in recent years in California and a couple of the other strong initiative states. That's one side of it.

The other side of it is, my own judgment from my experience, and I think it was the judgment of a fair number of the other people in the convention, is that it really weakens the legislators in terms of their courage to take on the issues that are really their responsibility. They can say, We won't do this; let it be accomplished by initiative, and we won't take any responsibility for it. So you want legislators who are leaders and who are willing to stand up and be counted—responsive, yes, but they're there because they're supposed to help make some decisions and balance the interests and needs of the citizens with what government can or should be able to do. Initiative tends to weaken their resolve to solve a lot of those problems.

So some of us were **very** strong on not having a wide-open initiative. What we did recognize was in terms of some of the basic structural parts of the legislative branch, that you weren't likely to get any initiative from the legislature (laughs) on some of those things, because of self-interest. So we did include the limited initiative which allowed the citizens to propose constitutional amendments only that would deal with the structure and procedures of the legislative article. By the way, I do think, though, that the

Illinois Supreme Court has been dead wrong on how narrowly it has construed that provision.

DePue: But the bottom line is it did not end up being in the state's constitution.

Netsch: No, we kept the initiative out. We did not want the initiative to be used to make substantive law or basically strong constitutional provisions.

DePue: Another one that you were a strong proponent for, and in this case happened to be on the right side of the regular Democrats in the Chicago machine, was home rule and local government.

Netsch: Yes. What's the question? (laughter)

DePue: Yeah, I guess I didn't ask one. Your position on that and the rationale behind it.

Netsch: Oh, long before I went into the convention, I was always a strong proponent of home rule. Of course I'd been teaching state and local government. Also I had seen the other side of not having home rule and what it does to the legislative agenda, because the legislature had to pass so many laws that it just shouldn't have had to bother with, and it filled up their time and everything else. I think I may have earlier mentioned the one that was always that I had the most fun with and it some reason stuck in my mind: when O.W. Wilson, who was hired to reform the Chicago police department, discovered that one of the things that was just a minor problem but a problem was that everybody under the sun had revolving red lights on the emergency vehicles and everything else.

DePue: Yeah, we did talk about this yesterday.

Netsch: Right. And he wanted revolving blue lights, and he couldn't get them without going to Springfield and going through the whole legislative process. I mean, utter nonsense. But beyond that, on more substantive things, I thought it was very important for communities—and certainly Chicago, but not just Chicago—to be able to make some decisions for themselves and not have to rely on the legislature to either punish them or reward them as the case might be, but just have to **deal** with all of the minutiae of local government. So I was a very strong home rule proponent.

DePue: You see that as replicating basically what was in the federal constitution, between the federal government and the states and the tenth amendment of the federal constitution?

Netsch: No. (laughs) I don't. No, I know what you're saying, but I don't think of them in quite the same way. For one thing—this is partially true at the federal level but in a very different form—the states are all of the power with respect to their units of local government; that's something I find myself teaching all the

time in my state and local government class. It's known as the plenary power doctrine. Unless the state constitution specifically writes in some protection for cities or counties or whatever it might be, the state can do anything it wants with respect to its units of local government. To a considerable extent, that is the form that home rule took in the Illinois constitution. I think that's more sophisticated and nuanced than a lot of people realize; there is virtually **nothing** that the state **cannot overturn** that its home rule units are doing, but there are some instances where it requires a three-fifths vote in order to do it.

That was the way I felt about it, although I claim no credit for what ended up there. David Baum, who was their legislative counsel—he was from the University of Illinois Law School—played an enormous role in helping that committee. They had some awful smart guys on that committee too who did understand all of this. They worked out this version of home rule, which is a **very strong** home rule, but except with respect to two things that I think were sort of accidental, always retains the ultimate power in the state itself. What it says is, You, state, cannot just willy-nilly start taking powers away from your home rule units. If you want to do it—for example, revenue, which is absolutely critical if a home rule unit's going to be able to function well—the state **can** withdraw the power of a home rule unit to tax in a particular way, but it has to do so by a three-fifths vote, so it really has to make it work. I still think it's the most interesting version of home rule of practically any state in the country.

DePue: Well, I'm very glad you made the distinction there because I think that's very important to understanding what home rule is for the state of Illinois. The next one here—and perhaps this is one of the reasons that we ended up having the Constitutional Convention 1970 anyway—legislative redistricting and how the constitution dealt with that.

Netsch: Well, basically I suppose what you could say is we left the initial power where most everybody always thought it had been and at that time I think where most people thought it belonged—in the legislature. But what we did do was to try to work out what happens when there is disagreement. I have a memo, by the way, that I did within the last year when the legislature here in Illinois was beginning to think, What should we do with redistricting coming up again?

DePue: Because it hasn't worked.

Netsch: Well, that's—yeah, and I will explain that in a minute. I actually did two memos; one was a history of redistricting in Illinois, and the other was a history of how we came to adopt the provision that everybody thinks is so crazy. (DePue laughs) It really wasn't all that crazy at the time. I went back and reread every single page of discussion in the six-volume transcript—

DePue: Whew. (laughs)

Netsch: —on redistricting, just to make sure my own recollection was okay on redistricting. People have to understand that what we had just gone through with the so-called Bedsheet Ballot, the at-large election—

DePue: We talked about that at length a couple sessions ago.

Netsch: Yeah. No question, that was the primary motivating factor. So what everyone wanted was a redistricting that would hopefully be balanced, bipartisan, as fair as humanly possible, but would also reach a resolution so that we would never, ever, ever have to go through an at-large election again.

Not everybody in the convention was of the same mind. There were some who thought we should just readopt what we had and keep the at-large election in there, but I would say a pretty good majority said, Uh-uh, no, we simply **never** want to subject ourselves to that again. So finding a way to make sure that there would be a conclusion to the process was a very important factor.

The so-called tiebreaker thing was there because at the time, everybody thought it would never be used. I mean, it was so challenging to both political parties that they would say, Uh-uh, I'm never going to take a chance with that, and they would therefore come together and reach a decent, hopefully fair, balanced, resolution. Of course, the first time after the new constitution, they did. I mean, the bipartisan commission at least worked. The legislature is always going to have trouble resolving redistricting, particularly because there's also a gubernatorial veto which is another weapon, if you will. But their bipartisan commission did reach a resolution in the first redistricting after the new constitution took effect. It has never since then. Ever since then, both political parties were willing to roll the dice and hope that their name would get picked out of the Abraham Lincoln hat, (laughs) which seems to have been used a couple of times, and that they would then come out on top.

Now, the other thing that I think was not understood, and that ended up not working, was that those in the convention—and I was not one of them, and this was not my issue—who were working on the redistricting thing and how to bring about this resolution without an at-large election—had in mind that if first of all, the legislature couldn't reach resolution, and then you had an evenly divided bipartisan commission, and if it couldn't reach resolution, that's when you picked the ninth person by having the Supreme Court propose two names, neither of which could be at the same political party, and then one of them got selected. But the folks who were doing this did not expect the names to be put in that hat, if you will, to be intense political partisans. Let me tell you what Bill Sommerschield, who was the delegate who was primarily responsible for this, several times said, "What we're looking for if we reach that stage at all"—and of course nobody thought we would ever reach that stage—"but if we do reach that stage, we want people who really will sit down and resolve it in a fair way.

For example, on the Democratic side, someone like Ed Levi." Ed Levi had been the dean of the University of Chicago Law School and then subsequently became the United States Attorney General. A Democrat, but obviously not a political party hack (laughs) kind of Democrat. Then on the other side he said—I think it was Corbett who was the dean of the University of Illinois Law School, and a Republican, but again, hardly a political hack (laughs) Republican. So he was thinking that these are people who are reasonable, who have their partisan identities but are obviously not confrontational, in-your-face kind of thing, and that they would then, if you reached that point, be able to sit down and resolve whatever issues are left. So from that perspective, it wasn't that bad an idea. It was never thought that the two names were going to be intense partisans who would just do it in favor of their party without any attempt to resolve anything, which is basically the way it has turned out. So I think as of now we all agree that, however well-intentioned and motivated, that it hasn't worked and that it should change, but of course we were not successful in this legislative session in changing it.

DePue: My understanding is that the issue is not drawing federal congressional districts, it's drawing the state legislative districts.

Netsch: Well, it could affect the congressional as well. It's interesting, though. Almost all of the constitutional language does focus only on the state legislative districts. If I'm not mistaken, there are only two, maybe three, state constitutions that even talk about congressional redistricting in their state constitutions. You could do it, you could subject it to the same procedure, but typically it is not done and it is dealt with separately. Now, in some cases it probably does get dealt with, in fact, pretty much the same way that the state legislative districting is dealt with. In other states it may be often a very different reservation, (laughs) if you will. I know, I think maybe the last two times, in Illinois, you don't hear as much about it for a long time, because what they do is they send the sitting congressional folks off and they draw their own redistricting.

DePue: Based on their reelection.

Netsch: Yeah, yeah. I'm not sure it would be all that different in some cases, but yes, that is correct.

DePue: I should know the answer to this—I don't recall if contiguous borders is part of our constitution.

Netsch: Yeah. I think the only thing that we require is compact, contiguous—and I don't think we even say—

DePue: That's obviously not the case, though, for congressional districts.

Netsch: Well, they're all contiguous. There's no district that I'm aware of anywhere that is not contiguous. Compact…

DePue: Compact would be the—

Netsch: Well, some of the state districts aren't compact either. Probably among the congressional districts, the one that is most fascinating, of course, is the fifth—I think it's the fifth district—the Gutierrez.

DePue: The old Lane Evans?

Netsch: Pardon?

DePue: Oh, Gutierrez's, yeah, the one in the city. In Lane Evans' old district—Rock Island and then dips through Springfield and heads over to Decatur—is another example of…

Netsch: Yeah, that's another very bad one which was pretty clearly drawn for incumbency. Interestingly enough, the Gutierrez district was drawn because that was the only way they could get enough Hispanic votes together to elect an Hispanic congressman; it was upheld by the federal courts, even though the federal courts are the ones who try to be more careful about the standards. We'll have to see how the demographics are, but it could (laughs) end up being pretty closely the same this time. I think the thing that everyone gets very upset about: redistricting is a political process, there's no question about that, in the best sense of the word, and the U.S. Supreme Court says that over and over. I think the thing that drives people up the wall, with good reason, is that too often the districts are drawn primarily for incumbent protection, and that is not the way it ought to be. They ought to be drawn so that they as fairly as possible reflect communities of interest. Of course, in this state they have to reflect the racial balance and that sort of thing.

DePue: Okay. Another issue I want to ask you about is school funding as it pertained to the constitution.

Netsch: Well, there are sort of two groups that in some ways dealt with it. Of course, obviously the education committee had the major role in what was going to be said about the state's responsibility for public education, and it wrote a very strong education article. I'm not used to…

DePue: Well, it's got tags here; I don't know if those are helpful. Education, right here.

Netsch: Okay. I'm used to my own, worn copy. Strong in terms of the fact that it's the state's responsibility, the state does have an obligation to provide— "A fundamental goal is the educational development of all persons to the limit of their capacities. The state must provide an efficient system of high-quality public education"—and so on and so forth. It was certainly intended to establish that it is the state that's responsible (laughs) for education.

I will now fill in briefly, what we were doing on the revenue side was trying to deal with the fact that then, as is true still, the state was not paying for the major part of public education; it was primarily the property tax, and that property taxes were out of balance in this state. If you assume your revenue mix, as most public finance people do, is part sales, part income, and part property, we were way out of balance in 1970, as some would say we still are. The main reason for that was that the property tax was having to pay for most of public education.

So I, being a passionate supporter of public education and not liking the property tax as that major a source of revenue, wanted to get something that helped to address that balance. The education committee several times had proposed—and I think this may have been in their initial proposal to the entire Constitutional Convention—had written a very explicit formula: the state pays for all the public education; the locals can add on only about 10 percent. That was about a 90–10 thing. That did not fly. I think—oh, goodness, I'd have to go back and look at this again—I think they tried maybe another formulation along that line, but very heavily in terms of the state's paying the good part of it. They couldn't get anybody to agree to an explicit formula. I would say that probably was the right thing, because if you have something like a 90–10 or a 75–25 or something, then all sorts of games are played about what goes into the formula, and if at some particular point in time it doesn't seem to make sense and you need to make some adjustment, you can't because the constitution says it. So something that explicit I don't think should be written in. But of course, **I** felt passionately also that the state ought to be paying **the biggest share**. So at the very last stage of the convention there was nothing in the education article about what was going to happen specifically. My recollection is, in order to get some constitutional language considered at that stage of the convention, I had to have a petition signed by—I don't remember how many, either a majority or three fifths or something, a very large number of the delegates. So I took around basically my, "The state has the primary responsibility for financing the system of public education…" My feeling was that, Okay, we're not going to get out of here without the constitution saying, Yes, state, it's not just that you are supposed to provide a free public blah-blah-blah, you've got to pay for most of it. You have the primary responsibility for paying for it. We're not going to try to do it with a particular formula; we're just going to say it is **your** responsibility. I got enough people to sign on, we reopened that issue—I think there were a couple of adjustments that were made a little bit in the words—but basically that's what came out. It went into the education article, and that was what was intended.

Everybody thinks that the constitution says 50 percent. I never thought 50 percent; I thought the state ought to be paying about 75 percent. (DePue laughs) Honestly, I don't remember now whether I said that explicitly on the floor of the convention or not, but it was intended at least to get us constitutionally committed to that. It's easy enough to say, well, it didn't

work. Well, it worked a little bit, in the sense that almost from the get-go people point to the constitution and say, you're not obeying the constitution, which says the state's supposed to be paying for—they usually say—at least 50 percent. Of course we haven't even come to 50 percent at any time. So it's kept the pressure on, but it has not quite gotten the governor and the legislature to live up to what I think they should be doing.

DePue: Well, you certainly at least defined the parameters of the discussion from 1970 all the way to the present, that any time you discuss budget and finance you're also going to be discussing education at the same time.

Netsch: Absolutely, and that was the whole point. Yeah. And it's always been, by the way, sort of a double-edged thing, because a lot of it has to do with what I think is probably our, yes, **major** responsibility as a state, and that is education, the public education system. But it also is a fiscal policy issue because we're out of sync in this state, and we have been for a long, long time. We put **way** too much of the burden on the property tax and not enough on the broader-based taxes that the state enacts.

DePue: We will be discussing that a lot when we get to the '94 election, because that's at the heart of one of the issues in the '94 election. I want to ask you this question, though, before we leave the issue of school funding. Could you just lay out for us what the political landscape was on this issue. You know, was it regular Democrats, independent Democrats, the suburban Republicans, downstate Democrats, rural Republicans?

Netsch: You mean legislatively in terms of implementation?

DePue: How the different factions lined up on that issue.

Netsch: Okay. Nothing's ever divided that perfectly, but I think there are some generalizations that could be made. To a considerable extent, the Chicago legislators wanted to increase the state's commitment to public education. For one thing, of course the Chicago schools got a lot of money from the state, although we don't get as big a share as everybody thinks we get—or at least in recent years we have not, of the total pot—but we still get a huge hunk of money. Of course we have a school-age population for whom the public school system is their only choice in most cases. I suppose that's true in a lot of other parts of the state, but we have more kids at the bottom of the economic ladder, who have a language difficulty to overcome, and other things of that sort. Part of the Chicago legislative delegation is not as averse to raising taxes, because you cannot increase the state's contribution to public education very significantly without some additional sources (laughs) of funding at the state level, and that may mean a tax increase. There are folks in Chicago who can, quote, "get away with" that in ways that others think they cannot.

A big problem always has been the collar county and suburban legislators. Let me illustrate it. One person who was a Republican collar county state senator—and good friend of mine in the legislature and still is, and was not an anti-tax nut in every respect—said, "You know, what can I do with my constituents? They know that they will pay a big hunk of any increase in the state income tax, but we get very little state aid for our schools." That is true in a lot of the suburban and collar county districts. There are a lot of them that get no more than 5 or 10 percent of their total school expenditures in the form of direct state aid.

DePue: Are you willing to name the senator you're talking about?

Netsch: Jack Schaffer, who was and is a good friend of mine. As I say, he is not an anti-tax, under no circum—I mean, the kind that you—like the Tobin form (laughs) of anti-tax person. But we'd have personally rational discussions about it. He said, "You know, it's hard for me to make the case to my constituents."

DePue: Well, the person who's normally identified in that respect is James "Pate" Philip, as the one who was adamantly against it.

Netsch: Right. I was going to say, then there were the people like Pate Philip, and he had some colleagues in this respect, and their whole argument was not just that. I mean, it was the more in-your-face kind of argument: "Oh, why should we spend any more money on education? All it does is go down that rat hole, the Chicago school system." And literally, I mean, that was the argument over and over and over. Happily, someone like Jack Schaffer did not make that argument, and another one who did not make that argument was the Senator from Bloomington who really was passionately committed to public education also and would actually come up here and go visit Chicago schools. In fact, what he wanted to do was to authorize local income taxes to help increase the funding for public education and let various areas make their own decision. That was something I thought would never work in that state—having a whole bunch of different local income taxes. There are a few states that do that. I think it is a bad idea.

DePue: Well, actually, Edgar ran on that position, I think, in 1974, advocating that very thing.

Netsch: What, local income tax?

DePue: Yeah.

Netsch: I didn't remember that he ever said anything about an income tax. (laughs)

DePue: When he was running for legislature himself, yeah.

Netsch: Huh, okay. The problem is that, particularly if you're going to include businesses and corporations, you get a very complicated enforcement, collection problem.

DePue: Well, he was representing a rural district, and that was an appeal to all those farmers who had all that property.

Netsch: Right. Anyway, you had different points of view, but by and large, certainly the collar suburban folks were largely not supportive, either for reasons which were understandable from their constituents' point of view or because they were just hotheaded (laughter) anti-Chicago people. Then you always had a lot of just genuine conservatives from downstate, who just don't believe in (laughs) raising taxes for anything. Now, some of those would break out of that mold, because often it was downstate schools that were suffering terribly from lack of funding. I mean, everyone thinks all of this was designed just to help Chicago, but Chicago's got a pretty good tax base, including a lot of commercial and industrial property at that time to feed into its local property tax base. But a lot of the downstate more rural areas were just hurting terribly. So you could pick up some support from down there, but the combination of the fact…

For reasons which I'm sure somebody could write a thesis about someday, we think of ourselves as a relatively moderate or liberal northern industrial state et cetera, but we are so anti-tax in this state it is just crazy. Right now, even, you see a whole bunch of states which, given the fact that revenues are down so and services are being hurt terribly, including education, there are states out there right now, in what is admittedly probably the worst time to have to raise taxes, that are raising taxes because they absolutely have to have the money. This state—you can't even talk about tax increases.

DePue: Well, it probably is worth mentioning for those who might be reading this forty or fifty years from now, in 2010 the state currently has a thirteen billion–dollar budget deficit—

Netsch: Minimum.

DePue: Minimum.

Netsch: Depends what you count in. (laughs)

DePue: Much of that I think many people would blame on Blagojevich, but Quinn[52] has been in office close to two years, and still, even though he's made recommendations to increase the income tax, that has fallen—

Netsch: Nothing's happened.

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[52] Lt. Governor under Blagojevich who become governor on Blagojevich's impeachment, then was elected for a full term at the next election cycle, 2010.

DePue: —it's been defeated easily, and it's going to be very much the topic of discussion in this gubernatorial election that we're in the midst of right now.

Netsch: And my guess is for some time after, because even if we got a modest increase in the state income tax, that is not nearly enough to bail us out of the **terrible** hole that we are in right now.

DePue: Some say that Illinois has the worst fiscal situation, worse even that California and New Jersey, perhaps.

Netsch: New Jersey has a governor who's doing some pretty dramatic things (laughs) to deal with his fiscal—

DePue: Some have used the word "draconian," but…

Netsch: Yes—his fiscal crisis. California, just because of the sheer volume, is probably in even worse shape than we are, but I think we are generally conceded to be the second-worst.

DePue: Yeah. So just to put a mark on here, and we can go back to our discussion.

Netsch: We do have the lowest bond rating, I think, right now.

DePue: Okay. Just a couple more things on the constitution. We've been talking about this a lot, but I started off by saying I think this is crucial, and you've done a wonderful job of illuminating a lot of these issues for us. I'm not sure that this was at the time—

Netsch: Remember, this is my perspective.

DePue: Well, that's exactly why we're talking to you. Exactly.

Netsch: Yeah. I mean, not everybody might agree with my characterization of some of these things.

DePue: We've interviewed others on this very issue, and I certainly hope that we will continue to talk to folks about the Constitutional Convention. This one, I'm not sure that you'll have as much to say about, maybe more: judicial power and how that was sorted out.

Netsch: Well, two things. One, before the Constitutional Convention, we had modernized and cleaned up the structure of the judiciary in this state, which was a great thing to have done, to have sort of a single judiciary with a Supreme Court, the appellate court level, and then the trial court level, which is called the circuit court, and all under the general administrative authority of the Supreme Court. We did away with justices of the peace and all kinds of other things that were… So we had what was considered very model judicial structure already in this case. I would say two things: there was some dispute

still, I think a good deal, about judicial discipline, and we did set up a fairly—some would say complicated—but a sort of two-level constitutional structure for judicial discipline, which I think was pretty good and I think has worked pretty well. But of course the biggest issue was how you select judges: whether they should be elected in partisan elections or whether you should go to some form of what's called merit selection or the Missouri system, which is basically a two-level appointive system. When I say a two-level merit selection—that is a term of art that's been used now for years—those who don't like it get terribly offended that we have managed (laughs) to adopt "merit selection" as the label for our method of selecting judges.

DePue: Yeah, because who can argue with merit?

Netsch: Exactly. I thought it was pretty clever. Actually, it was sort of invented back in 1913, 1914, by the people who founded the American Judicature Society; one of those who was very involved in that and in helping to implement that idea was Albert Kales, who was a member of the faculty of Northwestern Law School. He's not the one who was given the primary credit for it, but he was very much part of the early days of American judicature and in advocating for what came to be known as merit selection. Just briefly, the merit selection involves, as I said, a two-level approach. You first have a nominating commission, and you may have several, you know, like one for the Supreme Court, one for appellate courts—that can vary a little bit—but there is a nominating commission which is typically made up of some lawyers and some non-lawyers. In the versions that I've always been advocating, there's a majority of non-lawyers.

Of course, it becomes quite critical how those members are selected, and there are variations on that from one state to another, but it has to be basically bipartisan, and, as I said, it also has to have non-lawyer members on it. They do the reviewing, if you will. They can actually ask for people to submit their petition or they can reach out to people and say, Gee, would you like to be considered as a judge? I mean, there are all kinds of ways in which they can consider potential candidates for judgeships. But they do the reviewing, and then, typically, in a merit proposal, they will submit three names to the appointing authority. In most states, the appointing authority is the governor. I think there are a couple of states who still have the appointing authority the Supreme Court. Typically, in a merit selection proposal, the governor—let's assume it is the governor who is the appointing authority—is restricted to the names that have been submitted by the bipartisan nominating commission. So the governor can't play games with it and say, I don't like any of your people. Except a couple of states have allowed a governor maybe to reject an entire panel and let them go back once more, but it can't go outside of the panel to select someone. The governor selects one of those candidates. Again, typically, that candidate may be subject to a retention or review election within a year or a couple of years after appointed, you know, just to

(laughs) correct any terribly missteps it might have made, and then that person becomes the sitting judge for whatever the term of office is.

Now, again, most states with merit selection also have retention elections so that even after that person initially goes on the bench under this multi-level system—when the term is up, the ten years or six years or whatever it may be—that judge will go back on the ballot for a retention election, which is what we have here in Illinois. We have, some say, the worst of all possible worlds. (DePue laughs) We elect our judges in partisan elections, but then we retain them in retention elections. Not many people get knocked out in retention elections and of course, that's intended. If you've selected correctly in the first place, you don't want to throw your judges out every six or ten years or whatever it may be. So that basically is the system that is called merit selection. It was first adopted by Missouri for its supreme and appellate courts and for its two largest trial courts in 1945; that's why it's also sometimes called the Missouri system.

DePue: You're sounding a bit like the law professor here. (laughter)

Netsch: Well, I've been on this issue for most of my adult life. It was a very hot issue, obviously, in the constitutional convention. There were obviously those of us who were **passionately** committed to the merit selection; particularly the Chicago regular Democrats were **passionately** committed to partisan election and weren't about to give it up. Among the downstaters, you had some of both, really. It was very interesting because downstate public figures particularly have a tendency to want to elect everybody in sight. I mean, there's just a very, very strong, I guess you would call it populist feeling, that runs through a good deal of downstate Illinois.

DePue: They tend to know the candidates better in the downstates?

Netsch: Well, that's another thing. I think there's more justification for it, and that was an argument that some of them made as we were debating this in Con Con: We know our judges because there are only a few of them. Up there, you may be electing sixty-eight at the same time or something of that sort. (DePue laughs) That is true, I think; they do tend to know their candidates better. Of course, we think they shouldn't be elected even if you know them, that it's just not the right way to choose judges.

And one of the fascinating things that I remember happening—oh, this was not always a very pleasant part of the convention because there were such strong feelings on both sides and it got pretty nasty at times—but I remember particularly one delegate from downstate—I think I'm right in saying it was the mayor of Marion, a Republican, and a very nice guy, but a conservative. With most of the delegates from around there he would have been all for electing because that's the way you do things downstate: you elect. I remember one day when we were on the subject he stood I think on the floor

and said, "You know, all of the anti- business is that, well, they say that up in Chicago the party chooses them and people don't know anything about it and it's only a few folks who totally control it and who know who the judicial candidates are going to be. I can see that's probably true. But then I suddenly thought about my own area, and I'm a Republican mayor." I think he might have been a Republican; I don't know that he was a county chairman, though, but was very active in Republican politics. He said, "I realized I knew ahead of time who my judicial candidates were going to be, so it's not really all that different in my area," (laughs) which was very interesting at the time. If I'm correct, he ended up being one of our supporters for merit selection.

Well, it was on the verge of breaking up the entire convention. I mean, it was just a **terribly** controversial issue. I'm sure we had it in and out of the basic draft over a period of time. What finally happened, I think—this is my recollection or reconstruction of what happened—was that this issue meant a huge amount to this sort of independent liberal group, my group, and to a few of the suburban delegates. We wanted it in the document; we wanted it someplace there. There was another group who were mostly Republicans, and I mentioned, the two very distinguished gentlemen from Peoria and a few of the other good government types who felt passionately about getting rid of multi-member districts and cumulative voting and wanted single-member districts. Although I think this is a highly oversimplified way of putting it, we got together and put the deal together whereby both sides would get a shot at their position.

Then, as you know, we came out with four separately voted-on issues, one of which was the structure of the Illinois House: you could either have single-member districts or retention of multi-member and cumulative voting. On the judicial, you could either have partisan elections or merit selection. So we sort of brought together differing points of view on differing **major**, substantive issues, and in a sense didn't resolve them, but resolved the capacity to put the choice on the ballot.

DePue: And the other two were death penalty, whether or not that should be abolished, and a vote for eighteen-year-olds.

Netsch: Yeah, which was voted down. (laughs)

DePue: Voted down, but that didn't make a difference because you had it at the federal level.

Netsch: Well, we had a federal constitutional amendment, yeah. You know, when I think back on it, I am still sometimes stunned that we were even able to get a choice on the death penalty out as a separate issue, because I think for a long time afterwards, there wouldn't have been enough votes to even get it on the ballot, people were so pro–death penalty. Now, of course, that has shifted a little bit also, back the other way.

DePue: Well, I'm going to exercise my prerogatives here. Recently, —I don't know how long this has been going on—the Illinois Supreme Court has ruled unconstitutional, based on the Illinois constitution, any attempts at tort reforms for setting tort limits. Can you explain where they justified that, where they're basing that from the Illinois constitution?

Netsch: I must admit I have not read their most recent decision, but there is—

DePue: And I'm sorry about putting you on the spot on this, but…

Netsch: There is a provision which says that every right must have a wrong. Oh, you've got it marked here. Judiciary?

DePue: I don't know if I have that highlighted, but that would be the section that obviously…

Netsch: That's jurisdiction… I don't think it's in the judiciary.

DePue: Okay. Well, again, I'm sorry to put you on the spot there.

Netsch: What I'm looking for is the… Ah. In the bill of rights: "Every person shall find a certain remedy in the laws for all injuries and wrongs which he receives to his person, privacy, property, or reputation. He shall obtain justice by law freely, completely, and promptly." I think the court often relies in part on that provision. What I'm trying to recall is whether the most recent decision has also invoked a sort of an equal protection provision, and I'd have to look back to see that.

DePue: Okay. We've covered an awful lot of material here. Is there anything else referenced to the discussions that were emanating from the Constitutional Convention that you wanted to address?

Netsch: Well, somebody always brings up the pension article.

DePue: I know that's going to be one of the issues that you have championed here in the last few decades as well, so if you could address that?

Netsch: Well, some things that happened which made delegates very concerned about whether the retirement benefits of public employees were going to be respected and lived up to. I haven't reviewed that recently, and I don't remember all of the circumstances, but I know there really was a lot of concern about that. So they decided to write in a constitutional provision which basically said, You're not going to take away the rights, that have been earned, of public employees. "Membership in any pension or retirement system of the state or any unit of local government or school district shall be an enforceable, contractual relationship, the benefits of which shall not be diminished or impaired." That was a response, in a sense, to this concern about whether there was an attempt to renege on pension benefits of public

employees and that it wasn't fair. Of course, since then, or really in very recent years, it's become a **major** issue because we have not funded our public pension systems really from the get-go. They are in such horrible, unfunded liability right now, so lots of folks would like to cut back on the retirement benefits, of public employees, and there is a constitutional provision which makes it extremely difficult to do.

Now, there are things happening right now in 2010 as we talk. First of all, the legislature has enacted legislation which cuts back on some of the pension benefits, if you will, of future employees—that is, those who have not yet been hired. It raises the retirement age, cuts back on some of the ways of computing the pension, and so forth. No question that that can be done. The next argument, which is still out there, is whether the retirement benefits of current employees can be cut back—not those that they have already earned, but those that they would earn from this day forward. That is, the legislature could pass a law saying, Okay, from this day forward, your retirement benefit is not going to be three fifths of your last salary check or whatever it is right now; it's going to be one half or something like that, but only measured on the days worked from the day that the legislation was passed forward. There's dispute about whether that can be done. There are legal opinions out there which say, Clearly it can be done and there are some legal opinions out there which say. It cannot. My guess is—well, I don't know what's going to finally happen. I think probably it is not likely to happen, in part because of the doubt about its constitutionality, and in part because the public employee unions have (laughs) an awful lot of clout in Springfield also. There are other things that can be done with respect to retirement benefits. For example, you can increase the amount that the employees have to pay into their pension fund and into their health care benefits. I don't think there's any question that that can be done legally. Public employees, at least state employees, do pay a fairly significant hunk right now; I think it's 11 percent of their salary, I believe—goes into the—is it 8 percent or 11 percent?

DePue: I should know.

Netsch: I'm no longer an employee; I don't remember. But the other thing that people forget about is that the vast majority—I think it's about 75 percent—of the state employees don't get Social Security either, so they're more heavily dependent on their state retirement.

DePue: That's not my understanding, or at least I know that I'm drawing Social Security and in the pension system, so I…

Netsch: I do too, but that's because I worked for some places that allowed me to build up my Social Security credits. I don't get any Social Security for having been an employee of the state.

DePue: Yeah, I can't answer that.

Netsch: Well, I do know. I may be wrong about the proportion, but a very substantial proportion of state employees do not get Social Security.

DePue: Okay. When we first started this, we promised each other that we would finish by 12:30, so we've got about fifteen minutes to go. I definitely want to have you address the end result of all this. I know that part of the end result was that you in part had to go to Mayor Daley himself and sit down and try to convince him that it was okay to actually support adopting this new constitution. We need to hear that story.

Netsch: Well, I tried to go back and reconstruct what it was by talking to David Stahl recently. Two things. One, I do know that I talked directly to George Dunne, who was very close to the mayor, of course. George Dunne, I did know very well. He was, I think, county board president still at the time, and said, "You got to do something with the mayor, because if he doesn't support it we'll never get a new constitution, and there's so much in here that is so good." So I did talk directly. You know, this is very strange. I have a clear recollection of sitting down with David Stahl and Mayor Daley and just making my pitch for why I thought he should do it.

DePue: In Daley's office?

Netsch: Yeah.

DePue: On his turf, in other words.

Netsch: Oh, yeah, yeah. That's my clear recollection. Now, I suppose we all have fantasies or something. When I talked to David Stahl at one point subsequently, he said, "What you did was, you wrote the memo that was given to the mayor to explain why he should be supporting the constitution. He took it very seriously and said something like, 'Yeah, this is right, I got to…'" I mean, I'm making up words now, but what David said was that he was heavily persuaded by the memo that I wrote about why he should do it. He does not recall that we sat down face to face, so I leave that to whatever. (laughs) I remember sitting down with him.

DePue: But he had home rule in there. What would have been the issues that he would have been objecting to?

Netsch: That's what I could not understand. What I was trying to say was that your separate issue is about whether judges—people got a chance to vote separately on some of those things. Number one, it is a good, strong, modern constitution, but this is the strongest home rule of any state in the entire country, that it's beautifully designed, and it changes your whole relationship with the state legislature and practically everybody else. There's no way that you could let this go. This is my reconstruction now of how—I probably didn't write it exactly that way or say it exactly that way, assuming I was physically present (laughs) with the mayor, which is funny, that I remember

one thing and David remembers another, but anyway. But that was, I think, probably the thing that more than anything—I mean, the home rule thing—had to be what finally persuaded them; he simply could not let it go. It was right almost down to the wire. My recollection is that it was like a week before the election that he finally came out and sent word, and then of course his troops got out on the street; that of course is what makes the difference. So we adopted a new constitution. Nobody else was doing it at that time successfully.

DePue: Was this a separate election, or—

Netsch: Yes.

DePue: —was this part of the 1970…

Netsch: No, it was a separate election.

DePue: In December, was it not?

Netsch: In December, right, which is not the best time to have (DePue laughs) an election, either. I think it was December fifteenth, as I recall.

DePue: That sounds right. A lot of these things that we're having problems identifying the names, we can get corrected and tighten up when we do the transcript of it, which is the beauty of doing these interviews this way. How proud are you now, looking back, of what you accomplished?

Netsch: Oh, I'm actually quite proud, particularly given the circumstances, not just the turmoil that was going on in the outside world but the fact that a number of states were trying to clean up, maybe totally rewrite or at least, as I say, revise their constitutions, and were not having an awful lot of success. Maryland, for example, had done it, everyone said, exactly the right way, they did everything just right, and they lost their constitution. I think New York had lost one. Oh, there are several others. And the fact that Illinois—which is not always thought of as the most progressive state (laughter) in terms of reform movements—that we wrote a good constitution— and it's still often invoked as a model for other states which are going through the process—and got it passed, which, of course, we have to attribute to Mayor Daley more than anyone—was really quite remarkable. Now, are there provisions that I wish were not there? Absolutely. There were provisions which I wished at the time were not there. I don't like the flat-rate income tax, for example, and I wish maybe we had done something even stronger on the state's responsibility for funding education, although we thought we had made that quite clear.

DePue: Well, let's go through the four that were separate initiatives. Cumulative voting—that was retained.

Netsch: Yes.

DePue: Merit selection was defeated.

Netsch: Yeah.

DePue: The death penalty was—

Netsch: Defeated.

DePue: Well, abolishing the death penalty was.

Netsch: Yeah, was defeated, yes.

DePue: And lowering the age to eighteen.

Netsch: Yeah, I lost all four of those. (laughter) But the other thing that I have often made the point on—and I believe I was incorrect about something, but starting where I talked about this—I said, Whoever finally got us to put those separate issues out separately was brilliant. I think it was sort of a coming together of—

DePue: The right tactical decision.

Netsch: Oh, there's no question that if we had written directly into the constitution, well, certainly two, maybe three, of those decisions that were up for a separate vote, we would have lost the whole document. It was an absolutely brilliant strategic move. I believe I am correct in saying that several states since then—maybe before also, but I would have to go back on that one—but I'm pretty sure several states since then have done that. I've always emphasized that when I've talked to people in other states about, you know, how were we successful at that point in time, because it allowed voters to have something to say but it didn't necessarily endanger your basic document.

DePue: Okay. The next session, we're going to be talking about your legislative career and taking on some pretty meaty issues. Everything we've been talking about in the last two sessions here: dealing with the constitutional convention, your discussing the parameters of how all these legislative discussions and the debates and the strategy sessions and the conflicts and the points of compromise between the various branches are going to occur, so this has been a great foundation to launch from here.

Netsch: Good.

DePue: So thank you very much. Any final comments for today?

Netsch: No. (laughter)

DePue: Thank you, senator.

Netsch: I'll think of them later. (laughter)

(end of interview #4)

Interview with Dawn Clark Netsch

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Interview # 5: August 27, 2010

Interviewer: Mark DePue

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DePue: Today is Friday, August 27, 2010. My name is Mark DePue, the Director of Oral History at the Abraham Lincoln Presidential Library. Today is my fifth session with Dawn Clark Netsch. Good morning, Senator.

Netsch: Yes, (laughs) good morning.

DePue: I'm wearing you out, I'm afraid.

Netsch: You are wearing me out. I'm worn out and we haven't even started yet today.

DePue: (laughs) Oh, but we have some fun things and important things to be talking about. What I want to start with today is—we talked last time about your experiences at the Constitutional Convention in 1969, 1970, and we talked quite a bit about your experiences as a law professor here at the university—that's where we are again today, at Northwestern School of Law, right on the lakefront.

Netsch: Yes.

DePue: A beautiful day, as you mentioned earlier.

Netsch: For a happy change. (laughs)

DePue: Yes. I want to get into your political career. I'm going to start on a different note, if you will, because I found a quote from the *Chicago Tribune* from the mid-'7-s, I believe, by Jack Mabley—am I pronouncing that right?

Netsch: Jack Mabley? Yes, I remember that name well. I knew him.

DePue: Well, here's your quote: "I like government. I don't like politics much." (laughter) We're about to launch on the next few sessions talking about your political career.

Netsch: Right. I think I would probably say the same thing today, and I probably said it pretty regularly throughout. I got started in all of this or got interested in all of this because, number one, I believe government is terribly important since it makes huge numbers of decisions that really affect the entire culture milieu in which all of us have to operate, and often decisions which are even more specific in their impact. I think government is—and I'm using the word "fun" not in the (laughs) typical way—but I think it's much more interesting because it is so challenging. Not only do you have to try to figure out what public policies should be, but then (laughs) you've got to figure out how you get them accomplished. This is a country that has always been divided quite a bit. I mean, not necessarily as nastily as it is right now—that bothers me a huge amount—but we've always been a big melting pot with all sorts of different viewpoint and all. Part of what you have to do if you're in government, in politics, is try to figure out how you can bring your own sense of what is right and what is principled to bear, but recognize that not everybody feels the same way and that you've got to find a way in which you can accommodate these very, very different points of view. That's what's fun about it in my…and that's the governing part.

Politics is okay once in a while, (laughs) but it gets into some of the things that are not much fun and sometimes bother me even more than that. One, of course, is the **enormous** obsession with raising money that has become just so dominant in every political campaign. I sometimes say to people, "You know, just look at what happens when somebody relatively new is being talked about as a potential candidate for governor, senator, Congress, whatever it may be. It seems to me that in every case, the first thing that is said about that person is either he or she can raise money or can't raise money." I mean, that seems to be the major qualifying thing. I think that's **horrible**. It really bothers me a huge amount, and the fact that so much of the money comes from what are called special interests. Everybody's really a special interest in one way or the other, but there are some that are a little more uniquely (laughs) identified that way, I think. That turns off the voters frequently, because I think huge numbers of the people in this state believe that their public officials are bought and sold; in a few cases that is actually probably true, and in most cases it is not, but that is the perception, and a lot of that has to do with the amount of money and the way the money is being raised.

The other thing, which I don't get much sympathy for when I describe, is what it does to the candidates, particularly people who are really interested in governing, in policies, in issues and all. Instead, what you're told to do is spend your life raising money. One of the things that I often use to illustrate this is something that Paul Simon used to say. In fact, Paul said this to me when I talked to him right after he formally announced that he was not going to be running for reelection to the [U.S,] Senate. He said, "Dawn, I realized, as I really have known for some time, that about one third of my life is spent raising money," and that is for somebody who had a relatively secure position. He said, "I just don't want to go through that any longer." And he's right. During the campaign, you spend some time raising money; but it's not just sometime, it's all the time. You get in the car after you've done a rally or whatever the event might be, and the first thing they do is they stick the phone in your ear (laughs) and say, Start making your fundraising calls. Most of your time back in the campaign office is phoning for money. It really destroys your sense of what you are about when you are a candidate who really would like to spend more time on issues or with voters or both. So there is that aspect of it also, that I think is one of the things that is just horrible about the process.

Another thing that bothers me a lot, even though I probably have been sometimes on the long side of this, is that you can make anyone who is running for office or in office look like, if not an absolute crook, at least someone who is kowtowing to the people who give them money. Fortunately, I don't think I was ever thought of as being bought or sold by anyone, but it could have been done for me easily. I had this passionate commitment to redoing the way that we fund public education including a huge extra amount of state money into public education. You know, that is, was, and still is really my passion. Not surprisingly, the Illinois Education Association and the Illinois Federation of Teachers were supporters of mine. Although I don't think they gave me that much money, (laughs) they did contribute money. That could easily have been turned around and said, Well, the only reason why she's talking about putting more money into public education is she's getting campaign contributions from these people. So that could have been looked upon as sleazy, if you will, or self-serving in that sense. That could happen to anyone, absolutely anyone.

Sometimes it's not fair, and I freely concede sometimes it's not fair even when the money is coming from the people that I don't agree with. I mean, there are candidates who get a huge amount of their money from business-oriented groups; often the claim is that they are being bought and sold by these groups, and sometimes it's because their thinking is such that the state Chamber of Commerce or the Illinois Manufacturer's Association says, Gee, that's somebody who thinks the way we do, so we're going to support that person. So it may be, in that sense, perfectly clean and perfectly innocent, but it's not going to look that way, and it's going to be turned around against that person, either by opponent or by the media. I would have to tell you, the

media are big participants in making everything look sleazy in the way of campaign contributions.

DePue: It sells newspapers.

Netsch: Well, that's right, and it's not right. In fact, one of my little stories going back—I played a major role in getting the first disclosure bill. We didn't even have disclosure of campaign contributions when I went into the general assembly back in January '73. I was not the lead sponsor because the Republicans were in charge of the Senate at that time. I can't remember whose name was first—Brad Glass or Jack Schaffer or Prescott Bloom or one of them—but I was one of the cosponsors. The bill was tied up in committee and wasn't going to be allowed out, and so I took the Senate by surprise one day and filed a motion to discharge, which really (laughs) hit the fan, I must say.

DePue: "Discharge"—mean bringing it out of committee?

Netsch: Bringing it out of committee, yes. I'm not sure I even told all the lead sponsors. I must have told a couple of them because it's their bill, basically; at least they were first on the list. But anyway, I called the motion; eventually we took a roll call on it, and of course I lost. The *Chicago Tribune* the next day, on the front page, showed the roll call on that bill. (laughs) So the guys decided that this was not going to go away, that this was a hot issue. So we went through all kinds of other steps, and then eventually they created a committee to examine what could be done about disclosure. There was only one condition in the creation of the committee, that I be not allowed to be a member of it. (DePue laughs) But in any event—what started all this? (laughs)

DePue: Well, the difference between government and politics.

Netsch: But that was at the very beginning when, as I said, there wasn't even disclosure of campaign contributions. Oh, I know—I was going to tell a little incident. Probably by the end of 1973 I think we actually got the bill passed, over a lot of dead bodies—they did not want this. But there were enough of my kind on the Democratic side and enough of what I called the independent Republicans on the Republican side—you know, the good government guys over there in the Senate. The House was of course still cumulative voting, and so you could get almost anything out of the House. So we finally got the bill passed.

Then I remember early on, one of the newspapers took a contribution that John Holabird, who is a well-known architect—and, by the way, a friend of Walter's and mine, an absolutely honest, decent guy, but who cared about the public process—he had made a staggering contribution of—I swear it was only about a hundred dollars, which counted for a little more then but still is not exactly enough to buy somebody—to some candidate—it wasn't even me. The paper was trying to make a big deal out of that because Holabird & Root

were also probably hired by the state to do some building project; of course it was a very well-respected, extremely well-known architectural firm, and they were trying to make a connection there.

I remember saying to the reporter who had written the story at that time, "You keep doing things like that and I will introduce the legislation to repeal disclosure. You've got to be responsible about this. The information should be there, but it cannot be twisted into the worst possible thing in every case." That is still, I think, a major problem. Even to this day—and of course we've had disclosure for a long, long time now—it seems to me that every time the newspapers are reporting about somebody's gotten a contract or somebody's done this, that, or the other, they immediately go back and try to connect it to some campaign contributions that have been made. Now, in some cases, there probably is a connection, but there isn't always a connection. (laughs) It makes the whole process look sleazy, and that bothers me a lot. I think that's one reason why—I fully understand all the problems, but—I am a passionate supporter of public financing of campaigns. I think we'd better start with the judges, by the way, because that's the most sensitive thing.

DePue: That's something that we definitely want to get to here a little bit. I want to go back, and maybe this is cutting some fine hairs in the equation of what's the difference between government and governance and politics, but when you started to discuss what governing is, you included what happens on the floor of the Senate. So the art of compromise, does that belong on the government side of things?

Netsch: Oh, absolutely.

DePue: See, most people would say, Well, that's politics. The art of compromise is the whole of politics.

Netsch: Well, maybe there's some element of that, but it is an absolutely vital, essential part (laughs) of getting anything done. I think one of the reasons why right now we are in such gridlock at the national level, at the congressional level—and I'm talking about now, in 2010, although it's amazing how many critical pieces of legislation have passed—but they passed in some ways in the wrong way. They passed without that kind of across-the-aisle working out, quote, "compromise."

DePue: You're talking about the things at the national level like the health care bill…

Netsch: Right, yeah, the stimulus bill, the health care bill, the—

DePue: Financial reform.

Netsch: —financial reform bill. All of those are involved. Very important issues and they have different perspectives—I mean, their people come to them with different perspectives, and they're the sorts of things that almost have to have

some compromise. Compromise is not a bad word in governing and shouldn't be. I think sometimes, one reason why it is that you'll find in a given instance and maybe with a given couple of legislators that they will have gone too far in seeming just simply to abandon what they stood for and what their principles are. That of course is unfortunate and is going to happen once in a while. But to say they had to move a little bit…

Well, all right, take the public option part of the health care bill at the national level. The liberals were passionately for that; as a matter of fact, if I'd been there I think I would have been too. But it was pretty clear that there was enough opposition to it and enough belief that it simply was not the right way to go, that it was one of those things that probably had to be compromised, and it was. Now, I don't consider that—I mean, I'm sorry it had to happen, but I don't consider that—what's the word I'm looking for?—a sign of failure or that it was sleazy or that somebody was being bought off or something; it's just a recognition that in a country that is free and open, thank God, so that everybody has a chance to express their viewpoint and where those viewpoints are sometimes so different, you've got to work it out so that you don't all end up shooting one another.

DePue: How about the aspect of working in the legislature and the strategy for how to move bills forward. You mentioned before about that key decision about when to bring something out of committee or when to work on it in committee—that strategy of bill-making, of legislation, is that something that you enjoy doing as well?

Netsch: Yes, although interestingly, when you say "work on it in committee," one of the problems with a lot of state legislative bodies, certainly here in Illinois, is that the committees are not as strong and used as they ought to be in the process, so that when you're working on a piece of legislation you may spend special time with members of the committee, but often you're having to work with people who may or may not be members of the committee to build up a base of support for it.

I'm thinking, oh, for example, the family and medical leave, which was one of my major pieces of legislation. Yes, I did have to work **very** hard on the committee because I did not have (laughs) the votes going in, and there were a couple of members that I really had to spend a lot of time with. But in the process, I was also trying to spend time with those who might be heard on this subject and might have views on it who were not necessarily members of the committee, so that they could help to contribute to what I hoped would be a movement for that piece of legislation. You had to find ways in which you could reach people who had different points of view.

Interestingly enough—just to illustrate—on the family and medical leave, when I first started with it I found that a lot of my colleagues, including some of my good friends on the Democratic side, were saying, Oh, that's just

another one of those feminist things; you want to have it all—which was not a very nice way for them to describe it—but in any event, that was sort of the way they felt about it. What I came to realize, because it was in the bill, was that the family leave, could be taken to help take care of an elderly parent to move that parent to the nursing home or help them into the hospital or whatever it might be. All of a sudden I found that attitudes were beginning to be reachable and change a little bit, because a lot of them realized they either already had experienced the, quote, "problem", that is, the challenge of having a not-terribly-well elderly parent, but even if they hadn't already, they knew that they would at some time, and they probably also thought, At some time there go I also. So finding ways in which you can reach out to people and sort of embrace them, that's compromise, I suppose. I didn't have to give—well, actually, I did have to give up things. I had to change the population base, the work base, on which the bill would begin to apply. I think I started applying it to any employer of—I think I started it at twenty-five or more employees.

Another incident, very interesting: a lot of the small businesspeople were saying, Look, maybe big companies can afford the family and medical leave, but we can't if we're small businesses. Twenty-five, some of them were saying, was just way too high a barrier, if you will. So before I passed it, I had to raise the level at which it would kick in for an employer; I think when we finally passed it, it was at fifty. Then it got vetoed anyway, which is a very bitter—

DePue: By Thompson, I believe.

Netsch: Yes, a very, very bitter thing for me. Later on, of course, it was the first piece of legislation that President Clinton got passed and signed at the federal level. But you know, there was compromise involved in all of that.

DePue: But there's also strategizing. You find the right message—

Netsch: Well, there's strategizing, yeah, but sometimes the two (laughs) really go together, I guess, yes.

DePue: How about the campaigning side of politics? Would you say that was something you enjoy? I mean, other than the fundraising part of it.

Netsch: Yeah. I would have to say honestly, yes and no. It is **extremely** exhausting, particularly towards the end when you're just being programmed and sent out. In fact, the standard joke was, I'd get up in the morning and they would take the little thingamabob on my back and twist it as though you were the—

DePue: The wind-up toy.

Netsch: The wind-up toy is what I'm trying to think of, yes. They'd wind it up and then send you out, and so (makes noise) just went around.

DePue: You don't have control over your own schedule.

Netsch: You feel you have no control over anything. So it is exhausting, and it's exhausting to be sort of "on" all the time, in the sense "on camera" if you will, all the time. So those parts of it are difficult. The other thing, though, that is nice and fun is where you are with a group of people, talking to them, and feel as if you really are communicating with them, not just doing your robot speech, but some sense of reaching out. Or, even more so, if you're just actually literally talking to people on a one-by-one or one with a small group. That does give you a sense of (sigh) how important that part of campaigning is and of maybe I really am learning something from ordinary voters, what they feel and how they feel.

DePue: Well, I was going to ask you about the—

Netsch: One of the funniest things—not funny, but one of the things I learned **very** early—this was when I was first running for the state legislature, even—I could do door-to-door in some parts of my legislative district at that time—not in the high-rises; (laughs) you couldn't even get into the high-rises, usually. But there were lots of parts of my district where you could knock on doors and say hello to people. The other way we'd campaign, in the city especially, is at bus stops and elevated[53] stops. I found it fascinating after I'd been doing this for a little bit, either because I had been there or because one of my workers had been there with a piece of campaign literature with my face on it, when people were doing the pluses and minuses, that is, who was going to vote so you knew whom you wanted to reach. They would talk then later to a voter and the voter would say, "Oh, I know Mrs. Netsch. She knocked on my door," or "She shook hands with me at a bus stop." And I kept thinking, (sigh) Number one—that always made me feel terrible at first because I thought, They don't know me. I mean, it's nice that they think they do, but, "we said hello at a bus stop" or "talked for a few minutes at my front door" or something; I said, "That's not really knowing me." But then I came to realize how important it was for people, because it was the only contact they had in a real-world sense with somebody who was going to be representing them and in fact speaking for them. So I began to appreciate that very much rather than thinking, That's terrible; it's so superficial. But for them, it wasn't superficial. So that's another part of campaigning that's sort of interesting.

DePue: That's, what, the retail—

Netsch: We now call it retail campaigning.

DePue: But how much of that is talking to these people and how much is listening to them?

[53] Chicago's overhead rail system, commonly known as "the el."

Netsch: That's an interesting question, because it's more likely you're doing some talking, but if they respond, you're getting something back, even there. Depending on the forum—if you do a town hall–type forum, then you begin to hear back also, and I think that is important. Because I must say, one of my principal messages, not only to myself but to anybody else who's running for office, is: Listen. Just learn to listen. One of the things that was always interesting about Barack Obama early on[54] was there were a lot of instances where it was pretty clear that he had learned how to listen also. I found that one of the good marks about him. I've always tried to do it, though sometimes if you're talking to a big group, it's a hard thing to do, I mean, to get… You get some feedback anyway, just by the reaction, so in a sense, you're listening in that respect, but in terms of just real back-and-forth, not quite as much.

One of my other too-often-told stories, which was a little bit of this, was I'd stopped by, I think it was probably a veterans' place, maybe it was a union hall, in downstate Illinois. Some mineworkers had been locked out, literally locked out, and I was very sympathetic with what had happened to them. It was not a very pleasant thing at all. One of my stops was to just stop by where some of them were meeting, and—(coughs)

DePue: I'm assuming this is during the '94 election campaign?

Netsch: This is from the '94 election. I'm jumping ahead a little bit. We were sitting around (coughs)—I've got to get some water—a table, talking about the lockout and union matters and a variety of other things. These were all great big strapping guys, all mine workers. Then one of them said, "I've got something else I want to talk to you about." I looked at him and I said, "I have a feeling I know what it is." It was gun control. He gave his pitch about what it meant to them, and I gave mine about what it meant to those of us who live in an urban area where handguns, at least, are nothing except weapons of death and destruction. So we had some back-and-forth on that. When I left the event—he didn't say it to me, but it he said it to one of the persons who was with me—he said, [uses a deep gruff voice] "Well, I guess she's got a point." I thought, That's why—if you can have more of the actual talking together… It's the first time, probably—in fact, I thought it was the major breakthrough I'd ever had in my position on gun control—(laughs) because he listened to me, and I was listening to him; we realized that there was a point at which we would not be able to agree, but at least we had some understanding of where each was coming from. Unfortunately there isn't enough of that that happens, I agree. But listening is absolutely critical.

DePue: Okay, we're at a point in time here where I want to get into the specifics of your running for your campaigns, but would you like to take a quick break and get some water?

[54] U.S. Senator from Illinois, later elected President.

Netsch: I'd like to get some water, yes.

DePue: Okay, so let's take a pause here.

(pause in recording)

DePue: Well, we took a very quick break. Let's go back and, now that we've laid out the groundwork for your particular views towards entering into politics, I want to get you back to finishing up the Constitutional Convention and basically ask a two-part question, which I'm not supposed to do. (Netsch laughs) Part one is: Did the Constitutional Convention stimulate an interest to get involved in the political arena in different ways? Part two is: What brought you to the decision to run for the Senate that first time around in 1972?

Netsch: Well, actually I'd been interested in being in public office even before the Constitutional Convention; I had run for it because it seemed like almost the perfect place for me to be able to do something. Number one, it involved state government, which I was heavily involved in because I'd already spent four years in state government and was teaching in that area, too. And because it had a finite existence, I thought that probably was more compatible with the fact that I was teaching and by then was married and lived (laughs) in Chicago, so it seemed to be sort of the perfect place for me to be. So it seemed like the right thing to do, but I had been interested right along in being in government, and probably in elective office. I'd thought about the state legislature. I was wooed, if you will, to be part of Dan Walker's team when he was running for governor, which was in '72. They had wanted me to run for attorney general; something told me that was not the right thing for me to do at the time.

DePue: Now, that particular decision meant that you weren't going to be supportive of Paul Simon.

Netsch: Yes. Well, not at that particular moment, but in fact, basically we supported Walker which for reasons which, in retrospect, were not solid. Well, no, they were at the time, because what we were trying to do was to break into the Daley machine. You know, the Daley machine totally controlled the Democratic Party in this state, and we did not think it was for the good of either the Democratic Party or the state in general. So yes, we were anti-machine, and it was pretty clear at that point, we thought, that Dan Walker was the one who was willing to take that battle on completely. So yes. We didn't have any discussion so much about that, it's just that I, for a whole lot of reasons, did not think that was what I really wanted to do.

Some of it was—maybe I was a little bit concerned about what direction they would end up taking. But at the same time, though, it seemed like maybe an opportune time to think again about the state legislature. The thing that probably in part moved me that way was that Jim Houlihan had

already decided he wanted to run for the State House. Those were the days when we had multi-member House districts and cumulative voting, so with bullet voting[55] we knew there was a good chance of electing an independent Democrat. Jim had come to talk to me about that and we were all gung-ho about that. In the meantime, this being our (laughs) sort of participatory Democratic area, there were a bunch of community meetings that were taking place, looking for candidates to run. Of course, some of us were very strongly supportive of Jim being the House candidate. But there were other candidates out there at the time, by the way.

DePue: This would have been the thirteenth district?

Netsch: Yeah, it would have been the thirteenth district at that time, right. But what also started coming up more and more and more as we were having these various community meetings was that we ought to take on the machine for the Senate seat as well, even though you didn't have cumulative voting. Not surprisingly, at that point, everybody would turn around and look at me because I was the only one who had ever run as an independent Democrat in that area—in the Constitutional Convention—so I had some name recognition. So more and more of that was happening, and in many ways I was not averse to it because that's something that I had always wanted to do.

DePue: Now, what you're talking about here is the decision to run in the Democratic primary, which at that point of time in that part of town, I'm sure, was the election that counted.

Netsch: In almost all parts of Chicago at that time, yes, including even the lakefront, yes.

DePue: Okay. This is probably the best opportunity, then, to have you explain what your issues and problems were with the Daley administration, what was described then as "the Daley machine."

Netsch: Well, part of it was that it was run like a private club, sort of for members only, and that's not the way I think a political party ought to be structured. In terms of particular issues, golly, I'd have to go back and think of what some of them were. I know one of them was, for example, transportation, which became a hot issue in that first legislative session. I mean, we were strongly pro–mass transit, but we did not think that the only way it should be resolved was by just throwing more money at the CTA.[56] That was the battle in the legislature every session—a subsidy for the CTA—but it never seemed to resolve anything, and it didn't provide a sense of mass transit for the entire area. So most of us—I shouldn't say most of us, but some of us in that category, the sort of independent Democratic category—really were looking for a regional approach to mass transportation, something that we assumed at

[55] Voters had 3 votes and could divide them among candidates or "bullet vote" all three to a single candidate.
[56] Chicago Transit Authority

that moment in time that the Daley administration would be totally averse to because they controlled CTA and had no intention of sharing it with anyone else. That would be one issue.

School funding, of course, was a major issue, especially for me even at that time, but for all of us. We felt **very** strongly about getting some ground rules for campaign disclosure. (sigh) I think we were even beginning to talk about limits on campaign contributions, but at least the disclosure part of it, because we had nothing at that time. And then there were some other things having to do with ethics in government that we did not expect to get much help on from the Daley folks. I think another thing was, probably more than they did: we had the sense that it was not just them against us, downstate against Chicago, that there really ought to be a sense that—I can remember saying this hundreds of times—"We're all in this together and we need to help one another." That became very much a factor, probably during the campaign, certainly right after I got in the legislature, because you came to realize that roads and money for roads was absolutely the lifeblood of much of the rest of the state, what we would sort of generically and euphemistically (laughs) call "downstate," at the same time that mass transit was the lifeblood and lifeline for those of us in the urban area. So you'd begin to understand that we have to be willing to help them with what they need if we expect them to be able to help us with what we need. We didn't sense that the idea of "we're all in this together" was anything that was terribly heavy on the city folks. I mean, it was really very much a them-and-us approach.

DePue: What I haven't heard is what the Walker[57] campaign and their consistent drumbeat—I believe this is accurate—were challenges about the corruption that the Daley machine engendered, if you will, things like the patronage system that was so entrenched in Chicago at the time, and vote fraud or, maybe more euphemistically, what they said, how the Daley machine was able to turn out the vote in a very regular basis. Was that an issue for yourself and the other independent Democrats?

Netsch: Yes, yeah, I think it was.

DePue: Did you think Walker overplayed that? I mean, was he making more of it than was actually there?

Netsch: Well, the patronage was certainly very much a factor and an important part of putting together the structure of, quote, "the machine." Although I must say I was aware that there was another side to it, and that came in part out of my experience with some of the people who were delegates in the Constitutional Convention; I think I may have mentioned this earlier. One in particular—this one is one that I just particularly remember the incident with, who was a delegate, a lawyer, later became a judge, and obviously not one of the sort of

[57] Dan Walker, a reformer opposed to the "Daley machine." He was elected Governor for one term.

"dese, dems and dose" guys. When some of us who were the independents in the Constitutional Convention would talk our anti-patronage line, he would really lay into us and say that, It's fine for you folks who are white, middle class, well-educated, et cetera, but for most of my people, it was either that or no jobs at all. I mean, it was absolutely a lifeline for blacks particularly.

DePue: Would you be willing to share his name?

Netsch: No, I don't need to do that at the moment. I may sometime, but… He wasn't the only one, but that's the one that I specifically remember the discussion with at that time. So I was aware of the fact, I think, that as much as we abhorred patronage—and of course my response would be, Well, yeah, but they shouldn't be indentured for the rest of their lives as a result of that. They couldn't care less about that. So I had a modicum of understanding that as bad as patronage is, there were some reasons for it that were not necessarily all that evil, but it was high on the list of things that independent Democrats wanted to get rid of, no question about that.

DePue: Who was your opponent, then, in the Democratic primary for the Senate seat?

Netsch: In '72?

DePue: In '72.

Netsch: Danny O'Brien.

DePue: Tell me a little bit about him.

Netsch: He was young and was part of a family that owned a lot of nursing homes and still does, and I think they are also the owners—I assume it's still in the family—of O'Brien's Restaurant, which is up on Wells Street, but we thought of them as being part of a chain of nursing homes—nothing illegal about that, but—

DePue: With a name like O'Brien, he sounds like he's a perfect match for the machine.

Netsch: Well, right, and he was part of the organization, although I think he later tried to be less part of it. So it was a one-to-one. I think we just took them by surprise; I don't think they expected to lose that—as a matter of fact, I didn't expect to win that seat in the primary. We went into it thinking that my presence would help Jim Houlihan win the House seat, but the prospect of winning the Senate seat in a one-on-one in a Democratic primary seemed very, very slim.

DePue: Well, Cynthia Bowman, in her book about you, really stressed that this was very much a team effort between yourself and Houlihan.

Netsch: Oh, yeah, we ran a joint campaign. No question about that. We did the next time, also. All of our volunteer workers were workers for both Jim and me. What little paid staff (laughs) we had was serving both of us, so it was a joint campaign, no question about that.

DePue: Who were the core of your staff, then, and how did you select them?

Netsch: Well, they just came out of the sort of independent… Remember that IVI and IPO already existed, which were kind of the heart of independence, if you will, on the lakefront, and so a lot of folks had already been involved in a lot of campaigns and a lot of political activity through IVI–IPO [Independent Voters of Illinois - Independent Precinct Organization], and then, for working in a few of the aldermanic races. I'm trying to think. Let's see, this was—Bill Singer, we had already put into office. I'm trying to remember whether Dick Simpson… I think Dick was one of those that we had already worked for as an aldermanic candidate. I'm trying to remember the years. I think some of us had worked for Bruce Douglas, who was a House member who got there through cumulative voting. He was an oral surgeon and a very, very liberal guy, very liberal.

DePue: Abner Mikva,[58] was he was already in elected office?

Netsch: Yeah, but he was on the South Side, of course. Right. And Bob Mann and… Yeah, there were others who were there in the House, mostly through cumulative voting. I'm just trying to think of the people up in our territory on the North Side, but those are ones that I remember specifically, and then there are other individuals.

DePue: Well, Cynthia made mention of Michael Holland and Bill Luking (Netsch laughs) as important—you know, doing the legwork, if you will.

Netsch: They became very involved as volunteers. They were students at the time in Northwestern Law School. In fact, we had a system then at the law school of advisees—which I think was a great system, by the way, which we no longer have—and Michael was one of my advisees—I guess Bill was also—so I knew them both every well. And they'd be—

DePue: Volunteers in every since of the word?

Netsch: Oh, every time I realized they were over there doing things, I said, "You guys get back to school. This is fine. Maybe once in a while on a weekend you can do something, but your first responsibility is as law school students, and I don't want to see you around here anymore." Of course they paid no attention to me at all. (DePue laughs) They had the time of their lives and were very good at what they were doing. Michael, I remember specifically, was sort of

[58] Mikva served as a legislator in both Illinois and the U.S. Congress, in the federal judiciary, and in the U.S. executive branch as advisor to President Clinton.

assigned Lathrop Homes and did a lot of the legwork over in Lathrop Homes. That's a public housing project that was over on the northwest side of my district, and a very interesting one at the time because there were no high-rises in Lathrop, it was still mixed racially and ethnically, and it was still a pretty doggone decent place to live. A lot of the other high-rise public housing projects were already in pretty bad shape, but Lathrop was really… There were a lot of families over there still, and I spent a lot of time over there, too. We got to be friends with some people over there, and they had some community activities still going. It went through a very rough time much later. I don't mean that it was all fun and games even then, but it was a pretty decent place, but poor. Michael Holland did a lot of work over there, and I'm trying to remember why. He, as most young folks did at that time, had sort of too much long hair and everything, and they made him cut his hair—I don't think I was the one who made him cut his hair—but so he would be more acceptable (laughs) over there, which was a great sacrifice (laughs) at that time. So yes, they both were heavily involved, over my protest.

DePue: But apparently had no shortage of other volunteers who were willing to help.

Netsch: No, we once estimated—I don't know how scientific this was—but we estimated we had about two thousand volunteers working for us.

DePue: See, I think that's a staggering number for working in a primary race for the Illinois Senate.

Netsch: And House, remember.

DePue: And House.

Netsch: Yeah. And you could not do that today. You'd never be able to do anything like—

DePue: Well, how do you explain getting that kind of support?

Netsch: Well, I'd like to say it was because of the quality of the candidates, (DePue laughs) of course, and that may have had something to do with it. But also, the lakefront was a place that was not 100 percent liberal but was more liberal than (laughs) many other parts of the city, for example, and more liberal than most parts of the Democratic Party in the city, because once you get into a lot of your ethnic neighborhoods in those days, they were not all that wildly liberal, especially on the social issues.

DePue: But your district included a couple of those ethnic neighborhoods, didn't it?

Netsch: Yes, to some extent, yes, it did. My first go-round in one particular part—I call it sort of the northwest part around St. Alphonsus Church where there were a lot of Catholics and a lot of more conservative folks—I had a tough time. In fact, I was told that on the Sunday before the primary election, I was

sermoned against in a huge number of churches (laughter) in my district, primarily on the abortion issue. But we managed to win. We knew by that time we could win for Jim with cumulative voting, with bullet voting. I would say on primary election night, I was sitting at my dining room table at home writing my concession speech, and then all of a sudden it was not a concession. Part of it was, I think we took them by surprise a little bit. I don't think they thought we could win, and they might not have gotten things out as well as they should have.

DePue: What was your reaction to being labeled a "lakefront liberal"?

Netsch: (laughs) Well, I would have preferred some other label, I must say, but it's true, I lived on the lakefront—the district was basically lakefront—and I was liberal; I've **never** walked away from that. I think what a lot of people did not know was how **very diverse** the district was at that time, though. We would not have won without what I would call sort of the lakefront component of the district, which tended to be, number one, more liberal, more professional, and more willing to vote. I mean, they voted pretty heavily, or at least we got them to vote pretty heavily. Of course I had Cabrini Green, which was not exactly (laughs) everybody's idea of a lakefront liberal district.

DePue: And a harder place to get people to turn out to vote, too, I would think.

Netsch: Yeah, except to the extent that the machine got them out, because they were used to doing what the regular Democrats told them to do, and George Dunne[59] was very close to the people in Cabrini and got pretty good votes out of there. They were not votes for me, necessarily. Then there was a pretty sizeable Hispanic community up in kind of the northwest part of the district at that time. One of the things that was very painful after we were in office was that that area was being gentrified and the Hispanics were basically being forced out. We had a bunch of battles trying to slow that process down and help folks there. So there was that. And then I guess—I'm not sure what exactly the ethnicity always was, but in other parts, like around St. Alphonsus Church—it was pretty conservative. There may have been some of the German community still left there. This was a heavily German part of the city. In fact, I live right across from St. Michael's Church, which was a German Catholic church, basically, for a long, long, long time. Some of the German was still left. I think there was probably a little bit of an Italian community in there still, though it was pretty mixed, yes.

DePue: How about the label that you got, being a patrician or—

Netsch: What am I supposed to do about it?

DePue: —an elitist?

[59] President of the Cook County Board of Commissioners from 1969 to 1991

Netsch: Well, I don't know how anybody could give me elitist given my (laughter) positions on issues. But I know I came across that way. Number one, I was highly educated; I was a law professor, which was still very unusual in those days—in fact, quite unusual in those days; we were above middle class, probably; my husband was a well-known, famous architect; and I talk funny. (laughs) I realize that.

DePue: Funny how?

Netsch: Well, I speak very distinctly. I have a voice that carries. My own classmates when I was in law school thought I had a phony British accent, and they used to talk about me behind my back that way. You know, When's she going to forget about her phony British accent? Now, I'd never had a phony British accent, I don't think, but—

DePue: Does that mean they thought you might have been carrying airs or something, perhaps?

Netsch: Yes, or whatever. But part of it is I'm aware of the fact that I do speak very distinctly. In fact, I will tell you one of the funniest things that still happens to me today is—I don't own a car, so I take cabs more often than most people do—I can't tell you how many times I will get into a cab and say, I'm going to blah-blah, wherever it is, and without even turning around, the cab driver will say, Oh, hello, Mrs. Netsch, how are you? (laughter) So apparently I have a distinctive voice.

DePue: Well, I would think that works to your advantage in the political arena.

Netsch: Yeah. But there's no question that I got called all sorts of funny things.

DePue: How were you treated in the press this first go-round in a major campaign?

Netsch: Oh, I think quite well, because I don't remember having any—they may have sort of written me off. I don't honestly remember all of those things very well, but I think they were generally pretty supportive, because anything that was sort of anti-Daley, anti-machine, they would have been more supportive of. I must have had some trouble with the [*Chicago*] *Tribune* because I was way too liberal for the *Tribune*, (laughs) then and now.

DePue: One other question about this initial campaign. Dan Walker, of course, is running against Paul Simon, and he's working hard to paint Paul Simon as a creature of the Daley machine. Surprisingly, he wins that. I mean, something of a miracle from his perspective.

Netsch: Yeah, it was a real populist and anti-machine thing; yes, no question.

DePue: Were there any coattails in your campaign, part of the explanation for your winning that time around was that…?

Netsch: No, I don't think so. If anything, I suggest it might have worked the other way around, because we were sort of better known in our own context in a sense. We pretty much stayed out of the—not "pretty much," we stayed out of the gubernatorial—even though by not supporting Paul we were, I suppose, in a sense, yes, we were supporting Dan Walker. But mostly it was on the ground that we needed to open up the Democratic Party and get other viewpoints permitted. It's very interesting—in all those early days, probably most of the people who were the core of the sort of independent Democrats on the North Side and on the South Side had—I'm slightly overstating this—but had like one objective in mind, and that was to destroy the Daley machine. I never really felt that way. My position was not so much that I wanted to **destroy** them as to make them realize they were not the only Democrats on earth and that some of their positions had to take to account the fact that there were good, strong Democrats who had very different approaches to policies and governmental issues. So it was mostly a matter of opening up and respecting important things, and also challenging them on some of the issues where we disagreed, some of the campaign finance ethics issues.

DePue: I know that later on in your career you got to be very good friends with Paul Simon. How did—

Netsch: Oh, not later on; we were even then. In fact, that was not an easy thing, because we knew Paul, going back to Committee on Illinois Government days. I mean, Jeanne and Paul both were very good friends. But it was just a matter of how were we going to really break the stranglehold of the machine on the Democratic Party and therefore on policymaking in the state of Illinois? At that moment, Paul did sort of make his peace, in a sense, with Daley at that time. Dan clearly did not, and that was really the painful choice, in a sense, that we were left with.

DePue: So you were able to emerge from that and had a continued good relationship with Simon, then?

Netsch: Oh, heavens, yes. Yeah. A very close relationship.

DePue: Any difference in strategy, then, approaching the general election? Because, again, at that time, the election was the primary election.

Netsch: Yes, right, yeah. No, you didn't have to do too much. One of the interesting things, at least about George Dunne who was the boss in this area at that point in time—and by the—well, I'll come back to that in just a second. Once you beat him in the primary, he wanted Democrats, (laughs) so he didn't do anything to try to bother us in the general election.

DePue: "He" being Dunne or Daley? Or both?

Netsch: Pardon?

DePue: When you say "he"…

Netsch: I'm talking about George Dunne.

DePue: Okay. The "boss" is—and he's the guy that controls the patronage in that area of the city?

Netsch: I suppose so. I wasn't on (laughs) the inside enough to know that.

DePue: Well, you used the word "boss." What do you mean?

Netsch: Well, I meant he was the dominant Democrat in the forty-second ward, and probably a little beyond the forty-second ward, because I think Danny was actually, I think, in the—yes, he was in the forty-third ward, so I think George Dunne was the dominant Democrat in this area, but he was clearly a major part of the machine. But it's interesting also that—and as I said, once the primary was over, that was it; he didn't have any interest in trying to keep us from winning at all in the… In fact, in those days, remember, all the Democrats wanted were straight-ticket votes, because we still could vote straight tickets in those days.

The other thing that was interesting about George Dunne, he was different in another sense. Even back long before all of this happened, when I was still living at 1350 Lakeshore and forming my own Democratic Club where we went against Paddy Bauler and ran Frank Fisher for alderman and tried to get Democrats out for people like Sidney Yates and others that we could sell to people there on the lakefront. But even then, George was perfectly willing to—he didn't just cut us out the way Paddy Bauler did. I can remember several times having a meeting in somebody's apartment, which means it was a relatively small meeting of our Schiller Banks Democratic Club; George would come to the meeting and talk about things and answer questions and all, so he was not hostile to us at all in that sense. So I think that's probably another reason why, (laughs) once we beat him in the primary… And that was true the next go-around also.

DePue: Richard K. Means was your opponent in the general election?

Netsch: That's right, yeah.

DePue: You smile.

Netsch: Well, Rich Means was really part of our independent group, and the—oh, we had a couple of funny—I wish I could remember… And Rich Means, I still see, by the way. He's very active in election law things, so I've seen him at meetings and forums recently, and we're still good friends. But he had been pretty much part of the independent thing. Why he decided to become the candidate—in fact, he had a little trouble explaining that sometimes during the campaign. I mean, sometimes people would ask him facetiously, You're not a

Republican. What are you doing running? Anyway. There was one issue—oh, I wish I could remember what it was now—I think it might have been a fiscal issue like the income tax or something of that sort on which he had decided to make that the issue in the general election campaign and challenging me on it. I remember people sort of laughing at him, saying, Look, you're taking her on in the very area that's her major area, (laughs) so come on, get out.

DePue: Well, and the state just had a brand new income tax to begin with.

Netsch: Well, that was in '69, yeah.

DePue: Okay.

Netsch: So anyway, Rich and I are still good friends. (laughs)

DePue: And you won the general election rather handily after that point, huh?

Netsch: Yes, yeah, yeah.

DePue: I'm going to ask some just kind of generic inside politics questions about your arrival in Springfield and that first legislative session, and then we'll move into the '74 campaign before we get into the meat and potatoes of specific issues. So tell me what your impressions are now showing up in the legislature in Springfield.

Netsch: Well, of course, it was not a brand-new world to me because I had been in Springfield for four years as a member of Kerner's team and had spent some time in the legislature. I was **never** allowed to be the legislative liaison for the governor, but I was the one who (laughs) was in charge of all the substantive legislation, really, so it was inevitable that I spent a lot of time with some of the members of the legislature. So it was not a completely new world to me in that respect. I was aware that I was there over their dead body in a way. I'm trying to remember. I knew Terry Bruce already, and I'm trying to think how we sort of began to form what later became the Crazy Eight. The first session—oh, I don't remember everything that clearly. I think we did some challenging even that first legislative session, I believe. It might not have been until the 1975 session. I would have to go back and refresh my recollection on that, but I remember that we were trying to get the—again, even there, the stranglehold of the Chicago regular Democrats on all of the Democrats in the legislature—and we were just trying to break it open. Terry Bruce was there; he'd already been through some bad things. Dick Newhouse was the other Chicagoan who was independent of the machine, if you will, and myself; then we slowly added a couple of other downstaters to our group. We did challenge something, and I think it was even as early as that session. I mean, apart from the fact that I really went after them on the campaign disclosure, and that did open up that issue, no question about that. I don't think I'll ever get any credit for that because it was not even my piece of legislation. I will tell you, that one was a little gutsy on my part, (laughs) I must say. You know, standing up

there all by myself making the motion to discharge this bill, which **they did not want out of committee**, and forcing a roll call vote and then coming back the next day after the *Tribune* had run all their names in the paper and said, you know, These are the bad guys, the ones who voted against my motion. I mean, that was a little bit… (laughs) I felt the pressure that time.

DePue: Is that one of those things: Well, I learned a lesson in this process in that one?

Netsch: The only lesson I learned was I should do it more often.

DePue: (laughs) Okay. I've got in my notes here, I need to ask you about the women's restroom down in the State House.

Netsch: (laughs) When I first went in, it was not even on the Senate floor. We had to go down the hall to a—I can't remember how far away it was. But literally, the men had a pretty elaborate place; they could get their shoes shined and their whatever—I don't think they could get their hair cut, but all sorts of other things, I gather. And literally, we had to go to a place down the hall.

DePue: So there was more than just yourself.

Netsch: Well, there were, what, three of us, I guess. Betty Ann Keagan and myself, and of course, Esther Saperstein was there when we first went in, because she had the Equal Rights Amendment. I'm trying to remember whether there was any—I think there was one woman—no, I swear there were only three, though, so how—one, two, three. I'm thinking there was somebody over on the Republican side. I'd have to go back and check that, as a matter of fact. But there was no bathroom that was accessible from the Senate. (laughs)

DePue: How did the boys treat you?

Netsch: Well, (pause) it's a little hard to describe this without, for one thing, making it sound sort of self-serving. They had a little trouble with me because I had beaten them, and also because they knew I had background in state government; they knew I'd worked for the governor in state government; they knew I was a lawyer, which was quite unusual still in those days; and they couldn't mess around with me very much.

DePue: When you say you had beaten them, you're talking about beating the machine in Chicago?

Netsch: Yeah. Yes. That was probably the most difficult burden I carried into my legislative career. It wasn't being a woman so much as it was (laughs) having beaten them at their own game. They didn't know what to expect from me. I think they thought that I was going to spend most of my time doing things that would make them look bad, that I would go out of my way to stick my thumb in their eye, so to speak, and that was never really my battle plan. (laughs) I remember the first bill I—I don't remember whether it was the first one I

introduced, but I know it was the first one I passed—which had to do with classification of property for real estate tax purposes in Cook County. Cook County was the only county that was clearly allowed to classify property, and that was one of the compromises, if you will—although I happen to believe in classification, so it wasn't even a compromise for me—but one of the compromises that was done in the constitutional convention. Because Cook County had been illegally classifying, unconstitutionally classifying, by about twenty-five years by then, and everyone knew that if it were not allowed to continue to do that, of course, it would have meant that homeowners would have had their property taxes **enormously** increased and it would just have been a disaster. Well, in fact, we would have not had a new constitution without that, so.

DePue: I'm afraid you're going to have to explain to me what classifying real estate would mean.

Netsch: Oh. Taking different classes, like residential, commercial, industrial, vacant property—now we've added various and sundry other classifiers. Usually the way classification is done is that you assign a different value, a different percentage of market value, to them. For example, in Cook County, residential was assessed at—well, theoretically—at 10 percent of market value, commercial and industrial at a much higher percentage. That had been going on at least since the 1920s, but it was unconstitutional. One of the things that we did in the 1970 constitution was to allow Cook County to classify and allow any other county with a population of two hundred thousand or more to classify if they chose to do so. So the question is, Who's going to decide the classes, then? What was clearly developing was that the assessor, a single, individual elected official—who, of course, was also very much a part of the machine in those days—was going to determine the classes. In my judgment, that was absolutely improper, incorrect. And so my first—

DePue: It opens up a huge window for corruption there.

Netsch: Oh, yes, it does. One of my first pieces of legislation was to require that any classification that Cook County was going to put into place had to be done legislatively by the Cook County board. Pretty simple, pretty clear. They got all hysterical about what was I really up to in trying to do that…? I remember Mayor Daley's I guess principal person on the Senate floor at that time coming over—he was a very nice guy, by the way—coming over and trying to find out, What's this about? What are you really…? And it was very straightforward. (laughs) I wasn't out to get anybody, I was really just saying that something as important as classification for property tax purposes should be done by a legislative body, not by a single individual by fiat. They'd sit around sort of scratching their head, wondering what I was really up to. But they thought I was going to spend all my time trying to, as I say, make their lives miserable, and that really wasn't what I was there for. There were a couple of other things where obviously—I mean, the campaign disclosure, but

that was not just the machine; none of the incumbents (laughs) wanted campaign disclosure, I think.

DePue: Who was Daley's man in the Senate at the time?

Netsch: Well, Dan Dougherty was the one on local government things, I guess on city things. He's the one I remember who came over to talk to me about that legislation. He was certainly one of the key guys for Daley at that time. I think Jerry Shea in the House was probably the key guy.

DePue: Was Ritchie [Daley] Junior in the Senate at that…?

Netsch: Well, he came in the same Senate at the same time that I did.

DePue: That's what I thought.

Netsch: But yeah, he was not the mayor's… I mean, he was a novice. Hardly spoke a word.

DePue: Well, I know there was a little bit of a dustup also about choosing what seat you would get.

Netsch: Oh, yeah, that was funny. Because I think there were six or seven of us who were brand new to the Senate—Democrats, I'm talking about, even, at that time—and then the others who were already there. One of the things that is decided at the beginning is where your office is going to be and where your seat on the floor is going to be. And because there were a bunch of us who were new, they said, Well, we'll draw straws. I happened to draw the best straw, the longest or the shortest or whatever it was. I looked at a map of the seats on the Senate floor, and I said, "Well, that looks like a good seat; I'll take that one." I probably heard a few gasps at that moment, (DePue laughs) but I had no idea. We were all in our Democratic conference or caucus and I'd made that decision there, I guess. Then one of the Senate members—and I do remember it was Charlie Chew—signaled me to come outside, and he said, "You got to give the seat up; it's the kid's seat." And I said, "What are you talking about?" Well, apparently whoever was representing the eleventh ward, had always sat there, and I think probably Ritchie's father had sat there also when he was in the Senate back a long, long time ago, so it was considered sort of the eleventh ward seat, and so I was being strong-armed to give it up. So of course I said no. (DePue laughs) I said to those guys—Rich and I used to have fun joking about this later—I said, "If anybody had told me that ahead of time, I wouldn't have taken that seat." I didn't have any special reason for it, it just looked like it was well located, and that was my choice. I said, "But once I took it and you guys started trying to bully me out of it, there's **no way** I was going to back down." (laughter) I took that seat. I sat there the rest of the time I was in the Senate.

DePue: Okay. We've got a little bit of time before we want to break for lunch, so what I want to do now is to move into the '74 campaign—we'll get to some of the issues and legislation later—because the '74 was another interesting campaign. Now, part of the explanation is, why is a senator running every two years, but it has to do with redistricting, does it not?

Netsch: No, not directly. When we rewrote the constitution in 1970, we realized that we would have to redistrict every ten years, so in that sense it's related to that. Senate terms are four years, and four doesn't go into ten evenly, (laughs) in a sense. So what we did in the constitution—we couldn't understand why nobody else had bothered to do this—we gave every Senate seat two four-year terms and one two-year term in every ten-year period; the two-year term would come either at the beginning, the middle, or the end, and that would be determined by lot—literally by drawing straws. It happened that my Senate district had a two-year term at that moment, so I had to turn around, like the next day, and start running again. So I had a two-year term, yes.

DePue: Okay, so that gets us up to the '74 campaign. I know in that particular year, Walker had already run into the buzz saw in the legislature; he'd managed to antagonize an awful lot of people and not get much of his legis—

Netsch: Indeed, including many of us.

DePue: —and decided he wanted to put up his own state of candidates in the '74 election. You're running against the machine as well, so I'll kind of turn it over to you at that point in time.

Netsch: I don't think there was a Walker campaign in my race, though.

DePue: No.

Netsch: No. No, but the machine was ready for me that time, because I had sort of taken them by surprise in '72. So they chose Arnold Levy. I think what their strategy was: Arnold was Jewish and liberal, and I think they thought they would eat heavily into my East Side votes, the more liberal votes in the district, so that's what they did. They did eat into my votes some, but not enough, because I still won. I think one reason why I was able to do that, or at least I like to believe this is why I was able to do it—knowing that I was not exactly beloved in some parts of my district, like around St. Alphonsus—I'd spent a lot of time over there at their community groups all over the area. They had an annual spaghetti dinner, which was great fun, for St. Alphonsus. I'd spent a lot of time in the parts of the district where they had some problems with me. I think a lot of the people there had decided that I did not have horns protruding from my forehead and that maybe I wasn't so bad after all, and so they had put aside their hostility to me, and actually I'd picked up a lot of friends and supporters over there. So I think I made up by getting votes where they didn't assume they had any problems—"they" meaning the

machine—even though I lost some support over on my East Side, so I won again. I won the primary.

DePue: But you've described Levy as being liberal, Democratic—

Netsch: I think he was largely liberal, yes, yeah.

DePue: —and you certainly describe yourself as that, so what were the policy differences between the two of you?

Netsch: I don't know that there were any. I mean, there probably were; I don't remember they were that prominent. It was mostly sort of them against us. (laughs)

DePue: "Them" being the machine.

Netsch: "Them" being the machine at the time, yes.

DePue: Did it surprise—

Netsch: Arnold Levy and I—in fact, not too terribly long ago we ended up being at some place together, so he's still around sometimes—and we were perfectly cordial to one another after all of that was over. He understood (laughs) what had happened also.

DePue: But it doesn't sound like the two of you were cordial; at least the two campaigns were cordial and gracious.

Netsch: Oh, not cordial during the primary, no, absolutely not. It was a fight to the death, so to speak.

DePue: Did it surprise you how nasty the campaign got?

Netsch: No.

DePue: Do you have any particular memories about some of the incidents that came up during the campaign itself?

Netsch: No, the only thing I do remember is, Arnold kept trotting his mother out at various functions. I don't honestly—you know, I don't carry some of that stuff around forever (laughs); it's over and done. I know he got very nasty about, why didn't I publish my income tax returns, although I don't think he did either. That was a much more sensitive issue, by the way, in those days. I'm not involved in public office anymore and don't have to worry about it, it's still something that bothers me a little bit because it invades the privacy, not of the candidate, but also the candidate's spouse. I disclosed all of the sources of income that Walter and I had, but I didn't actually disclose our income tax returns at the time.

DePue: Did you file a joint return at the time, then?

Netsch: Oh, yeah, yeah, we've always filed a joint return, and one reason why was that that would have created real problems for him and his partnership. In fact, I remember a few years after that, when Grace Mary Stern was running for state office, was on the ticket, and her husband was a partner in a law firm. We were good friends, obviously; she talked to me a couple times and said, you know, "What did you do about it? I can't disclose Herb's income." It's a little awkward, it really is. Now it can also work the other way around because there are so many women who would not want their income disclosed if their male counterpart were a candidate. So I have more sympathy with some of the very personal kind of thing than is (laughs) generally true of the reformers on the outside.

DePue: Did you and Houlihan run a joint campaign again this time around?

Netsch: Yes, yeah.

DePue: Cynthia does a wonderful job in the book of describing going to the teas—going into people's homes to have tea with the ladies—and also hitting the bars later at night as well.

Netsch: Oh, yeah, yeah. Both in '74 and '72 also. The one that really was dragging me into bars all the time was Richard Walsh, who later became a major part of the state labor movement here. Gosh, I'm not sure what Rich was doing for a living at that moment in time; I'd have to think about it again. He was a marvelous guy, a great friend—still is—and he was particularly good at dragging me into the bars. I think, as a matter of fact, if I'm not mistaken, Michael Holland in the '72 campaign also was one of those that did barhopping with us at night. It's interesting, because my district was not nearly as sort of glitzy and fancy as it is now except for the immediate lakefront, I mean, the Gold Coast part of it, so there were a lot of marvelous neighborhood bars all over up there that were, not yuppie bars, but real bars, (laughs) saloons.

DePue: The ethnic neighborhood bars.

Netsch: In the ethnic neighborhoods, yeah. I must say I ended up having a great time with that. Some of it I think was because I think people didn't expect me to be able to do it. You know, it goes back to this idea that somehow I was patrician or something or above it all. I would walk in and walk up to the guys at the bar and shake hands and sit down. We'd have a fine time. I really enjoyed that part of it.

DePue: Aren't some of these the kind of places you walk in and everybody figures out that they're a local expert on politics or sports, whatever the subject is?

Netsch: Oh, sure. Yeah, whatever the subject is, right. Yeah, no question. But there you might not have **long, deep** conversations, but you at least were talking about something that was on their minds, usually, at moments like that. Much better, I think, than just shaking somebody's hand at the el stop or the bus stop because a bar is just more conducive to (laughs) their letting loose a little bit. So that part of it, I must admit—I mean, I protested all the time, "I don't want to go barhopping again tonight," but I enjoyed it, actually.

DePue: Well, I also am conjuring up this notion that maybe that's something that the machine thought that they were especially good at, of working the bars, issuing the license to the bar owner, but that those were their constituents.

Netsch: Yeah, I think that's probably true, because they were more ordinary people, I guess, and that was what the machine thrived on to a considerable extent. You know, bless their hearts for that. (laughs) We had to win a lot of them over. The other thing we had to win over, by the way, in '72, and I think probably again in '74, was to persuade people who really were Republicans by thought, heart, everything, to vote in the Democrat primary.

DePue: You mean people who would be socially conservative or…?

Netsch: Or fiscally conservative, anyway. I remember one of my friends, Robert Woods Tullis, who was part of a very distinguished family, very socially elevated family and everything else, but very sympathetic with what we were doing. I saw him after the primary, and he said, yes, he had taken a Democratic ballot. He said, "My hand shook all the way." (laughter) I had several other people who said that. Because remember, there used to be a twenty-four month rule: you could not switch parties for twenty-four months, which meant effectively you couldn't switch parties unless you just sat out one primary. We had managed to get that rule thrown out. And so it was then, as it currently is, you could switch parties anytime you want to in Illinois. So it meant that Republicans could vote in a Democratic primary.

DePue: But that illustrates in the norm, though, most of Illinois's history, the primary isn't exactly a secret ballot. I mean, the parties know exactly—

Netsch: Oh, sure.

DePue: —which one of the tickets you took and could punish or reward accordingly.

Netsch: Yes, yes, and two interesting things, one of which is part of my legislative history and another which is part of what just happened a couple of months ago. In part because there are so many people who do not want to declare their primary, sometimes for probably quite legitimate reasons and other times because they just don't think it's anybody's business, and because so many races are decided in the primary in this state, certainly in Chicago, one of my early pieces of legislation was to put into place what I called an open primary.

There are several versions of an open primary. Mine was just that you did not have to declare your party. You could go in—this has to be worked out, the details—but presumably you would take both ballots. You couldn't vote both of them, and you couldn't cross-vote on them; you had to vote one or the other or, assuming a third party, the third party. Only one got cast, but there was no public record of it. That was my version of an open primary. I sponsored that legislation, partly because we had learned that there were so many people who simply did not want to declare to vote in a Democratic primary. We managed to get some Republican friends to do that, but a lot of them just simply wouldn't do that. In Chicago, where the election was decided in the primary and practically the entire city, that meant that they, for all practical purposes, had no impact, So you could try to explain that; sometimes they would understand and say, Okay, I'll do it. But a lot of times they would say, No, I simply cannot vote in a Democratic primary. The first year, as I remember, in committee, I think I got one vote on that bill, (DePue laughs) and my joke was that the second time I tried it, I had a 100 percent increase: I got two votes. (DePue laughs) I could never get it out.

DePue: Well, it's the kind of thing that the party bosses on both sides didn't necessarily buy into, huh?

Netsch: Oh, yeah, absolutely. The interesting current comment on that is that just a few months ago—probably just about a month ago—Governor Pat Quinn, by amendatory veto, turned a fairly routine election bill into an open primary bill that sounds almost exactly like what I was proposing back in 1973. I assume it's not going to happen. I may be sympathetic with what it is intended to do, but you can't do that by an amendatory veto. I mean, it's a **dramatic** change in election law, and it's got to go through the process.

DePue: Do you remember any of the debates from that second campaign, because you had a couple with Levy**,** I know.

Netsch: I don't really remember them that clearly. (laughs)

DePue: Well, the end result then is, as you've already mentioned, that you won. Was it a closer race than the first time around, the '72 election? I know it was only a few thousand votes between the two of you.

Netsch: In the first one, you mean.

DePue: No, this one.

Netsch: Oh, in the second one?

DePue: The second race.

Netsch: Oh, was it that close? To be honest, I don't remember. These are not the things that (laughter) I spend a lot of time on. I won, so I was back; that was it. That was all I needed, I guess.

DePue: There is one quote I got, I think from the book again, and this is on your campaign literature; it illustrates the nature of that campaign. Your campaign literature says, "Have they lied enough to steal the election from Senator Netsch?"

Netsch: Aha. See, that was pretty tough, wasn't it?

DePue: Yeah, normally you don't throw around that word "lie" in campaigns too much.

Netsch: No, no. You're asking me to remember—I mean, these are not the things that stay with me for a long time necessarily, obviously. I do remember they were making some sort of outrageous claims or charges or whatever, and I don't even remember what they were, to tell you the truth.

DePue: In other words, you went through the campaign season so you got to the end result of legislating instead of the other way around.

Netsch: Yeah, the campaigns were just a way of getting to do what I really wanted to do, which was be involved in (laughs) legislating.

DePue: Okay. This is probably a good time to take a break.

Netsch: All right.

(end of interview #5 #6 continues)

Interview with Dawn Clark Netsch

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Interview # 6: August 27, 2010

Interviewer: Mark DePue

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DePue: This is Mark DePue. This is my second session today. Today is the 27th of August 2010. I'm with Dawn Clark Netsch again. Good afternoon, senator.

Netsch: Good afternoon.

DePue: As we started this morning, I'm going to start by reading a quote, this time from the *Chicago Tribune* in June of 1975. You had mentioned before that they weren't necessarily always the friendliest critics of your career, but here's what they said in June '75: "Mrs. Netsch does not kowtow to Richard J. Daley, to Richard M. Daley, to Daniel Walker, or to anybody else. She's tough enough to take on the machine and beat it."

Netsch: Oh, I don't remember ever seeing that quote before.

DePue: That's a quote you can live with, then.

Netsch: That's a quote I can live with, right, and I don't even deny it. (laughter)

DePue: This is just a few months after you had won that—

Netsch: I beat them again. (laughs)

DePue: Yeah, that second pretty rugged campaign season. What I'd like to start with after that, then, is to describe the person you think you were at that time and how your colleagues in the Senate perceived you.

Netsch: We're talking about now after the second go-round, yeah.

DePue: Yeah, those first few years when you were in the legislature.

Netsch: Well, there are several sides to that. One is, I was still probably under considerable suspicion on the part of the Chicago regulars, who were still a pretty dominant group there. Of course, remember young Richard [Daley, son of the Mayor] was there also, and we were not exactly on the friendliest of terms. Then a second group, the members of what ultimately became the Crazy Eight, were beginning to come together, so that, you know, Terry Bruce,—let's see, was Vivian Hickey there by then?

DePue: Here's the list of names I have for the Crazy Eight: Terry Bruce from Olney; Ken Buzbee from Carbondale; Vivian Hickey from Rockford; Don Wooten from Rock Island; Vince Demuzio, and I think he was relatively new to this group, Carlinville; Jerry Joyce from Reddick; and Bill Morris from Waukegan. The interesting thing, I thought, in that, that's all people not from Chicago except for yourself.

Netsch: No, the whole group was non-Chicago except for me. If I remember correctly—I would have to back and recheck this for sure—but a couple of them did not get elected until after we'd already been there a couple of years. I mean, some of us had been there. Terry Bruce preceded me. I was elected in '72 to go in in 1973; I don't believe all the members were there by As I was starting to say before, before the big year then when we held up election of the Senate president for (laughs) 185 roll calls, we had also come together and were making a major point, which I've got to go back and think about right now. So it was mostly Terry, myself, Dick Newhouse, and I'm trying to think who else was there at that time. I remember we got sent out of the caucus room and down to another room to sort of cool off and think it over and capitulate, and we didn't, entirely; we did get something accomplished as a result of that, but that was kind of a mild mini-rebellion. Later as we added the rest of our Crazy Eight, the rebellions became much stronger.

DePue: We should ask, then, and we should clarify: where did that name come from?

Netsch: As I recall, Burnell Heinecke, who was I think the *Daily News* reporter covering the state legislature at that time—I had forgotten who had dreamed it up—but one of the reporters who I think was probably somewhat sympathetic privately with what we were doing and egging us on in a sense, was the one who once described us as those "crazy eight rebels." I think that's where it came from and why it stuck. I'm amazed there are still people, who were not even there at the time, who know the expression.

DePue: Well, it's the kind of name that stays with you over time.

Netsch: (laughs) I think so, right. Now, actually, the year that we held up the election of the Senate president for such a long period of time, we were still known as the Crazy Eight, but George Sangmeister had joined with us, so literally we were nine, and then we had added four members of the black caucus.

DePue: Okay. Let's go back to my original question, though: Describing yourself, how you saw yourself at that time, just some adjectives.

Netsch: Well, I was certainly somebody who was issue-oriented and substantive, not particularly political—not as political as I needed to be. As I had said earlier, I think, my whole idea was not to embarrass the machine or destroy them; I just wanted good things done. When they would participate, fine, but so often they cut us out.

One of the things that happened, particularly in those first probably four years… Cecil Partee,[60] remember, was the major spokesperson for the machine at that time. Cecil was somebody I had known, by the way, a long, long, long time, going all the way back to my years in Springfield with [Governor] Kerner, and we'd always had a very good relationship. But sometimes when the city wanted something, instead of coming to talk to us, to see whether there weren't accommodations or whatever, they'd just go over to the Republican side and cut a deal with them and not even bother to tell us or try to enlist us. I can't give you the specific issues on which that happened, but it did happen. We resented that quite a bit, too, as a matter of fact. So we were sort of piranhas—not—well, I guess really, yes, piranhas (laughs) from time to time. I suppose I was more of a problem than the others simply because I was the only one of our group from Chicago and the only clear rebel who in a sense beat them at their own game. Now, to some extent, Dick Newhouse should have been included in that group, but Dick had been there for a long time and was African-American and did represent something that was quite different, so they had sort of learned to live with him even though they may not (laughs) have always liked it. But I was on the outside. For a period of time they used to make sure that they would defeat almost all my consumer bills, even though they were things that Democrats ought to be sponsoring. Now, Jane Byrne[61] I think had something to do with that too.

DePue: Well, and that was a question I had for you later on. Fred Smith was quoted as saying—

Netsch: Oh, yes.

DePue: —"If it's her bill, don't bother me."

Netsch: Right, yeah. No. In fact, the year I passed the generic bill, one of the biggest problems I had was, he chaired the committee to which the bill was assigned. It was public health, welfare, and safety bill, I—

DePue: You're talking about the generic drug bill.

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[60]A black lawyer a black lawyer who became President of the Illinois Senate, breaking color barriers in Illinois politics.
[61] First female Mayor of Chicago.

Netsch: Generic drug substitution bill, yes. I had done an **enormous** amount of work on that piece of legislation, including even a few of the outside pharmacy groups, although the drug manufacturers, of course, were dead set against it. And I spent a lot of time with the public health people in the Walker administration. Walker had an awfully good public health team, a really grand, great group of people who were very sympathetic with us—very supportive and helpful.. There was one famous doctor—oh, names—it was something like Metzenbaum, who was also a strong proponent of generic substitution being permitted; I'd gotten him aboard to come down and testify for it, and the Walker health people were very supportive and helpful. But, you know, it was a tough, tough, tough battle, especially when the chairman of the committee to which the bill is assigned is **dead set** against it, not on substantive grounds at all. I mean, my lord, Fred more than anyone should have been [for it] because it was designed to help people who couldn't afford the trademark, more expensive drugs. Anyway, so that was one place where I just did an incredible amount of strategy and working things out with other members of the committee and **finally** got the bill out of [committee]. I knew I could pass it on the floor once I got it out of committee, and I finally did one year.

DePue: What was Fred's particular objection to you personally?

Netsch: Because I was against the mayor.

DePue: That was enough.

Netsch: I think that was enough, yeah. I don't think he had a problem with me other than that, no.

DePue: Well, let me give you some other terms that have been used to describe who you are, at that time or maybe today. You cringe a little bit, (she chuckles) but I'd like to get your reaction to each one of these as we go down the list. Intense.

Netsch: Intense?

DePue: Mm-hmm.

Netsch: About some things, yes.

DePue: Relentless.

Netsch: Yes! Tenacious. That I fully accept. Part of that is… You know, some of the things that I'm still working on, I've been working on for forty years. (laughs) That is either stupidity or tenacity, I'm not sure which. (DePue laughs) But I even remember—this is funny, that you remember one thing that was very nicely said about you. In the Constitutional Convention, Peter Tomei was one of the really super, absolutely super delegates, a marvelous person. After one

sort of bloody session towards the end, everybody went home, and I came back—I think I came back probably with my proposal to get the school funding provision back into the constitution even though it lost and we'd moved on and all that sort of thing that is, the state has the responsibility for funding it—I think that was the one I was after at the time.— I kept banging away on that and then banging away on our compromise, which was to get merit selection out on the ballot and all. I remember Peter, who was probably one of the best delegates possible, saying, "You just don't give up, do you? I got worn down finally. I just went home and I didn't want to have anything more to do with that issue, and there you were, still working on it." So I accept that, and I don't consider it an insult, by the way. (laughs)

DePue: Well, I don't know that any of these would fall into that category. The next one, or two, I should say: a workaholic, and, kind of tied to that, the best-prepared person in the room on whatever the issue was.

Netsch: Workaholic. I do probably work longer hours than I ought. The best-prepared. I don't know that I'm always the best-prepared, but I really do understand that you need to be prepared and ready to answer questions or answer challenges or whatever, and I don't take that lightly. Well, like two nights ago at the celebration of the ninetieth birthday of the Nineteenth Amendment. It was a big room full of women—mostly women, some men. I was not on the program—in fact, I was just out in the audience—and they made me come up and sit on the stage with everybody else, which was very nice. As soon as I sat down, she called on me to get up and speak. (laughter) I had no idea any of this was happening, but I did it, and I think I did reasonably well. I could probably do that in a lot of other circumstances because I've been making speeches for so long, but I don't believe in doing that. When I'm asked to go speak to a group, I do some preparation, sometimes a lot of preparation, even writing out my notes or something, because I think that's just a matter of courtesy and respect for them. And also you feel more comfortable about it.

DePue: Is that partly being the professor having to be ready for the next class to teach?

Netsch: Probably. It probably has something to do with that, absolutely, yes.

DePue: Here's a word that almost always comes up: brilliant.

Netsch: (laughs) I don't know that I'm—how am I supposed to respond to that, (DePue laughs) for heaven's sakes?

DePue: Well, I'll move onto the next one. Perhaps a little bit of modesty there as well. Dignified.

Netsch: Yeah, I think I carry a certain amount of dignity. I don't mean that I don't do foolish things from time to time, but my sense is that people who are in public life ought to behave with a certain degree of dignity. I don't mean being

officious or arrogant, for heaven's sake, but we are out there, we are representative, and I've always felt that we should recognize that and respond to it.

DePue: And then treat the constituents, everybody else, with it.

Netsch: Pardon?

DePue: And treat everybody else with dignity as well.

Netsch: Yes. Oh, I hope so, Even though I realize that there are all of us who, from one moment to another, would love to just… Well, I guess the most recent example, which I didn't think was really defensible, as it has been, was the flight attendant. Now, everybody has moments when they really, (growls) want to do something like that.

DePue: To put this in context, the flight attendant who got in a scuffle with one of the gentlemen passengers allegedly hit him in the face, and he got fed up and said a few expletives and then decided to exit the airplane on the emergency chute.

Netsch: With a bottle of beer in his hand, as I read the thing.

DePue: Yes, yes.

Netsch: Yes, I'm sorry, that's right, most people would not know about this story.

But I do remember, going back several years ago, George McGovern.[62] I think all of us, whether they liked him or not, would recognize that George McGovern was someone who brought dignity and civility and all of that to his public role. If I remember the story correctly, it was either at a meeting or on a plane or a train or something, and some woman was just giving him a **terrible** time on the flimsiest of things. He (laughs) decided he'd had enough and let her really have it—I don't mean physically, but I mean just really chewed her out. A lot of us—maybe especially those of us who've been in public office who have gone through something like that from time to time—thought Oh, **wow,** right on, George. (laughter) But for the most part, you have to recognize that they're the people you're representing and serving, and that often they have a different point of view and don't always like what you're doing, and you have to hear them out.

DePue: Well, here's the last descriptor for you on this list: courageous.

Netsch: Well, I certainly, I guess, have been willing to stick my neck out and stand up and be counted when it comes to political risk-taking. I've done that consistently. So I don't know if that's courage or not. You know, just the

[62] Both a Representative and a Senator from South Dakota, and the Democratic Party's candidate for President in 1972.

incident we were talking about a little bit ago: (laughs) filing that motion to discharge the campaign disclosure bill and really taking on the wrath of mostly my own party but a lot of people on the other side. I mean, I didn't make many friends doing something like that, but it was something that needed to be done. I suppose if you want to call it political courage, maybe it was it.

And when we did our big battle on the structure of the Senate, my main thing in all of that was that we needed to change some of the rules because the rules have an **enormous** impact on the substantive content that actually emerges. I was really a bug on that issue. So before we had our 185 (laughs) roll calls, I had made up a list of rules changes that we should try to get them to agree to; that was a good part of what we were about in doing battle at that particular time. After it was finally settled, I still had my nice, long list of rules changes. Everybody had sort of forgotten about it and everybody was going off different directions. I don't remember whether I had to fight for this or not, or whether they recognized that it was part of the deal. In any event, I took—I think it was a whole afternoon of time on the state Senate floor to propose the various changes. So I had them tied down for a good three hours, maybe three and a half hours, on the Senate floor, going through—as I recall, I had seventeen proposed amendments to the rules. Now, by that time, things had kind of soured and they had designated one of their members, Frank Savickas, to argue against all of the changes and to lead the votes to defeat them. Poor Frank didn't have any idea why he was opposed to so many (laughs) that he… In fact, I think towards the end he was just saying, "Just vote no." I mean, he didn't even have any reason why the rules change was not a good idea. This had to do with committee procedures, with committee hearings, with—well, I think we'd already gotten rid of the proxy voting by then—and a whole bunch of other things like that. I did not make many friends that afternoon either.

DePue: We've talked quite a bit about this and alluded to some things. There's a story here, and there's some explanation, I think, that we need to do upfront as well. Essentially, the Crazy Eights, of which you were certainly an integral part, were taking on the leadership of the Senate, and in most cases, that meant the Democratic leadership of the Senate—

Netsch: Yes, that is correct.

DePue: —to get your fair voice in the committee leadership and the power equation?

Netsch: Yeah. The slogan that (laughs) I made up that became our slogan was "participatory democracy." What we were saying was, number one, that each of us was elected by approximately the same number of voters as every other one and that we thought that we should have as much right to participate in the decision-making process as the mostly-Chicago-members of the Democratic Party and their allies over on the other side. And, by the way, we

had some—I guess you could call it silent partners on the Republican side, a group over there that was sort of our counterparts. They were non-establishment Republicans, and more liberal, not necessarily in economic terms, but more liberal in terms of wanting to have an open, free process and all. But we couldn't very often make use of them because it would have been the kiss of death for them if they'd joined with us. But anyway, the idea was that we were just trying to be allowed to participate and not to have everything shoved down our throats by the Chicago Democratic leadership. That was particularly important, by the way, in two areas. One was the downstate Democrats—and there are downstate Democrats (laughs) in the Senate—and what they had found was that they were always told who their spokesman and leadership was, and they never had any chance to participate in deciding who their spokesperson would be; that person usually was someone who was—if I may use the expression—in bed with the Chicago regulars, certainly close to them, and they all kind of worked together against everybody else. Jim Donnewald was one at that time. What the downstaters were saying, particularly the ones that represented my group, the Crazy Eight, was, Why don't you let us have something to say about who our spokesperson is. So that was one group.

The other group were the black members of the Senate. They were always told who their spokesperson was as well. The four of them who joined with us in nineteen—what was it? '86, the year that we held things up so long—

DePue: Seventy-seven.

Netsch: Seventy-seven, I'm sorry, yes. –were really saying the same thing: Why aren't we allowed to have something to say about who our spokesperson is? So a lot of it was again, as I said, participatory democracy and opening up the process.

DePue: Well, the curiosity I've got for your mention of the blacks in the Senate—Cecil Partee was the minority leader when—

Netsch: He was out by the time we had our biggest rebellion.

DePue: Okay, you're right. I take that back. It would have been Thomas Hynes that was Senate president elected that year.

Netsch: Yeah, the question was, was it going to be Tom Hynes or Phil Rock, and—

DePue: Which one was the Crazy Eight's general favorite?

Netsch: Well, we had our own. We were not literally supporting either one of them. We nominated Terry Bruce for our sort of general representative. By that time, Harold Washington was in the Senate and the four members of the lack caucus who participated with us chose him as their spokesperson. Now, the problem that developed was that Phil Rock, I think, had every reason to

believe that he was going to be the next president of the Senate. I can't say exactly what happened because we were obviously not a part of it. But either Rich Daley or others of the regulars decided they did not want Phil Rock, and so they in a sense cast him aside and chose Tom Hynes as their spokesperson. That's where the battle developed in that respect, and Phil was just kind of shunted aside. So we were very sympathetic to what had happened to him because in a sense it was what had happened to all of us. (laughs)

DePue: How many days does it take to go through 187 votes to determine leadership?

Netsch: Uhh… We were there until—we'll have to look it up—but I think it was not until probably late February or maybe even early March that we finally reached accommodation.

DePue: By the time other things like budget issues and other pieces of legislation were, I'm sure, demanding some time and attention as well.

Netsch: Sure, sure, yeah.

DePue: Well, the famous incident, you haven't mentioned here, so I will let you talk about the soup.

Netsch: (laughs) Oh, John Knuppel and the soup. Oh, that's just one of those sort of crazy side events. John Knuppel was a very difficult personality, to put it mildly, and was never part of our non-establishment group, although he was a downstate Democrat. He had run-ins with an awful lot of people during the course of his legislative career, and he didn't like those of us in the Crazy Eight at all. I don't think he really liked the establishment that well, either, but we were, I think, a particular thorn in his side because we were challenging the establishment in a very open way. The press sat along the front part on both sides of the speaker's rostrum. One day, when we were probably just assembling or maybe in recess— I think I had been over talking to somebody in the press, answering a question or whatever—and Ken Buzbee and I were talking—maybe we were both talking to somebody in the press. Anyway, Knuppel may actually have ordered us out of the way. Of course, we're members of the Senate; we can't be ordered out of the way. The Senate was not in session, so we weren't bothering anybody. He had a cup of soup and accidentally—ha, ha, ha—threw it on me and on—I think Buzbee got some of it, and Charlie Wheeler, who was in the press box—and then made a big scene about the fact that he, of course, did it accidentally and had stumbled or something. It was quite deliberate; in fact, he took great pride in it later, and at one of his fundraisers, he would sell, as a fundraising device, cans of Campbell's soup (DePue laughs) autographed by himself. Believe it or not—believe it or not—I still have one (DePue laughs) which someone brought to me. But it was a typical sort of John Knuppel grandstanding event at the time. I of course had to have my clothes cleaned and sent him the bill for the dry

cleaning, but he never paid it. I knew he wouldn't. I think Ken Buzbee sent him the bill for his dry cleaning also.

DePue: But there's also a photograph to go along with this, isn't there? When you do it close enough to the press, then you get a picture taken of it.

Netsch: We weren't in session, so the press were just sort of sitting around in there. I'm not aware that there is a picture.

DePue: Cynthia reported in the book that there was, so I could be wrong, but it was the kind of thing that made me wish that I had a picture of it, that I can go back and dig it out of a newspaper and find it.

Netsch: Yeah. I don't have a picture of it, anyway.

DePue: But it's also one of those stories that kind of lingers around in—

Netsch: Oh, it's myth, legend, everything else. I agree, it sure is, because I still hear about it sometimes.

DePue: Do you have any other memories about that marathon session to determine the leadership?

Netsch: Well, it was particularly difficult for me because that was the first year that Walter had bypass surgery, so I was spending all of my non-Springfield time at the hospital. I actually would miss some days when I knew we weren't close to resolving anything, and I would just stay in touch with the guys by phone. (laughs) Probably, I suppose, in a sense, it was a blessing, because going through that day after day after day after week was painful. But I did have to miss some of them because I had to be at the hospital and then would get down there when we were getting back into negotiating stance or something. Yes, it was very tense and obviously not a very pleasant thing to go through. We realized that the longer it went on—I certainly did—the less support from outside we were having. I think there was a lot of sympathy for what we were doing from the press and others in the beginning, but the longer it went on, the more difficult that it was going to be to hang on.

DePue: That's not the kind of thing the general public understands or appreciates.

Netsch: Oh, no, no, not a bit. And, of course, we thought it was so important to change the whole tone and structure, if you will, of the Senate for everyone's sake, for the constituents of those who were participating in the process, as we were who were not getting, in a sense, as much attention as they ought because it was all being controlled by other folks.

DePue: Well, Tom Hynes was the eventual winner. Does that mean that your side lost in this process?

Netsch: No. (pause) Well, we certainly didn't gain everything we would like to have gained. One thing we realized as time went on was, that they were able to kind of whittle down some of the things that we thought we had gained. I mean, they agreed, for example, that there would be changes in procedure; they set up a fancy committee, even sent them out to, I think California, to study the procedures in the Senate out there because they were considered to be pretty good at the time, and a couple of other places, and bring back ideas. Obviously I was not permitted to be on that committee. That's one way they get at you. (laughs) Another way they get at you, by the way, since I'm on that subject, is, you do all the work on a piece of legislation, and then at the last minute they put somebody else's name on it; they take it away from you and put somebody's name on it so you never get credit for it. That's an old, old trick.

Anyway, but what happened—I mentioned the fact that I had everybody tied down for three-plus hours one afternoon with rules changes—the board went out to kill them all. Of all my seventeen amendments to the rules, I passed only one, and that was the one that—for some reason I remember this—that was the one that said that a Senate sponsor can keep control of who the House sponsor is when the bill gets over to the House. This business of you own the legislation, it is under your name, and you control it, has very strong roots in the Illinois legislature. The idea that somebody could take your bill and put it in somebody else's hands when it was in the other house was anathema, so that's the one amendment, I think, I was able to pass. All the other good amendments, which were designed to just make the process a little more thoughtful, to strengthen the committee process… One of the things we really wanted to do was to try to make the committee process more of a real committee process, that is, a work process, almost like the markup in Congress, and a lot of those things. We got a few things changed over a period of time, but we did not get nearly as much as we would like to have gotten done.

DePue: Was part of the goal to get some of the Crazy Eights or other people who were outside the normal power system in the Senate in important positions in these committees?

Netsch: Oh, yeah, well, there was some of that, too, to spread some of the power; that was not probably the number-one thing, although that, of course, got targeted by the regulars as, All they want is power; they want their names… It was a factor, but I don't think it was ever **the** dominating factor, but yes, we did want some spreading out of the power centers, if you will. They did do that, to some extent. Terry went into leadership. So did Kenny Hall. That was another interesting thing which is part of this story I will tell in a minute. He was the black representative in leadership, not the one that the regulars wanted. They were going to sort of hold that for him, but they had to change the appropriations in order to make it possible for him to have a leadership supplemental appropriation; they hadn't done that, and it was sort of like,

Well, we'll get around to that maybe. That's one place where I was more political and more strategic than I perhaps normally am. I said to Harold Washington, who is sort of the lead guy on the black team\ —who did not want to be in leadership, though; the four of them wanted Kenny Hall. I said, "Okay." That was really getting down to the last negotiating things, and it was pretty clear that Kenny Hall was in effect not going to become a leader in every sense of the word. I said, "Okay, we don't accept that as a part of the compromise unless the money is there to make it clear that Kenny Hall is one of the assistant leaders, and until that happens, no deal." That was agreed to and that happened, so I was pretty proud of myself for that.

But we did get people in leadership, and they were spread. Ken Buzbee really wanted appropriations, which I would like to have had, too; I sort of stepped aside for him to have that because I didn't want to take a chance of losing (laughs) Ken Buzbee. The other thing I wanted always was revenue. They never wanted to give me revenue, which I never could understand because that is not the sort of thing where I could do them any harm, I would think. So they split judiciary into two committees, criminal and civil, and gave me criminal judiciary, the last thing in the world I wanted.

DePue: Chairmanship of?

Netsch: Yes. That was the year we reinstated the death penalty and passed the infamous Class X,[63] all of which I opposed.

DePue: Both of which were big Thompson initiatives.

Netsch: That is correct. It was a big law and order year, I mean, really big law and order year. Often the vote on the committee was like—what would it have been—you know, ten to one or something like that; I was usually the one. I told Phil Rock the next year I would simply not chair that committee again. I said it was a waste of everybody's time.

DePue: I hadn't asked you earlier about what committee assignments you initially got when you first arrived to the legislature.

Netsch: Public health, welfare, and corrections. The first year, licensing, which was fun because Don Wooten and I just absolutely drove them up the wall. I'm very anti-licensing, and they're not used to that. Usually those things are done, not because of public outcry, but because the people who are in that business come in and want to be licensed as part of their control of the profession or business or whatever it might be. Some of them are legitimate requests for licensing, but (laughs) most of them are not.By the way, it was always said around Springfield—I don't know whether this actually appeared in writing anywhere—that written over the door leading into the licensing committee

[63] Upon a finding of guilt, a Class X offense in Illinois had a mandatory minimum sentence of 6-30 years in prison without possibility of probation.

was—what was the expression—"Pay as you enter." (DePue laughs) It was a **cesspool** of people getting extra campaign money for sponsoring legislation that would license and, quote, "regulate" a profession that people in that profession were asking for, usually. Again, they were not always in bad faith—I understand that—but lots of time it was more economic self-protectionism than it was anything else.

DePue: That sounds like the kind of thing Paul Simon might have been trying to expose or complain about a bit.

Netsch: That would be just up his alley, indeed. I don't know whether Don Wooten felt that way before he came in, but he felt that way pretty quickly, so he and I were cohorts on this. (laughs) I remember one day—I've forgotten which group it was that was coming in asking for licensing, and (laughs) I remember—this took a lot of *chutzpah*, too—standing up and saying, "Where is the public demanding that you be licensed in order to protect the public?" (laughter) And the looks that went—the daggers… (laughs)

The other funny part of that was we helped to stop the—oh, no, I'm sorry, this goes back to when I was in the Kerner administration, I guess. We vetoed a bill licensing landscape architects, and it took about—well, they didn't finally get their licensing until, I think, either the end of my legislative career or after I'd even left the legislature. I mean, it took them about twenty-five years before they could get licensed after we'd vetoed their bill and said, You don't need it. Nobody is being hurt. If they're doing fraudulent things, there are other laws that you can use to get at them. So anyway, Wooten and I, (laughs) knew we were sort of in a cesspool in that committee, so we decided to have a little fun with it and just challenge all the licensing bills.

DePue: In the House and the Senate at that time, in terms of how power was wielded, if you will, was it done in committee, or was it done in these informal groups; was it something that the senior leadership in the House and the Senate **controlled?**

Netsch: Oh, I think it was primarily the leadership that decided everything. Partee, while he was our person—well, Harris, when he was the Republican president of the Senate—when there were orders coming from Chicago, they would be the ones who would receive them and carry them out. My sense always was that a lot of the pieces of legislation that others identified as, "Well, this is what the mayor wants," the mayor didn't know anything about. I really had a strong feeling that that was… Once in a while I thought I could sort of put my finger on it, even, but that was people's way of managing to hoodwink somebody else. If the mayor did have a position on something, it usually was very well implemented by those who were there for him. Of course, it was a pretty good group still at that time. There are fewer now than they were then because demographics have changed. A lot of my legislation—my guess is the mayor had no idea. I mean, who would be against open dating or other

consumer-type safety things? I'm convinced that the heaviest hand on that was Jane Byrne, who people would have thought was speaking for the mayor. My guess is that she was not, but I don't know that.

DePue: Well, I think she came into office in '79, maybe? Right after [Michael] Bilandic, of course, the mayor died—

Netsch: Oh, no, I'm not talking about when she was mayor; she was consumer protection person for the city. She was the consumer—

DePue: Okay, okay.

Netsch: Yeah, yeah. No, she was the one who, I'm pretty sure, was sending down word, "Kill her legislation," my consumer legislation.

DePue: Was there any particular reason that you knew why she would be opposed to that?

Netsch: Yeah, because I had opposed the mayor. (laughs) Things are very simple. (DePue laughs) It was like Fred Smith: "If it's her bill, tell them to forget it; I won't support it." I assume that's what Jane Byrne was doing at the time. I think there may be one other little bit of a factor, because that was her area in Chicago, she was the consumer protection person. It doesn't make a lot of sense to me, but my guess is that she also didn't want somebody else treading on her turf. I don't know that for a fact, but I just, you know… It just made no sense, because some of that legislation was so much the kind of thing the Democrats would be for, and they were killing my stuff all over the place.

DePue: Well, since we're talking about Chicago politics, let's bring up a couple of other issues: CTA and RTA.[64] Now, you already talked about that a little bit. What exactly was your position as far as CTA and RTA or versus RTA?

Netsch: Well, the main thing was, I'm a great believer in public mass transportation. I think actually going back into the days when I was there under the Kerner administration that every year or every session, it seemed, that they came down and wanted a bailout and that there were always tradeoffs to be made. But it just went on and on. Nobody in other parts of the state trusted CTA, and nothing ever seemed to move ahead. In fact, I always remembered—and I don't think I'm probably correct about this—that one of the deals that was made—well, I don't know. I wonder if this was it. This was back when I was working for Kerner. O.W. Wilson, who was the reform police superintendent, decided he wanted blue revolving lights on police cars because everybody had red revolving lights and police cars didn't stand out enough. I mean, it was a perfectly legitimate position to take. He couldn't get it without getting legislation passed in Springfield—this was before home rule, obviously—so they had to make all kinds of trades in order to get him the power to use

[64] Chicago Transit Authority and Regional Transit Authority

(laughs) revolving blue lights. And I sometimes think that one of the trades one of those years was something having to do with CTA, but I don't really know that.

Anyway, my argument was not to be opposed to a subsidy to CTA, but that just to keep doing the same thing year after year without recognizing that it was and should be, part of a bigger regional public transportation network. It was defeating. I mean, it just didn't make any sense. It was going to go on that way forever. The city always had to give up something in order to get the CTA subsidy and then would be right back the next year for the same thing. It just didn't make any sense. So some of us were—and when I say "some of us," I know Jim and I were, and I think some of the other sort of independent Democrats around the region were—very gung-ho for a regional approach. I think I've erased this from my memory deliberately, probably.

I have a feeling that there might have been a vote or two where it looked as if we were voting against public transportation. I can't remember this precisely. As I say, I think I may have wiped it out of my memory. But if we did, it wasn't because we were opposed to subsidizing public transportation, it was because we felt that what we needed desperately to do was to take that next step and have a regional network. That is ultimately what they did, which was absolutely the right thing to do. And it's interesting, I've always thought—nobody's ever challenged me, at least, in saying this—that the creation of the Regional Transportation Authority was probably the first important thing that ever happened in the state of Illinois that recognized that the metropolitan area was not just Chicago versus the collar counties or suburbia; it was the first recognition that it is a region that is terribly interdependent.

DePue: And how did the politics in that break out? Were the collar county senators in favor of that?

Netsch: Ooh, no. (laughs) No, very much against it.

DePue: In general, though, we're talking Republicans now.

Netsch: Yeah, but they got it sort of forced down their throats to a considerable extent. This was one I felt no guilt about forcing down their throats and being part of putting it together. I think there were probably some who were not opposed to it, but a lot—particularly those in the collar counties, more outside of Cook County, that were. This was one of the marvelous battles I had with somebody who was a very good friend of mine, Jack Schaffer, who was a Republican from McHenry County. Jack was very opposed to the creation of RTA. Of course, they were going to have to pay for a good part of it, too, because the sales tax extends out into the collar counties as well as in Cook County to fund all of this when it was finally created. Their argument was that they got nothing out of it, that this was in a sense a subtle way of continuing the

subsidy for CTA. I didn't deny that; I said, "There's no question that CTA benefits the most." Then I remember, I kept saying over and over and over, "But Jack, someday your constituents will be **very** happy that we are subsidizing mass transit out into the suburbs as well and it will be extending out there and—"

DePue: But the argument that he saw against it was that his constituents were primarily driving their cars on the roads and the tollway?

Netsch: Yeah. Well, there wasn't much mass transit that went out into their areas either so most of the sales tax subsidy—it was, what? 1 percent in Chicago and a quarter percent in the collar counties, and was it 1 percent all the way through Cook County? I want to say 1 percent within the city, a half percent in the rest of Cook, and a quarter percent in the collar counties. I think that's the way it started out.

DePue: So you have a lot of the senators from the downstate area that this has no direct impact on but they get to vote on it anyway.

Netsch: Yes, sure.

DePue: And how did the Democrats from the southern part of the state vote on it?

Netsch: I'm pretty sure they voted yes. By then it had become a city-supported thing also, so it was part of the plan. But again, in the earliest days, though, it was a question of—I think people like Jim Houlihan and myself probably took some real heat on this, too, , because it looked as if we were not willing to support subsidizing the CTA, and that wasn't really where we were at all—it was that we just thought that subsidizing the CTA alone wasn't going to solve anything.

DePue: You've already talked a little bit about your relationship with Richard Junior, Ritchie Daley, and the dustup over the seat. You obviously knew him from Con Con before that time. But as I understand, the relationship early on when you were both in the Senate was not necessarily the best.

Netsch: (laughs) That's putting it gently, yes.

DePue: Okay. Can you tell us about what were the issues that initially were causing some problems?

Netsch: I'd beaten them. (laughs) It's very simple.

DePue: Again.

Netsch: It's very simple. And I'd been anti-machine, anti-regular Democrats. In fact, I'll tell you one thing that happened at some point when Cecil Partee had had maybe too many cocktails one night. He was still president of the Senate, I

think, and I was there at that time. (laughs) I remember Cecil in a moment of candor saying, "You know, you haven't been that much of a pain in the ass for us. (laughter) You know, once in a while you're on a different side, but…" I realized what was happening, what he was saying was, that that's what they expected me to be and that's why they were so leery of me when I got there. But he said, "Sure, you're not on the same side once in a while, but you don't set out just causing trouble the way (laughs) everybody thought you would." I thought that was very funny. I think the main thing was I was just not part of the organization, and I'd beaten the organization.

DePue: One of the things I've read is—and this would seem kind of a minor issue, and it's surprising to us today—the sale of meat in grocery stores after 6:00 p.m.

Netsch: Yeah, could not be done, or on weekends.

DePue: For just Chicago area—

Netsch: Yes.

DePue: —or for the entire…

Netsch: Mostly it was the Chicago area, yeah. It wasn't statewide, no.

DePue: So my first question: why is that even a legislative issue, then? Why isn't that an issue for the city of Chicago?

Netsch: Well, I believe it went into parts of Cook County as well, but Chicago wasn't about to do… It was a union thing. This had been written into the union contracts back in the 1920s. Chicago is a big union town, so Chicago wouldn't be about to do anything to stick their thumb in the eye of the unions anyway, know, even by the 1970s, and just drove my constituents absolutely off the wall. I don't think just my constituents; I think people all over the city.

DePue: So you can't even buy a packet of baloney after 6:00 p.m.?

Netsch: No, there was something—at one point they gave enough so that if meat had already been cut and was out in the display case, you could pick it up, but no more cutting and putting out and that sort of thing. I decided, This is insane. So I put the legislation in that legislatively would take care of it. I can't remember exactly what form I used because the main reason why it was there was in a union contract, but I think I wrote it so it was somehow illegal to cut off the sale of necessities of life after 6:00 p.m. or something like that—I don't remember my exact language. This did not endear me to not only the Chicago guys but to my friends in the union. I've always been **very** pro-union. You know, that's the time I grew up. I still believe it's true, that we would never have had the kind of middle class we have in this country if the unions hadn't injected themselves. So I've been very pro-union. But I told my friends in the union—they would come talk to me about it—and I would say, "Guys,

you are wrong on this one, you are absolutely wrong. It makes no sense in this day and age and is terribly difficult for people because so often both the man and the woman are working" and on and on and on. They would say, "Well, Dawn, we'll take care of it ourselves. Let us take care of it." I said, "We've been waiting twenty years for you to take care of it and you haven't taken care of it, so I'm going to keep pushing it." They used to give you four flags if you had a perfect union voting record, and I think I lost two of my flags that year for a while. Which hurt, because I really do feel I am very pro-union.

But anyway, I kept pushing that. I'm trying to remember the exact time sequence. I think once I didn't get it out, and then I pushed it again. (short pause) It seems to me what happened was that Bilandic at some point by then was mayor, and he stepped in and got them to change the union contract a little bit. Of course then I sort of lost my momentum for getting the legislation passed. I'm not sure we ever did really pass it, but we finally took care of it. But, you know, we had to be out there pushing.

DePue: More of your tenacious spirit.

Netsch: Tenacious, right. We had to be out there.

DePue: But before Bilandic, then, the Daley bloc in the Senate had defeated you on that, apparently.

Netsch: Yes. Well, I assume they had a lot of help defeating me on that one, I mean, a lot of others who would have been pro-union or thought that the legislature had no business in it.

DePue: But I know the nature of the relationship with Ritchie changed over time, so what caused that to evolve, to improve?

Netsch: Well, I think two things. One, the defeat of Dan Walker in the Democratic primary in '76, it would have been, right? DePue: Were you vocal in your support for the opponent? That would have been [Michael] Howlett, I think.

Netsch: Yeah. (pause) I don't think I said much of anything about either side because we had had a **lot** of trouble with Dan Walker by then and we were not exactly enamored of him. I'm not sure I really took much of a vocal position in that campaign. Of course, the other thing was the death of Mayor [Richard J.] Daley. I think what happened then was—in fact, I've been told this, interestingly enough, among others, by Phil Krone,[65] who just died this last week.

[65] President of Productive Strategies, Inc., a management consulting firm.

DePue: Oh, he did?

Netsch: Yeah. I talked to Joan last night. I didn't know it until I read the paper yesterday. I knew he was very, very, very ill. He was quite a character. (laughs) Phil was one of those who always told me afterwards that when Mayor Daley died that some of them told Rich he's going to have to stand on his own feet and find some ways of making his own way by then. So one of the things was to look around for some issues or something. Well, there was a whole package of bills to re-do the whole mental health code of the state of Illinois that had come out of a task force which Walker had appointed, a very good task force, chaired by Joe Schneider, who was a county judge. The county judge in Cook County in those days was the one who basically presided over the mental health commitments and things of that sort. Joe was a very thoughtful, intelligent, good guy and had a very strong commission. I think Bernie Weisberg was on that commission—I can't remember who else at the moment—but they'd come out with a whole package of legislation, the main centerpiece of which was the revision of the basic code itself. I'd been asked to be the sponsor of all of this. I had doled parts of it out so that other people would have a chance to participate in it, but I remained the chief sponsor of the basic code. It was pretty clear that there were still a lot of controversial things in it and that it was introduced late enough in the session that we simply did not have time to work everything out before the June thirtieth deadline then. So I'd asked whether I could put together a joint Senate–House committee that would continue to work on it and then bring back sort of the final version in the next year of the legislative session; the leadership had said yes, I could do that. So I put the resolution in, and it passed both houses; normally, of course, I would have been chair of the committee.

(laughs) Some of the bills themselves had actually been put into the Senate judiciary committee because that's sort of where they belonged, and of course Rich was chair of Senate judiciary at that time. So I don't know whether it was his idea or one of his advisors' or friends' or whoever, but I guess they decided that this might be a good one for him to take a look at. So it was made known to me that Rich wanted to be chair of the committee. I talked to him and said, "Normally I would be. I've spent an awful lot of time on this already. It's going to take a lot of work," on and on and on, "and are you sure you really want to do this?" Well, he'd go think about it. He came back after, whatever, a week or so or something, and said yes, he did want to be chair of it. Of course, I can count votes; I knew he could (laughs) be chair if he wanted to be chair, so I said, "Okay, all right, I will go along gracefully, but I just want you to know that you've really got to spend a lot of time on this because this is very important stuff," and he said yes, he would. So he was chair of the joint Senate–House committee.

Then I realized that he needed to have somebody who knew something about this. One of the persons who had been a staff member of the gubernatorial task force was Frank Crussi. So I talked to Frank—he was supposed to be going back to the University of Chicago to finish his PhD—and I asked would he be willing to take some time to staff this so that we were sure it got through okay, if Rich would agree to do it? Frank said yes, he would. So I talked to Rich about it, and that seemed to be, I guess, all right with him. Then nothing happened and nothing happened. Frank would call me about twice a day and say, "But I haven't heard from him." Then I'd go bug Rich again a little bit. Finally they got together and Frank was hired to staff that. And, of course, as the saying goes, the rest is history; he's been (laughs) around ever since.

That was terribly important because Frank is very bright. He had been on the staff, so he knew a lot of this stuff to begin with. Rich got very interested in it, and he did spend a lot of time on it. It was the first time he'd probably ever been involved with something that had no politics written all over it at all. (laughs) So obviously we were in reasonably close touch during all of that, and then that led to the infamous ballgame.

Every year I had a softball game, which was the Dawn Patrol, which was my team, made up of community activists, against the pols, the politicians. Anyone who was in public office or political office in my district, Republican or Democrat or whatever, it didn't make any difference, I would put on the politicians team. Elroy Sandquist, for example, and Jesse White and Jim and probably Bill Singer, and then I'd have people who headed all the community groups or whatever on my team. It was just a big, fun game. So Rich [Daley] had called me one day about something on the mental health code business, and we'd been talking that over. I can't remember whether the date came up or not, but I was having my game that Sunday. I said, "Why don't you come up and come to my softball game?" So OK. I never dreamed he would do it, though. (DePue laughs) All of a sudden, (makes noise) there he showed up. And, I mean, here was this hothouse, this bed of mostly independents, Democrats or Republicans, most of them anti-Daley all their lives, and there was Rich.

DePue: Did he show up with an entourage as well?

Netsch: No. I think he probably had one person with him. I can't remember. It was not an entourage in any event. I don't think he drove himself, but somebody was driving him. It was so funny sometimes because they were standing around with their mouths open. They'd never seen a Daley (laughter) up… And, I mean, a couple of them were **really wildly** anti-Daley. He stayed for the ballgame, and then I usually had people come back to my house for a while after it. He came back to the house, and some of them did, and they were just standing around, you know, (laughter) like this. It was really marvelous to see. That was so important in the lexicon of Chicago politics that it was a banner

head on the front page of the *Sun-Times* the next morning. I'm not kidding. (laughs) So obviously by then we were getting along very well.

Then we continued to work during all that period. Now, that also,of course, was the unfortunate time when Kevin, their son who was born with spina bifida, was just not doing well. Towards the end of the session, Rich had to spend a lot of time in Chicago because he and Maggie had to take turns staying at the hospital all the time with Kevin. So at that point, we would be mostly in touch by telephone when he couldn't get down there. But by that time, we were working together really very well, so that was what did it; it was the mental health code.

DePue: It's the old analogy, you throw people together in the foxholes and they have to learn how to get along together.

Netsch: That's right. That's right.

DePue: Tell us a little bit about still being on the—just a couple quick questions for you—still being on the faculty here at the law school and living down in Springfield during the legislative sessions and also being married. How did you manage to balance all those things.

Netsch: (makes noise, laughs) I guess I would be inclined to say "with difficulty," but other people have done it, too; I'm not the only one. What I had to do, of course, was I had to cut back my teaching load here. I continued to teach. In fact, I continued to teach anti-trust for, oh, a whole bunch of the early years that I was in the legislature. That was particularly difficult, because in the early years we were in session an awful lot. I remember one of the years—this would have been one of the years, I think, when Walker was still governor—we put in some session days every single month out of the twelve months of the year. We didn't officially finish until June thirtieth, and we almost always went over beyond June 30th. So it was a pretty heavy schedule. After a while, I finally had to cut back on my anti-trust because it was (laughs) a four-hour course, and we were down there enough of the year that there was just no way I could keep that going. But I continued to teach other things all the time that I was in the legislature, by the way. I didn't stop teaching altogether, and take sort of a leave, if you will, until I was elected comptroller and I knew I would be gone at least three if not four days a week, all year round.

DePue: Where did you live when you were in Springfield?

Netsch: Oh, a few weeks before I got sworn in I was lucky enough to get what started out as a sublease on an apartment right across the street in Lincoln Towers, literally across the street from the whole capitol complex. (laughs) I stayed in that apartment all the way through eighteen years in the state senate, four years in the state comptroller's office, and just never gave it up. When I became comptroller, by law I'm required to have a residence in Springfield.

Other people had places out on the lake and all kinds of things. I kept my same little one-bedroom apartment. I told them I was a cheap date. (laughter) Because the only difference was the state paid it for those four years, and they had to; I was required to have them pay it. So that was very easy.

DePue: How about the social life once the sessions are over, hitting the local watering holes or the bars or anything like that?

Netsch: I was not terribly good at that, I must admit. Well, one funny incident in the days of the Crazy Eight two things happened. Once, the eight decided that Terry Bruce and I were really pretty stuck-in-the-mud dullards when it came to anything social, so they decided that the two of us were going to go to sort of a nightclub there in Springfield one night, (laughs) and they sent us off. Terry and I were so bored we sort of fell asleep (laughter) at the table. I don't mean neither one of us has a sense of humor or doesn't like fun, but it just wasn't our idea of a great night. Another couple times I remember—I'm not sure we had all eight of us, but maybe all eight of us—our idea of a big night was to—let's see, how did—we went to a movie and then we went to an ice cream parlor afterwards (laughter) or something. We were not high livers for the most part. (laughs)

DePue: Was that still the days—you know, the fifties and sixties—Springfield was rather legendary by the socializing the legislators did and the good ol' boy network and the deal-making that oftentimes occurred not on the legislative floor?

Netsch: Yeah, I know, I know, and that's something that you realized, that probably you were losing some ground by not participating in that, but it just was too much. For those of us who really wanted to know a little bit more about some of the legislation we're dealing with, night was quieter and easier to get things done. I remember when we still had offices across the street in the Stratton Building, before there was enough room in the Senate for more of us to move over into offices in the capitol building. There would be lots of nights when I would be in my office working, Harold Washington would be sort of around the corner in his office, working, and I think Bill Morris was the other one who frequently was there. Because those were the times when you had enough quiet to be able to get a few things like that done. Once in a great while you might go out to dinner or something like that, but it just wasn't—oh, that same old thing night after night in bars or whatever. Now, of course, there were a lot of receptions in those days. Even there, what I tended to do was go to just a few that were sort of interesting, like if the Independent Federation of Colleges had a reception; you know, I care a lot about higher education and I might go to that reception or a few of the others, but it just was sort of incessant. That wasn't the most fun way to spend an evening sometimes.

DePue: Okay. The next subject. I'll let you decide if we're going to finish off today with this or start next time. The subject is the Cutback Amendment. That's generally not a real short topic to get into.

Netsch: Well, I don't know, maybe we can figure it out. (laughs)

DePue: We've already talked a little bit about the nature of the power relationships in the legislature at the time. That certainly is going to have a big change in how at least politics in the legislature, in the House especially, is going to be handled.

Netsch: No question about it. I've always been very candid in saying I have been on all sides of that issue over a long period of time. As an independent Democrat in Chicago, I sort of grew up being wedded to multi-member districts and cumulative voting because that was the only way that anybody could ever break into the machine. That's the way that people like Ab Mikva and Bob Mann—well, and some of the good Republicans up here—Roy Sandquist, Art Telcser, and—let's see—Susan Catania on the Republican side and Harold Katz—actually Bill Redmond and a lot of others were ever able to be able to get into office to begin with. So I sort of went into the Constitutional Convention assuming that that was my position. I spent a lot of time looking back over what had happened since Joseph Medill really invented and sold the 1870 constitution on the cumulative voting, multi-member district. Although I recognized the good things, I also saw what I thought were a lot of bad things, that is, that it tended to reduce competitiveness, it tended to freeze people in. Of course, it produced things like the West Side bloc, a group of Republicans who came out of Chicago and were considered to be part of the mob and were pretty strong influences in Springfield, apparently for some period of time. So anyway, on balance, I decided if I were designing it from scratch, I would not do it that way; I would do it single-member district.

So in the convention—it was very interesting. Most of us who were that kind of liberal independent bloc were together on issues—I mean, just that's the way we were on most issues like merit selection and things of that sort. We were not uniform on this issue. Some took the more traditional independent view, which was to stay with cumulative voting and multi-member districts; a couple of us decided, no, we were going with single member. In the end, though, of course, what we all worked out was a compromise really with some very nice Republicans in the convention. They would agree to help us get merit selection onto the ballot if we would help them to get single-member districts on the ballot, because they were very much in favor of single-member districts. We that got worked out that way.

Then, after I got into the Senate and saw the difference between the Senate as it then operated, and the House, which was much more freewheeling and open to new ideas and less rigid and regimented and controlled and everything, because of cumulative voting, because you had all of these free

souls who were able to get elected without completely giving in to the inner structure of their parties. I realized that I probably had made a mistake at the time of the convention, so I became, again, a supporter of multi-member districts and cumulative voting, and was, at the time that the 1980 vote that Pat Quinn thrust down our throats.

DePue: Well, let's fast-forward to '78 to begin with. November '78, Jim Thompson, is reelected. Part of the thing he ran on was he would not be raising anybody's pay in the legislature or his own pay. Immediately after the election, the House and Senate got together and they voted on a pay raise. With an autopen[66] apparently he vetoed it, but soon enough so the legislature could immediately override his veto. There was this huge outcry in the public about, What kind of shenanigans were going on in this; this was all arranged beforehand, and this is a pat deal, and the public got messed over again, to put it politely. Two years later, as you're referring to, you've got Pat Quinn who, on his own initiative, decides to put forward an amendment to change that.

Netsch: Yeah. Now, bear in mind that there were some good-government groups that had taken that position long before he did but would not have had the organizing skill to get it on the ballot. The League of Women Voters had been taking that position for some time. I should mention that there was one other issue that he demagogued on; there was no question that that position won, not necessarily for all the right reasons, as a matter of what really works long-term in terms of getting the best representation. The pay raise was one thing, I think, but the other thing was that we used to get our state salaries as legislators in advance—was it for the whole two years or just for one year in advance?—which of course by that time didn't make any sense. In fact, there were bills proposed which would change that and put us on just a regular monthly.

DePue: It's a carryover from the days when you—

Netsch: Oh, sure.

DePue: —only serve for one year, and the other year the legislature wasn't in session?

Netsch: Well, right, biennial sessions and short terms and very small pay, so the idea of spreading maybe an eight-hundred-dollar biennial salary out over twenty-four months (laughs) would have been insane, so you just got paid upfront, and that was it. We should have done something about it long before we actually did, but there were bills in to undo that, and in fact we did undo it, actually, I think, before the vote on the Cutback Amendment. But Quinn used that very extensively also. Also the argument was made that you're going to get rid of one third of those miserable House members and save a lot of

[66] A machine for the automatic signing of a signature.

money. Of course it hasn't saved a dime. There's no question it has changed the character of the House, absolutely no question.

DePue: Has that led to more consolidation of power?

Netsch: Yeah, yeah. It's a very different place. In some ways, after that happened and in more recent years, the Senate has been almost freer, (laughs) if you will, than the House. It certainly was not in my early days in the legislature. The other thing that we've lost is, I guess I would call it a sense of balance, because one of the things that I came to realize, again, after I was in Springfield, was that in the House, when the Democrats went into caucus, they had some collar county and suburban Democrats, like a Bill Redmond, for example, or a Harold Katz, and that helped to give them a different perspective, so that it wasn't just all Chicago that everybody was thinking about without any recognition of the fact that legislation might also have an impact on the whole metropolitan area there. The other side is, when the Republicans went in to caucus, they had people like Roy Sandquist and Art Telcser who could give them a sense of balance instead of everybody sitting there and saying, We'll do anything we can to "get" Chicago. Here were some very well-respected Republicans saying, Now, wait a minute, this really is important, so don't just strike it out because you want to strike out Chicago. So I think it was very helpful in that respect. Now, there's a little bit of inter-mixing now as elections have changed over the years. I mean, there are some suburban Republicans in the Democratic caucus. One person from Chicago, I believe, in the Republican House caucus. So we've missed something in that respect.—I don't know whether we can go back to exactly where we were, but I think we ought to try to find a way to get a little more what I guess we would call our version of proportional representation back into the process.

DePue: Well, this is a fitting way, I think, to end today's session. It's been fascinating. I always love the Cutback Amendment discussion and all these other things,, kind of inside baseball, if you will, (Netsch laughs) of politics. But it's wonderful to have your insight into it We will pick this up with talking about some of the more meaty legislative issues and probably start with ERA next time.

Netsch: All right.

DePue: So thank you very much, Senator Netsch.

Netsch: You're very welcome.

(end of interview #6 and Volume 1)