

ing the vocational programs of disabled workers.

FINANCES

A successful private factory is judged by the percentage of monetary return per dollar invested. The successful sheltered workshop is judged by the number of disabled persons it has rendered self-supporting per dollar invested. It is not surprising that with such widely differing criteria, though operating apparently in a very similar way, private factories show a profit balance and sheltered shops a deficit. The administration of private and sheltered shops show divergences in several very important policies which account for this typical financial showing.

The question of labor-saving devices is a case in point. The private manufacturer is forever on the lookout for the most efficient machinery, even though that may mean discharging a number of his employees. The sheltered shop chooses its mechanical equipment to serve the greatest number of individuals. In hiring labor, the manufacturer will seek to obtain the most highly-skilled and productive workers for the lowest wage. The sheltered shop must accept inefficient and unskilled workers and pay the current market rate for wages.

Private industry expects a certain output from each machine in order to cover the interest on the capital invested, with the result that workers are speeded up and compelled to work overtime when the occasion arises. In the sheltered shops, the workers begin with a very low productivity and when they attain a

normal output they are immediately sent out into industry. The result is that a sheltered shop is continually running under its capacity. Overtime work is seldom if ever required from workers in sheltered shops.

The private manufacturer attempts to cut his labor turnover down to a minimum, while the sheltered shop endeavors to increase its labor turnover as much as is consistent with helping the disabled worker. The intensive supervision, the medical and social service rendered, and the continual training of new workers, all make the overhead cost of operating a sheltered shop considerably higher than that of a private factory. It would, therefore, appear inevitable that the therapeutic and retraining workshops must operate on a deficit. Shops that provide permanent employment come much nearer the ideal of being self-supporting and with wise and efficient management probably can be made to carry their overhead expense.

In conclusion, the writer is convinced that the theory of the sheltered shop is sound and that this specialized activity for the disabled meets a need that can be met in no other way. Sheltered shops are still in a pioneer state and as experience is accumulated they will become ever more useful. It is important that shop directors record their findings and critically evaluate their services from time to time, so that there will be made available an accumulative technique and knowledge which will be of the greatest value to an important group of disabled wage earners.

DOMESTIC RELATIONS IN COURT

BY ELIZABETH GERTRUDE STERN

IN HIS *Physiology of Marriage*, Balzac says: "Marriage . . . must undergo the gradual development toward perfection to which all human affairs submit." This was written in 1829—very nearly an exact century ago. The progress towards perfection in marriage—despite the new feminism, the new freedom of women; despite the fact that this is, as Beatrice Forbes Robertson Hale has called it, the "century of women"—has not yet taken an appreciable step forward. But that there has been a realization of and a protest against the imperfections of marriage is apparent enough. The new freedom of women has expressed itself at least in their refusal today to submit to conditions which hitherto were supposed to be borne humbly and helplessly and changelessly. In Pennsylvania in twelve months there were 77,000 marriages—and 7000 divorces. In one year the divorce rate of the country jumped 11 per cent. Appalled though one may be by these figures, they indicate clearly that women and men today are seeking a way out of unhappiness, disappointment or failure in marriage.

Not so spectacular in their disclosure of the same new privilege asked, for a solution of the one-time unalterable problems of marriage, are our domestic relations courts. Acting as rivals of the divorce court their work is with cases which may never reach the ultimate disaster of "failure." The divorce court presupposes that a marriage has failed; the domestic relations court, on the

other hand, assumed in its very approach that failure may be avoided. The aim of the domestic relations court is, indeed, to prevent the break-up of a marriage, to effect an adjustment between man and wife, and to keep the home intact with family life unbroken.

Not so long ago it would have been impossible to conceive of a "nice" woman—or indeed, of any woman—as going to court, to the law, to ask for assistance in the intimate problems of her home, and of her life with her husband. Only the woman of poor spirit, of low standards, could have done so. Today the cases coming to domestic relations courts of a big city represent a cross-section of the life of the city, the self-respecting and respectable classes among them. They represent a cross-section of the contemporary story of marriage, the normal and unimportant misunderstandings of the average man and wife, as well as the tragic and unalterable causes bringing hatred and discord to mismatched, diseased or irresponsible individuals.

It is tremendously interesting that this protest, this disposition to throw off the discomfort of sorrow of an unhappy marriage is admitted as a right acknowledged by law. Not less interesting is the added fact that by far the largest number of domestic relations cases are brought by women—that the courts of domestic relations are primarily courts in which the wife brings her dissatisfaction or unhappiness before the law to be righted. It is accepted now

that a wife has a legal right to a happy marriage.

Ibsen's Nora, holding open the door to leave, pauses while her husband protests: "Before all else you are a wife and mother!" She answers that she no longer believes this: "I think that before all else I am a human being, just as you are." It was prophesied that when Nora banged the door of her home behind her she would ring in a new day into the definition of wifehood, of motherhood. But we, in 1927, know that the average woman still finds in her own marriage the same requirements that were put up to the woman of Ibsen's drama, the same requirements that were demanded of her mother, and of her grandmother, too. Not only does she know it, and we, in the community with her—but the law itself when it considers the institution of marriage, and her place in her marriage, sees her as wife and mother first of all. Analyze the judgments of courts of domestic relations and you will find that they assume as a major premise that a woman's duty in marriage consists chiefly in her responsibilities as wife and as mother to her children. Analyze the suggestions and plans for constructive work done by court officials and you will see that the purpose of both is to build up the wife's realization that her obligations as wife and mother call first to her, before anything else. And equally is it true that the law sees the man's place in marriage to be—not one in which he may seek his own happiness, as the "individualist" of Ibsen—but as the parent of children, the head of the household for whose life and

livelihood the law holds him accountable.

The aim of our domestic relations courts is then not to offer anything that seems like "new" freedom, new privileges, to man or woman; its purpose is to hold man and wife to established duties and standards set by tradition.

If the concepts of the duty of man and wife, in the eyes of the law, are exactly those of tradition, one may ask if, perhaps, the situations that are described, the causes of family unhappiness, have changed, with the change of time? Are not the complaints women particularly carry into court due to their seeking of a freer life, a larger happiness; are they finding that their own marriage lacks the embellishments so earnestly being described in modern literature and drama. What reasons for her unhappiness does the wife in our domestic relations court state?

I sat in court in Philadelphia for nearly a year, hearing domestic relations cases, and for months in New York, and in Chicago later. The complaints of the women in all these courts were as old as marriage. The wife who appeared did not come because her husband refused to "let her have a career," or because he refused to "let her express herself," or "was destroying her personality." She said that her man wouldn't give her his wages, that he mistreated her, that he refused to give her enough money for pleasures, that he ran after other women, that he never agreed with her about the children and fussed with her all the time about them, that he was lazy and wouldn't work, that his folks were always interfering.

And the men—they charged their wives with being poor managers, or with taking poor care of children and home, or with running around with other men or to the movies, or with not caring for them "like a wife should"—and with letting their relations interfere in the house. Judge McNeille, sometime ago, said to me that in his cases, the most familiar reason for marital discord—infidelity—was fourth in frequency. First came cruelty, and this did not mean physical cruelty, but psychic cruelty, too. It is a broad word, and it is an important one, as anyone who knows the work of these courts discovers.

The cases of discord stated by men and women who come into court are as human and ancient as human nature, as marriage.

A thousand cases were studied one year by the Domestic Relations Court in Philadelphia and in each the husband himself was asked to state what he thought had brought his marital craft to the rocks, giving his reasons in the order of importance he assigned to them. Anybody reading the lists will be struck with the three that headed most of those thousand answers: "her in-laws," "her nagging," "her poor management."

Since men and women set up housekeeping together in the first cave, and their families interfered with them, and they had children and disagreed about "raising them," these familiar reasons for disagreement between them have been voiced. The fathers and mothers—and their grandparents and great-grandparents—have found in these human causes their reasons for quarreling, bickering, misunder-

standings, hatred, bitterness. There is nothing new in the stories told by the folks who come to court to tell their tales of their own wretchedness.

On the surface the stories that come to court are indeed "just human stories," problems of everyday "married life." On the surface, the aim of the court's work is to bring about in these familiar stories the expected, average-man's idea of a happy ending, a reunited home, man and wife together and reconciled in it, the children under the guardianship of father and mother together.

But the courts know well that the problems they meet are far from being "just everyday human problems," easily disposed of in that approach. The purpose of the court is to hold man and wife to the traditional responsibilities, but it knows that the causes that are dividing them cannot be blandly passed over in the traditional way of the past. Court workers know that it means more than simply listening and talking good-humoredly to two people who need only be cajoled and persuaded to see the error or the foolishness of their ways—to adjust a difference brought to court for solution. Though the reasons stated by man or wife today in court may be exactly the same as those which were given by their parents in explaining their own unhappiness or dissatisfaction with one another, "old-time" reasons, the court knows that the problems behind the reasons heard may be far indeed from the familiar ones named. It should base its work on this knowledge, both in analysis and in treatment, and not on those indicated on

the surface by the story of the husband or wife.

A great deal of the work, certainly, must be with simple human problems, easily adjusted, since the work of the domestic relations courts, beyond that of any other social court, is so human, so intimately concerned with the changing emotions and small crises of the daily life and reactions of two people living with one another, sharing small things, small sorrows, joys, sufferings, hopes, with one another.

Court workers know how much of their calendar is taken up with stories that rise not from terrific dramas that must end in the explosion of a grand third act, but from little discords, friction—the daily total of average life adding itself up, sometimes, into a situation that is intolerable, but only for a time, until it is “smoothed out.” That is the reason why of all the cases that came to the Philadelphia court, one in every three was settled in the interviewer’s office, simply by having man and wife “talk things over” with a sympathetic listener nearby to exercise the power and the impartial judgment of the law in their self-disclosures.

But—two cases in every three went to the probation officers. Perhaps in other courts the ratio is even higher. Today most courts do not find that the interviewer’s reconciliations are effective; the majority of cases go to the probation staff. These cases cannot be adjusted simply by “talking things over,” by “good advice.”

The true causes for the rupture between man and wife in these stories are often quite different from those recognized and named by the

protagonists. Sometimes it requires the long work of careful, repeated interviews, painstaking questioning and searching of the heart and mind of man and woman to reach the true reason, after the surface reason has been given. Sometimes man and wife are not even aware of the true reason for their mutual unhappiness, and modern science must lay bare the secret causes that have broken up their marriage.

Perhaps no institution treats problems more delicate, more intricate and complex than do our domestic relations courts, dealing as they do with the most intimate, the most shielded emotions and experiences of man and woman. It is impressive to observe how often, where the judge has understanding, and his workers are trained and skillful, the complexities are clarified and unravelled. Our courts have found that the amusing little quarrels which make such good comic page material—nagging, lack of initiative, laziness—may arise from unsuspected and tragic maladjustments, from deviations out of the normal physical or psychic health, or from the mutual life together of the individuals in the marriage. It has been found that sometimes the “little differences” which impel a man and woman to tear and pull at one another all through the long years of a marriage and which embitter their own lives and those of their children at the same time—rise from situations so profound, so hidden, that man and wife themselves have not perceived, or perhaps at best have not allowed themselves to recognize, them. It is tremendously important to bear in mind, when one considers the work of these new courts, that

here the law itself, and in the social problem of marriage, is enabled to seek out the aid of every branch of science available in order to discover, so that it may heal, the “disease” that is threatening to destroy the social unit which the court aims to preserve—the home.

There is no question that it is worth-while to use every assistance available for this end. The cases which the domestic relations court treat are, oftenest, not socially submerged families, but self-supporting, self-respecting citizens, coming from just the sort of homes which State and community wish to possess and protect. Psychiatry, medicine, social service are justly called in to aid the law. The purpose of these courts—it must not be forgotten—is not, as in the divorce court, to punish the protagonists—but to assist even the defendant with constructive understanding.

But for constructive understanding there is needed in this work, as in medicine—skill. The worker in the domestic relations court requires not only a fine personality, character, wisdom—but training for the job. The modern court is no longer satisfied with announcing in its annual report how many reconciliations have been effected. No court can really state how long or how lasting its reconciliations are. The modern court, if it is to claim really good work done, must go beyond a reconciliation hastily brought about—it must go back to the causes that created the family tragedy, and work for the cure, the removal, of those causes. A home to which man and wife have been persuaded to go back and live together because they ought to make up, or have to make

up, and in which they will continue their recrimination and mutual hatred and bitterness anyhow, defeats the whole purpose of the court that kept it “unbroken.” Sometimes it is impossible to heal the break; sometimes man and wife must go back, even without a re-discovered happiness. But there ought to be careful decisions, very careful work done in these cases.

Balzac suggests that “marriage unites for life two beings who do not know each other,” and the courts know how difficult, how long, that process of mutual education often must be. That is why so many of the cases that come to these courts are of people married from five to nine years, when the bridal glamor has worn away and the less interesting and revelatory period of mutual education has succeeded. The court worker has only a brief period in which to try to understand two human beings who do not really completely understand one another, and who come to her with their misunderstanding. The court must realize, then, that it requires more than common sense, “good, sound horse sense,” to analyze, to reach into the heart of, these two people. A high-grade personality and common sense are essential to meet the issue. But to understand the issue fully the worker also needs training in the use of those facilities offered for the analysis of the problem by medicine, psychiatry, social service agencies; she requires comprehension of the economic resources of her community, its racial aspects of its recreational facilities. She must know how to select, and to apply, all the facilities at hand. Otherwise,

she can do only patchwork, which will result in futility.

It would be absurd to say that every case coming to court presents a difficult and obscure problem needing this. For example, I watched one interviewer through the course of a case typical in many ways. The protagonists were young and the more easily settled cases of the domestic relations court are, most naturally, those of young people. They were in love with one another, and mutual love is one of the instruments the court uses to bring about a reconciliation. They lacked only one thing to make the little drama they played perfectly typical: a baby. Court workers know how the much-despised device of using the love for their children succeeds in bringing about a reconciliation between many parents, old and young. And in this case there was the familiar situation of a deserted wife, who had come to court because her husband "ran away" from her. It was, as we remember, for the deserted wife, who before had been obliged to sue in forma pauperis for assistance of the city solicitor's office, that the first domestic relations court here was organized by Judge Brown, thirteen years ago; the purpose was to give this type of woman assistance in supporting her home and caring for her children as a right due her by law, not a charity. Even the method used by the court worker in the incident—the kindly older friend who is friendly to both sides, and yet just in seeing the shortcomings of both—is essentially characteristic of the court. For the domestic relations court acts sometimes—in the human problems of man and woman—as a

friend to whom they might come to tell their tribulations. The difference is here (and in it, of course, lies the essential value of the course). The stories told to the court worker remain impersonal, and do not make gossip for the family and neighbors; and her suggestions are not made simply with kindness and wisdom, but have the weight of a great legal power behind them, to make them effective and valuable.

In another case, that of a drunken husband and a long-patient wife, "reconciliation" was effected because the woman's pride and loyalty would not permit her to acknowledge publicly the wreck of her life.

Here was another home "preserved." But no one expected happiness for the woman in it. But that the court did the proper thing in working for a reconciliation there could be no doubt. That the probation officer understood and did her job in the case was apparent, too. She was the steadying power, the will, that kept man and woman together. Without his wife, this man would sink into utter disaster, while she herself, in spite of her unhappiness, finds a sort of bitter joy, the only joy their marriage has to offer women like herself, in the sacrifice she makes, in the protection she gives their mutual pride and self-respect, and even in having him back, too.

These are two ordinary cases. But I sat through a hearing of another, that had been dragging for a year in the probation officer's calendar. A small, bony Scotchwoman married to a Mexican "gob." She repeatedly deserted him and their child. Months had been spent in cajoling, scolding, talking to the wife. But

not once had it, apparently, occurred to the court worker to find how the woman felt about her marriage relationship—to discover that she loathed it, that to this pale little spinster who had married the dark foreigner whom her folks had bullied her into taking, life was worse than death. This story should have been taken to the court psychiatrist for diagnosis. Instead, the woman has been "sent back" again and again—and was sent back once more that day—to go on the same way as before.

In another case, the husband was chronically delinquent in paying his support orders and had to be "called down" all the time. He had been disagreeable throughout the probation officer's contact with him, exactly as his wife had complained he always was at home. But, four months later, the court worker heard he had undergone an operation for hernia and the hospital authorities advised that he take lighter work, for it would be impossible for him to return to bricklaying again. This man had, for years, been carrying loads of brick as his daily job, under intense physical agony. To be sure, he might "have told the trouble." It happens that he did not know it himself; he only knew he was miserable and he and his wife consequently fought all the time. But even had he known what was the matter, there is the possibility that he would not have spoken of it to a woman court worker. In this case the first essential to bring about a solution of the problem was diagnosis by a physician. What the court had done, however, was to follow up the matter of seeing the

court order paid, which, unfortunately, is all that many courts think is necessary to do.

"Incompatibility" is a frequently-named reason in domestic relations as in divorce cases: it covers a good bit of ground. It is a human reason, but to get behind its bland surface there is needed the assistance of science as well as tact and common sense. The attempt to reach, to understand, the most hidden sources of human conduct, to probe through a great emotional crisis, as domestic relations cases often must be, needs the same degree of skill which a doctor brings to his work. He must know it well enough at least to understand to what specialist he shall go for diagnosis in specific situations.

Suppose one sees the court as a great institution that treats the maladies of marriage-relationship as medicine treats the body. The interviewer is the old-time family doctor, offering harmless but also very useful and familiar old remedies to cure simple conditions. The clinical cases needing prolonged treatment come to the probation officer—and that means most of the cases. The Judge performs the work, let us say, of the surgeon, to whom a case is brought when no cure can be effected except by cutting off the diseased portion of the body.

The aim of the probation officer is to do one thing—to keep the home intact, to avoid the "surgery" of a court trial, with man and wife divided and their lives cut asunder. It is for the probation officer to use every aid of science to heal the break brought before her—social service, medicine, psychiatry included. Like the interviewer, the pro-

bation officer is selected for qualities of heart, of character, of personality. Skill—training—are, as yet, very rarely required. And yet, above everything else, it is precisely training, skill, that she requires.

Even more than the Judge, does the probation officer have the actual power for success or failure of the work of the domestic relations court. So far, not even the judges in many domestic relations courts have had any aptitude or equipment for their work. In the court, however, his is the final part; he is seen only when no other treatment is possible, when the home must be broken. Sometimes this must happen—that is accepted. But how many probation officers whose task it is to sift out cases for this final step have the knowledge and the skill to do so, and to prevent the tragedy in many cases that might be saved from the final court hearing by adequate work?

In all social work there are perhaps no individuals who have a task more difficult, more important, than does the probation officer. For the domestic relations court case is not only the problem of a man and woman. It is the problem of the children's lives, too. The broken home or the maladjusted home, sends its children into the juvenile court, and into the morals and criminal court. The work of the probation officer reaches out, therefore, far beyond the task of securing the

happiness of one man and woman. It goes out to the protection of a home—a social unit—in which future citizens are being made, or are being neglected.

There can be no skill too high, no training too thorough to effect this. It is the real work of the domestic relations court. And success in it can come only by reaching to the root of every difficulty presented for treatment, by a skillful use of all resources in the analysis and treatment. Settling domestic relations cases would then be not only trying to keep man and wife together, or seeing that the court order is paid, but adjusting basic causes that are making for impaired functioning of the home, that are lessening the influence of the home, and which—when adjusted, are dangers removed, and no longer threaten the safety of the home, and of society, and of us.

To sum up:

1. Turn over to the psychiatrist and psychologist many of the domestic relations problems. This is done in juvenile cases, but court psychiatry has neglected family problems. The court must learn to utilize the best in modern psychiatry.
2. Co-ordinate the work of juvenile and domestic relations courts.
3. Get equipped judges selected for their interest in family problems.
4. Get trained probation officers.

THE INTERVIEW WITH THE PROSPECTIVE WORKER*

BY ROSA LEE S. WESSEL

WHEN I was asked in preparation for this evening's discussion to think out my approach to the interview with prospective workers, I was stunned into accepting the suggestion, by the sudden realization that I have never had "an approach," I have been interviewing them as incidental to an already occupied day, without any preparation or forethought. It happened in this way, I suppose; first, the executive of my organization is an exceedingly busy man; second, his office opens into mine, and, third, I had often chided him for being "taken in" by feminine charm. So, as a check to his own hasty impressions, he began to shift applicants to me for a longer, more intimate interview. I daresay I could have discouraged the practice, for it is time-consuming, were it not that I soon found it an interesting experience; a sort of vicarious first interview, now that I had so little direct contact with case work.

Indeed the first observation I have to make concerning this matter of interviewing prospective workers, is that it differs but in external circumstances from the interviewing of clients. Perhaps I have never thought out an approach because I carried over the technique of interviewing from my case work experience. The word "technique" is no doubt too definite. Hellman,** in *The Art of Cross-Examination* says,

*Presented at the meeting of the Philadelphia Chapter of the American Association of Social Workers, April 5, 1927.

**Quoted by Miss Odencrantz in the "Job Analysis of Positions in Family Case Work."

"There is a knack about the interview. You learn by picking things up, but the way is not put down in books. I never heard anybody talk about it in detail after having analyzed it." In retracing my experience of the last few years, I have concluded that I never invited a prospective worker to sit down at my desk without a desire, though I was unaware of it, to know as much as my skill could elicit, of her philosophy of life, if she had one; her political and economic shibboleths; her recreational interests; and her experience of family life. I wanted it to come freely, naturally, without probing questions. The first interview purpose is there—to become acquainted with the essential facts of this protagonist's life in order to make it possible for you to see relationships in the past, and so form some estimate of future possibilities.

The person who makes this estimate has a serious responsibility to the applicant. Approval commits the organization to train her through a probationary period. Should she prove unsuited, the loss is threefold, but most of all to this applicant in that bugaboo "experience of failure," and in a skewed and foreshortened view of social values. The sifting process begins at the interviewer's desk.

I have never seen any statistics which tell how many drop out after three months or less (or more for that matter), with reasons assigned, but my impression is that there are far too many transitory social work-