INTERVIEW WITH DAVID COHEN

INTERVIEWER: I'm interviewing Councilman David Cohen. This is Burton Siegel. David, when and where were you born?


INT: You say you "believe" on Kater Street?

COHEN: Well, I believe that was. The brother who knew all the exact history is no longer here with us. But that's my memory, and we moved from there before I was three. We moved with horse and buggy, and I have no memory of South Philadelphia at all. Nor do I have any memory of riding in a horse and wagon which transported everything.

INT: Where?

COHEN: To 3113 Germantown Avenue, which is where I grew up, went to school. All the public schools in that area, beginning with the Simon Muir Elementary School, where I spent eight years. Kindergarten plus eight years elementary. I skipped one grade, so I did the nine years in eight years. And then went on to Northeast High School.

INT: What was the block on Germantown Avenue like?

COHEN: It was a small row of stores in the southern end of the block. The block sort of ended, right after about a third of a block, because a Pennsylvania Railroad line takes over going to the old North Philadelphia station. It ran right two doors away from where I was raised. The downstairs was a store that sold wallpaper, retail. And was the headquarters of the paper-hanging business, which all my brothers engaged in.

INT: Did they own, did your family own the store downstairs?

COHEN: They owned the property. We lived behind the store, and on two upper floors. It was a three-story row house that still exists, only it was purchased some time after we moved out by the next door neighbor, who has a glass repair business for automobiles. And he took it over as part of a warehouse.

INT: You said your uncles. Were these your mother's?

COHEN: No, not my uncles. My brothers.

INT: Oh, your brothers, I'm sorry. They were older.
COHEN: All four of them were older, by seven to fourteen years. And they were the paper-hangers. My father had been a paper-hanger, and I believe they learned the business from him. The two older brothers were born in Russia, as my parents had been. They came over, my parents came over, and my two oldest brothers, who were then very young, I think around 1890. And for some reason they landed in Philadelphia. And the name was not quite Cohen, but it was something like it. But in those days with Ellis Island, a public official who was there as you were coming in assigned you your name. And your name was given orally, and he said, "Oh, you mean Cohen." I think the name was something like Kahn, was as close as I could get. But it was recorded as Cohen. And that's where this branch of Cohens came from.

INT: So your mother and father were already married in Russia.

COHEN: They had been married in Russia, had two children. My two oldest brothers were born in Russia.

INT: Do you know where in Russia they came from?

COHEN: A town called Yakatrinislav. (sp?) Then there was a name change during the Soviet period, and I think it's back again to Yakatrinislav (sp?). I'm trying to think of the name change. I can't quite remember it.

INT: Do you remember any family stories about why they left Russia?

COHEN: They were worried -- I would hear it only when I was very young -- they were worried about two things: pogroms and when the two kids were born, they were both male. The family seemed worried that they were going to be forced at a later time into the army. But it was a combination of both things. My father was a paper-hanger in Russia, as well as being a real student of the Torah. They said he spent hours. When they said it, they didn't mean it necessarily approvingly. They meant instead of going out and earning a living. So that my brothers at a very early age learned the business. I think when they were twelve or thirteen they were going out paper-hanging.

INT: Did your father give them, because you say he spent a great deal of time studying Torah. Did he impart that to his sons?

COHEN: No. No. It was a, as they put it, he kept reading the Torah, sipping either tea or alcohol -- mostly alcohol, was the story as I heard it. This was in my experience one of the earliest cases of wife-beating. As soon as my older brothers -- I had four older brothers and two older sisters -- as soon as the four older brothers got old enough, that meant when the oldest one was about fourteen or fifteen, maybe sixteen, is when he was ousted from the house. It was some primitive version, I expect, of one of these court orders. I gather the police were called to the house. He was evicted. We didn't have, you know, the Victims
Against Abuse procedures. But he was told not to come back, and apparently he didn't. He went back to South Philly. And a couple of, the two older brothers, the two oldest, maintained some form of contact with him. There was a divorce that finally took place. When the attorneys for my father apparently resisted the divorce originally. At some point he had lawyers that seemed to be very politically connected. At some point my older brothers apparently convinced the lawyers to switch sides, and then they represented my mother, and apparently a divorce was granted.

INT: Do you remember if there was a religious divorce? Was there a get?

COHEN: Yes, I think there was a get, too. My mother was very religious. She kept a fully Orthodox house. Fasted, changed silverware, changed everything Pesach time. She was very religious.

INT: You were starting to tell me before we put the tape on that you only have a couple of recollections of your father. Can you tell me a little bit about that?

COHEN: Well, as far as I know, I never had a conversation with him. But when I was very young, we were already on Germantown Avenue. I was playing on a side street nearby, and some person who I thought was a stranger came and offered me a bicycle, and to me it was a stranger. And I think I ran away, and I was later told it was my father, and somehow the bicycle was left for me at the house. The only other time, I believe when I graduated elementary school, I was told that he was there at least at part of the ceremony. But I never had a conversation with him.

INT: What happened when he passed away? Was the family...

COHEN: I don't think I knew when. I think it was later told. He lived to be about eighty. He lived for a few years, my mother passed away, she was in her very early seventies. She passed away in 1954. It was many, many years ago. But I think he outlived her by two or three years. I think my older brothers toward the end of his life, contributed to his support. He had remarried, it seemed to be a fine woman, who was dedicated to him. But they did run into some financial needs, and I know my older brothers would support them.

INT: So they did maintain some contact with him.

COHEN: They maintained contact, but it never extended beyond them. It never reached, he sort of didn't know, the father didn't know any of the others that were born in this country.

INT: Tell me a little bit about your mother. You said that she was a religious woman?

COHEN: She was a very religious woman in the sense -- she was not a student of Torah, but she kept a totally Orthodox house. Went to services. She basically went just on Rosh
Hashana and Yom Kippur.

INT: But it was a kosher home?

COHEN: At that time we had a big Jewish theater house in Philadelphia, and soon as my brothers started to work... well, I wouldn't say we were well-off. My whole life I've never really known want. In other words, the brothers, they were working when they were very young, and there was steady income coming into the house.

INT: They supported the family.

COHEN: They provided everything. They provided everything.

INT: For your mother and for the younger children.

COHEN: Right.

INT: You said she only went to synagogue on the high holidays. Did they ever go on Shabbat, do you remember?

COHEN: I don't have any recollection of her going on other holidays. I'm not sure whether she did or not, but I have no recollection at all of that. But she loved the Jewish theater. And as the youngest -- which I think is typical probably in even non-Jewish families -- I was kind of everybody's favorite. And my mother would take me to the Jewish theater.

INT: Do you remember any of the plays that you saw?

COHEN: I just remember Molly Picon. We saw her on a number of occasions.

INT: Did you understand the Yiddish?

COHEN: Well, I used to be able, I can't now, but I read the..."Jewish Forward." It was delivered to the house. We didn't go out and buy it. I know it came. I don't remember if it came by mail or personal delivery. I knew I read something. When I was nine to ten I had, the family had gone down to Atlantic City over a weekend, and the first time I was in the ocean with my older brothers, and I knew nothing about water, and they apparently went out way deep. I don't think any of them were swimmers. And I tried to follow them and woke up the next day in the Atlantic City Hospital. And the reason I'm mentioning this is you mentioned the Jewish paper. When we returned -- I was in the hospital a day or two -- there was a story in the "Bulletin" and a story in "The Forward," both dealing with "Boy Nine or Ten Pronounced Dead, Resuscitated," something like that. And I remember showing my mother in both papers. I first saw it in "The Forward," so I was able to read enough to identify that. It was a story about me. (laughs) I thought it was about somebody else.
COHEN: My mother did. None of the others.

INT: Did she have brothers or sisters here that she spoke to, or just friends?

COHEN: She had... two sisters, maybe... she probably had three sisters and one brother. Her brother was somebody who was a very, he seemed like a very nice person. We hardly ever saw him. Occasionally he would come, he'd live with us, then he would disappear for long periods of time. He was spoken of very mysteriously, and we never, never discussed. He just seemed a strange person who had his own life.

INT: He was not married.

COHEN: There was no marriage or any children. He would sometimes come. In those days in he front of the house there was a big cellar door. You opened up, a big cellar. It was a storehouse for all the wallpaper in the business. But apparently we didn't keep it locked, or if it was, maybe it was a padlock, and he had the key to it. And he would come in on some nights through the cellar. He never had a key to the main door of the house. And we'd find him asleep somewhere in the living room or something. He might stay for a day or two and then just disappear again. And that went on for a number of years. For a short time, once we learned that he was an elevator operator at the old Jewish hospital, now Einstein, you know, the northern division of Einstein. We tried to maintain... I recollect somebody in the family saying they tried to visit him there, but he was a total loner. I never knew the reason why, whether there was any particular problem. And then he just disappeared.

INT: Were there any other brothers or sisters?

COHEN: There was no other brother. There was an older sister, we met some of the cousins. My mother would speak Jewish to her.

INT: Any cousins your age that you had a relationship with as a child?

COHEN: There were just a couple from this older sister. There was one second cousin, a son of one of the cousins that I did have, and continue to have relations with. Howard Forman, who is a patent lawyer. His two sons are both cardiologists, I think, in Philadelphia today. And he's a patent attorney, we've had relations with him. But that was almost all. There were a couple of young women cousins, female cousins, that we maintained some little relationship with.

INT: But it wasn't particularly close.

COHEN: It was not a close relationship.
INT: What about the synagogue that you said your mother... Did you go? Did you have a Bar Mitzvah there?

COHEN: I'm trying to think. I was Bar Mitzvahed. I was Bar Mitzvahed, but I don't know whether he was a rabbi. We called him rabbi, but I don't know whether he was one, who would come to the house and give me instructions. And I was Bar Mitzvahed in the neighborhood synagogue in which one of my sisters was active for many, many years. I think it was on Eighth Street. Germantown Avenue there was between Tenth and Eleventh Street. And there was a synagogue a few blocks to the south.

INT: Do you remember the name of it?

COHEN: No. And the sister who was active. None of the immediate family -- I'm the only survivor of seven. I don't remember the name. I was never an active participant. Never went actively. For a short time, maybe a couple of months, I lay tefillin every morning after the Bar Mitzvah. And I don't even remember anything about the ceremony, except I know it took place. There was a small ceremony in this small synagogue which consisted of what had formerly been two row houses, had been put together.

INT: Why is it that it didn't interest you?

COHEN: Why it didn't?

INT: Why didn't it? Do you have any recollection?

COHEN: Well, nobody except my mother.

INT: So your brothers were not?

COHEN: None of my brothers, to my knowledge, went to synagogue except on the high holidays. And I don't know how much -- I'm under the impression that they went, but usually I would go with my mother on the high holidays; she would take me and I would go with her. And she would speak to me in Hebrew. She never became comfortable with the English language.

INT: In Hebrew or in Yiddish?


INT: And you were able to answer her, or you would answer her in English?

COHEN: I was able to speak well.
INT: If somebody spoke to you in Yiddish today, do you think you would understand?

COHEN: Some I would understand, but some I wouldn't. We used it a little bit when we took a couple of Israeli trips, we tried to find some people. But as Israel grew older, Hebrew, spoken Hebrew, became the dominant language, and it was harder to find. But I can understand some words. Some words are still in our vocabulary.

INT: Sure. And you said, where did you go to elementary school?

COHEN: Simon Muir. It was at Germantown -- it was less than a block away -- Germantown and Sedgely. Sedgely is just a few feet south of Allegheny Avenue. Sedgely doesn't run, it runs diagonally sort of at Germantown Avenue, it's just a little bit south. I went there, you know, walked up every day. It's still there, but now it's a disciplinary school.

INT: What was the student population like?

COHEN: Well, it probably was overwhelmingly white. Otherwise integrated, because there were a lot of Italian youngsters. There were at least two other Jewish kids, because I know I went with them. One became a dentist, one became a doctor. And we had been at least casual friends, these Jews, really our whole lives.

INT: So it wasn't a Jewish neighborhood, then.

COHEN: It was not a Jewish neighborhood, it was an Italian, largely Italian neighborhood on that block. But there was a Jewish upholsterer next door to our paper-hanging store. The rest were Italian or this last company was Irish. But there weren't many houses. They were all storefronts.

INT: Do you remember any anti-Semitic experiences as a child, since there were so few Jewish kids in your school?

COHEN: (Pause)

INT: I guess not.

COHEN: I was very unathletic. And kids used to tend to pick on me, because they ran, it couldn't be 50 yard, it must have been a foot race. I might come ten feet in back of the last one. You know. And I was a terrible athlete, and couldn't play baseball. Occasionally I could umpire. And I kind of survived -- I can't give you a good illustration -- by my wits. I was sort of regarded as a smart kid, and everybody else would come to me for some kind of help. I would get picked last for baseball, only if they really...

INT: But that was more because of your athletic ability. Nobody ever said it was because
COHEN: I don't remember any anti-Semitism directed to me. And I don't even remember, but I assume there must have been incidents. The only anti-Semitism I remember is much later, when riding with the family. I think it was somewhere in New York, though it could have been Pennsylvania. There were signs that said: "No Jews Allowed" in some resorts.

INT: But you had no personal experiences?

COHEN: I don't... None that I can remember. When I graduated high school, I won a scholarship to Temple University. No one in the family had gone beyond high school. Two of them had graduated from high school. And my family didn't want me to go to Temple. They regarded it as a poor person's school. And they wanted me to go to the University of Pennsylvania. And I filed for admission. I think I graduated second in the high school class. Maybe fourth. Because I think second I might have gotten a scholarship at Penn. I won a scholarship at Temple, but the family insisted that I reject it. And they paid for the first year -- I think I got scholarships after that -- at the University of Pennsylvania. And together with one of the kids, a Jewish kid, Albert Gerber, who's a lawyer still in Philadelphia, and we still get together once in awhile, we both entered the School of Education at the University of Pennsylvania. And after a few days there were almost no men. There were four men, all of them were women. This was now in 1931, a long time ago. 64 years ago. A fellow by the name of Dean John H. Mennick, the name is very clear to me, called us both in, and said to us, he just wanted us to know at the outset that if we graduated from the school, there would be only two places where we could get teaching jobs. And both of us were very interested, and we wanted to know where, and he said, "Philadelphia and Pittsburgh, because no other place would hire any Jews." I don't even remember being shocked by that, but just kind of accepted that, matter of fact. And I think we sort of said, "Well, if that's the way it is, that's the way it is," something like that. We stayed in. We just said, he wanted to make sure we won't there, you know, believing that we could get jobs anywhere else. He was a very nice man. He didn't indicate he had any prejudice. He thought it was a terrible thing, something like that. But that was a fact, and he thought he ought to tell us that.

Now, that may have been what helped both of us, Gerber and I completed the four year course in three years, took a practice teaching session in the summertime, to get a teacher's certificate, and entered law school, we were both admitted to Penn Law School immediately after that. But that was the first direct anti-Semitism.

INT: You might have wound up being a schoolteacher otherwise. (laughs)

COHEN: Well, we didn't know if there would be money enough.

INT: You said you went to elementary school in the neighborhood. You were a good student, I assume? Because you said you were thought of as being smart.
COHEN: I was in some spelling bee contest, but I didn't even win in Philadelphia. I won some minor, but I was eliminated. I think I won the school championship on spelling, but got eliminated as soon as there was some competition with other schools, because it goes way up to a national level. But I think I was at the top of the class.

INT: Now was there a junior high school, or you went right to high school?

COHEN: No, I went right to Northeast High School. That's the old Northeast, which has become Edison, and now is something else, also at Eighth and Lehigh.

INT: Why, given the fact that you were a good student, were you interested in going to Central?

COHEN: Well, everybody went to Northeast. I don't know where Central was then. I thought it was not in the, that was the neighborhood school. I walked, it was about a mile. You walked four blocks from Allegheny down to Lehigh, four long blocks, and that was between Tenth and Eleventh, and then you walked over to Northeast, which was between Seventh and Eighth.

INT: What kinds of things were you particularly interested in in high school? Obviously not sports, from what you said. (laughs)

COHEN: Not sports, not anything mechanical, like woodwork. Northeast then had mechanical training as well as high school. It was all academic.

INT: Any clubs? Any extra-curricular, you know, the newspaper, debate?

COHEN: The only... I have very little memory, except I know I was a good student. And I must have been fourth, because second I think I would have gotten the Penn scholarship. The only one I remembered ahead of me was the guy who went to West Point, and then we lost track of him. The only thing that really occurred in high school was in the last year they had a, I don't know what you call it, some kind of a class day foibles. A committee was selected -- each graduate would get a present. And the chairman of that committee was one of my friends that went through Simon Muir Elementary with me, Martin Ensign, who later became a dentist for many years in Philadelphia, and in the Jenkintown area, and then he moved down to Florida, and I think has Alzheimer's now. And he was the chairman of this committee. And they gave one of the graduates who was kind of a pudgy fellow, they gave him a pair of diapers. And they may have given another very fat boy something that... I have a question that it was kind of a bottle that babies feed on, but I can't remember why they gave it to him, but it was another kind of stout boy they gave that. And the principal of the school was very offended by that and announced that Marty Ensign, and I think two other members of the committee would not graduate, would be suspended and would not graduate. And I'm not sure of my
involvement, but I know I was involved. And my first action, really. (laughs)

That night we all assembled, all the graduates, and we never said a word to the officials of the school, and just as the, they had an orchestra, and we were all supposed to march in the procession. The principal got up on the stage. We were in a side room, and we were going to march in to the main stage. We were on kind of a stage, and the principal got up and he was to lead the procession. He got up and we all stood up, and then he started the procession, and then after about ten feet he realized he was the only one who moved. And he turned around and wondered what was going on. And I was part of the committee that announced that we would not graduate that night unless everybody graduated. We of course thought it was preposterous. We had the captain of the football team, see even then, I believed in allies. (interviewer laughs) Somehow I think I had something to do with it. Reds Pollak. We had convinced him to be part of this group. And we were totally unified. And an hour later the principal capitulated, because the main auditorium was full of parents. Waiting, couldn't understand what was going on. There were no media around.

INT: And they went to get the other kids?

COHEN: Nobody went, nobody budged.

INT: No, how did the kids who he wasn't going to allow graduate...

COHEN: No, they were with us. We all go or nobody graduated.

INT: It was your first radical act, huh? (laughs)

COHEN: My first radical act. I don't know how it began, but Marty Ensign was my friend. I had helped him. He had run for president of the school council. I think he got elected, maybe that's why he was chairman of the committee. I'm not certain he got elected. But I know I was a little active in his campaign. And then came this thing. And it was a big newspaper story. We stole for an hour, and ...and when we got in, when the names of the three fellows that were suspended -- it was an all-boys school, the audience by that time, the word had seeped out. The audience gave tremendous applause when they heard the names of the three people. That was the first unified action.

I have a feeling that one of the three that was suspended was a black fellow. There weren't many blacks in the class. I had a feeling one was black, one was Marty Ensign and there was another one. It was a very elementary action. Nobody had really... I don't think, I don't have any sense that I organized it. I know I had something to do with it.

INT: But you were one of the leaders in it.

COHEN: I think so. All I can say at this stage is I know I had something to do with it, and
supported it, and probably was one of the leaders -- we didn't think of ourselves as leaders -- it was all spontaneous. It seemed unfair how they picked something not done during the four year course. A means of saying we should graduate, we'd earned it.

INT: So then you went on, were there other kids from the neighborhood at Penn with you?

COHEN: No, now he lived down around Franklin and Marshall, you know, the heart of the Jewish area. His father was a newspaper distributor for United News or its predecessor. And sometimes Saturday nights when there were big deliveries of Sunday papers, I would go with this Albert Gerber and the father, he would deliver in some kind of a truck. But otherwise I don't remember anything remarkable about high school at all.

INT: Did Penn, given that people, affluent people went to Penn, people from outside Philadelphia went to Penn, was that difficult for you in any way? You went from a neighborhood school to an Ivy League University.

COHEN: Well, we didn't think of it as Ivy League then. But it clearly was. Gerber and I, we were great chums during high school. In high school I tutored him. We went to college and law school, and in law school he tutored me all through law school. Gerber was a great student, he loved research. I enjoyed research, but never felt compelled to do it. I'm a good learner, say, if you talk to me, it still gripes my wife Florence, because I can be here you know, and somebody will come in with some new thought about government, some theory or some legislation, I can listen to it for an hour or two, and then go on to floor of council and sound like the world's greatest expert on this, and she'll know I knew nothing before. It kind of irritates her.

INT: You become an instant expert, huh?

COHEN: Because she feels it's not quite the way it should be, and I'm posing as an expert when I'm not. Something like that. So I was good at that in law school, and Gerber would tutor me. I sometimes didn't go to classes. So I was most of the time in classes. I didn't have any Playboy, but I might like at Penn go to Huston Hall and sit there and maybe take a nap during the day rather than go to a course.

INT: Were you a good student in undergraduate school at Penn?

COHEN: Yeah. We graduated with cum laude, with honors. At the law school we both graduated with summa cum laude, which is the highest cum laude. But we were good students, but we carried heavy loads, because we were doing it in three years, because we were concerned about funds.

INT: Oh, you did it for financial reasons?
COHEN: We did it for financial. But Gerber was really the mind, I wasn't. It was Gerber that figured out we could graduate in three years and then be eligible for law school. And it's interesting, I never thought of it before. One of the irritant things to Florence in the council is that in association with other council members, I'm always prepared to yield to them if they show any interest in any legislation. She said, "Well, why don't you be the main sponsor? Why didn't you lead off on the speeches?" And it irritates her, because she knows that in the long run we're going to do almost all of the work. It doesn't always work, but 90% of the time, it's turned out like that. And she's never quite agreed. I said, "Look, if somebody wants to do something, I'm going to want them to." I did the same thing, and I never tied it in together, but that's the way it was with Gerber. He was always planning ahead. I wasn't thinking about it. He was maybe a year and a half older than I, and maybe that was why he was more developed. But he thought about these three, getting through school, and we'd have a pretty good chance for scholarships then, and if we didn't, we'd have less money to have to try to raise to go on. So I would just go along with him. He would come up with these ideas, I'd say, fine. You thought it through, tell me about it, it sounds all right to me, I'd go along. And that's really the same policy I follow today on all these issues. I step aside. Like the assault weapon case, which carries Ortiz's name. I stepped aside on that. Most of the legislation. We try to get others to introduce it, the moment they show any interest, I encourage them to go ahead, and to lead off. It's apparently the way I've always been.

And so Gerber was the dominant guy. The only time I tutored him, he couldn't pass language. What was it? French. He just couldn't. French and Latin. I think I tutored him in that. I had to learn in order to tutor him. He was having troubles. But other than languages, he was very, very good.

And in law school, he was the dominant one. I'm rambling all over the place.

INT: No, no, not at all!

COHEN: In light of law school, there were four of us, all Jewish, who always were first, second, third or fourth in the three years at Penn Law School. Nobody ever retained the same position two years in a row.

INT: Who were the other three?

COHEN: Harold Kohn, the anti-trust lawyer here, Ed Cutler, Edward Cutler, who's a lawyer in Florida, has been for many years, Gerber and I. And in the four year period, in the first year, it was sort of a two tenth of one percent difference between Gerber and my scores, and in the four years I never made up that two tenths of one percent, even though I came ahead of Gerber in the second. I led the class in the third year, the final year. And in that final year, I got a ruptured appendix attack just before finals. And the faculty pleaded with me not to take the exam. Here I had such a great record. And I was herded, I must have missed the last few weeks of classes, and then we were into the exam period. I refused not to take it, and
Gerber just kind of lectured to me, and that's why I led the class so well. I'm very good at taking, I may not remember them too long, and then applying it. If I learned a principle, I can apply it very well.

INT: Why did you go to law school?

COHEN: Well, probably because Gerber.

INT: So he just said, "Dave, let's go to law school." (laughs)

COHEN: I remember saying to him, "Well, do you think that makes sense?" He said, "Yeah." You know, they told us we could only teach in Philadelphia and Pittsburgh. And he wanted, one time I even thought of the FBI, because he was interested. Maybe we should apply to the FBI. In my non-athletic state he thought we should go out for football at Penn. The Freshmen. They don't have a junior varsity, but there was something below the regular freshman team. So I even went out for football for two days. I didn't last, of course.

INT: Just because he wanted to? (laughs)

COHEN: Yeah, he thought we should go out. He thought we'd do well. And he only lasted about a week longer. I don't think I had at that stage any particular desire. I was very young. You know, I was in college at sixteen. So I didn't really have fixed notions. Teaching school sounded good. We got tired of it. We started to smoke. That was one bad vice I picked up at Penn. I smoked, while still sixteen, for many, many years. And I taught in a summer school course. By that time we knew we were going to Penn. We had already been admitted to law school. And you couldn't smoke, they didn't allow you to smoke inside the building. And I said, "Well, who would want to be a teacher if you can't smoke?" You know, something like that.

INT: So that's one of the things that encouraged you to go to law school, huh?

COHEN: To show you how undeveloped I was, in the freshman year they had writing courses then, like they have now. And I picked the subject... oh, oh, oh. On the next block where I lived on Germantown Avenue, just the next block south was full of stores, there was a guy who was a city councilman, John J. Daly, a Republican. His family were all registered Republicans. Philadelphia was overwhelmingly Republican back in that time, the twenties and thirties. And I only met him once or twice, but I remember the family being worried about real estate tax. You had to be a Republican, or you worry that the real estate assessment of your house would go way up. And I think he introduced me to my first political action. Somebody to work with him. The name sounded like Marand, who was running for city controller, which at that time was apparently an elected office. No, it still is an elected office. And I because I think as a favor.
COHEN: Daly, yeah, because he helped the family on some problems, whatever they might have been. I don't know why I suddenly thought of him. That was my first political action. The second thing was on this paper, where they said, just pick any subject you want. The 1932 election was coming on. There was talk of it. And I wrote a paper on why good common sense American would vote to re-elect Herbert Hoover, and reject the demagogic appeals of Franklin Delano Roosevelt.

INT: Were your family Republicans?

COHEN: They were all, that was the only thing that existed, really, in Philadelphia. There were very few Democrats. Democrats were like the Consumer Party is today. (interviewer laughs) You know, and Roosevelt got elected, and the bank shot, you know, they closed the bank very quickly, because people were making runs on the bank. And everybody was kind of upset, but nobody in the family seemed concerned economically. So then maybe they had some cash on hand, you know, to go through. And that was my first political venture. But the Penn period was uneventful. Even the law school. I used to get a dollar a day for food for the family, and isn't that something, for three meals? And that was considered munificent. Not only enough, you did very well on a dollar a day.

INT: How did you get to Penn? How did you get to school?

COHEN: Well, in the beginning, all in college we commuted. We were probably among the few commuters. At law school we rented an apartment on Sansom Street. It's still there. I'm not sure which house it was. One of those tiny houses right across from the old law school.

INT: This was you and Gerber.

COHEN: Gerber and I lived together. And we were very, very close. We still feel kind of close, except he got interested in making money. We even went to work for the same federal agency together. And then he enlisted in World War II. I waited till I was drafted. He did a lot of writing for the "Stars and Stripes." I ran an eye, ear, nose and throat hospital in the South Pacific after we built it. I was trained for infantry. It was hard to train me for infantry, because even my co-colleagues in the army had, what do you call, a duffle bag? They carried, they had a packet for me to help me make the beds all the time, to save the platoon, because they came in to inspect it. Everybody knew I couldn't make a bed, couldn't pack a duffle bag.

INT: So this was what, after law school?

COHEN: This was after law school and after we went to Washington to work for awhile.
When we went to law school, I guess that's the first place where we blossomed. How do they work it? Oh, at the end of the first year, based upon your grade, you were invited, the competition for the law review. And they invited, in those days the class was 100, there are much bigger classes these days. And they invited thirty. And Gerber and I, being in this first four, I think that year I may have been fourth the first year, and Gerber was third, I think. And we were both invited out, and we both made the competition. Then came the election for the editorial board. That's six out of the 50, then we were both elected to the editorial board. He was elected managing director, which is the second job. No Jew could be elected editor-in-chief. We were told that by the faculty. That we would lose a lot of support.

INT: How did you feel about that? First you had been told you couldn't be a teacher?

COHEN: It didn't register.

INT: You just kind of accepted?

COHEN: We laughed at it. We accepted it, and we laughed at it, what a silly rule it was, but you know...

INT: But you weren't going to fight it.

COHEN: Oh, no. Never was a thought of fighting it. Just a very strange thing. Victor J. Roberts, he graduated from Princeton, then came to Penn Law School, his family was supposed to be well-connected socially. He was elected editor in chief. He's no longer alive.

(END TAPE ONE, SIDE ONE)

(TAPE ONE, SIDE TWO)

COHEN: There was a professor both of corporation and labor. Alexander Hamilton, he had come from Yale. And at the end of the three year period, despite our very high ranking -- I think I was first and Geber was second in the final year -- we couldn't get a job in Philadelphia, because there was only one law firm that would hire Jews, that was Wolf, Bloch. It was composed entirely of Jews. There were nothing else. You either had to go out on your own.

INT: And there were no other Jewish law firms.

COHEN: No other Jewish firm, and no firm of non-Jews that would hire any Jews.

INT: And yet knowing that, you still wanted to become lawyers. You knew that your options were fairly limited.
COHEN: Well, we didn't know, nobody told us law school options. Like the dean had told us in the School of Education. Nobody said anything in the law school about that. It was just that when we finished graduating, and we were seeking to make applications, there was no place we can apply to in Philadelphia.

INT: Did you apply at Wolf, Block?

COHEN: Did we apply what?

INT: Did you apply for a position with Wolf, Block?

COHEN: No, we were told, I think, that you had to have a certain social class background in the Jewish community. You had to be pretty wealthy. And neither of us came from wealthy families, although both were okay. Gerber never had any problems, like I never had. We were born poor, but we were comfortable, but very simple.

I don't know that we even applied. It was made clear, and we both...

INT: You said "it was made clear." Who told you that, that you had to come from a, probably a German Jewish family?

COHEN: No, it was just known. In the law school, going back to something you had talked about, I don't remember undergraduate, but at the law school there were two different Jewish clubs. One was from the wealthy Jewish, the society folk in the Jewish community. That was the McKean. I don't know where the names came from. McKean, (spells it)

INT: Doesn't sound like a Jewish name, huh?

COHEN: It's not, but that was for the well-fixed, well-placed Jewish. And the other, which was the ordinary club, was the Mitchell. And both Gerber and I became members of the Mitchell law club. I think Kohn, I don't know where Cutler was. I think Cutler was Mitchell, also. Kohn, I think was on the McKean law club. But at the end of the three years, the school awarded both Gerber and me what are called, they still have them, Gala Memorial Fellowships. And I served for a year as assistant to the then dean, who later became a circuit court justice, Herbert F. Goodrich. And he was an authority on conflict of laws. I worked on his third edition. And part of it I knew, but I never understood some theory in the conflict of laws, and I wrote it, and I don't know how it got through. It got through everybody. I never understood what I wrote. (interviewer laughs) And I doubted that anybody else could have understood it. But it's still in there.

INT: It's still in there. People are still referring to it, huh?

COHEN: And then toward the end of that year, we were called in by Goodrich, to say that
a federal agency, the Rural Electrification Administration, whose general counsel was a Philadelphia lawyer, Vincent D. Nicholson -- not Jewish -- was looking for a lawyer on their staff. And its mission was to try to electrify the farms throughout the United States, through a loan program.

INT: This was what year?

COHEN: 1938. We graduated law school in '37. This was the spring of '38, toward the end of our year as Gala Memorial Fellows. And he wanted to know which one of us were interested. We said we both were.

INT: This was you and Gerber?

COHEN: Yeah. And he said, "Well, but they only want one." So we said, "Well, we wouldn't consider one. We'd like to have the opportunity to go, both of us." Well, he didn't know, but he called, and grudgingly they agreed, making it very clear they would only hire one. They said, okay, they would interview the two of us. Apparently Nicholson was a Penn law grad, and he called on other graduates, some of whom were Jewish. Goffman, there was a Louis J. Goffman, a very bright guy, there was a Potamkin, I can't remember. Potamkin. They were both, Larry Potamkin. They were Jewish lawyers from Philadelphia, and apparently they had made a big impression, so that Nicholson was not against Jewish lawyers. Apparently his experience with them was very good.

So we both went down to the interview, and after the interview, they said they'll hire both of us. So we worked together there for about three or four years.

INT: So you moved down to Washington?

COHEN: We moved down to Washington. And within a year, each of us became the head of the, they called them units, the lower level supervisors. Gerber was interested in research, he became the head of the research unit, that would research areas. I became head of the unit that determined what laws we could incorporate. Each state had a different law.

INT: Were you still living together in Washington, too?

COHEN: Yeah, we were still living together in Washington. By that time he was going with a girl, she used to visit us. He married her. Actually, I never intended at that time, crazy, I thought I'd never get married, because I wouldn't earn enough money to support a family, and I thought maybe others in the family needed money -- after all, they had supported me. So it was all vague. We lived together during the Washington years, until he got married -- after about two years, I think he got married. I got married in the third or fourth year. And when he got married, then we separated.
INT: This was the thirties, right? Late thirties.

COHEN: This was the late thirties.

INT: Did you have any sense as Jews in Washington that the impending, the Holocaust, the threats to...

COHEN: No. I'll tell you, it seems eerie. A lot of us sort of don't forgive ourselves for not having been aware of the Nazi persecution of the Jews. And the stories of Roosevelt turning aside Jews that were on boats. It never hit us. We were just totally unaware of it, and no one in the family said anything. The only thing we knew, you raised earlier times, with respect to what was going on in Russia. The family used to have, my mother used to have, a little, is it a pushka box? that we had, and we would fill it with coins and every week or two weeks, somebody with a beard would come around -- we never knew who it was -- to take the filled up box and substitute another. And then I would hear stories that we would send things in the mail.

INT: To relatives?

COHEN: To relatives in Russia. And then I just was aware that there was concern that we didn't know whether they had arrived or not. You know, in the beginning, everybody was happy. And then every contact kind of ceased, and they kept sending things, there was no indication whether they were accepted. They never got returned to us. And then somehow somebody got word that they weren't getting through, and the family stopped that. But they were regularly sending things to family members.

INT: Do you know what happened to them?

COHEN: Never. Nobody ever learned anything. They just disappeared from the face of the earth. I don't even know what kind of relatives. But my grandparents would have been among them. They had not come. But I have no idea. Nobody even knew names. You know, it seems strange among Jews that there can be such gaps. But I never knew, no one ever spoke of the parents of my mother. Or father. We just knew.

INT: And politically, I mean, there was no, I mean, there were protest rallies going on by the late thirties.

COHEN: Well, that did not seem... what happened in the late thirties was, there were a number of peace movements in Washington. And I got involved in some of them. And it was in Washington, my first real activity began, other than those sporadic things. After a few months in Washington, my immediate supervisor, who was the main assistant to the top guy, the general counsel, asked me to come to a union meeting. And I sort of said, "What for?" He was a Southerner, soft-spoken. Very pronounced southern accent. A very bright
guy. Harry C. Lamberton. Very gentle kind of person. Maybe in his mid-thirties, early forties at that time, while we were in our twenties. I said, "(?) I'm a lawyer." He said, "Well, this union has everybody in it." I said, "Lawyers?" It didn't make sense. "Well, why don't you come?" he said. Well, he was the boss, and a nice guy. And I said, "Well, all right." I went to the union meeting.

INT: What union was that?

COHEN: The United Public Workers. No, United Federal Workers of America, Local 6. And that's where I met Florence. And she worked in the same agency that I worked in. And I went to that meeting. And (?) Within about a year, year and a half, I was president of the local. Lawrence was my main adversary in the local.

INT: Was it a left-wing union?

COHEN: Well, it was whatever it was then. It dealt with federal issues, but it was left-wing I guess, in the sense that it participated in broader issues. It was part of, they have an AFL-CIO, or some central thing in Washington.

INT: Well, they were separate then. The AFL and the CIO were separate.

COHEN: Were separate at that time? I don't remember just when they came together.

INT: The CIO was more left-wing than the AF of L.

COHEN: Well, this was CIO. This was the CIO. Yes, this was the CIO version, thank you. That clarified it. Because there was an American Federation of Government Employees, that still exists, and that was the AF of L union, and that was felt to be it didn't fight for its members, something like that.

INT: Right. The CIO was more radical.

COHEN: Felt they were conservative. And this was, I don't know whether it's independent. Maybe the CIO had already been formed; by 1938 it might have been formed. This union was a couple of years old by then, not too old. And it became active. There was American League for Peace and Democracy, or American League Against War and Fascism. Later on there was something called an American Peace Mobilization.

INT: And they were opposed to the U.S. entering into the war?

COHEN: They were opposed to U.S. entry into the war.

INT: Did that bother the Jewish members of the union, when they realized the war would,
you know, the war was against Nazism?

COHEN: (Pause) Well, that was such a difficult period. It was as if nobody believed the stories about Hitler and the Nazis. It's as if all of that was just propaganda. Maybe the country was in turmoil at that time. I don't know.

INT: You had the Depression.

COHEN: The terrible Depression was on. I don't remember. There were a number of Jewish, among the lawyers there were Jews. (phone interruption)

INT: Okay, today is January 21st, we are doing our second interview with Councilman David Cohen. During our last interview we were talking about your activities with the union in Washington, D.C. in the days immediately prior to World War II. I think I had asked then the question about what the sense in the union was, though I imagine it was a left of center union.

COHEN: Yes. Everything that was moving, in the sense of current movements of people, seemed to be left of center, at least in the labor grouping. It was the time the AFL-CIO, not the AFL, the CIO was coming into being. It was in its early days. The idea of...

INT: The industrial unions. (Technical difficulty on and off for the next few minutes)

COHEN: The industrial unions were coming in, with all different kinds of level of workmen's skills and unskilled. There was a strong feeling that World War I was a war in which countries and the big (Technical difficulty, pause) were driving war movements with the purpose of either gaining control of oil or the world's markets generally. Everybody was sort of sophisticated enough to know that war was never for democracy, because that was what World War I was supposed to have been about, and it failed. So it was a kind of a cynical tone toward any notion that a war could be for good purposes, like democratic purposes.

INT: This was about what year?

COHEN: Well, it is in the period largely of 1938, prior to Pearl Harbor. Pearl Harbor changed a lot of things, because we didn't have the option of being in the war. War had been created.

INT: But it was after the Spanish Civil War, for instance.

COHEN: Well, that was very vague to me. I never had any real knowledge. There were people that talked about the Spanish Civil War, who were active at that time. But that kind of escaped me. I never quite understood the various nuances.
INT: So in other words, there really was not a sense on the part of your political cohorts that stopping Hitler was something that leftists in America...

COHEN: He was another dictator, and the world had been full of them. And the Jewish folk that were down there in Washington -- and of course, I only knew fragments of them through the labor movement -- but they were in a number of the agencies, and they were in the forefront of unionism, as they seem always to be in the forefront of any people's movements for betterment of any kind. And they were all pro-peace. They had a feeling that people were trying to, that commercial, big giant commercial interests were always trying to drive us into war, to serve the purposes of the big companies, not the purposes of democracy and peace.

I remember there was a, I don’t know his name, there was a very famous columnist.

INT: Pearson.

COHEN: Drew Pearson.

INT: Can I stop you? (technical difficulty) You were speaking about Drew Pearson.

COHEN: He wrote a column, and the agency in which I worked, there were seventy members. I may be off, maybe it was sixty, maybe it was eighty, but it was a substantial number, above fifty members, of a group called, I think it was the American League for Peace and Democracy, something like that. And he published the names, because there had been some public attacks on this organization, and he called this the Honor List. This was the true honor list of people who were fighting on principle. I don’t remember Drew Pearson’s, he wasn’t a liberal, but he wasn’t a right-winger, either. He was kind of considered a middle of the roader. He had a major column. I think at that time he was one of the country’s foremost columnists.

INT: And then in 1941...

COHEN: After Pearl Harbor the question of war was academic; we were in a war. The decision had been made for us by the Japanese.

INT: Were you still living in Washington in ’41?

COHEN: No. (pause) I guess the answer is yes, because I think I remember riding in a car in Washington at the time of the announcement of Pearl Harbor, of the attack. But shortly thereafter, early in ’42, the agency was shifted to St. Louis. There was a dispersal of federal agencies throughout the country in order to make room for the increased staffing of the military agencies. There was also some talk, maybe to make us feel good as we were leaving Washington, that they wanted the government to be dispersed in case there was an airplane...
attack from the Nazis on Washington, that it couldn't, you know, eliminate wholesale federal agencies.

INT: Now what agency were you with again?

COHEN: Rural Electrification Administration.

INT: You were an attorney with them.

COHEN: I was an attorney with them. Our mission was to electrify the farms, and we did very well. Incidentally, one of the agencies, I understand, on Newt Gingrich's list for elimination. It's totally successful. The farms are 99% electrified, they have telephones, which they couldn't have without the federal loans. We made loans to either erect transmission lines, and/or generating plants. If there was a generating plant nearby, we made loans for the transmission lines from the generating plant, privately owned generating plant. And our effort was to form cooperatives. Cooperative being one vote, one member, regardless of economic value, and economic wealth. So a very poor farmer who was a member of a cooperative had the same voting power as a very large farmer.

INT: Did you have to travel to the rural South much with your job?

COHEN: I did not. My work was in Washington. I formed, I would prepare articles of incorporation. Now, corporations overwhelmingly have to be organized under state laws. There were very few that were organized under a federal charter. Congress has to pass special laws organizing, and there are very few. They're usually military groups, military corporations that get formed. So at that time, I forget how many states, but every state had its own laws. We fashioned -- this was before I got to it -- they had determined known as cooperative policy. Not every state permitted a cooperative, and we had to create a structure as close to a cooperative type structure that would pass muster in the law. What we had to do was to guarantee the repayment of the loan. And it also involved very interestingly legal theory, because up until that time there was no legal mechanism to give a creditor, the person loaning the money, government or otherwise, a mortgage on property that was not yet in existence. We had to loan the money in order, say, to get transmission lines built, but there was nothing in existence at the time we made the loan. So that this concept of a lien, a lien is sort of a physical attachment to some property. You have a lien on a house, it means the creditor has a claim to that house. We had to have a claim on a yet to be constructed transmission line, or generator plant, or the combination.

And together with the other lawyer from the law school that went with me, we wrote several articles that people will find strange to find my name attached to dealing with lines on after-acquired property.

INT: You were saying the agency moved to St. Louis?
COHEN: The agency moved to St. Louis.

INT: Now you had met Florence in Washington, right?

COHEN: In Washington. She stayed in Washington for about six months, because she was going to George Washington, getting a bachelor's degree. And then she came to St. Louis after that. It was early in '42. Boatman's Bank Building was our office in St. Louis, Missouri.

INT: The Boatman's Bank is still there. I was in St. Louis last week, and Boatman's still there.

COHEN: And I was then the chief of what they call the state law unit. One of my employees was Judge Lois Forer who recently was deceased. I was her supervisor. She came in about a year after I did. By that time was chief of this unit. And she came in as the staff attorney assigned to the unit. So we knew Lois and her husband Morris for all these years.

INT: Did you and Florence get married in St. Louis?

COHEN: No. No, we didn't get married till I got back from the war.

INT: When did you go into the...

COHEN: I went in service in September of '43, out of St. Louis. Actually, I left the government a few months before I went into the army, once it became clear to me that I was going to be drafted. And I served for about four months organizing federal employees.

INT: For the union?

COHEN: For the union. The union asked if I would do that, and I agreed to do that. I resigned from the REA. Florence, I'm not sure when she left. She also left the agency, I think after I left. She went to another union, the Electrical Workers Union. And we corresponded. During this period I married another woman who worked in the agency whom Florence knew. Florence was even at the wedding in Philadelphia. I had been dating both of them. And I guess I wasn't ready for Florence. (laughter) A critical approach to life is your principles. And I was married for about six months, and then we separated. My wife went down to Florida. I think her folks hadn't come, they came from New York, but they were living in Florida, and then I went into the army, and Florence and I kept corresponding in the army, and the divorce took place while I was in the army, actually in St. Louis. My first wife got the divorce, it was uncontested. And I married Florence in New York, which is her hometown, a week after I got back from the army in 1946.

INT: Where were you stationed?
COHEN: In Dutch New Guinea and British New Guinea for two years. I left the country, I went in the army in September of '43, went overseas in December of '43, and came back in February of '46.

INT: What was military service like in New Guinea? What did you do particularly? What were your...

COHEN: Well, the whole thing was sort of an accident. Maybe it makes clear when government goofs these days. I had basic training as an infantryman out of Fort Leonard, Woodland, Missouri.

INT: Even though, in spite of the fact you were a lawyer, they were making you an infantryman?

COHEN: Yeah. And I took basic training. And we were supposed to be sent to an infantry assignment, but the army fouled up, and we landed, after we finished basic training, the whole unit did, at Denver General Hospital, Fitzsimmons General Hospital in Denver, Colorado.

INT: Even though you were supposed to go...

COHEN: We were trained and knew nothing about medical. And it took them about six or seven weeks to straighten out the goof. By that time all of us had worked six or seven weeks in the Fitzsimmons General Hospital, and they rated us as now qualified to build and operate hospitals. So our mission was in, I remember seeing Finch Hobbin, the area of Finch Hobbin, Dutch New Guinea I think was the first place we arrived, just in a forest.

INT: What year was this?

COHEN: 194...I guess it was the beginning of '44, because we left sometime in December, I think from Frisco, either Frisco or Los Angeles, but I think it was Frisco we left from, and we just arrived in the wilderness, and got into trucks.

INT: Were the Japanese still on New Guinea?

COHEN: They were around there. They weren't where we disembarked. There was no port. We stopped, you know, about fifty feet of deep water, unloaded onto boats, and brought in to land. Got onto trucks and were told, we were told we were being driven to where we're going, and we stopped in the middle of the forest. And we wanted to know where we were, we were just stopping for a resting period. They said, "No, this is your home." And our job was to clear the site, and then to build a hospital.

INT: You were a private?
COHEN: I was a private at that time.

INT: Was that typical then, that people who were as educated as you were...

COHEN: Well, most of the people, it was from Missouri. I was the only Jewish person in the unit.

INT: Were there other people well-educated as well?

COHEN: Not among the enlisted people. There were mostly young fellows from the farms in the area. And it was in the barracks at Fort Leonard Wood that I had my first direct touch of anti-Semitism. I was a few years older than most of the people. I was 28. I had just passed my 28th birthday.

( Technical difficulty. Pause) Let's finish the part about (technical difficulty)

One night in the barracks (long technical difficulty)

INT: You were talking about your experiences in the barracks.

COHEN: I was in the barracks. I think most of the folks, most of the guys, I don't know whether they knew I was a lawyer, but I am the most clumsy person physically. The guys knew me. I was a few years older. We had inspection (long technical difficulty) So they knew me as that, as a little older. (technical difficulty) I don't mind being in the army (technical difficulty) The only thing that bothers me is that we're on the wrong side. (technical difficulty)

INT: Okay, you were saying that...(TECHNICAL DIFFICULTY TILL END OF TAPE. GO ON TO TAPE TWO)

(NOTHING RECORDED ON TAPE TWO. GO ON TO TAPE THREE)

INTERVIEWER: Today's date is July 8. We are picking up where we had left off with City Councilman David Cohen. And we last spoke, we talked both about your reaction, your feelings, the Holocaust had been going on for a couple of years by then. And also I think we had left off where you were just entering the army. Which of those two would you rather pick up?

COHEN: Let's do first on the Holocaust. I've been puzzled by that. And then, you know, about a month ago, there was an article in the "New York Times," maybe by Rosenthal. In which he wrote in some kind of an analysis of the "New York Times," he wrote that one of the disappointments he feels was the inadequacy of the "New York Times" in covering the story of the Holocaust in the early years. And it struck me that that was, I just have no real recollection of any solid information from anybody. Except there was a strong peace
movement that felt all kinds of stories were being circulated to try to push the United States into war. This was before Pearl Harbor.

INT: So you're saying within the peace movement, there was a sense of disbelief about stories regarding Nazi atrocities?

COHEN: Well, they never paid any special attention to the Holocaust stories. The feeling was that we were being driven into kind of what can be described as an imperialist war, whatever it meant, that rich corporations wanted to gain control of oil or other natural assets that might exist. And that World War I, which had been proclaimed as a war for democracy, turned out instead to be kind of a war to divide up the world's markets among certain countries, including the United States. And so there was an effort to belittle whatever there was as sort of being instruments of trying to get us into a war that was not a democratic war.

When Pearl Harbor came, and we were under attack, that began separating things. But that was in December of '41. I did not go into the army till September of '43, which is almost two years later. Yet I don't recollect having any clear knowledge, or being aware at all of the Holocaust. What I knew personally was that there was family in Russia, never clearly identified, but my mother's and my father's on both sides family in Russia that we used to send money to. And we had a little pushka box in the house and a guy with a beard -- we thought he was a rabbi, but nobody really knew -- would come around and empty it from time to time and leave another pushka box. We learned then, we never heard from folks after we sent them clothing and food in Russia, and that they were being victims of pogroms. That was what concerned us. And that was kind of the only knowledge. I'm trying to think of when we really began believing and understanding that there was a Holocaust. And I'm not sure when that was. I know by the fifties we all knew of it. But I don't know of any clear line in time. I was in the war. Like I corresponded with Florence for the two and a half years. I never remember us discussing what Hitler was doing.

After Pearl Harbor, when we had to defend ourselves, and Germany and Japan were together, everybody was anti-Hitler very strongly. There was no longer a feeling that we were being forced by others into the war. We had been attacked, we were in the war.

INT: I'm curious about something. I mean even among -- aside from the Holocaust issue -- on the part of liberal to left people in America, was there a sense of having to fight fascism, that Hitler represented something that was a particular threat to those people who were progressive?

COHEN: I'll tell you. The one I remember that people wanted to fight was the guy in Spain, Franco. That's the name that we heard about. We did not, you know, there were guys that had participated in that war. There were folksingers that sang songs at some gatherings. Hitler was viewed as kind of a nut. You know, a Nazi, a terrible thing, but maybe he was a
variant. It's not clear at all. But fascists, Franco was a real, the Spanish Civil War seemed to envelope... There were two groups. I was active in the labor movement and in the peace movement. Now maybe there were other groups that are part of the left where they discussed others. The peace thing was to stay out of the war, largely based on what was conceived as the unhappy experience growing out of World War I. Franco was viewed as a great threat. I'm just trying to think. There was very little that we knew about Hitler, or I don't remember him having been talked about very much.

INT: Now you said you entered the army in 1943. And how did that happen, again? You were living in Washington at the time?

COHEN: No, in St. Louis. I was in St. Louis, and I knew, I guess based on the draft numbers, that I would be entering at some time, and I decided I wanted to get some labor union experience in, and I resigned from a job as the federal attorney to join the Washington staff of the United Federal Workers in America. That was the name of the union. And I served, I think I was elected as a member of their international executive board. I don't remember attending, maybe there was one meeting before. I think I may have resigned -- I don't remember exactly -- in April or May, because I knew in a few months I would be entering, I had either gotten letters from the draft boards or something indicating my time was going to come. Everybody assumed I'd never pass, because nobody could think of me, I was much heavier, incidentally, than I am now, because I lost weight that I never really regained in the army. But nobody could think of me -- I couldn't either -- as a soldier. Everybody was just sure I'd be turned down. Nobody knew exactly for what. And nor did I. Except I didn't feel so. I knew I was in good health from my point of view. I had no reason to believe otherwise.

So I got in, I don't know whether it's four or six months, and I was drafted. I was a member, while working with the government, I had become a delegate, I think, to the St. Louis AFL-CIO, counsel representing the federal workers. I remember playing some kind of a role in that organization. Because I was really, my main interest was the labor movement. Maybe it was that that... the labor movement much more than the peace movement, excited me. The peace movement I was involved in a bit, because the guy who was my boss in the agency, in addition to having introduced me to labor, was also active in this American League for Peace and Freedom, I think they called it, or Peace and Democracy. And I'd gone to some meetings, and I became very interested in it.

INT: What was it, because you did not come from a labor background.

COHEN: No labor background at all, nobody in our family.

INT: What was it that so strongly motivated you?

COHEN: Oh, I don't know. But that's...I've always felt it was tied in with the work in the
agency. You know, we electrified the nation's farms. Just this morning Mark, my older son, was sworn in before Judge Raymond Roderick, as a lawyer in Federal Eastern District of Pennsylvania. Mark became a lawyer two years ago. Roderick and I were colleagues in the Federal Agency. He came in a little later. And at the University of Pennsylvania Law School I was a year ahead of him. And I was on the managing board of the Law Review. And the Law Review was about fifteen people. The competition started at thirty, they moved it down to fifteen, and then six of the fifteen would be elected on the managing board, and then we would have the job. That happened in the second year, and in the third year, when we (?) the post of being the managing board, that's the last year of law school, we would elect a group from the year behind us to join. Roderick was in that group. Harry (?) the State judge, was also in that group. But Roderick went from there. We knew him at Penn Law School. Then he went to Washington and joined the REA about a year after I did. And Roderick today, after he swore Dennis in, I picked him, swore Mark in. (phone interruption)

All I can say is I think the whole thing was very blurred and stuff not known. Now was that a time when those of us who were Jewish were trying to maybe separate ourselves a little bit? I don't know. I just...am wondering. But that seems to be a total blank.

INT: That's interesting. You said you were in the army in '43. Okay? And you were stationed where at first?

COHEN: Well, in Fort Leonard Wood, and that, did I tell you about my experience in the barracks there?

INT: You started to, you just started to, I think.

COHEN: Well, I went in. I was the only Jewish person from my own observation appeared to me. And it was infantry. I was told it was infantry for older soldiers, and I was considered older. I think I was 28 then. But nobody else was old like that, you know. The rest were 19, 20. So we learned in the army that what you were told was not necessarily factual. And I physically, very gauche is the best word. Very awkward in every way. And early on we had a good relationship with the other soldiers, who had helped me, I forget what you call it, a bag when you went on overnight things, or when suddenly they call inspection of the barracks, my bed would never be made right. And as were coming in, a couple of young men would come over and straighten it out.

INT: What do you attribute that to, that they were so nice to you?

COHEN: Well, I didn't know that. I didn't understand that, but we had good rapport. I've generally always gotten along well.

INT: But you were older and you were different?
COHEN: Well, but I can talk. Yeah, with folks. And I felt friendly toward them, and maybe they felt friendly toward me because I felt friendly. I didn't know. You know, we were all types of strangers, only I didn't have much in common. Most of them seemed to be farm youth.

But early on we were lying in the barracks. I was lying in the barracks, I think reading, stretched out. And in one corner not too far away there was a card game, four or five guys playing cards. When I thought I heard something being said about Hitler, and I wasn't sure what. And I don't know what motivated me, I got up. And went over. And I heard a comment like, a potshot the other day, almost the same thing. And I heard a comment saying, "Well, you know..." -- it was something about Hitler, "It's too bad, we have to be in this war, but it's too bad we're on the wrong side. We ought to be on Hitler's side." You know, I was kind of stunned. And I remember asking -- I was standing, the rest were sitting -- and I said, "Why do you say that?" And they said, "Well, because you know, Jews are dangerous. They can control everything in the world. They're a bad influence." Whatever it was. It was very simple, but very direct. And I think I said, "How do you know that?" something like that. "Do you know Jewish people?" or something like that. He said, "Oh, no," they'd never even seen anybody. And I said, "Well, you know, I'm Jewish." They just looked at me stunned. These were young men that I had talked with there. And they didn't believe it. I said, "Well, don't you know the name? David Cohen? You couldn't have a more Jewish name than that." Well, it meant absolutely nothing to them, because they had no contacts. When I said, "My nose. It's a pug nose. I have a frequent Jewish face, don't I look Jewish?" I didn't, because they had nothing. I guess I didn't have either a mustache or a long, even a long nose, it was a pug nose. I don't know what it was. They didn't believe it.

INT: Did that change your relationship with them in any way?

COHEN: No. No, it didn't. They didn't believe me. I never heard another word about it. We didn't get into any kind of an argument. Now, I think maybe word was spread that I was a lawyer. And I never knew that for sure, but I knew that I seemed to get some kind of preferential treatment by top brass.

INT: But you were in an infantry. Why did you wind up in infantry if you were a lawyer?

COHEN: Well, they said something about being an officer. Originally. And there were two things that to me made that palatable. One, the concept of it. I knew physically I couldn't handle that. Maybe other people didn't know. But I'm scared of heights, and I'm physically very awkward. I'm not scared of heights, say looking out here, but in an airplane, or put me up on the tower, up on the stairs, I'm not comfortable. And secondly, I did not want, I was so imbued with the labor feeling, that I did not want to be in that position. I did not want to be in a boss-like kind of position. I felt more of an affinity with ordinary people. It's something I still share. I don't do well with the upper echelons of anywhere. And the kinship I feel is with other people. And so I rejected it. But during the training, and I said when
you've got strong hands, there were officers there that said, "Well, should we put you down as a possible candidate for officer candidate school?" I knew I could never stand that physical strain. And plus this other feeling.

But word had gotten out, because I know there were times when there was some point, I think it was before we got on the boat, or before when a colonel in charge called in and asked could I help him, he was doing a tax return, and he was having trouble just understanding the word. And he said, "I understand from you background that you're a lawyer. Could you just help me understand what this means?" There were a few questions, and I answered that. And later on, when we went overseas in the beginning, our unit, because with the army snafu we were trained in infantry, when they shipped us, they shipped us to Denver General Hospital, and when we arrived there, the whole unit, they wondered what are we doing there? We were infantry men, they need medical corp people. You know, you're no good to us. But it's going to take a little time, so we'll assign you some duties in the hospital. And then it took seven weeks, six or seven weeks, but by then we were in a medical unit for six or seven weeks. They sent us to Dutch New Guinea, where we built a hospital, and part of the time we were listed as being part of an engineering battalion, and part of the time as a medical battalion. And after we built the hospital, they then treated us as if we were medics. We were the reserves for infantry people who were hurt in combat.

INT: So you were lucky.

COHEN: Well, what I was lucky in was that because when they had to have infantry replacements, the officers always picked the people least useful to them. And with white collar skills, I was probably more useful to them than somebody else, so they would retain me. And I was never sent out. But we would get the first boatload. If it was a different part of New Guinea, they would come by boat to this hospital in Dutch New Guinea. Maybe within hours we'd be called and said, you know, in three or four hours you're getting a boat load, and assignments would be made of replacements.

INT: So did you stay in New Guinea till the end of the war?

COHEN: I stayed for over two years. About two years, it was at the end, we went to Manila before we were shipped back to the States. I even became the head for a short time of American Veterans Committee that was forming. That was supposed to be a progressive labor group. American Legion. And I can't remember how it happened, but again word got out, and a group came to me and said, "We know you've had some experience in the labor movement. You must know how to conduct a meeting." A guy who later became the editor or the publisher of the "New Republic," and I think his name was Harrison, was running to be head of this, and he would be very bad. They said, "We want you to run." And I said, "Well, look, I don't know him, but I don't know how long I'm going to be here in Manila. We may be shipping out." "Well, for whatever time you're here, it looks like you'll be here for the election. We'd like you to be the candidate, because you might have to make a couple
of speeches. If you're elected, you might have to conduct the meeting." And it sounded pretty crazy to me, but I said okay. And I was elected, and I think the day after I was elected I was shipped out, back to the States.

And so word, you know, word gets out, because I guess different people see these files. Maybe it's like that file in Washington. And then I came back.

INT: You came back, and where did you....

COHEN: And married Florence.

INT: You came back to Philadelphia.

COHEN: No, New York. Florence was from New York. We had met in Washington. And during the war we corresponded. I knew her. I had been married to a different girl in Washington, it lasted only a short time. Before I went into the army we got separated. I married in St. Louis. I actually married in Philadelphia, the ceremony when I came home, the wedding. But we by that time had been shipped from Washington to St. Louis. Government agencies were dispersed during World War II. And we were probably dispersed to make more room for other things in Washington. So they told us it was to protect us, you know, from bombs. Everybody was fearful of that. We got married in a week. I wasn't sure what I wanted to do. And so we stayed in New York. I became, I contacted the union. I became the international representative for the same union, which by this time had become part of the Public Workers Union, which was more than federal, federal and state. And which later either merged into, or Public Workers became AFSME. I don't know the history of it.

INT: And how long did you stay?

COHEN: And Florence became the local representative. She had been, I think before I went with the UE, and this may have influenced me. Before I went with a couple of the federal workers, I guess it was, their executive board, Florence had left the agency to be a union organizer for the Electrical Workers Union in New England.

INT: So you were in New York now. You were in the union.

COHEN: Until 1952.

INT: So it was a while then, that you were with them.

COHEN: Yeah. Yeah. From, I don't remember exactly when in '46, but March, April, '46.

INT: And where were you living in New York?
COHEN: Well, we lived in a whole host of places. Hell's Kitchen in Manhattan might have been the first. We had a little apartment in Brooklyn. We wound up in Staten Island in a PHA development. That's where Mark and Dennis were born. Beautiful little spot, a small, two-story unit overlooking the waterfront.

INT: Were you politically involved other than the union?

COHEN: No.

INT: In 1948 did you get involved in the...

COHEN: There was only one election...

INT: The Wallace campaign?

COHEN: Yes. In the Wallace campaign there was a convention in Philadelphia, and I don't remember being there, but I think I may have gone to a meeting -- not as a delegate, I wasn't a delegate -- but I think I went to a meeting. But I know I was in Connie Mack Stadium. That was Henry Wallace, wasn't he the candidate? When he drove in a car, Dennis, my second son, last week we were at a Phillies game. Like Vet Stadium, only it was Connie Mack Stadium, there was a little car driving around with the Phillie Phanatic. I told Dennis I remembered having Henry Wallace riding around Connie Mack Stadium with a little vehicle like that.

I went to that convention, I think just dropped in, we probably visited Philadelphia. What year was that?

INT: '48.

COHEN: '48? Well, I guess Florence and I must have come in to visit my family in Philadelphia.

INT: You said you remained working for the union until 1952, right?

COHEN: Right. And I spent a lot of time... I don't know whether I was in the Pacific, southwest Pacific. I was probably there when Roosevelt died. Truman became President. I remember writing a letter to Florence saying...(interruption)

I became active in the AFL-CIO. There's a name Saul Bowles, who was the head. I never got to know him well, but I was one of the principle delegates. I was the principle delegate in the AFL-CIO in New York from the federal workers part. In New York we were then the Public Workers. We had some affiliation with AFSME. But I think we retained the name "Public Workers," but at some point there was a merger.
INT: From what I know about labor history in the post World War II period, there was a great deal of concern that some of the labor unions were too left-wing. There was red-baiting going on in the labor unions. Were you involved in any of that?

COHEN: More when I got back to Philadelphia. We were in the AFL-CIO, in the Public Workers and in AFSME. I don't know of any red-baiting that involved either the federal workers, public workers, or AFSME. I got involved when I became the attorney for UE here. I'll talk about that. I mainly came in probably because of the red-baiting. We didn't dare, and I don't remember in New York, I think the AFL-CIO was a united union. The only kind of left-wing in New York, I remember once being in, as far as I know, it was my only kind of electoral involvement is, I worked a little bit for Vito Marcantonio in his campaign in which he was running against another progressive guy, John Connelly. But I don't have the feeling that either was red-baiting the other. They were both kind of thought of as left, and for some reason there was strong personal enmity. And I remember being at some meeting, maybe the only meeting with Mark Antonio, in which he said he didn't want Connelly to get a single vote, which was obviously impossible.

Now red-baiting, one thing did come. Abram Flaxer -- it's coming back -- was, when I came back to New York, he was the international president of the United Public Workers, and I think they must have merged while I was in New York with AFSME, because we worked together very closely, but later it seemed to me that we were part of the union, but I think we always retained, it was Local 20 of the United Public Workers of America, and I think we always retained that designation. But I think at some point while in New York it became part of AFSME.

Now Flaxer, when I was in New York, I remember raising money for Flaxer's defense. And I'm just not sure whether it was that the AFL-CIO had filed charges against him. In fact, that might have been the thing that led to the merger with AFSME.

INT: Charges of...

COHEN: Of being Communist-dominated, or Communist-influenced. Abram Flaxer, Mark Antonio was his lawyer. I'm trying to think, was there a criminal case? I don't recollect. Because later in Philadelphia I was one of the attorneys in the Smith Act case, for a member of the executive board of the Communist party, Dave Davis, who was the head of Local 155 UE, which I represented, and one of the unions that brought me to Philadelphia. I'm trying to think of Flaxer. I know Mark Antonio was his lawyer, and maybe there was a court case, but I can't figure out what that was. Or it was an attack, maybe the AFL-CIO may have been moving to expel him, and it may have been in the course of that that a merger was decided. I was never at the top level. It's just part of me. Even today, I don't like to operate at top levels. I like to operate with local leaders. But that's the only thing I know there, directly.

The other place where there was a lot was when... Oh, I was telling you, I think, at one point,
that when Roosevelt died, I remember writing Florence a letter saying how lucky we were that Harry Truman was President, because he was kind of a people's man. And then came the executive order that Truman issued, for federal employees. And I think that occurred while I was still in the army. I have a feeling that it was late in '45, because I was in the army in '46, or very early in '46. How unhappy I was. And when I got to New York in the beginning, a lot of my time was spent in organizing, and I enjoyed that, to help people organize, getting membership groups in different federal agencies.

And then came a flock of charges... I'm trying to think, when did I first... it had to be in New York. And what happened was, because I was a lawyer, and the only lawyer, I began to spend a lot of time in representing members of Local 20 when they got letters from the Federal government charging them with being members in the Communist Party, or being otherwise disloyal.

INT: Were you ever, because of your own involvement with progressive causes, nobody every accused you of...?

COHEN: No, except... well, I'll tell you. (pause) There was a time, I'm not sure which year, in 1948 or '49 I believe it was, while in New York, when I was the international representative for this local union. The House Unamerican Activities, I think it was that committee, conducted hearings in New York.

INT: The House Unamerican Activities Committee conducted hearings in New York and in northern New Jersey during those years.

COHEN: Well, probably a number of places. But in New York they conducted them. And I was subpoenaed toward the end. They were trying to determine the membership of Local 20. And the witnesses were advised by the attorneys to say they knew nothing about membership lists, that when dues were collected, they turned them in to me. And every witness, about a half a dozen that were subpoenaed, gave the same story: none of them knew how many members we had. All they knew was... and that part was true. We had collect dues, collection sheets. They collected the dues of the people in their unit, and they turned them in to me. And I don't know whether that was what caused me to be subpoenaed, or whether I was among those subpoenaed before.

INT: Did you testify?

COHEN: I was called at the very end. I was the last witness, because everybody was doing that. I testified. I'm trying to think who my attorney was. I don't know whether it was (?) There were two attorneys. And much against my will, I wanted to refuse to answer their questions, because I was incensed, and under no circumstances would I give any members' names, but I wanted to plead the First Amendment. And the lawyer said, "You cannot do that. If you do that they're going to hold you in contempt of court, and we will have no
defense, because the courts won't recognize that." And I knew enough about law to know they were right. But I was just incensed at this. And they finally persuaded me, and I took the Fifth Amendment. And they couldn't answer, because we had to protect the union members.

In the charges that they gave, there were charges like this: that while in New York, you circulated petitions to put on the ballot a Peter Caccione -- the name sticks in my mind -- for City Council in New York. He was an open member of the Communist Party, and was running. And I took the Fifth Amendment, and I told the attorneys (laughs), "I'd love to answer." The time was during the time -- they had dates -- was while I was in New Guinea. I had never participated in that action. And they had a whole list of things. They got close only once, when they had, I was in Washington, a member, I think, of "American League for Peace and Democracy." I think there was...(interruption, long pause) Maybe the predecessor called the "American League against War and Fascism." Something like that. I may not have the names right.

INT: No, I think that's right.

COHEN: And this was an accusation, a whole host. And I kept telling the lawyers, "You know, the world is going to think that I'm not answering it. I know you're telling me that I'm not admitting to anything. But the world's going to think..." and I had to say, "Because, you know, I'm very stubborn." And I said, "I would love to say yes to all of these, but the fact is that the answer is no. There has got to be another David Cohen, because none of this..." Well, one of the traits we as lawyers have is we never believe what clients say. So I'm sure they never believed me.

I learned later (laughs) there was a librarian whom I'd never met in the city of New York, whose name was David Cohen. And he was very active in the Teachers Union. And he had been confused totally. Apparently -- I don't know whether it was true as to him -- but all of the things occurred in this time, knew that this was him. But to the world in general...

"The New York Times" had reported my testimony. I took the Fifth Amendment and listed all these various things. And I said to the lawyers, "Can't I even say I was in the army during this time?" They said, "The moment you answer anything, you have to waive the Fifth Amendment." You cannot do that. Lee Pressman, I think, was the other attorney. Nathan Glickman and Lee Pressman.

And so I took the Fifth Amendment. That also appeared here publicly, when I first went into counsel when Tate eliminated the Police Advisory Board, I announced, I think it was the first or second year of my first term, '68, or '69, whenever he did it, I announced that my office, counsel office, would be open for the receipt of complaints with respect to police brutality. (interruption, long pause)
I announced that my office would be open, and that I was going to develop a team of lawyers to represent people who were filing complaints. And that the lawyers would work out a procedure for processing them. Within a day the FOP held a major press conference in the old Bellevue to denounce me, and put forth what they said was an FBI record on me. And I've never seen it, but they announced that they had all of these David Cohens, the librarian. But there may have been some things also apropos me, I don't know.

INT: Let's backtrack a little bit. How did you come, you were born in Philadelphia, you were working in New York City, and you said in 1952 you decided to come back to Philadelphia?

COHEN: Well, I had been, I spent lots of times on these (?) cases. Their legal procedures, though non-lawyers could also, I don't know whether a non-lawyer was permitted to represent me. I don't know. But there's a lawyer's kind of an approach to that. Florence worked closely with me. I don't think she ever represented -- I'm not certain. I think I did the actual representation, but she may have prepared a lot of the witnesses. And it was a preparation -- we studied the charges very carefully, we had them study them. We had the client write out for us the answers they would give to all of the charges. You never had witnesses that appeared against you. The government said they were confidential witnesses. And we worked at it. So that in the last couple of years I was kind of spending a lot of time in what lawyers basically do. I did some organizing. But there were a flood of cases. Because what happened was our record of winning was about 100%. And then what the government did was to change the standard. In the beginning they said, "We have evidence which indicates that you are disloyal. And when you swore under oath it wasn't, and they couldn't find holes in your statements." They reached the conclusion that, you know, the government had failed to meet its burden of proof, so the people were retained on the jobs. So then they came down and said, "Well, we're changing it now." And they lowered the evidentiary level.

Well, on a second thrust, where they changed the standards, some of the people were recharged. Sometimes there were new people. Our level of winning maybe dropped to 95%. We won. The ones that I was working on, we worked very, very hard. And unless they had an absolute case, you know, if they were honest at all, we knew we went. The third time they changed it, they required the defendant to prove that he was loyal, and I never then knew how anybody can prove they were a loyal citizen of the United States. And then we began losing about half of the cases.

And as a result of that, I was beginning to think that maybe -- because it was very hard to organize it, look like, you know, every day we stayed open in an office was a great victory, but we kind of knew that we weren't going to be able to survive. We couldn't get people to join, because too many of them were getting these letters, and they were afraid if they joined they'd get a letter.
About that time I got a call from Jim Matless, who was the secretary of the Electrical Workers. And he said he'd heard things about me, and would I come in, he wanted to talk to me. I did, and he asked me to head up a drive of white collar workers in General Electric nationally. He wanted me to handle that. And I said I was interested in it. I'd like to think about it. We were talking about it. I think we maybe had two meetings. In the course maybe in the second or third...

INT: These people were not organized at that time, or was it a jurisdictional dispute?

COHEN: They were not organized. They were not organized at the time. In my memory. I did not know anything first-hand, but my memory from what he told me was they either had done some preliminary organizing, but they were not a bargaining (?). They had never gotten to that point.

And I was thinking seriously, but I was also tempted that I wanted to go back to Philadelphia. It was now six years. Kind of the worst aspects of the...

INT: Dennis and Mark were already born?

COHEN: Dennis and Mark -- at that time Mark was probably two. Dennis may or may not have been born. Because when we came back, Dennis was only nine months, and Mark was three years old. I wasn't sure, Florence and I were talking. He knew a bit about me from Florence, but he got it from somewhere else. He knew a lot of what I'd done. Maybe he spoke to some of the top officers.

INT: And you came to Philadelphia.

COHEN: In the course -- no, in the course of that second or third discussion, when we were getting really serious, he suddenly discovered, we got to the point where he asked me about my college background. And then he learned I was a Pennsylvania lawyer. When I did that he said, "My God. We desperately need a lawyer in Philadelphia. We're being subject to raids, and the lawyer we have, Saul Waldbaum," -- one of my tragedies, I never got to know him -- "We're having troubles with him. Nothing wrong, he's very god, very loyal guy." Later on, I realized Matless ran into these problems. "He doesn't want to represent us, and we don't really want to represent him. Would you go to Philadelphia, that's your home town, and practice law? Now, we can't put you on the staff, we don't have any real staff, but would you be interested in practicing law? We'll give you a contract for a year, a retainer." I think then $10,000, which was a lot of money in 1952. And I think my eyes lit up. And I didn't say yes, but I went back to Florence. "Florence, you know, I've been talking about that. I think that's what I want to do." For her, it wasn't easy. She was a New Yorker, she felt more comfortable in New York. We talked about it, and in about two or three weeks, maybe a month, we accepted the offer.
I came into Philadelphia, the old Barton Suite, National Bank Building...

INT: You opened up an office by yourself then?

COHEN: I opened up an office all by myself in Pennsylvania.

(END TAPE THREE, SIDE ONE)

(TAPE THREE, SIDE TWO)

INT: Your only client at that time was the union?

COHEN: Local 155. Not UE, Local 155. That was my sole client. It was the machine tooling local, it was called then. Its office was at 1502 Poplar, I remember it very well, because I spent a lot of time there. Its business agent was David Davis. And... sometime in... now my chronology here I am not certain. I may have it wrong. But I know there were House Unamerican Committee hearings here in Philadelphia where I represented teachers. A person by the name of Bella Dodd, who was a national figure, I believe, in the Teachers Union, out of New York, apparently either had been a known Communist, or appeared before an Unamerican Activity Committee and identified herself as a Communist, and as a friendly witness. She was a kind of, there was a woman here who was a great figure -- I can't think of her name -- for many years was thought of as...in the Teachers Union.

INT: Celia Pincus?

COHEN: She had in New York the kind of sentiment I've heard about Celia Pincus here. I had no idea that Celia Pincus ever was a member of the Communist Party. She was kind of progressive, but I think not as left as Bella Dodd. But she had, you know, people kind of worshipped her here as the mother of the union. That's how they felt about Bella Dodd. She was just an historic figure, and I know it sent great shock waves through New York when she appeared as a friendly witness before the Unamerican Activities Committee. And I don't know whether she ever gave names of other people or not. That's vague. But as a result of that, a number of teachers were subpoenaed for hearings here in Philadelphia, and I remember I was one of an informal team of lawyers. I volunteered.

INT: Who were the other lawyers?

COHEN: I don't know anymore. I don't know that anymore.

INT: You don't recall what other lawyers were working with you on that?

COHEN: Harry Levitan. There were a number of them. I don't know. Maybe Gregory Harvey, Henry Sawyer I think, appeared. And the Teachers Union sort of gave us, you know,
are you willing to represent, will you represent so and so, so we didn't know who they were. I represented them.

INT: Did the union pay your fees?

COHEN: We did it.

INT: You did it pro bono.

COHEN: That we did pro bono. There were no fees. I was here in Philadelphia. Then in about 1955 to, it must have been the latter... I'm not sure. In 1955 at some point there was a big labor strike threatening the Westinghouse Plant in , and that was one of the biggest unions, if not the biggest, the second biggest in the whole union internationally. I think they had about 7500 workers, not white collar, blue collar workers, that were beginning to threaten a strike. And I was brought out by the union's national lawyer, who asked me to come. And asked if I would in addition to representing Local 155, whether I would also represent them in the strike. And I did.

And then either later in '55, or '56, came the Smith Act trial here in Philadelphia, where a number of Philadelphians identified by the government as Communists, and maybe they all were known Communists, and Dave Davis, who was the business agent, the top ranking officer of the first union, 155, was indicted. And I became his attorney. And they couldn't get attorneys for everybody else, and I couldn't handle all of them, because I didn't have that kind of experience outside the labor field. And the BAR Association undertook the responsibility of getting attorneys for them. They asked me to be part of their team, and I said, no, I wanted to represent Davis individually. Frankly, I didn't trust them. I didn't know who... Henry Sawyer was one, Joe Lord, who later became a federal judge. Tom McBride, who became a justice of the Supreme Court, as well as Attorney General. He was the lead counsel. Joe Lord was second, Sawyer was third. I said, "I will work with them, I will cooperate with them." But I raised the question and the BAR Association never answered. I said, "I thought it was the duty of lawyers to handle cases? Why is there a need for a BAR sponsorship?" And they said, well, they couldn't get lawyers. The lawyers felt safer. I said, "Well, I couldn't see that." I didn't want to be in a position where I felt I needed anybody to sponsor my representation of anybody. So all throughout I worked as part of the team, but never became part of it officially. I insisted I would personally represent him. Maybe I didn't trust them. I never had occasion to do anything separately for Dave Davis. And the case when on for many months. I also had duties with the union, and so I couldn't be in court every day.

INT: How did

COHEN: Well, the initial thing was that they were convicted by the jury, all of them. And the Circuit Court of Appeals throw out all of the convictions. And nothing ever happened.
They spent a little time in jail, immediately following the conviction, maybe a week or two, till they got bail, and the Third Circuit gave them bail, and then the Third Circuit threw out them. They bribed, a masterful job. Joe Lord became a federal judge not because of that case, but shortly after that case. Bill Green, then the Congressman and the head of the Democratic Party was indicted on bribe-taking charges involving, up in Pennsylvania. He was charged with accepting I think something like a $25,000 to $50,000 bribe. Joe Lord was his counsel. He got acquitted. Joe Lord became a federal judge.

And it was an exciting case. I spent most of my ten months on that strike on Westinghouse. And after that the UE asked me if I would be willing to represent the UE throughout the state in various labor board hearings. And that was the time when the labor board hearings basically were charges of Communist domination. The IUE had been formed by the AFL-CIO. The UE either was expelled or withdrew. I don't know which it was. And I spent several years, from time to time, travelling throughout Pennsylvania. It was just limited to Pennsylvania. Once I went to Washington, before the Unamerican Activities Committee. With Joe McCarthy as chairman. The Republicans were then in control of the Senate. John Kennedy was the Democratic Chairman of the McCarthy Committee. I don't know what they called it. Bobby Kennedy was the counsel. I got a call at my office just across the street, the Market Street National Bank Building, 1 East Penn Square one day. "Dave, the top union guy in Pittsburgh has been subpoenaed to appear before the Senator McCarthy Committee the next morning. Would you go to Washington and represent him?" So off I went to Washington. I spoke to him, now I was a lawyer giving other people advice. So I gave him the advice I had gotten: plead the Fifth Amendment. He said he would not do it. I said, "If you don't do it, you'll go to jail, either for contempt of court or for perjury, because they will have specific statements. You won't see the witnesses." He said, "I am not doing it." I said, "Well, what are you going to do?" He said, "I'm going to deny it, all of their statements are false." I said, "It sounds like bravado to me. After all, it's government; you've got to assume they'll know what they're talking about." He said, "I know exactly what they have." I said, "How could you know that?" He says, "I know who gave them the information." I thought he was out of his mind, really, and he told me what he thought they would have, you know, specifics -- that he subscribed to the "Daily Worker," that he was a member of the Communist Party. He says, "All of it's untrue. The man who gave them the information is my rival in some Polish civic group. I'm the president of it, and he's been trying to oust me for years. He's invented this whole story. I'm an active unionist. I'm not denying that. I fight hard. I fight all the companies federally, but I've never been involved." And I said, "And you're going to tell this to the committee?" And he said, "I absolutely will. I'll answer every question they have."

Again, I went through the warning. I said, "Look, I'd love to believe you, but I have to tell you, that's not been my experience." He said, "It's true." I said, "Then can I tell the committee you're going to cooperate by answering every question?" He said, "Absolutely."

The next morning we go up early. Bobby Kennedy was sitting outside in the hallway,
outside of where the committee office is. I introduced myself, as the counsel for this guy from Pittsburgh, I have no idea what his name was. And introduced myself. He said, "This is going to be a cooperating witness?" I said, "Absolutely." He says, "Fine. Sit there." And we sit there, about a half an hour later he comes to us, he says, "Okay, we're going to go in soon." He says to my client, "When did you first join the Communist Party?" The guy said, "I never did." Bobby Kennedy exploded. Turned to me and said, "I thought you said he was going to cooperate." I said, "I told you he'd cooperate, and he's going to answer every question. He answered that question. You asked him, he answered." He said, "He's lying. He's not cooperating." I said, "He's telling you the truth." He got very angry. He said, "Okay, we'll see." In we went, into the hearing room. McCarthy was the chairman, he was acting as the chairman. He repeated what Bobby Kennedy said. "I understand the witness is going to be a cooperating witness. Is that true, counselor?" I said, "Yes, it is." He says, "Fine." He started the same question. "When did you join the Communist Party?" And the guy said, "I never did." He exploded, and again I said, "He's prepared to answer every question specifically." And the guy said, "And I'll also tell you what the charges are against me, and who made them." And then they got interested. "And who made them?" The guy told them. McCarthy started rummaging through the pages to see whether he could identify the guy.

We were there about an hour. He asked the questions, and he denied every one of them. He never heard of it. He was (?) He was right. He had named the guy. And apparently they found the paper. I can't say they were apologetic, but they...

INT: They backed away at least.

COHEN: For years I hated Bobby Kennedy for that, because to him cooperation meant giving him what he wanted. Later, just in a crazy twist of history, together with a Republican judge, Bob Grady, municipal court -- not Bob Grady, Bill Grady, William Grady -- and I were the two Philadelphia co-chairmen for Bobby Kennedy in his presidential campaign. The night he was killed in California I had left the Philadelphia office. I was already a councilman. It was '68. I left the Philadelphia at 11:00. Went home at about 12:30 at night, heard the story, and that's how it went. So life has it's queer...(laughs)

INT: It's about twenty after five. So let me just ask you one more question, and then we'll quit for tonight, and then pick up.

COHEN: Now is this, am I (?)

INT: No, no, it's prefect. The more the better. When did you decide to enter electoral, because you had been involved in union politics. You had been involved in representing people. But you yourself had to run.

Stevenson was running for President. I sent a letter to the Democratic City Committee here. I located it in the phone book. Said who I am, where I'd lived in Philadelphia, and was a lifelong resident except for my service with the federal government and the army, and the six years I'd spent in New York following the war. Returning to Philadelphia, practicing law. And volunteering to serve on the speaker's committee for . Nothing happened.

INT: You probably didn't hear from them.

COHEN: Never heard a word for about a month. And then one night a knock came on the door. A neighbor of mine whom I had not met, and who was not even a committeeman came in and said, the ward leader wanted me to, ward leader said that a letter had been sent to him that he sent in and he wondered whether instead of going on the Speaker's Bureau for Stevenson, he would like me very much to work with the committee in the division there at home. And those days the party was much stronger. I became the third assistant committeeman. There were two committeeman. The first, assistant, second, I became the third.

INT: What neighborhood was this?

COHEN: Where I live now. Same house. Never moved. And I accepted. I went to the meetings regularly. I worked in polls. As time wore on, a committeeman would leave for one reason or another, and I became a committeeman. I became treasurer of the 49th Ward. Democrat.

INT: What year was this?

COHEN: It was kind of in the mid-fifties, or the end of the fifties. At that time Florence and I were very active locally in the community. We were fighting. (interruption) We were getting active in Ogontz area. Florence was one of the founders of the Ogontz Area Neighbor's Association. We served as voluntary counsels, as I did for many years.

INT: Were you involved in any Jewish organizations?

COHEN: Later on -- not too long after that -- well, probably in the fifties, I became active in both the American Jewish Congress. I'm one of the founders of the Maxwell Rosenthal Chapter. It still exists. I was one of the founders of it. And for three years I served as the chairman of the Logan holiday Boulevard Division.

INT: At the JCRC?

COHEN: Of the JCRC. Well, not Walter Lear, but a Lear was in it. I don't know which. I think the congress came first, and then the JCRC. I was a member for a number of years. Did a little speaking for them. And this was while I was a committeeman.
And then in mid-fifties, the union counsel in New York called me, Musmano, I think he's still alive. And he said, "Dave, we have a number of congressmen who are sponsoring a challenge to the five white Mississippi congressmen who were elected, I think in 1964, were charging that blacks were not permitted to register, and those few that did register were not permitted to vote largely. As part of this, what we'd like, if you're willing to undertake it, we'd like to conduct court hearings in Philadelphia. We'd like you to locate people who at one time lived or worked in Mississippi who had first-hand experience with trying to register to vote and what happened, and then we'd like you to conduct, get a couple of judges who would agree to act as judges. We'd like you to subpoena the Mississippi state officials. We know they won't come, but we'd like to make it as official as possible. Maybe somewhere they will come."

INT: Did you get any judges who were willing to participate?

COHEN: Yeah. I got, one is still alive, Judge Spate. And was there a Wilberman? Something like that. Allman, David Allman. I think he was Jewish.

INT: He was also involved with the JCRC.

COHEN: Was he? David Allman and Spate. Florence located, she did the (laughs) she located God knows where we got them from. I got a group of attorneys: Hardy Williams, about seven or eight attorneys. Harry Levitan was also one of them. I think Greg Harvey was. I was involved with Greg Harvey early, when Genevieve Black was my first political act of independence. When she ran for the United States Senate against Basmato, I was then deep in Jewish activities. And knew enough to know that he was a real bad influence, or seemed to be, maybe not anti-Semitic, but allied with the right. All we knew about Genevieve was she was against Basmato and she was the first woman candidate.

INT: She just died, didn't she?

COHEN: She just died a day or two ago. And in my first electoral act of independence in my division (laughs) Black beat Basmato with something like 135 to 20. I put out my own ballot, the first time I did it. Whatever year was she ran. Greg Harvey was later her lawyer, and I worked with him on her case, in seeking a recount. And I don't remember what happened, but she never got to be Senator. And I remember my ward leader, Murray Schwartz, the guy who was later indicted by Arlen Spector, because he had his wife set up a constable agency, a loan collecting agency, and he heard the cases as a magistrate. But he was into doing that. He was relying on Bellis for legal advice. Schwartz called me and said, "The city committee called me, and they said they knew that there was a mistake. You know, the election is very close" They said the city committee is sure that there was a mistake. Basmato was 150 to 20. And he said if it's the 20th division -- that was the division of the 17 ward. He said, if it's that division, it's Dave's and I can tell you it's absolutely right. David Cohen told me in advance that he was going to support her. He
thought it was important for a woman. And I knew it, he told me in advance. I probably had told him in advance that I was going to do this, that it was very important to me to see a woman running. Very important for Florence. So that was interesting.

And that was in the early fifties, I think before I went to Mississippi. So I conducted those hearings here. We had court reporters. We presented something like 50 or 60 witnesses from all over this region. Florence called the churches, the synagogues, every group we knew. We knew a lot. Florence and I were real leaders in the school integration fight. We led many picket lines throughout Philadelphia seeking integration. At the same time we fought in our own community against whites moving out. Never sure whether it was right. You don't want whites to move back, you're keeping blacks from coming in. But we couldn't (?) And now we're one of the few white families on the block that was originally all white.

But after this thing worked very well, I'd been very unfriendly to Leon Higgenbottom. I've never been able to stomach him, because I tried to get, he was one of the judges.

INT: He wouldn't do it?

COHEN: He wouldn't do it. He was    , you know, as you get older and more tolerant, I say, well, maybe he was new. At that time the chief judge was Judge Clary, a real right-winger. He said to me, because I knew him well on a first-name, "David, I can't do it, unless I get Clary's approval." And I said, "Then I can't do it because you may have to make decisions that Clary would not approve, and I have to know you're making your own decisions, not concerned about how anybody else might feel about it. I just have to be certain that whoever hears this will decide just on what you hear." And I said, "If you need Clary's approval, I can't ask you to sit as a judge."

INT: And he didn't do it, huh?

COHEN: He wouldn't do it. He said he had to do that. I said, "We can work out time, and you can hold it at night. I don't want to interfere. Whatever you want. But one thing I can't do, because Clary may, you know, have an influence on you, even if you don't want to be influenced." He didn't do it, so I'm very quiet when it comes to Higgenbottom. I knew him well, but that was a deep disappointment. I love his statements, but he to me lacked the courage. I don't know whether his opinions did that, too. I knew Scott Green, but I did not know him well enough, nor did I have a high enough regard for him to invite him. Spate and Olden were judges, were judges who had been pretty active in the courts. From court work.

Following that -- this is what led me into politics in a serious vein. Following that, sometime in '64 to '65, there was the one man/one vote decision by the Supreme Court, as a result of which the counsel districts and wards were realigned in Philadelphia. Harry Schwartz, I was in the 49th ward. The ward went both east and west of Broad Street. The ward was divided down Broad Street. Harry Schwartz did east Broad Street. I lived west. Harry
remained a leader of the 49th Ward district before he was later indicted. He came to me and asked me to run for ward leader of the 17th ward. I said, "Harry, you must be out of your mind. I have a very active law practice. I'm very, very busy. I love being a committeeman. I love to be with people. Plus, you know, I only get you in trouble." I reminded him of Genevieve Black. I said, "You know, Florence and I are in front of these schools. You know your white committeemen don't like what I do. I know the black committeemen like what I do, you know, Logan in that area was changing. Why would you want me, you know? I'm only going to create headaches." He said, "Dave, you're one guy, the whites talk to you, the blacks talk to you. The whites don't like what you're doing, but you will sit down and you will talk with them, you do it all the time. And they only have respect for you. They don't like what you do, they hope to convince you not to do it, but they understand what you're doing. I think you ought to do it." I said, "Harry, I can't do it."

And then came these hearings, and then after we finished the hearings in the central court in New York, about a month afterwards, and Harry kept talking to me, and I kept saying no. There came another call from New York. "David, everybody liked the hearings. They think they're wonderful. We're incorporating them for the congressional challenge. We have one more request: will you put together a legal team, go down to Jackson, Mississippi and head the team? Ten days we're asking from you. And these lawyers were all volunteers, to ferret out witnesses. You do not have to have the hearings that you had in Philadelphia."

**INT:** This is to find the...

**COHEN:** "We'll get other lawyers that will come down and take their depositions. You know, the sworn statements like Clinton in the White House. We'll have them. But we need witnesses. But I have to tell you, you're going to be told that you're going to be headquartered out of Jackson, Mississippi. You're going to have to drive every day over 100 miles from the hotel in Jackson to where you're going to take the witnesses in Sunflower County, was it? Easton County. Drive back at night. You'll be in a rented car. You won't stop on the way, because if you stop for gas, the police will know. Immediately it will be reported by the gas attendant, and somebody with a northern voice, and they'll know you're here for no good. So we don't want to hide anything from you. But can you do this? They all want you to do it." I agreed. We put together (laughs) I don't know where we got the lawyers, but we got about like ten lawyers.

**INT:** All from Philadelphia?

**COHEN:** And Delaware County, and the surrounding areas. A few from Philadelphia. And we went to Mississippi. This was in the summer of '65. And in Mississippi what I found is that in '64 Florence and I had gone to the convention in Atlantic City. On the boardwalk, down near the city, Atlantic City Convention Center, a group of blacks in the area where it suddenly becomes big and wide, and there's sort of a semi-circle, a group of Democrats, black Democrats from Mississippi. Democrats who were not committed in the convention.
You know, and we saw them on the outside, we were kind of with them, but we just had tickets from Harry Schwartz for the convention as bystanders, I think for one night. But they said, "We want you to go down to Mississippi in '65." We went down there, and these Mississippi Democrats, I would say to them, "Why are you fighting to be in the Democratic Party? It seems to me it would make sense to have your own party, you could run it." And they said, "The Democratic Party is supposed to be (laughs). By God, we're going to make it that. We don't want our own party. We want a party in which we're part of. We don't believe in a black party." This was even then.

And I came back from Mississippi after a ten day experience. I had my law partner, a Morton Jacobs with me. He only went because he didn't trust me. He thought I'd do something heroic. You know, and not survive. And after the ten days, I told Florence, (crying) -- it's still very emotional. After thirty-two years ago. A very emotional period in my life. I said, "How can I not accept the ward leadership of the Democratic Party here? It will interfere with the law practice, but we don't need a lot of money to live, we live simply. You manage to earn enough to send the kids off to school. That's the nature of the law profession. I can't help but earn enough for that. But we don't need." (Crying) Isn't that funny? It's the one thing that causes tears when I think about it, always. "How can we say no, when they're ready to give up their lives?"

So I accepted it. I had a big fight in the party. Because the top brass in Philadelphia did not want me to do all these activities that we just talked about. Frank Smith was then the party chairman. I worked with my committeemen. About 80% of them signed a petition asking that I be named as the interim ward leader of the existing -- not new ones electing to support me -- of the existing committee people. Many of them, they had years rights. Because at that time the ward was still sort of half white and half black. Maybe even more white than black at that point. The city committee void it, I filed a lawsuit. Joe Gold was the judge. You wouldn't remember because this was some years ago. He was a former counsel for the city committee. Greg Harvey was my lawyer. We got an injunction against the city committee. They had contested my election. We had gone through an official election. Another time, I'll describe that, which was interesting. But Judge Gold ruled in my favor. Within a week the pressure was such that he reversed himself in writing, and I then filed an appeal with the Pennsylvania Supreme Court.

INT: This was just to become the ward leader, you had to file a petition to the State Supreme Court?

COHEN: The Supreme Court, and we filed the papers, and in August, with a November election coming up, I don't know whether it was for Governor or Senate or something, I don't remember, '66. I don't know what the election was. I got a call from the city committee saying, "Will you agree to another election?" I said, "How soon?" There had been a lot of newspaper stories then. I said, "How soon?" They said, "When do you want it?" I said, "No more than two days from now," because I didn't trust them. That they could frighten people
to death. They said, "Okay." "Where?" They said, "Where, we have to have it in the ward downtown." I said, "Bellevue Strafford?" They said, "Yes." I said, "Two days from today?" They said, "Yes." I said, "There will be representatives of the city committee to conduct it?" They said, "Yes." "It will be secret ballot?" They said, "Well, we have an open ballot." I said, "But the members voted for secret ballots, because at the meeting that they threw out." They said, "Okay, we'll have a secret ballot. We'll have tellers from both sides." I agreed to it. We held the election in two days. They felt apparently their time was gone, and they learned how much support I had. And I won -- at that time there were 48 committeemen -- 41-7. Two of the votes was the old ward leader, but it was replacing him and his wife. And there were five others.

INT: And that's how you became the ward leader.

COHEN: And that's how I became the ward leader. Izzy Galus was the councilman as a result of that one man/one vote, and that switch down Broad Street, it created a vacancy in the district the next year. Bellus became the Ninth District, because he lived east of Broad Street, and there was a vacancy for the Eighth District. Now I had been through this big fight, you know, and the stakes were now again high. We decided to run. And I ran. The party was dead-set against me.

INT: Was there primary opposition?

COHEN: Yeah. And this party nominated Judge John Geiss. He was not a judge, he was the ward leader of the Germantown ward. And Joe Coleman was an opponent, and a lawyer by the name of Paul Cohen, the same last name. So the four of us. We organized on a community basis. Two weeks before the election they saw we had John Geiss beat. So the party then designated Joe Coleman as the official candidate, and actually he was the official candidate. And I won by about 300 votes over Geiss. Joe came in third, Paul Cohen came in fourth. I had a terrible ballot position. Like I had this last year in the primary: I was at the very bottom, it was very hard to find me. But I won by about 300, in a divided race. And then four years later I supported Coleman, because I had to resign. Three years later I resigned to run for mayor. But that's how I got the one man/one vote bind with this experience in Mississippi. They both came together at kind of the same time.

But Mississippi you never forget. It's the one place -- I never felt as safe in life, and I think in these days, you know, with crime, because I have to go into all kinds of areas -- never felt as safe as when I was in Sunflower County in an all-black town. And you know, we arrived there, we'd have a good breakfast in the morning, and we'd drive straight through in a rented car. We were wearing hats, because we were told that the police would stop us as soon as we say a word, they'll recognize us as northerners, and conk us over the head, because they'll know we're outsiders. Because those were pretty sharp days then. And you never felt as safe as you did in that community. And we went around, we got loads of witnesses, you know,
prepared to testify, took names, took notes. And the lawyers fanned out in the same area. We all worked different parts of Sunflower. That was Senator Eastman's home county. And that's why it was picked. And I don't remember the name of the town. But that's what got me ... I never had intended to be. I loved being a committeeman. Because you know, ward was sort of too much for me. But you now, I had no desire. I was so delighted after I got over the mayoral thing, I've been so happy that I was never elected mayor.

INT: (Laughs)

COHEN: Because you know, you're really not free to do what you want to do, because the demands of running a city.

INT: Sure. Look, I will...

COHEN: So I'm sorry that I took you so long.

INT: No, no, no! Not at all! The more information that... Thank you.

(END TAPE THREE, SIDE TWO)