

The Consumers' League of New Jersey:
Major Campaigns and Activism of the Twentieth Century
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Progressive America was a period when social reform organizations sprang up in response to a wide range of societal problems. Among the many issues facing reformers was the issue of labor laws, specifically for women and children. The rapid industrialization of America led to unprecedented problems which were only rectified when citizens formed organizations working towards common goals. Ultimately, the reform organizations of the progressive era led to better working conditions and equality for women. While much attention has been paid to the National Consumers' League (NCL), the unique strategies and crucibles of the state branches have been largely ignored. With this in mind, this research will focus primarily on the archives concerning the activities of the Consumers' League of New Jersey, hereafter referred to as the CLNJ, during the twentieth century. This paper will show the legislative campaigns, prominent leaders, and strategies of the CLNJ. How did the CLNJ use the ideology of the NCL and still function as a separate and distinct entity? What was the impact of the CLNJ on legislation in New Jersey?

This research will build on a number of secondary sources, such as Alan Dawley's *Changing the World: American Progressives in War and Revolution*. Dawley provides a concise examination of the American Progressive movement from 1900 until 1930. He analyzes the changing patterns of society and shows how reform movements arose in response. Similarly, Steven Diner's *A Very Different Age: Americans of the Progressive Era* deals with the same time period, but divides chapters into social groups such as immigrants, women, industrial workers, white-collar workers, African-Americans, and busi-

ness operators.¹ In *American Women in the Progressive Era: 1900-1920*, Carl and Dorothy Schneider provide a description of women-centered campaigns such as suffrage, women's labor, and the search for equality.² Cecilia Tichi's *Civic Passions: Seven who Launched Progressive America (and what they Teach us)* provides a detailed focus on seven particularly influential people, including Florence Kelley, leader of the NCL from 1898 until 1932. Since Kelley was such a large part of the NCL, her personal papers and statements are useful primary source documents to include in any analysis of the CLNJ.

The literature on the CLNJ is by no means expansive. Joan Burstyn's *Past and Promise: Lives of New Jersey Women* chronicles the lives of hundreds of women who have influenced the history of New Jersey. While not specifically about the CLNJ, the organization appears throughout the book, notably in the section on Katherine Wiley, former executive secretary and director of the CLNJ. Wiley was also responsible for the campaign to receive compensation for the women who suffered from radium poisoning while working at the U.S. Radium Corporation in Orange, NJ. Furthermore, Claudia Clark's *Radium Girls, Women and Industrial Health Reform 1910-1935* provides a chronicle of the effect the acknowledgement of radium poisoning had on industrial health reform in New Jersey and the United States as a whole. Ross Mullner's *Deadly Glow: The Radium Dial Worker Tragedy* tells the story with a greater focus on the medical effects of radium, detailing the story of New Jersey physician Harrison S. Martland, who carried out the clinical investigations of dial painters that led to the labeling of their symptoms as radium poisoning.³

Background

On March 29, 1937, the U.S. Supreme Court announced its ruling in the case of *West Coast Hotel v. Parrish*. In this landmark ruling,

the question of the scope of authority of the federal versus the state government in regulating labor affairs would finally be addressed. Many scholars point to this decision as the moment when the welfare state was established. The background of this case began in 1933, when a woman named Elsie Lee (whose married name would soon be Parrish) began working as a chamber maid for the Cascadian Hotel in Wenatchee, Washington. In 1935, she was fired from the hotel. She filed a lawsuit against the owner of the hotel, the West Coast Hotel Company, shortly thereafter. Her complaint was that the hotel owed her back pay because they had failed to comply with a Washington state law regulating minimum wage for women. At the trial, Parrish testified, "I had in mind that I should be paid—should have been paid—the state wage and that it would be paid. I took what they gave me because I needed the work so bad and I figured they would pay what was right."⁴

The Supreme Court ruled that the state could impose minimum wage laws on private employers without violating the U.S. Constitution. Particularly, the ruling stated, "The State has a special interest in protecting women against employment contracts which through poor working conditions, long hours or scant wages may leave them inadequately supported and undermine their health."⁵ By placing the responsibility to regulate and enforce laws that protected workers' rights in the hands of the state, this case laid the groundwork for the effectiveness of state reform organizations such as the CLNJ. This ruling acknowledged, "State legislatures and Congress should be permitted to protect workers against greedy and unscrupulous employers."⁶ The door was now open for state regulations on protective labor legislation for women.

This background led to a more favorable climate for reform in women's rights as workers. It is not surprising that the National Consumers' League, founded in 1899, would lead the charge for la-

bor standards and regulation enforcement. Importantly, “Their influence on litigation was a new phenomenon in U.S. legal circles; even though previous organizations of reformers (in particular abolitionists) had sought to influence public policy, they had not launched systematic campaigns in the courts.”⁷ The CLNJ would take this victory and use it to change New Jersey policies.

The Influence of the National Consumers’ League

Florence Kelley served as the General Secretary of the National Consumers’ League from 1898 until the time of her death in 1932. Her strategies for legislative campaigning and focus on statistics gathering provided the foundation for the success of the organization and its many state branches. Kelley understood clearly that public opinion was a great weapon and thus focused on educating the masses on issues such as the permanent damage of child labor, the anti-immigrant fervor, the necessity of fair labor practices, and the importance of leisure time.⁸ Her famous statement, “To live means to buy, to buy means to have power, to have power means to have responsibility,” was the creed that all members of the organization strived to adhere to.⁹

Throughout Kelley’s public speaking engagements, she would often state that, “There is one evil spirit, one figure which serves to symbolize the statistics of industrial injuries to working people—the symbolic figure of Greed.”¹⁰ Kelley’s answer to this rampant greed was to educate the public about the responsibilities of the consumer. She stated, “That the responsibility for some of the worst evils from which producers suffer rests with the consumers who seek the cheapest markets, regardless how cheapness is brought about.”¹¹ This focus on the strength of the members of the NCL was used to launch many successful campaigns.

An examination of the archives of the CLNJ clearly shows that

the leaders of the state branch also recognized this power. For instance, in a letter to the editor of the *New York Times*, Anna Rochester, Stella G.S. Perry, and Alice Jaynes of the CLNJ wrote in support of the ten hour cap on the workday for women and girls. Calling for the support of all citizens, they pleaded, “Is a ten-hour day too short for our young girls and women? Do our citizens really believe that after working from 7a.m. to 6 p.m. women should have no time for home life, no time for their families- husbands, parents, and children - no time for rest or pleasure, no time for self-improvement?”¹² Significantly, Kelley worked closely with Katherine Wiley, director of the CLNJ. These two women would share many of the same ideologies and reform strategies throughout their time as leaders.

The NCL shaped the foundation for the CLNJ in various ways. Kelley stated that, “The prime responsibility of the consuming public is its own ignorance.... The principal task of the League is, therefore, to enlighten men and women who are eager to do right if they can but know what right is.”¹³ As a branch of the NCL, the CLNJ shared this ideology. However, the state branches faced their own unique challenges because every state had different regulations and laws and thus required unique approaches to reform. Kelley herself encountered this problem, especially in regards to her quest for a uniform child labor amendment to establish age limits and school attendance policies. In a commentary for the *Congressional Digest* in 1923, Kelley wrote, “There is not equal protection of the law even within a State like New York, because enforcement is different in different parts of the State and different in different industries.”¹⁴

The CLNJ was founded by Juliet Clannon Cushing on March 1, 1900. It is worth mentioning that credit for the formation of the New Jersey branch is sometimes given to Cornelia Foster Bradford,

who held several meetings where she explained the need for a Consumers' League in New Jersey. Cushing served as president of the CLNJ for the first thirty years of its existence. She described the reason for the organization as "... to teach us to want right things, rightly made."¹⁵ Among the many campaigns the CLNJ was involved with during its early years was the quest for a bill limiting child labor and regulating school attendance. To further this effort, the CLNJ created the New Jersey Child Labor Committee in 1904. In 1911, the CLNJ successfully campaigned for a bill that required seats for employees in retail stores and less than a full day of work on Saturdays. In 1912, the CLNJ supported Senator Walter Edge's "Ten Hour Law" which placed a limit on the workday of women throughout the state.¹⁶

The New Jersey Workforce

The population of New Jersey was 3,155,900 in 1920. Largely due to its close proximity to New York City and Philadelphia, the Garden State became a natural settling point for many immigrants coming to the United States. New Jersey's industrial economy offered a diverse and expansive job market. Because of the state's advanced system of railroads, many workers commuted to the large cities for jobs. With this unique atmosphere, women and young girls came to comprise a significant portion of laborers in the early part of the twentieth century. Women performed jobs such as farm laborers, retail workers, garment makers, pottery decorators, secretaries, clerks, telephone operators, and many others.¹⁷

New Jersey hosted many women's clubs and reform organizations in the late nineteenth century. The first such club was the Women's Club of Orange, which formed in 1871. The number of clubs in New Jersey led Susan B. Anthony to remark, "New Jersey has so many associations of women that they have acted as a bar

against the formation of suffragist clubs, women feeling that they had already too many meetings to attend.”¹⁸ While this comment was not meant to disparage the existing clubs, it served as a testament to the sheer amount of social activity New Jersey women were engaging in at the time. This setting led to a climate of activism that would prove important for the growth and influence of the CLNJ.

The Case of the Radium Girls

In 1917, Katherine Schaub and her cousin Irene Rudolph were given jobs as watch dial painters at the U.S. Radium Corporation in Orange, NJ. Schaub was born in Newark, NJ on March 10, 1902. She and her cousin were among 200 young ladies employed at the U.S. Radium Corporation. Their main job was to hand paint numbers on the faces of watches. The radium added to the paint would make the dials glow. A fast worker could earn twenty dollars per week. Schaub and Rudolph worked as dial painters from 1917 to 1919. By 1920, work had become inconsistent. After attempting to stay despite the lost hours, the girls finally left the factory in 1921. In the same year that they left the factory, Rudolph became seriously ill with problems of the jaw and face. Her sickness progressed rapidly and she died approximately one year and a half later. Schaub began to have health problems around November of 1923.¹⁹ As with Rudolph, her trouble began with her teeth and jaw. She wrote, “I kept thinking about Irene and all the trouble she had with her jaw.”²⁰

Schaub began to meet with other girls who were also having health problems and suspected that the glowing paint had something to do with their conditions. Schaub contacted New Jersey’s Health and Labor Department with her concerns. Unfortunately, the state offered little help, finding no dangerous compounds in the paint and giving the U.S. Radium Corporation permission to continue their operations. It seemed that the victims of the radium paint

would not receive any help. Finally, in 1924, the CLNJ, under the direction of executive secretary Katherine Wiley, began advocating for the victims. After interviewing Schaub, Wiley was convinced that the paint had caused her illness. Schaub would eventually testify in trial that, “I instructed them to have a very good point on the brush... . I instructed them to put the brush in their mouth to get the best point on it.”²¹

The quest for compensation would not be an easy one, for New Jersey had a very specific list of industrial poisonings covered under worker’s compensation. Radium poisoning did not fall under any such category. The CLNJ helped secure legal representation for the victims. Raymond Berry of Newark, NJ accepted the case. The CLNJ also unearthed evidence of a cover-up by the U.S. Radium Corporation. In 1925, Schaub had been examined by Dr. Frederick Flinn, who had reported that her illness was not related to radium. After an investigation, the CLNJ found that Dr. Flinn was in fact employed by U.S. Radium. The media picked up the story and added to the pressure to settle. The *Newark Ledger* reported, “Fryer and the others bravely tried to keep smiling, but friends and spectators in the courtroom wept. Edna Hussman told the court about the financial troubles the medical bills were causing: ‘I cannot even keep my little home, our bungalow. I know I will not live much longer, for now I cannot sleep at night for the pains.’”²²

Several other early deaths led to more suspicion. For instance, Amelia Maggia, a former dial painter and sister of two of the plaintiffs in the case against the U.S. Radium Corporation (McDonald and Larice) died in 1922. While the cause of death was originally listed as syphilis, Maggia’s dentist, Joseph P. Knep remained suspicious. Knep had removed Maggia’s decayed jawbone months before her death and suspected that she suffered from some sort of occupational disease. When Knep asked representatives at the U.S. Radi-

um Corporation for the chemical formula of the glowing paint, they refused. Increasingly convinced that foul play was involved in the deaths, Knep continued to see patients complaining of similar jaw and teeth problems. Upon the request of Knep, the two remaining Maggia sisters, and Raymond Berry, Amelia's body was exhumed and found to be highly radioactive.

The networks of influence within the CLNJ put considerable pressure to settle the lawsuit. In April of 1925, Alice Hamilton, a prominent leader of Hull House, wrote to Katherine R. Drinker, who along with her husband Cecil was also investigating the U.S. Radium Corporation. Hamilton urged,

... Mr. Roeder is not giving you and Dr. Drinker a very square deal. I had heard before that he tells everyone he is absolutely safe because he has a report from you exonerating him from any possible responsibility in the illness of the girls, but now it looks as if he has gone still farther... [The New Jersey Department of Labor] has a copy of your report and it shows that 'every girl is in perfect condition.' Do you suppose Roeder could do such a thing as to issue a forged report in your name?²³

Hamilton was determined to uncover any unethical statements regarding the investigation. She continued to put pressure on the people involved in all aspects of the case.

Even Marie Curie, who with her husband Pierre had discovered radium, was contacted about the New Jersey cases. Curie responded, "I would be only too happy to give any aid that I could, however, there is absolutely no means of destroying the substance once it enters the human body."²⁴ The CLNJ was instrumental in gaining an out-of-court settlement for Schaub and four other women (Edna Hussman, Quinta McDonald, Albina Larice, and Grace Fryer). They each received \$10,000 and \$600 per year as long as they suf-

ferred from the effects of radium poisoning. They also received full payment of any medical fees incurred. Schaub succumbed to her illness on February 18, 1933, at the age of 31.²⁵

The Archives of the CLNJ: Other Significant Campaigns

In the early part of the twentieth century, child labor was common and consumers and workers had few rights. The archives of the CLNJ revealed campaigns well ahead of their time in the search for social justice. Among the League's earliest victories were the Factory Act establishing the State Department of Labor in 1904, the Law Requiring Seats for Women in Commercial Employment in 1909, and the Law Regulating Hours for Minors in Messenger Service in 1911. The next campaigns brought the following successes: the Hour Laws for Women in 1912, the Child Labor Law of 1914, the Compulsory Education Law (children under 16) of 1914, the Law Requiring Age and Schooling Certificates for Child Workers of 1914, and the Law Limiting Night Work for Women in 1923.

Much of the reference material available for the early campaigns of the CLNJ can be found in letters appealing to members of the organization. For instance, Susanna Peirce Zwemer, who served as president of the CLNJ for fifteen years (from 1940 to 1947 and then from 1963 to 1971) wrote a great deal of correspondence about labor legislation and wage reform.²⁶ In a letter to a Miss Stevenson on January 28, 1941, she wrote, "They saw the steady growth of night work for women, the longer hours, the expansion of industrial homework at starvation wages, and from that experience came a demand for much of the legislation the League has sponsored."²⁷ Zwemer made clear the fact that the campaigns of the CLNJ have been in response to the appearance and promulgation of injustices. The regulation of night work and industrial homework were championed by members of the NCL and the CLNJ alike.

In 1900, factories were dangerous places where men, women, and children labored for long hours without any protection against injury or financial compensation in the event of an accident. Many endured a seven-day workweek. While appealing to a sense of social morality, Zwemer also spoke to the sensibilities of business owners. In an address to members of the CLNJ on December 29, 1941, she wrote, “Faced with continued threats to hard-won labor standards, we in the Consumers’ League have stressed the need for careful planning to secure the greatest efficiency of production. We have reiterated our belief that a tired worker is like a broken down machine- neither produces enough.”²⁸ Among the many trials faced by Zwemer in her time as League president, was the inadequacy of health and injury protection in New Jersey. She repeatedly spoke about the need for cooperation among government departments. She wrote, “No adequate health protection exists for one half the workers in New Jersey and those in the small plants. The Labor Department has no money for the prevention of industrial diseases; the Health Department is helping some of the plants from the funds, but there is no cooperation between the two departments.”²⁹

The years of World War II brought a shift in focus for the CLNJ. As Zwemer stated, “Now that we are in the war, new and greater risks lie ahead.”³⁰ Among the problems facing the CLNJ was the growth of the defense industry. The main issue affecting the League was that many of the hard-won legislation were now being threatened because of the focus on war production. In the war years, many standards put in place to protect workers, including women and minors, were being ignored. The focus of much League activity was now how to keep a check on these labor standards. To this effect, the CLNJ published a newsletter in October of 1945 which expressly declared that any discrimination against New Jersey citizens because of “. . . race, color, creed, national origin, or ances-

try, are a matter of concern for the government of the state, and that such discrimination threatens not only the rights and proper privileges of the inhabitants of the states but menaces the institutions and foundation of a free democratic state.”³¹

The CLNJ was also adamant about protecting New Jersey’s children. In a letter from Vice-President Mary Dyckman on July 17, 1940, she wrote, “... The new child labor and school attendance laws have both been passed and go into effect in September... Some few amendments were added, but the laws do what we wanted most, which was to assure all New Jersey children minimal educational opportunities similar to those in other states, together with effective protection against injurious child labor.” It is evident that state legislation was often the first defense against unfair labor practices.

Conclusion

The CLNJ was founded in an era when the legislative protections against discriminatory employment practices and unsafe conditions we enjoy today were non-existent. The CLNJ’s original goals of food regulations, healthy working environments, regulations on child labor, minimum wage laws, and union policies were not realized until thirty-five years after its creation. The social campaigns of the CLNJ have resulted in major advantages for the workers of New Jersey. Among the many legislative victories of the CLNJ were laws regulating industrial homework, school attendance regulations, minimum wages, maximum work hours per day, protections against health hazards at work, and child labor laws.

One of the most noteworthy campaigns the CLNJ was involved with was the case against the U.S. Radium Corporation. The compensation received by the victims, with the help of advocates at the CLNJ, was a significant step in stopping the exploitation of industrial workers. The radium girls helped to secure regulations on radium

and industrial responsibility to provide a safe environment for workers. After hearing about the cases of radium poisoning in New Jersey, Florence Kelley launched her own campaign to investigate factories using radium in other states such as Pennsylvania and Illinois. In a meeting held in New York, Kelley, Alice Hamilton, and lawyer Raymond Berry discussed a conference on universal standards for industries using radium. The conference was supported by many prominent public figures, including Eleanor Roosevelt. On December 20, 1928, the conference set up two committees; one to investigate existing conditions within these factories and the second to recommend practices for the protection of employees. James P. Leake, an official of the Public Health Service, said, "By focusing public attention on some of these horrible examples, the broader problems of disease prevention... can be greatly reduced. It was so in the tetraethyl lead work. The martyrdom of a few may save many."³²

The CLNJ used the networks of influence available by virtue of New Jersey's unique activist community. The sheer volume of social reform organizations existing in New Jersey during the twentieth century spurred legislative changes that branches in other states later attempted to replicate. The leadership of the CLNJ worked closely with the NCL, notably Florence Kelley, to change the face of labor laws and industrial regulations. The records of the CLNJ show an undeterred commitment to achieving a better quality of life for the citizens of New Jersey.

Notes

¹ Steven J. Diner, *A Very Different Age: Americans of the Progressive Era* (New York: Hill and Wang, 1998), 5.

² Carl and Dorothy Schneider, *American Women in the Progressive Era: 1900-1920* (New York: Anchor Books, 1993), 10.

³ Ross Mullner, *Deadly Glow: The Radium Dial Worker Tragedy*, (Washington: American Public Health Association, 1999), 15.

⁴ Julie Novkov, *Constituting Workers, Protecting Women: Gender, Law, and Labor in the Progressive Era and New Deal Years*, (Ann Arbor, MI: University of Michigan Press, 2001), 3.

⁵ *West Coast Hotel v. Parrish*, U.S. Supreme Court, 300 U.S. 379 (S.C. 1937), Cornell University Law School.

⁶ Novkov, 6.

⁷ *Ibid.*, 80.

⁸ Cecelia Tichi, *Civic Passions: Seven who Launched Progressive America (and what they Teach us)* (North Carolina: Chapel Hill, 2009), 152.

⁹ Florence Kelley, "Women in Trade Unions," *Schlesinger Library on the History of Women in America* (1906): <http://nrs.harvard.edu/null?n=3> (accessed June 14, 2012).

¹⁰ Florence Kelley, "Our Lack of Statistics," *Annals of the American Academy of Political and Social Science* 38 (1911): 96.

¹¹ Florence Kelley, "Work of the National Consumers' League," *American Academy of Political and Social Science* 25 (1905): 7.

¹² Alice Jaynes, Stella G. S. Perry, and Anna Rochester, "New Jersey Women's Ten-Hour Bill," *New York Times*, February 9, 1912.

¹³ Florence Kelley, "The Responsibility of the Consumer," *American Academy of Political and Social Science* 32 (1908): 108.

¹⁴ Florence Kelley, "National and State Views of the Child Labor Amendment: Pro," *Congressional Digest* 2, no. 5 (1923): 140.

¹⁵ Joan N. Burstyn, ed., *Past and Promise: The Lives of New Jersey Women*, (Metuchen, NJ: The Scarecrow Press Inc. 1990), 120.

¹⁶ Susanna P. Zwemer to Stevenson, January 28, 1941, box 7, folder 1, New Jersey Consumers' League Papers, Rutgers University-New Brunswick, New Jersey, Special Collections Department.

¹⁷ Burstyn, 96.

¹⁸ Susan B. Anthony and Ida Husted Harper, *History of Woman Suffrage: Volume 4, 1883-1900*, (New York: Fowler and Wells, 1902), 25.

¹⁹ Burstyn, 392.

²⁰ Katherine Schaub, "Radium," *Survey Graphic* 68 (1932): 138.

²¹ Burstyn, 393.

²² "5 Women Smile, Fearing Death, in Radium Case" *Newark Ledger*, January 12, 1928.

²³ Alice Hamilton to Cecil Drinker, April 4, 1925, Records of the National Consumers League, Raymond H. Berry files, Manuscript Division, Library of Congress, Washington, D.C.

²⁴ Ethelda Bedford, "Radium Victims too Ill to Attend Court Tomorrow," *Newark Ledger*, May 17, 1928.

²⁵ Burstyn, 394.

²⁶ *Ibid.*, 438.

²⁷ Zwemer, December 29, 1941, box 7, folder 1, New Jersey Consumers' League Papers.

²⁸ *Ibid.*

²⁹ *Ibid.*

³⁰ *Ibid.*

³¹ Mary Dyckman, October, 1945, box 7, folder 16, New Jersey Consumers' League Papers.

³² Josephine Clara Goldmark, *Impatient Crusader: Florence Kelley's Life Story*, (Urbana: University of Illinois Press, 1953), 203.

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