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# Trust in Perpetuity: Legacies of Charity in a Storied Company Town

Kurie, Peter

Princeton, NJ : Princeton University

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**TRUST IN PERPETUITY:  
LEGACIES OF CHARITY IN A STORIED COMPANY TOWN**

**Peter Demoor Kurie**

**A DISSERTATION  
PRESENTED TO THE FACULTY  
OF PRINCETON UNIVERSITY  
IN CANDIDACY FOR THE DEGREE  
OF DOCTOR OF PHILOSOPHY**

**RECOMMENDED FOR ACCEPTANCE  
BY THE DEPARTMENT OF ANTHROPOLOGY**

**Advisers: James A. Boon  
Carol J. Greenhouse**

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## Abstract

This dissertation is based on one year of intensive ethnographic research across the core institutions of Hershey, Pennsylvania: a model industrial community, a chocolate company, a school for disadvantaged children, and an amusement park. My fieldwork with town residents, company employees, school administrators, alumni, and tourists explores the contested legacies of the Hershey Trust—heir to the Hershey chocolate fortune. I interpret the Trust as a forerunner of corporate philanthropy and discover emergent critiques of charity among ordinary Americans.

The Hershey Trust is an outlier among U.S. charities. A de facto “industrial foundation,” it has held controlling interest in the Hershey Company for nearly one hundred years—making its beneficiary the wealthiest school of its kind in the country, with an estimated \$8 billion endowment. This special fiduciary arrangement is the technical crux of the “Hershey Story,” a modern American legend celebrating the link between doing good and consuming goods. Stakeholders in Hershey’s institutions complicate the legend, subjecting the Trust to a kaleidoscopic array of ethical and practical judgments.

My ethnography charts the Trust’s legacies through semi-structured interviews focused on life stories in and around the company town; participant-observation in public events such as church sermons, school assemblies and leisure activities; close readings of journalistic accounts, court documents, broadcast media and advertising; and archival research in the company, school, and local township. It highlights knowledge and experience of Hershey’s institutions across diverse contexts: personal and institutional memory, local history, religious life, schooling and recreation, regional political economy, state law, corporate finance and marketing, political activism, and popular culture.

My principal finding is that the Trust plays a deeply paradoxical role: it is both facilitator and disruptor of everyday social and moral relations. Participants in the community, company, and school grapple with it as object of desire and agent of interference. Analyzing the ambivalent values of charity in the company town, I clarify the claims publics make—or abstain from making—on private foundations and corporations. A contribution to critical and public ethnography, the dissertation raises questions about the democratic implications of the big business of doing good.

## Table of Contents

|                                                                                   |             |
|-----------------------------------------------------------------------------------|-------------|
| <b>Abstract.....</b>                                                              | <b>iii</b>  |
| <b>Acknowledgements.....</b>                                                      | <b>vi</b>   |
| <b>Guide to dramatis personae, significant dates, and principal products.....</b> | <b>viii</b> |
| <b>Introduction: Fieldwork between community and property.....</b>                | <b>1</b>    |
| Precedent for a community study of Hershey: a selective genealogy                 | 4           |
| Emergent challenges to a community study of Hershey                               | 16          |
| The question of Hershey’s “substance”                                             | 22          |
| <b>Chapter I: Probing Trust.....</b>                                              | <b>29</b>   |
| Seminal inquiry                                                                   | 34          |
| A matter of trust                                                                 | 37          |
| Meeting Sharon in Hershey and talking trust                                       | 43          |
| Dessert at Sharon’s with the “Hilary Girls”                                       | 47          |
| Hersheyites recollect “Derail the Sale,” 2002                                     | 52          |
| The socio-legal aftermath of 2002                                                 | 58          |
| Hershey Trust v. Hershey Trust                                                    | 62          |
| Who makes claims to trust?                                                        | 64          |
| <b>Chapter II: Localizing Trust.....</b>                                          | <b>68</b>   |
| Hershey-before-Hershey                                                            | 72          |
| “The goose that lays the golden egg”                                              | 74          |
| “The Hershey Entertainment Industrial Complex”                                    | 80          |
| From love and family to fantasy: Narrating the conversion                         | 84          |
| The arrival of public university medicine                                         | 92          |
| “We’ll never be original:” talking ‘new’ Hershey                                  | 99          |
| ‘New’ feuds with ‘old’                                                            | 102         |
| <b>Chapter III: Domesticating Trust.....</b>                                      | <b>110</b>  |
| Sunday morning at Founder’s Hall                                                  | 115         |
| The Deed of Trust                                                                 | 121         |
| The private charity’s public face                                                 | 125         |
| “Tough love:” The Spartan System                                                  | 128         |
| Inside a Milton Hershey home                                                      | 131         |
| The search for “sticks”                                                           | 137         |
| The student body                                                                  | 141         |
| Social orphanhood                                                                 | 145         |
| The discourse of the “old days”                                                   | 150         |
| The drama of alumni relations                                                     | 156         |

|                                                               |            |
|---------------------------------------------------------------|------------|
| <b>Chapter IV: Industrializing and Marketing Trust.....</b>   | <b>165</b> |
| “Re-identifying true roots”                                   | 170        |
| “Good history”                                                | 176        |
| The Chocolate Worker’s Local 464                              | 183        |
| Corporate generations                                         | 190        |
| The rise of Hershey’s shareholder value                       | 195        |
| The emergence of Hershey’s “social responsibility”            | 200        |
| <b>Chapter V: Revitalizing and Re-Contesting Trust.....</b>   | <b>210</b> |
| Hershey and redemption                                        | 214        |
| The politics of “Mr. Hershey”                                 | 222        |
| Three emergent critiques:                                     | 226        |
| 1. “The responsibility to perpetuate a man’s dream”           | 226        |
| 2. “Mr. Hershey’s fatal flaw in governance”                   | 230        |
| 3. Protect the Hershey’s Children, Inc.                       | 234        |
| Elections bring a close to the probe and a pause in fieldwork | 239        |
| <b>Conclusion: “Real Hershey’s”.....</b>                      | <b>243</b> |
| <b>References.....</b>                                        | <b>258</b> |

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This text is dedicated to the memory of my beloved maternal uncle James E. Youngman (1934-2008): orphan, seaman, entrepreneur, jazz aficionado, sculptor, painter, New Yorker, husband, father, teacher and friend.

### **Dramatis personae (in order of appearance in the manuscript):**

The legacies of Hershey charity are narrated by dozens of persons in the manuscript that follows. While I have strived to depict their individuality, many narrators are identified simply as “a town resident,” “a factory worker,” “a school administrator,” “a company official,” etc. A few narrators figuring prominently in the text are named. In accordance with research ethics protocol, I have modified their names and some details of their identities:

|                    |                                                        |
|--------------------|--------------------------------------------------------|
| Sharon             | Concerned citizen of Hershey                           |
| “The Hilary Girls” | A local friendship group                               |
| Jake               | Township official                                      |
| Brian              | Longstanding Hershey resident with ‘insider’ status    |
| Michelle           | Longstanding Hershey resident with ‘outsider’ status   |
| Maggie and Rob     | Recently-arrived married couple                        |
| Pastor Bill        | Pastoral leader of the Hershey School                  |
| Denny and Missy    | Houseparents at the School                             |
| Maurice            | Houseparent and School alumnus                         |
| Phil               | Manager in the Hershey chocolate factory               |
| Ed                 | Hershey resident and collector of Company memorabilia  |
| Roger              | Union official in the Chocolate Worker’s Local         |
| Pastor Ryan        | Pastor in the local evangelical church                 |
| Pastor Franklin    | Pastor in the local church of the Brethren             |
| Father Kevin       | Priest in the local Catholic church                    |
| Jeff               | Longtime resident and Company executive                |
| Jack               | School alumnus and former Hershey School administrator |
| Ric*               | School alumnus and reform activist                     |
| Don Draper**       | Madison Avenue marketing executive                     |

\*Real first name, used in a public capacity

\*\*A fictional television character

### **Significant dates (in chronological order):**

- 1900: M.S. Hershey's Lancaster Caramel Company sells to the American Caramel Company for \$1 million
- 1903: Ground broken on Hershey chocolate factory and model industrial town in Derry Township, PA
- 1905: Hershey Trust Company established as a bank in Derry Township. Chocolate factory begins manufacturing the Hershey's Chocolate Bar
- 1906: Hershey recognized as U.S. Census Designated Place. U.S. post office installed
- 1909: Hershey Deed of Trust establishes Industrial School with the Hershey Trust as fiduciary
- 1915: Catherine Hershey dies
- 1916: Model town "Hershey, Cuba" is constructed on a cane sugar plantation outside Havana
- 1918: M.S. Hershey donates most of his wealth (\$60 million) and control of the Hershey Chocolate Company to the Hershey Industrial School
- 1927: Initial public offering of Hershey Chocolate Company stock
- 1933: Hotel Hershey completed (among other attractions and amusements)
- 1934: Hershey Industrial School students and public township students begin attending separate schools
- 1935: Milton S. Hershey Foundation established to support local cultural and educational activities
- 1937: Hershey Chocolate Worker's Local 464 established following labor strike
- 1938: Hershey Junior College is established under auspices of M.S. Hershey Foundation
- 1945: M.S. Hershey dies. Bequests remaining assets to the public school district
- 1946: Hershey, Cuba properties are sold
- 1951: Hershey Industrial School renamed Milton Hershey School
- 1963: Trust transfers \$50 million to Milton S. Hershey Foundation to fund construction of the Penn State Milton S. Hershey Medical Center
- 1963: Hershey Chocolate Company acquires the H.B. Reese Candy Company
- 1964: Milton S. Hershey Foundation closes Hershey Junior College
- 1967: First class of students at the Penn State Hershey Medical Center
- 1968: School begins admitting African Americans. Company, renamed Hershey Foods Corporation, begins expanding product line into foodstuffs
- 1970: Founder's Hall completed at School
- 1971: Development of Hersheypark begins
- 1973: Chocolate World—the company's official visitor center—opens adjacent to Hersheypark and replaces tours of the chocolate factory
- 1976: School begins admitting females and "social orphans." Trust-owned Hershey Entertainment and Resorts Company established, incorporating amusements and utilities of the company town
- 1977: "The Great American Chocolate Bar" becomes the official song of the Hershey bar
- 1984: Hershey Foods introduces dual-class stock, increasing liquidity while maintaining Trust control
- 1986: Trust infuses cash into Entertainment and Resorts Company to save it from bankruptcy

1989: The School's dairy program closes  
1990s: First 'outsider' president of Trust and School. "21<sup>st</sup> Century Initiative" at School  
School employees unionize under the Chocolate Worker's Local 464  
2001: First 'outsider' CEO of Hershey Foods Corporation  
2002: Hershey Trustees vote to sell Hershey Foods. "Derail the Sale" activism ensues.  
Trust board reconstituted by state authorities  
2005: Hershey Foods Corporation is renamed the Hershey Company  
2007: Hershey Company opens production facility in Monterrey, Mexico; significant  
layoffs in Hershey, PA. Michael D'Antonio's *Hershey* published.  
2010: 'Original' chocolate factory is slated to close. State Attorney General launches  
probe into Hershey Trust. Ethnographer arrives in Hershey, PA

**Principal products of the Hershey Company (in alphabetical order, as of 2014):**

5<sup>th</sup> Avenue; Almond Joy Bar; Breath Savers; Brookside; Bubble Yum; CareFree; Chipits; Cocoa Reserve by Hershey's; Dagoba Chocolate; Eat-More; Good & Plenty; The Heath Bar; Hershey's Baking Pieces; Hershey's Bliss; Hershey's Brownies; Hershey's Chocolate Bar; Hershey's Chocolate for Baking Bar; Hershey's Cookies; Hershey's Drops; Hershey's Extra Dark; Hershey's Jar Toppings; Hershey's Kisses; Hershey's Miniatures; Hershey's Nuggets; Hershey's Pot of Gold; Hershey's Shell Toppings; Hershey's Simple Pleasures; Hershey's Spreads; Hershey's Sprinkles; Hershey's Sugar Free Chocolate Candy; Hershey's Sundae Syrup; Hershey's Symphony; Ice Breakers; Jolly Rancher; Kit Kat; Krackel; Lancaster Soft Creams; Mauna Loa; Milk Duds; Mounds Bar; Mr. Goodbar; PayDay; Pelon Pelo Rico; Really Nuts; Reese's Brownies; Reese's Crispy and Crunchy Bar; Reese's Fast Break; Reese's NutRageous; Reese's Peanut Butter; Reese's Peanut Butter Cups; Reese's Pieces; Reese's Sticks; Rolo; Skor; Snack Barz; Snacksters; Sweet 'n Salty Granola Bars; Take 5; TasteTations; Twizzlers; The Whatchamacallit Bar; Whoppers; York Peppermint Pattie; Zagnut; ZERO.

### **Introduction: Fieldwork between community and property**

For most of my fieldwork I lived in Derry Township, Pennsylvania, at the edge of a neighborhood of two-story, vinyl-sided suburban homes constructed in the middle of the last century. The front windows of the house looked on pale yellow cornfields and blue-green, tree-covered hills. On clear days I could make out the steam-stacks of the Three Mile Island nuclear plant. Thirty years after the plant's partial meltdown, two of the four stacks continue to produce white cloud-like formations hovering atop the Susquehanna River.

Regularly I could hear the deep echoes of gunshots from a nearby rifle range. On weekends in warm weather I sometimes confused the sound of gunshots for the sound of amplified drums from the concert arena at Hersheypark, five miles away. Airplanes taking off and landing at Harrisburg International Airport were a common feature of the soundscape. On rare occasions I heard the nearby Penn State Hershey Medical Center's helicopter swooping above the neighborhood. The most constant sound was a modulating combination of rustling wind, birdsong, and more or less faint automobile traffic. This is the sound of the "suburban-rural mix" that characterizes the South Central Pennsylvania region.

The odor outside betrayed the season: fragrant flowers in spring and summer, decaying leaves in autumn, mineral notes in winter. On especially breezy days, a faint smell of chocolate from the chocolate factory in downtown Hershey made its way into

the neighborhood. This odor occasionally mixed with the whiff of manure from nearby farmland, producing a distinctively sweet, sulfuric scent. For me, this was the smell of home. I had grown up in the area in the 1980s and 1990s. Most of these sensations were exceedingly familiar to me. But the sensations took on novel significance—social, political, economic, aesthetic—when I arrived to begin fieldwork in the fall of 2010.

In Derry Township I encountered—no longer as a “native” alone but as an ethnographer, too—an American community constructed in local, popular, and officializing discourse as “one of a kind,” and strongly identified with a “gifted,” “genius” founding figure. I was intrigued by the legends surrounding the founder: an early 20<sup>th</sup> century industrial chocolatier of Pennsylvania Dutch ancestry. The community of Hershey had been built upon his private fortune; and his name, image, and biography continued to circulate locally and nationally long after his death. I was intrigued, moreover, by the Hershey community’s “bubble”-like character—commented on by visitors and locals alike.

As an ethnographer, I observed that Hershey’s eponymous institutions—a “Fortune 500” company, a charity, an amusement park, a public university hospital—operated at multiple and shifting scales: local, regional, national, transnational. They participated in global flows (Appadurai 1990). And yet—still—the community retained a sense of boundedness, enclosure, and decidedly small-scale. It seemed marked by an “untimely,” “out of joint,” or “anachronistic” quality. In a “world in pieces” (Geertz’s name for our global present [2001]), Hershey courted description in terms of an “integral whole,” a “totality,” even a “society” (Durkheim 1995 [1912]: 442-43).

On initial approach, the town Hershey—a U.S. census designated place in Derry Township<sup>1</sup>—presented itself as an exception or outlier to company towns that had grown up across the United States and internationally amidst industrialization. Unlike a majority of turn-of-the-20<sup>th</sup>-century U.S. company towns (c.f. Crawford 1995; Green 2011), and relative to the rural agricultural and de-industrialized region that surrounds it, Hershey appears generally “intact” and prosperous in the 21<sup>st</sup> century. The town’s entertainment and resort industry attracts global entertainment acts and large-scale concerts—making it a regional hub for the consumption of mass popular culture. It is advertised in regional and East Coast media markets as “The Sweetest Place on Earth.”

Considering this outlier among U.S. industrial towns, I became curious about the town’s exceptionality in social contexts other than consumption attractions: contexts of globalization, increasing domestic inequality and political polarization, the endurance of color- and class-lines, as well as technological innovations in everyday communication (e.g. the Internet). Questions arose: How do people who live and circulate through Hershey interpret the town and community in relation to other towns and communities—regionally, nationally and beyond? What does Hershey’s apparent outlier status have to do with the business corporations and other institutions headquartered there, which are national and global in scope? Is Hershey’s social distinctiveness—as conveyed in people’s common-sensical accounts—maintained in spite of larger-scale social forces, or

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<sup>1</sup> The 2010 U.S. Census includes the following data about Hershey, Pennsylvania, among other data: Population 14, 257; 81.5% white not Hispanic or Latino, 6.6% Asian, 6.2% African American, 3.2% Hispanic or Latino; Foreign-born persons 11.5%; Bachelor’s degree or higher (age 25+) 52.3%; Median value of owner-occupied housing units \$243,800; Per capita money income in past 12 months \$35,605; persons below poverty level 13.9%. For other census data related to Hershey, and for a comparison with Pennsylvania state and national data, see U.S. Census Bureau 2010.

perhaps because of those social forces?

Entering the field, I was challenged by the prospect of working in an exceedingly familiar cultural and linguistic milieu: a “native village” in anthro-parlance; a “hometown” in colloquial speech; a “primal scene” in psycho-analytics; a “location of birth” in officializing discourses of state. I was challenged, likewise, by the prospect of meeting and talking with local people whom I previously had known (if I had known them) as relatively anonymous neighbors. What might I learn as an ethnographer that I could not have learned as a neighbor?

\* \* \*

### **Precedent for a community study of Hershey: a selective genealogy**

My initial framework for collecting ethnographic material in Derry Township was a “community study”—a rich tradition of anthropological and qualitative sociological research in and about the States.<sup>2</sup> There is good precedent for considering the U.S. township a convenient entrée for community studies: Tocqueville begins his analysis of American political institutions at the “township stage.”<sup>3</sup> “The institutions of a township are to freedom what primary schools are to science. They put it within reach of the people; they make them taste its peaceful employ and habituate them to making use of it” (Tocqueville 2002 [1835]: 56-57). The community study form offered me insight into how Derry Township “functions,” but on first approach, I did not know how to apply the form in order to make sense of the idiosyncratic character of Hershey.

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<sup>2</sup> For an overview of community studies through the 1960s, see Bell and Newby 1971. For a critical genealogy of the community study form through the end of the century, see Greenhouse 2011 (discussed below).

<sup>3</sup> At the beginning of the chapter “Necessity of Studying What Takes Place in the Particular States Before Speaking of the Government of the Union” (2002 [1835]).

Classic community studies—by Lynd and Lynd (1929), West (1945), Warner (1949), Fisher and Fisher (1963), among others—tend to present towns and regions of the United States as microcosms of a larger American culture and society. Characteristically, such studies are organized around the study of components—economic, political, educational, religious—that link together a community in organic solidarity. To account for a community's cohesion, researchers (often using multiple researchers and teams) have sought to chronicle its components and observe the local division of labor as it is enacted in time, typically over the course of a year. They approach the social cohesion of a community as a result of each of its constituent parts performing a particular, different social function.

In its classic formulation, the community study aims to "study synchronously the interwoven trends that are the life of a small American city" without proving any particular thesis (Lynd and Lynd 1929: 3). Such studies may be read as an attempt to articulate an American *ethos*.<sup>4</sup> The Lynds' *Middletown*, for example—an intentionally generalized pseudonym of Muncie, Indiana—pursues standard American "moods and habits" (1929: 6). It concerns interlinked practices of everyday life—so-called "main trunk" activities, following W.H.R. Rivers (in *Social Organization* 1924):

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<sup>4</sup> I read the Lynds' *Middletown* as an attempt to articulate an American ethos, though the authors do not invoke the term. Ethos is a primary object of inquiry for Gregory Bateson, a British contemporary of the Lynds'. For Bateson, who interpreted ethos among the Iatmul of New Guinea (and, by way of comparison, the professoriate of Cambridge), the point is to uncover "a culturally standardized system of organisation of the instincts and emotions of the individuals." He finds indication of ethos in "tone[s] of appropriate behavior," "set[s] of sentiments," and "attitude[s] towards reality" (1958: 118-119). The Lynds' focus -- less schematized than Bateson's (perhaps indicative of a difference in ethos between British and American social scientists...)—are "moods and habits."

Getting a living.  
Making a home.  
Training the young.  
Using leisure in various forms of play, art, and so on.  
Engaging in religious practices.  
Engaging in community activities. (1929: 4)

The most prominent habit the Lynds discover in *Middletown* is "getting a living."

"The money medium of exchange and the cluster of activities associated with its acquisition" dominates both the working class and the business class, the two most distinctive "groups" of Middletowners (1929: 21, 505). The predominant mood in Middletown is less discernible than its habits: The Lynds observe emotional responses to secularization and new modes of production and consumption in terms of "lessening emotional resistance," in certain circumstances, and "emotional explosion" in others; intense emotions are especially observed around the introduction of automobiles and cinema in contexts of child-rearing (500). Overall, the Lynds identify an "increasing sense of strain and perplexity" as a result of modernization, to which Middletowners respond emotionally by defending past circumstances "with a renewed insistence" upon traditional, older symbolic and institutional forms (502).

The Lynd's *Middletown* is presented as mainstream, middle America. It is construed as a microcosm of the United States in the early 20th century, reflecting in miniature the social changes undergone by the nation during a period of rapid modernization and industrialization.<sup>5</sup> Similarly, Lloyd Warner's *Democracy in Jonesville* (1949) presents readers with "the City of the Common Man." Jonesville—a genericized

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<sup>5</sup> The Lynds take 1890 as a "baseline" for studying social change; *Middletown* takes readers through the end of the 1920s; *Middletown in Transition*, their follow-up work, takes readers through the Great Depression; *The Other Side of Middletown* (Lassiter 2004), chronicles the everyday lives and local histories of the African American community in Muncie, which largely was overlooked in the Lynds' studies.

pseudonym for Morris, Illinois—is a "representative community in the United States," the study of which reveals "the larger design of American life," in particular the social structure that governs American capitalism (Warner 1949: xiv). "No two American habitations are identical," Warner writes, "but all of them, big or little, bear the strong family resemblance of the same parentage:"

The life of the community reflects and symbolizes the significant principles on which the American social system rests. Borrowing from the Gospel of John, we can say that Jonesville is in all Americans and all Americans are in Jonesville.... To study Jonesville is to study America; it is a laboratory, a clinic, a field study for finding out what we are as a people and for learning why we think and feel and do the things that we do. (1949: xvi)

Construing Jonesville as a microcosm allows Warner to analyze a local Memorial Day parade in terms of the social logic of American life in general and at large (1949: 289-293). The parade is a patriotic rite, a collective representation (following Durkheim) expressing the feelings and beliefs of all its participants, who are generalized to mean all Americans. The parade serves a particular function: it cultivates a collective consciousness of what is sacred for Americans—specifically a consciousness of belonging to a collectivity that incorporates both the living and the dead. It ritually relates the living to the sacralized dead—in particular those who have died as soldiers in war. Jonesville's Memorial Day parade is one prominent rite among others in America's "cult of the dead," cutting across religious and ethnic distinctions and satisfying a "need for common action" on the common problem of death and its attendant anxieties. It unites "the whole community" of the living under a sign of equality-in-indebtedness. The living pay tribute to the sacrifice made by the dead. This is an impossible reciprocation with no end (as reciprocation is, following Mauss); the parade is repeated every year.

The major finding of *Democracy in Jonesville* is the existence and endurance of a distinct social class system in American life, perpetuated in combination with the powerful and pervasive sort of "equalitarian" ideology on display in the Memorial Day parade. The class system is operative among all adults as well as children, who appear to "live democratically" to the casual observer but who, on closer observation, adhere to "friendship groupings" that fall largely into one of five social class categories: Upper class, upper middle, lower middle, upper lower, and lower lower (1949: 77-78).

Unlike *Middletown*, which espouses no specific politics, *Democracy in Jonesville*—published at the end of the war years—concludes with a plea for liberal democracy in the face of extreme right and extreme left politics. Warner distinguishes liberalism from left politics to the extent the former embraces social class distinctions and principles of rank; he distinguishes liberalism from right politics to the extent the former insists on keeping classes and ranks open and available for individuals and families to circulate through on their own accord. *Democracy in Jonesville* concludes with an insight into the structure of American society past, present, and future:

If Americans by disinterest, lack of understanding, or apathy [signs of anomie, following Durkheim], allow the channels of mobility to be blocked, social and political catastrophe will certainly result, for a society of fixed status will then govern our lives.... Our democratic system, in which people can compete for social reward, can survive only as long as the principles of rank are tempered by those of equality. (1949: 298)

The interpretive ethnography that emerged in the U.S. in the following decades challenged the "microcosmic" premise upon which Warner's structural account was based. In "Thick Description: Towards an Interpretive Theory of Culture" (1973), Geertz analyzes what he terms the Jonesville-is-America / America-is-Jonesville "fallacy." "The notion that one can find the essence of national societies, civilizations, great religions, or

whatever summed up and simplified in so-called 'typical' small towns and villages is palpable nonsense," Geertz asserts. "What one finds in small towns and villages is (alas) small-town or village life:

If localized, microscopic studies [such as Jonesville] were really dependent for their greater relevance upon such a premise—that they captured the great world in the little—they wouldn't have any relevance. But, of course, they are not. The locus of study is not the object of study. Anthropologists don't study villages (tribes, towns, neighborhoods ...); they study *in* villages. (1973: 22, paragraph break omitted, italics original)

The microcosmic approach to community—moving "from local truths to general visions"—is one of two conventional models of doing anthropology that Geertz regards as obviously misguided. The other is the "natural experiment model," which takes a place and its people as a "testing case"—treating ethnographic data as more pure or "elementary" than data obtained from other methods of social inquiry (1973: 22). To the extent Warner's Jonesville and U.S. community studies in general are conceived as a "laboratory for studying Americans" (Warner 1949: xvi), they are participating in this "equally pernicious" fallacy, as Geertz would have it. In this light the community study form appears too crude to carry out an interpretive approach to culture—the object of which is the "informal logic of actual life (1973: 17). "The whole point" of an interpretive approach to cultures is, Geertz argues, "to aid us in gaining access to the conceptual world in which subjects live so that we can, in some extended sense of the term, converse with them" (24). The classic community study form appears, in this light, too schematized and too little embodied to account for the meaningfulness of social action in the States or anywhere.

Varenne's *Americans Together* (1977) builds on the community studies tradition while incorporating Geertz's critique and the interpretive approach to kinship pioneered

contemporaneously by Schneider (1980 [1968]). Varenne makes a point of acknowledging that he is not studying a village but rather studying inside a village—in his case, the mid-western town he calls Appleton, which, unlike other genericized pseudonyms, makes explicit reference to the particularities of the place (in which apple trees grow readily). Reflecting on his choice of a town to study *in*, Varenne specifies that he "did not want the town to lie in an area that has been historically considered to be 'different,' like the South or the hill regions" (19). He chose to place himself in a town "almost indistinguishable" from neighboring towns and "sociologically... [not] extraordinary" (21), allowing him to produce an ethnography of the "dominant culture" in the United States (233).

*Americans Together* makes a shift from chronicling the values expressed by members of a given community towards interpreting the "semantic constraints" built into everyday American speech (7).<sup>6</sup> "Community" for Varenne is a symbol deployed in ordinary language; so too is "democracy," individualism," and other popular and folk categories. The challenge of the ethnography is to understand these symbols as discursively structuring the everyday experiences of ordinary Appletonians, who stand in not for all Americans but specifically for "white, middle class, Protestant Americans" (1). Varenne's major finding in Appleton is a unifying theme in American culture around the symbols "individualism," "community," and "love" (211). The conflict among the ideals of individual autonomy, community solidarity, and love for another individual constitutes the central drama of everyday American life. This is what Varenne names "American

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<sup>6</sup> As Milton Singer observes in his re-study of Yankee City (Singer 1984; see especially preface and chapter V), the semantic approach to community was not a radical break from community study tradition; it was in many ways anticipated and pioneered by Lloyd Warner.

culture," which is, he concludes, "the culture of authority and government in the United States" (233).

In the decades following its publication, *Americans Together* has become one of the most visible ethnographies of American culture in disciplinary fields outside and adjacent to anthropology, in particular sociology, where it guided the central analysis of Robert Bellah et al's *Habits of the Heart: Individualism and Commitment in American Life* (1985)—a text often read in U.S. public sociology alongside Riesman's *Lonely Crowd* (2001 [1950]) and Putnam's *Bowling Alone* (2000) (c.f. Burawoy 2005). Read together these texts point to a decline in civic participation in the States of the sort Warner warned about at the conclusion of *Democracy in Jonesville* (1949); perhaps they also gesture toward a "golden age" of American community life and democracy: a time before American individualism became fused with consumer capitalism and fashioned into an ideology.

Has the premise of studying a particular U.S. community as a microcosm of American society been rendered illegitimate by interpretive and post-interpretive approaches? New research (Greenhouse 2011) offers a "thick description" of the scholarly and political-economic contexts in which U.S. community studies first arose and were later developed by successive waves of scholars—shedding new light on Geertz's observation that "the only thing that needs explanation [about the Jonesville-is-America/America-is-Jonesville fallacy] is how people have managed to believe it and expected others to believe it" (Geertz 1973: 22). As Greenhouse observes, the first, now-classic wave of community studies emerged out of the New Deal and World War II years and were concerned with the production of a public discourse of the U.S. as a national

society; it emerged, in other words, out of a time of crisis in state legitimation.

Community in this first wave of community studies is "the scenario of a problematic organic solidarity... as people actively wrestle with the contradictions between civil equality and social status in a period of massive economic and social restructuring" (2011: 13). Race—signified in terms of black and white—is the preeminent sign of class identity in these studies; it is "a form awaiting content," "the template of difference... transcend[ing] local particularities" (13). A second wave of U.S. community studies in the 1960s—for example by Lieblow (1967), Hannerz (1969), and Stack (1974) (cited in Greenhouse 2011)—was written in the background of landmark civil rights legislation. Resisting generalization of the "natives" on the basis of race and class, these studies attended to the way community is taken up by the federal state, in distinction to national society (2011: 14).

As Greenhouse's "thick reading" reveals, the power that the "microcosmic" model held—its capacity to be believed—was rooted in its relevance to particular social political impasses—impasses which were being reconfigured by the time of "Thick Description" (1973). In the case of first and second wave of U.S. community studies, those impasses were related to the discourses of American national society and the U.S. federal state, respectively. If the "microcosmic" premise was persuasive for a period before becoming palpably nonsensical (as Geertz would have it), it is on account of its address to these impasses.

A third wave of U.S. community studies in the 1990s—for example by Chen 1992, Mahler 1995, Margolis 1994, Park 1997 (cited in Greenhouse 2011)—ironized the "microcosmic" premise of the classic U.S. study. This third wave, Greenhouse observes,

was marked by the discourse of identity and its address to federal policy. Working in particular in New York City among new immigrant groups, anthropologists of U.S. community in 1990s focused chiefly on social distinctions of race and gender, with the expectation that the qualitative evidence they gathered and the stories they related about social suffering and aspiration for upward mobility would become relevant to policy makers and legislators broadening the scope of federal civil rights law. The agendas of these ethnographies were linked to the liberal language of federal civil rights legislation—precisely at the period that the political consensus in Washington around the language of civil rights was giving way to a new, now more familiar language of neo-liberalism, which emphasizes private markets in the provisioning of public goods (Harvey 2005). Though this third wave of community studies tried to be “relevant” to Washington in 1990s, Greenhouse observes, politics had moved on—the discourse of identity re-settling in literary and cultural studies, while rights discourse was conscripted by business interests.

Now in the early 21<sup>st</sup> century, the form of the U.S. community study persists as a proxy for lines of inquiry that implicitly or explicitly challenge or reject holistic models of American culture (Cattelino 2010). Recent U.S. community studies narrate gaps in holistic accounts of American culture—taking account of communities that counter or sit at the margins of a normative American culture. Such studies (e.g. Dávila 2004, Doukas 2003, Stewart 1996 cited in Cattelino 2010) make critical openings of modernist problems of scale—the relationship of a community-like-place to larger and smaller “social-cultural units;” and questions of representativeness and generalizability—the extent to which the culture of a given community can substitute for the culture of national

people, for example. They call into question the currency of "culture" and "the cultural" as objects of social scientific inquiry. Likewise, the community study template has been taken up—with caveats—to address virtual communities such as online worlds:

As has been the case for some time in anthropology, community is a difficult focus for study, generally because it seems to imply a false circumscription and coherence. Individuals belong to many communities, bounded to different extents and in varying ways. In some cases the terms suggests, as in the communities studies of the 1940s and 1950s, that the defined entity was reasonably complete and self-contained. [The general critique of such studies is that] an analytical emphasis on a community's boundedness and isolation usually masks significant interactions between the individuals of that community and others, as well as the heterogeneity of the community itself. A more fluid concept of community fits well within ethnographic explorations in multisited situations with complex, spatially diverse communities and translocal sites. (Wilson and Peterson 2002)

Among 21<sup>st</sup> century neo-community studies, Ortner's "post-community study" (1997, 2003) explicitly engages the theoretical-methodological concerns that characterize post-interpretive anthropology.<sup>7</sup> Her fieldwork among Newark, New Jersey's Weequahic High School Class of 1958 (of which she is a member) is "self-reflexive;"<sup>8</sup> "multi-sited";<sup>9</sup> and oriented around "locality" in lieu of "the local".<sup>10</sup> Ortner discovers "a strong sense of the endurance of community" among her alumni-informants, in spite of, or perhaps on account of, "the radical delocalization of life in the late 20th century" (1997: 63). She argues for an adaption of the community study form to account for the fact that "most

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<sup>7</sup> On the characteristics of and hopes for a "post-interpretive" anthropology, written from an autobiographical perspective at the time of its emergence, see Nader 1988.

<sup>8</sup> See Fisher and Marcus 1986 and Fisher and Marcus 1986 on cultivating "self-reflexivity" in ethnographic writing.

<sup>9</sup> See Marcus 1995, which characterizes multi-sited ethnography in terms of field research and writing that "cross-cuts dichotomies such the 'local' and the 'global,' the 'lifeworld' and the 'system.'" See also Marcus 1999.

<sup>10</sup> See Appadurai 1996, which defines locality as "primarily relational and contextual rather than scalar or spatial... a complex phenomenological quality, constituted by a series of links between the sense of social immediacy, the technologies of interactivity, and the relativity of contexts" (178).

Americans live in a condition in which the totality of their relations is precisely not played out within a single geographic location and a single universe of known others..." (62). Community can no longer be interpreted as solely a "localized, on-the-ground entity"— though it may continue to assume this form in addition to others. Ortner deploys the term community as “shorthand,” in her words, for the connection between "set[s] of images" (broadly termed "cultural" by non-sociocultural specialists, she observes) and "real lives, practices, and systems of relations" (76).

Ortner's *New Jersey Dreaming* (2003) is a study of American upward mobility made possible in large part by participants' “piggybacking” on U.S. social rights movements (277). It departs from the most recent wave of studies in the ‘90s (as analyzed by Greenhouse 2011) in that it does not implicitly or explicitly pose a problem of identity to which a solution might be sought in federal rights legislation. The study does not stage a performance of the failure of U.S. community so much as it makes visible a variety of modes in which the traditional community form gets taken up and repurposed by interlocutors. When much ethnographic work on the United States chronicles pervasive and enduring structural inequalities (e.g. the contributions by cultural anthropologists in Gusterson and Besteman 2009), *New Jersey Dreaming* is distinctive for providing a window into the enduring significance and multiple valences of “community” in generally mainstream American society.

Ortner devises a typology of four post-communities (1997) from her Weequahic material: "neocommunity" refers to the traditional community-like density of relations and face-to-face interactions that endure in the geographical region surrounding Newark, where many of Ortner's classmates continue to live and work; "invented community"

refers to the networks of high school associations maintained in other geographical regions (in this case the state of Florida, to which a contingent of Ortner's class has relocated over the last three decades); "translocal community" refers to the social networks she and her alumni fellows maintain independent of geographical location—networks which materialize in casual or "accidental" interactions in distant cities; lastly, "community of mind" consists of the memories of experience and structures of feeling shared by her high school's graduating class, which are the basis of community "in diaspora" (1997: 74) and which constitute grounds for reestablishing social ties (for example, at high school reunions).

Though I do not follow this typology in the ethnography that follows, I take inspiration from Ortner's emphasis on the modes by which interlocutors repurpose traditional community form. With the critical tradition of the U.S. community study in mind, I entered Hershey in fall 2010, intent on not interpreting it as a microcosm of American culture or society. I intended instead to listen to how distinctions between representative and exceptional community were narrated on the ground, more or less indigenously. I wanted to allow the distinction between the community's "standing in" and "standing out" to emerge—if it was going to emerge at all—locally in the course of a year's fieldwork.

### **Emergent challenges to a community study of Hershey**

Before arriving, I anticipated dynamics of lessening and heightening emotions within the Hershey community comparable to the sort the Lynds observed—though played out in a context of post-modernization rather than a context of modernization (c.f. Harvey 1989).

I expected locals to respond to post-modern strains and perplexities by defending, "with a renewed insistence" (Lynd and Lynd 1929), the social order that characterized the 20<sup>th</sup> century community. These expectations were primed by my own local knowledge of the de-centering of the Hershey business corporation: Indeed, I had experienced, in 2002 (as a teenager living at home with parents on summer break from college), an "emotional explosion" among the community upon news of the sale of the Hershey chocolate company (Sherzer 2002). Generally unconscious of the political-economic contexts, I participated—as an amateur audio engineer providing sound amplification—in a downtown public rally to "Derail the Sale" of the chocolate company. The "Derail the Sale" effort ultimately was successful, for complex reasons (discussed in chapters that follow). Remembering this episode, I planned to begin fieldwork by exploring its history—interviewing key actors and reading court documents and local literatures a decade after the fact. I hoped this would open conversations regarding the distinctiveness of Hershey (both pro and con)—its "bubble"-like, "out of time" quality, and in particular the "genius" or spirit of its founder.

Fieldwork put me in conversation with, among others, corporate executives in the Hershey Company; union members in the Hershey factory; students, alumni and staff in the Milton Hershey School (the charity established by the founder and his wife); pastors and laypersons at various local churches; elected officials, administrators and residents in the township; and community historians and journalists.<sup>11</sup> Many of the conversations chronicled in my fieldnotes involve a circle of seniors and elders who consider Hershey

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<sup>11</sup> I had difficulty gaining access to members of the board of directors of the Hershey Trust Company for reasons discussed in chapter I. I hope to include the voices of current trustees in a future version of this research.

in its various institutional incarnations—industry, commodity, charity, town, community and person—a matter of honor. For this circle of men (mostly), Hershey is an exceptional “total social fact” (as Mauss would have it)<sup>12</sup>; and they share in common a status situation (following Weber).<sup>13</sup> These ‘Hersheyites’—the term is an ethnographic conceit (I hope a productive one)—readily compare Hershey to prominent U.S. company towns (e.g. the railroad car town Pullman, Chicago, or the mill town Lowell, Massachusetts) and Milton Hershey to entrepreneur-philanthropists bygone and living (e.g. Carnegie, Ford, Gates). They compare the town Hershey to Middletown, Pennsylvania (its geographical neighbor—not a pseudonym), the Hershey Company to Nestle (its chief competitor in the national candy industry), and the Milton Hershey School to Kamehameha Schools (a residential boarding school in Hawaii with a comparable endowment to the Milton Hershey School and history of trustee corruption). They thus liken Hershey to other towns, persons, communities, companies, and charities; it is not strictly unique. However, these comparisons are carried only so far and no further. Hersheyites I met generally insist on Hershey’s being “one of kind.” I also engaged individuals and groups outside this circle, for whom Hershey is construed in less exceptional terms.

My research methodology echoed a community study: semi-structured interviewing; attending public rituals such as church services, school ceremonies, sports

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<sup>12</sup> Total social facts “involve the totality of society and its institutions... and in other cases only a very large number of institutions.... These phenomena are at the same time juridical, economic, religious, and even aesthetic and morphological, etc.” (Mauss 2000 [1925]: 78-79).

<sup>13</sup> A status group is characterized by a general “‘equality’ of social esteem” (Weber 1958: 186). Though linked variously to distinctions of economic class, it is distinct from a class group.

games, and township government forums; and reading in local historical archives. I usually drove to meet interlocutors in their homes or offices, or I would join them for coffee in one of the town's several coffee shops. My days consisted of concerted bursts of interviewing and public event-attendance in the mornings and afternoons. I spent evenings either in solitude (consuming the Turner Classic Movie network, among other national and international broadcasts) or with friends in the area from high school—playing or listening to music, drinking beer, and watching movies or television. With certain exceptions (i.e. an evening on the town featured at the top of chapter one), I took no fieldnotes on time shared with old friends—though in a differently-conceived project I might have.

My encounters with people in Hershey typically took the form of a one-on-one interview, in which the ethnographer asks open-ended questions and listens, and a digital tape-recorder archives (with the consent of the interviewee). The premise of these interviews—made explicit partly as a condition of my university's I.R.B. protocol—was a “community study of Hershey.”<sup>14</sup> These interviews often took on the feel of a therapeutic session—that hallmark of American “expressive individualism” and the conventional other-side-of-the-coin of American community (c.f. Bellah et al 1996). Interviewees expressed ideas, feelings, and memories related to “Hershey community;” typically they spoke with ease and enjoyment, even in registers of complaint, anger,

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<sup>14</sup> To be sure, making this premise explicit resulted in indefinite “observer effects,” to put it in positivistic terms. By prompting my interlocutors with “community,” my research likely intensified a discourse of community—perhaps inviting that discourse where it might not ordinarily have been deployed. But the fact that observer effects are in play does not mean the data are reducible to those effects. Broadly, I take “observer effects” as evidence of the ethnographers’ “being there,” pheomenologically, in the field; what an ethnographer and his or her interlocutors make of those effects is a matter of and for interpretation (c.f. Borneman and Hammoudi 2009).

disappointment or disillusionment. Some of their narratives about Hershey community seemed well-rehearsed and meant as a record for posterity (for example, those recalling efforts to “Derail the Sale” of the chocolate company); others were more improvised, less polished—offered as fleeting “side notes.” Collected together, these narratives are my primary data.

My interview technique (such that it was) was improvised in the field—styled to elicit deep and wide-ranging reflections on the subject of Hershey. My technique thus courted what Charles Briggs calls the “referential bias” of the conventional interview format (Briggs 1984)—the tendency to overlook the effect of asking questions on interviewees’ responses. Briggs reminds students of ethnographic method that “the communicative structure of the entire interview affects the meaning of each utterance” (1984: 103); that more is being communicated in an interview than referential information.<sup>15</sup> Interview techniques are “prima facie expressions of [social scientists’] underlying, generally unstated theory of communication and of reality,” he argues (115). The “single most serious shortcoming” relating to their use is:

the commonsensical, unreflexive manner in which most analyses of interview data are documented.... It is simply assumed that different responses to roughly the same question are comparable. The usual practice thus consists of extracting statements that pertain to a given theme, event, symbol, or what have you from field notes or transcriptions. These responses are then juxtaposed, yielding a composite picture of things that seem to go together in the eyes of the researcher on the basis of referential, decontextualized context. (102)

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<sup>15</sup> For example, Briggs’ interviews with elder Mexicano carvers (in *The Wood Carvers of Córdova, New Mexico*, 1980, cited in Briggs 1984) were not construed by his consultants as interviews; they were construed instead as, he writes, “pedagogical encounters between two elders and a young person with little knowledge of the community, Mexicano culture, or New Mexican Spanish.... I had to learn to respect them as elders as well as to discover which questions were relevant to them and the basic cultural assumptions that underlie the answers” (1984: 102).

My interlocutors were well-prepared to talk about the “given theme, event or symbol” called Hershey community. I might have been well-prepared to juxtapose their responses to yield a “composite” picture of that community (against which Briggs counsels); indeed, the material I collected might have been distilled and slotted into categories familiar from the classic community study: religion, domestic life, education, recreation, government, and of course, getting a living. I did not end up writing that genre, however, as my interviewees—often sophisticated participants in the format—intervened. Conscious of “referential bias” and savvy at citation, they concertedly moved the discussion away from community and towards other topics that concern them individually and collectively. Consequently, though I had begun my research under the rubric of a “community study of Hershey,” I could not end up there. The ‘spirit’ (the genius, the ethos, the moods and habits...) of Hersheyites moved me otherwise.

The ethnography that follows is less a practiced study of community than an improvised study of the social lives of a charitable trust. The ethnography emerges from the stories my interlocutors chose to tell me, overwhelmingly, in spite of or in lieu of my publicly-declared topic of research. The community of Hershey is one thread of the story, braided through an account of the activities of the Hershey Trust—legal heir to the Hershey chocolate fortune. The legacies of Hershey charity among people who live in and circulate through Hershey—and what Hershey charity might mean for others outside that small corner of the country—is the subject of the ethnography.

### **The question of Hershey's "substance"**

For the people I met in Hershey, the name 'Hershey' potentially refers to a community, town, company, commodity, brand, school, home, idea, and person all at once. In the union hall, among members of the union (the Chocolate Worker's Local 464), associations with the name Hershey tend strongly toward the Company, the factory, the political-economic status of labor locally and nationally; among administrators and alumni of the charitable school funded by the chocolate company (the Milton Hershey School), associations tend toward the charity's Deed of Trust, its oversight by the state, and the reproduction of a next generation of students; in the context of the township that hosts the Company and School (Derry Township), associations with Hershey tend toward township governance, public education and religious life, and the aesthetics of local development; inside the headquarters of the Hershey corporation (the Hershey Company), associations tend towards the brand name, the value of the company among shareholders, and the globalization (or not...) of *Hershey's* chocolate.

These associations make up what 'Hershey' nominally refers to: a U.S. zip code, a geographical location, a local community, a philanthropic institution, a business incorporation, a global brand name commodity. The associations in these institutional contexts correspond to formally economic interests<sup>16</sup>: the interests of members of a trade union, residents of a township, beneficiaries of a charitable trust, employees of a corporation, shareholders of a common stock and so on. 'Hershey' is aligned with the formal interests of myriad interest groups, indeed: real estate owners, property tax payers, labor unions, business firms, political parties, etc. Taken separately and added together,

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<sup>16</sup> I draw the distinction between formal and substantive from Polanyi 1957; see also Polanyi 2001 [1944].

the interests of these groups remain, essentially, “self-interests.”

The ethnography that follows traverses some formal contexts—industry, charity, commerce, government—in order to make visible some substantive values of ‘Hershey.’ It pursues Hershey’s “substance,” in other words, among individuals and groups situated diversely among local institutions. The challenge of the ethnography is, not unlike the challenge of a community study, to make present multiple local scenes at once—scenes of everyday home and community life, business and labor, governance and recreation, and so on—but not in order to offer a ‘composite’ image of community. Listening to an ensemble of voices of community members, factory workers, school administrators and alumni, corporate officials, and so on makes salient the moral and mythical qualities of ‘Hershey:’ what ‘Hershey’ multiply “stands for” or “stands up for” or “makes a stand for” (or not) in the sense of rights and wrongs, goods and bads. The ethnography “tunes in,” as it were, to long-standing and recently-arrived participants in Hershey’s seminal institutions as they narrate their relation to “Hershey Trust” and interpret its moral meanings (as a source of scandal or harmony, as an economic or emotional investment, as a permanent home or temporary refuge, etc.).

Chapter I, “Probing Trust,” begins among the attractions and amusements of Hershey and is propelled by local talk and media coverage of a land scandal implicating the company town’s seminal institutions: the chocolate company, charitable school and trust. It introduces some of the technicalities of legal trusts, and the uncommon “industrial foundation” relationship that allows the private Hershey Trust to maintain customary control over the publicly-traded Hershey chocolate company. The heart of this chapter is local narratives about a 2002 effort to “Derail the Sale” of the chocolate

company by the Trust. The ambivalent success of that effort is the background of ongoing interpretations of the Trust's relationship with the chocolate company, school, town, and state.

Chapter II, "Localizing Trust," follows the land scandal into the town and listens to longstanding residents narrate the Trust's role in transforming the company town from an industrial model town into a post-industrial, suburban community. Longstanding residents narrate the development of the company town in two directions: towards entertainment and resorts; and towards public university medicine. The chapter discusses their local knowledge and experience of development, and traces some of the legal and political maneuvers that made it technically possible. It charts the emergence "old Hershey" and analyzes the salience of that social order in the present day community. It concludes with a feud between "new" and "old Hershey" that illuminates an enduring rivalry over values among locals.

Chapter III, "Domesticating Trust," crosses over from the town onto the campus of the Milton Hershey School—whose students are the primary beneficiaries of the Trust. The chapter listens as administrators, longstanding School alumni and employees interpret the mission of the Trust in the 21<sup>st</sup> century—emphasizing the charity's value as a home-school. It introduces some technical details about the charity's Deed of Trust and highlights the key socio-legal category "social orphan." The practical and ethical challenges of managing an orphanage for "social orphans"—children who do not receive care from their living parents—is the core of the chapter. The chapter concludes on alumni efforts to make claims on the future direction of the School and Trust in the wake of the attempted sale of the Company in 2002.

Chapter IV, “Industrializing and Marketing Trust,” enters the Hershey Company—which is controlled by the Trust. It listens as Hershey factory workers and corporate officials narrate the “true roots” of the business in the face of financial challenges and opportunities related to the Great Recession. The chapter focuses on the globalizing Company’s emergent connections and disconnections with “old Hershey.” It attends to some of the technicalities of the “dual-stock” mechanism that allows the Trust to maintain its customary control over the Company in the new century. It considers the Company’s embrace of “shareholder value” and “corporate social responsibility” in light of a longstanding distinction between charity and profit, and concludes with the Company’s decision to advertise—for the first time in its one hundred year history—its fiduciary relationship to the Hershey School.

Chapter V, “Revitalizing and Re-Contesting Trust,” returns to the company town and enters its archives and churches. It considers the town founder’s “charismatic” qualities, and the role played by Hershey’s seminal institutions in local religious life. The heart of the chapter pursues several emergent critiques of trusteeship among several Hersheyites: a retired marketing executive, a former administrator of the School, a longstanding School alumnus and activist. Though not necessarily convergent, such critiques point towards efforts to re-contest and revitalize the Trust in the new century. The chapter comes to a close on the state’s official response to the land scandal discussed at the beginning of chapter I.

The conclusion considers the social substance “Real Hershey’s” and the future of public claims-making on the Hershey Trust—including the potential relevance of the present ethnography on those claims.

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These are some of the questions my interlocutors formulated in the course of our conversations in Hershey: Is the Hershey Trust “corrupt?” Has the Trust been “captured” by powerful players in state and national politics and industry? Are the legal beneficiaries of the Trust truly benefitting from their experience with the charity? Should enrollment at the charity grow? Is the charity’s mission outmoded? If so, might it be “salvaged?” What are the ethics of the Trust’s investments in local entertainment and resorts? Is the Trust indebted to the company town, or vice versa? Has the Trust made the town more beautiful or more ugly? What of the Company’s relation to the town? Should the Company remain local if it can? Should the Trust maintain control of the Company? What of the state’s interest in the Trust? Is the state acting as a good guardian of the charity? Ought it be more or less involved in oversight and regulation? And what—if anything—would Milton Hershey make of Hershey today?

The ethnography that follows is necessarily agnostic on the legality or illegality of trustee activities (c.f. Fernandez 2011 for journalistic exposés of the Hershey Trust published by the *Philadelphia Inquirer*). The question of “corruption” is central to the inquiry, however, in that it implicates, in particular, the legacies of charity in the Hershey company town; and in general, citizens’ ethical judgments about and engagements with modern public and private institutions: business corporations, charitable organizations, and local and state government chief among them.

Whether trustees act legally or illegally is radically dependent on judgment: trustees’ judgment; the more or less enlightened, expert judgment of courts; the publicly-informed judgment of public officials. My ethnographic hope is that the charitable

legacies described here—assembled from conversations, personal narratives, oft-heard anecdotes, news and archival fragments, observations of performances, and so on—may inform the reader’s judgment. I have tried to render a “critical and public ethnography” of Hershey—attuned to a professional public (my fellow anthropologists) and to those potential publics that make claims on trusts and corporations such as Hershey’s.<sup>17</sup>

This ethnography conveys local people’s efforts to comprehend legacies of charity in a company town. With diverse personal, historical, ethical, and political twists, their life stories intertwine with the Hershey Trust. This study gathers these stories, amplifies key themes, and multiplies their contexts—in order to communicate local experiences to alternative audiences. The readiness of people in Hershey to make judgments and claims on the Trust may speak to the readiness of people elsewhere to make claims on comparable institutions. The ethnography may thus be read as one contribution to ongoing social inquiry into democratic participation (or lack thereof) in our new century’s prevailing contestations and accommodations.

Hershey’s eponymous enterprises are antecedents to the entrepreneur-philanthropists, business corporations, charitable organizations and brand name communities that figure prominently in contemporary popular imagination and political discourse. The legacies of charity in the Hershey company town may indeed anticipate

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<sup>17</sup> See Fassin 2013: “The expression simply refers to the principle of bringing to multiple publics—by which I mean publics beyond the academic circles—the findings of an ethnography analyzed in light of critical thinking, so that these findings can be apprehended, appropriated, debated, contested, and used. It is presumed that such a conversation between the ethnographer and his or her publics generates a circulation of knowledge, reflection, and action likely to contribute to a transformation of the way the world is represented and experienced” (2013: 628). On the “always agnostic search to make anthropology publicly relevant,” and a critical overview of recent ethnographies committed to that search, see Biehl and McKay 2012.

legacies of 21<sup>st</sup> century, global capitalism and philanthropy—though this observation goes beyond the scope of the present inquiry. My ethnography’s first task, beginning in the following chapter, is to “look, listen, read” in Hershey.<sup>18</sup>

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<sup>18</sup> I borrow the injunction from Lévi-Strauss 1997

## Chapter I: Probing Trust

As ‘Milt’ expertly begins to knead my hardened shoulders, a sweet, familiar scent wafts up. It takes me a moment, and then I recognize it: Chocolate.... I am at the Spa at the Hotel Hershey, the newest addition to the 72-year-old Mediterranean palace overlooking one of America's most famous company towns, joining the theme park, outlet mall and model chocolate factory that already draw millions of visitors to Hershey each year. And while Milton Hershey himself might ask what a chocolate company in heartland Pennsylvania is doing in the massage and body scrub business, perhaps it shouldn't come as too much of a surprise that this resort is doing a brisk business exfoliating half-naked customers with cocoa bean husks. For Hershey, like a lot of other hotels, has recognized a new truth: In a 24/7 wired world of cellphones, e-mail, BlackBerrys and laptops - one in which we are constantly under scrutiny and pressure, and our value is determined by how seemingly indispensable we are - it's not enough to go on a simple vacation anymore. Now, people seem to need to elevate their vacation experience into something more meaningful, where they will come back a changed, detoxed, perhaps even a more spiritual person....

—excerpt from Zernike, Kate. 2005. “The Spa-ification of America.” *The New York Times*, January 2. Travel section.

Tourists in Hershey are presented with so many possibilities for recreation and rejuvenation, they may find it agonizing to choose: At the Spa there are “signature,” “patented” treatments such as the “Whipped Cocoa Bath, the Chocolate Bean Polish, the Chocolate Fondue Wrap and the Sweet Hands manicure,” as well as “Cuban-inspired treatments” such as the “Mojito Sugar Scrub and the Noche Azul Soak”—recalling “Milton’s love for Cuba and the Hershey-owned sugar plantations and mills that operated there from 1916 to 1946.”<sup>19</sup> There are Hershey’s golf courses, dating the early 1930s and

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<sup>19</sup> On Hershey, Cuba, see Pérez 2012: 221-230 and Winpenny 1995.

designed by nationally celebrated golf course architects—making the town “one of the top golf destinations in the eastern US,” according to an advertisement. There is also Hersheypark (a popular, celebrated U.S. mid-Atlantic regional amusement park); the Hershey Gardens; Zoo America; Hershey Stadium (featuring pop and rock concerts, Disney’s Ice-Capades and Hershey Bears ice hockey); the Hershey Theater; Hershey Chocolate World (the flagship of seven national visitor centers for the Hershey Company); and—situated downtown, adjacent to the site of the “original” Hershey’s chocolate factory—The Hershey Story Museum. The Museum features prominently, among other artifacts, a copy of a deposit made by Milton Hershey for a first-class stateroom on the White Star Line’s Titanic ocean liner: on account of some last-minute chocolate business, Hershey and his wife, Mrs. Catherine “Kitty” (as in *Kit-Kat*) Hershey, took an alternative ocean liner to New York City in April 1912—a stroke of luck for the town, business corporation, and charity that continue to bear the Hershey name.

Among all the entertainment and resort attractions, the Hotel Hershey appears as the centerpiece. Milton Hershey’s most recent and astute biographer, Michael D’Antonio,<sup>20</sup> sets the scene:

Tourists who travel by car—and more than four million come every year—often start at the landmark Hotel Hershey, which occupies a ridge that rises more than a hundred feet above the Lebanon Valley in central Pennsylvania. It’s a Moorish-style fortress with ornamental towers and a green tile roof. The view from its veranda is the best one available. To the south a scene that looks like a model

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<sup>20</sup> An American journalist and author of books such as *Atomic Harvest* (1993) (about a community’s radioactive poisoning by a Washington State nuclear facility) and *The State Boys Rebellion* (2005) (an expose of American eugenics programs). D’Antonio’s *Hershey: Milton S. Hershey's Extraordinary Life of Wealth, Empire, and Utopian Dreams* (2007) is the biography of record. It guides my ethnography throughout. For other histories of Hershey see Halbleib 2005, McMahon 2009 (on the Milton Hershey School), Shippen et al. 1959, Snively 1935 and 1950, Sutcliffe 2003, and Whiteneck 2006 (on Hersheypark).

railroad display comes to life. Cars speed along smooth asphalt highways. Lush cornfields give way to a color-splashed amusement park with ten roller coasters, a Ferris wheel, and a snaking monorail. Beyond the neon and flapping pennants stand old factory buildings, church spires, and houses. Every once in a while a freight train will snake its way along the tracks that slice through the valley. (D'Antonio 2007: 1)

I entered this touristic scene as an ethnographer in fall 2010 with the help of a group of friends I made in high school. Our decision to meet at the Hotel Hershey one weekend around Thanksgiving is out-of-the-ordinary. Most of us are familiar with the Hotel from the summer night of our senior prom, when we were served a multi-course dinner and danced (or not) among fountains and statuary in the rear courtyard. Now, a decade or so later, we sample old-fashioned cocktails and high-end imported beer inside the Hotel's "Iberian Lounge"—all wood and leather interior, fireplaces crackling. We are "paying for the atmosphere," as the expression goes, and as far as I can tell, enjoying it.

Among the half-dozen in our group,<sup>21</sup> a few were born locally in the Penn State Hershey Medical Center; others moved to Hershey as children with their families. A few reckon "roots" in the area, with Pennsylvania Dutch or Italian ancestry; others' roots are shallow. One of my friends bears a locally well-known last name. (I learn later in the course of fieldwork that her family owned a business in town and, before that, they sold farmland to M.S. Hershey, which would be developed by the chocolate company.) All of us are of a generation: born in the early 1980s, graduating from Hershey High School in the early aughts, entering our thirties. All of us are, moreover, on a seemingly uneven and partial path of upward mobility that constitutes our relationship to home—and to Hershey—as ambivalent.

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<sup>21</sup> A characteristically American friendship group as analyzed by Varenne 1977.

In the spirit of an ethnographic experiment—a playful, reflexive experiment, as I initially conceive it<sup>22</sup>—I ask my friends what they would write about if they were writing about Hershey. They each know I am training as a cultural anthropologist and making a “community study.” Some of these friends have studied social science as undergraduates in college; each undoubtedly has her own idea about what a community study of Hershey might look like. The subjunctive prompt (“If you were to write about Hershey...”) invites a bunch of disparate responses throughout the evening—framed as childhood memories; grievances; critical interpretations and otherwise:

Vanessa, just arrived from D.C. for the holiday, remembers being put in the “slow class” in middle school, which upset her because her facility with math went unacknowledged by her teachers. In the school system there is officially no level-differentiation in student aptitude, but clearly there is a “slow,” “middle,” and “fast” track, based on the quality of the teachers to whom students are assigned (the “fast” track getting the best teachers)—this is unfair. She would study this.

Brenda, visiting from the west coast, says she's interested in following the high school and its social events, i.e. homecoming and prom. She moved to Hershey as a girl from upstate New York and thought it was “like going back in time.” For example, there were only altar boys in the local Catholic church, no altar girls. She thought this was “bullshit.” Also, she remembers the homecoming parade floats. Hershey is “like Pleasantville,” “like the 1950s.”

Steve, living in Harrisburg of late, says, “Privilege is what people in Hershey are after, that's what I would focus on.” To which Matt, living in the next town over, cryptically adds, “It's only after it's too late they realize it's all a house of mirrors—a funhouse.”

Sarah, coming in from Queens, talks about her parents and grandparents' efforts to distribute wealth equitably among her siblings. Of four sisters, the two who have professional degrees receive less family money than the two sisters who don't have professional degrees. Some in the family (she, namely) are concerned this gives the impression that “If you don't work hard, you'll get rewarded more.” She would write something about this.

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<sup>22</sup> By reflexivity, I mean social science's bending-back (*reflectere*) onto itself in order to objectify its “intellectualist bias,” as Bourdieu would have it (Bourdieu and Wacquant 1992); or in other words, “self-scrutiny” as applied to practices of scholarly representation (Strathern 1997).

Beth, Brooklyn-based, talks about the conservatism of the region and of Pennsylvania in general. "It seems progressivism only exists in the northeast and west coasts and a sliver of Michigan," she says. She's surprised to see some people who left Hershey after high school return to the area—people she thought were "different" or "alternative." "What makes them come back? That's what I'd like to know."

I might have known—perhaps I should have guessed—the prompt would circle around to me, but with a twist: "What *will* you write about, anyway?" my friends inquire. "Expert anthropologists tell me the thesis will come after the fieldwork," I hedge. "So, is the conversation we're having now part of the fieldwork?" "Would that be alright?" I ask. Everybody seems to agree: Yes, why not?

Later on, past closing time at the Iberian Lounge, after dutifully chronicling the evening's events and discussion in fieldnote form, I dwell on what if anything sets apart my ethnographic curiosity about Hershey from my friends' more or less native curiosity. Like them, I am curious about level-differentiations in aptitude among students; in the social events of the local high school and the "Pleasantville" quality of the town;<sup>23</sup> in the privilege local residents seem always to be seeking; in the distribution of wealth among families; in the political and social conservatism of the region vis-à-vis progressive zones across the United States. I am also curious, I decide, about the absence of reference in the discussion that evening to Hershey's seminal institutions: the chocolate company, the charity, the amusements, the "model industrial community." This absence is perhaps constitutive of a view of Hershey as a generally middle class, Middle American suburbia. What does this suburban view of Hershey reveal and conceal of everyday local and institutional life, its histories and futures broadly-construed?

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<sup>23</sup> *Pleasantville*, a film about a brother and sister who are transported into a 1950s-era American family sitcom (Ross 1998)

## Seminal Inquiry

The origins of the company town Hershey and its legacies of charity coincide with the birth of American consumer capitalist culture. Evidence of that culture's paradoxical history (paradoxical in that it runs counter to everything "old" and established) is abundant in today's suburban Hershey. The signature of an author—an "inventive personality"<sup>24</sup>—remains readily decipherable to tourists, locals, ethnographers, and others who chose to interpret it. In certain cases, that signature appears quite literally, as in the public street lamps lining the main street, constructed in the middle 1960s— the tops of which appear as *Hershey's Kiss* candies. The kiss of "Mr. Hershey" continues to light the way, as it were, in the present day community—though for whom the legacy matters locally, and why, is not readily apparent. At least, it was not apparent to me when I first arrived to conduct fieldwork.

The suburban Hershey of my friends' and my local knowledge began to take shape in the 1960s and 1970s. Hershey's seminal institutions—the eponymous town, company, and charity—were formed about six or seven decades prior. They originate at the turn of the 20<sup>th</sup> century—a time when, as cultural historian William Leach relates (1993), American consumer culture was quickly becoming the dominant culture of the United States:

...From the 1890s on, American corporate business, in league with key institutions, began the transformation of American society into a society preoccupied with consumption, with comfort and bodily well-being, with luxury, spending, and acquisition, with more goods this year than last, more next year than this. American consumer capitalism produced a culture almost violently hostile to the past and to tradition, a future-oriented culture of desire that confused the good life with goods. It was a culture that first appeared as an alternative culture—or as one moving largely against the grain of earlier traditions of

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<sup>24</sup> Perhaps a characteristically American figure; see Kuhn 1959.

republicanism and Christian virtue—and then unfolded to become the reigning culture of the United States. It was the culture that many people the world over soon came to see as *the* heart of American life. (Leach 1993: xiii, italics original)

The consumer capitalism that my suburban Hershey friends and I reckon as a “natural” feature of everyday experience is, in fact a “time-bound historical creation,” Leach argues in *Land of Desire* (1993)—a creation not solely of business corporations, but of a collaboration among business interests, church, state, educators, and the creative class. American consumer capitalism is a public culture, Leach observes, but it is not public in the sense that it emerges from “real democracy;” it “was not produced by ‘the people’ but by commercial groups in cooperation with other elites” (1993: xv).

This public culture is distinguished by a “cult of the new” that is drawn from earlier national traditions; as well as a “democratization of desire,” which reconceived of democracy in terms of “equal rights to desire the same goods and to enter the same world of comfort and luxury” (1993: 6). “Democratizing individual desire—rather than wealth or political or economic power” (7) is its hallmark. Its emergence coincides nationally and internationally with an expanded money economy and a new emphasis on growing incomes and rising standards of living. From this point on in American cultural history, “pecuniary values (or market values) would constitute for many people the base measure for all other values...” (7)—including and especially Protestant religious or spiritual values.

Leach charts the formative years of American consumer capitalism through the exemplary figure of Presbyterian merchant John Wanamaker (of Wanamaker department store fame and fortune)—but the Mennonite confectioner M.S. Hershey might just as well be substituted. Milton Snavely Hershey (hereafter M.S. Hershey, M.S.H. or M.S.),

was born in 1857 in Derry Church, Pennsylvania—what is today called Hershey—on his family’s farm. The Hershey family farm was situated in the heart of Pennsylvania Dutch country—the territory settled between the end of the 17<sup>th</sup> century and the middle of the 19<sup>th</sup> century by immigrants from Alsace, southwestern Germany and Switzerland.

Lutheran and German Reformed settlers—so-called Church Germans—made up one dominant segment of these settlers. Another segment consisted of smaller sects of Anabaptist or Brethren commonly known as Plain Folk. Hershey’s ancestors are counted among these Plain Folk. Though a diverse lot, Plain Folk are “united by certain persistent convictions” (Ahlstrom 2004: 82):

...Above all, by the desire to reconstitute the Church as a community of earnest believers whose conversation had been sealed by adult baptism (they rebaptized, hence Anabaptist). Behind this lay their protest against state churches and their insistence that the Church as a whole had 'fallen' when it entered into cooperation with rulers, identifying itself with whole peoples regardless of their personal dedication. Almost universally these Anabaptists were pacifists; personal uprightness and charitableness were the constant conditions of good standing in their churches.... They are best known in contemporary America as devout and sequestered communities, archaic, simple, and prosperous.

Specifically, Hershey’s family were Mennonite—one of those Protestant sects, Weber observes, whose religious way of life is connected with “the most intensive development of business acumen;” whose “otherworldliness is as proverbial as their wealth” (2001: 10). M.S.H.’s first million dollars, arriving at the close of the American Gilded Age, was acquired by selling his Lancaster, Pennsylvania-based caramel candy company in 1900. Like other “turn-of-the-century nabobs” (Bellah 1996: 45), M.S.H. was emancipated from traditional forms of social and economic life by his fortune: He rejected for himself the plain living of his Mennonite kinfolk—his mother was “Reformed,” his itinerant father non-practicing—and became something of a “man of the

world;” all the while, he expressed strong distaste for urban industrial order. In his early 20<sup>th</sup> century entrepreneurial efforts he began, as did other entrepreneurs of the age, “to approximate the old [19<sup>th</sup> century republican] image of the businessman as family provider and citizen,” an image tied to the “often-sentimentalized family farm” (1996: 43). Indeed, when M.S.H. returned to his birthplace in 1903 to build a model company and town, he incorporated as much as possible of his former family farmland into his realization of the model. The Hershey Hotel sits atop all of it.

For my high school friends who met me at the Hotel, Hershey’s seminal institutions are practically taken for granted. “Mr. Hershey’s” legacy is, in other words, unremarkable—not insignificant or unimportant, but tacit. I had to look and listen elsewhere to glean the relevance and salience of that legacy among present day Hersheyites. To do this, I did not have to venture far from the Hotel.

### **A matter of Trust**

"Scandal," writes Sally Engle Merry, “occurs when gossip is elevated into the public arena, when 'everyone knows that everyone knows'" [1984: 51].<sup>25</sup> It was a scandal among Hersheyites, I learned, when in fall 2010 the Pennsylvania State Attorney General announced the beginning of an official investigation into perhaps the most seminal of Hershey’s seminal institutions: the Hershey Trust Company—fiduciary of M.S. Hershey’s now century-old estate. Through a spokesperson, the Attorney General—Tom Corbett, who at the time was the Republican nominee for Governor and would be elected to office the following month—announced that the investigation was sparked by a recent

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<sup>25</sup> On scandal and gossip as informal mechanisms of social control among communities, see Rosen 2005.

land acquisition made by the Trust. An article in Harrisburg's *Patriot News*, with the headline "Hershey Trust Probe Confirmed" (Malawskey 2010), indicated that the acquisition was a golf course just outside the town of Hershey, for which the Trust paid \$12 million—double or more the land's appraised value. The acquisition may have bailed out the economically insolvent golf course's investors, one of whom—the CEO of the locally-headquartered Hershey Company—sits on the Trust's board of directors. If the allegation were true, it would constitute a case of "self-dealing" among Hershey trustees—a breach of fiduciary duty that the Pennsylvania Attorney General is obliged to investigate.

A few technical and historical details are important for interpreting the substance of this "scandal:" In common law legal systems, a "trust" is the name for a property relationship in which property owned by one party (the Trustor) is controlled by another party (the Trustee) for the benefit of a third party (the Beneficiary).<sup>26</sup> A trust can be created to benefit a few specific persons, as in a family trust fund, or a category of persons, as in a charitable trust fund. In the U.S., family trusts are subject to the Rule Against Perpetuities, an "anti-dead hand public policy constraint" that effectively limits their duration to roughly one hundred years (Horowitz and Sitkoff 2014: 2); charitable trusts are not subject to this Rule and may exist in perpetuity—that is, forever.

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<sup>26</sup> Black's Law Dictionary defines "trust" as "An equitable or beneficial right or title to land or other property, held for the beneficiary by another person, in whom resides the legal title or ownership, recognized and enforced by courts of chancery" (Garner 2014). Modern American trust law is derived from common law in general and English law in particular, which allowed devoting property to a particular charitable purpose through the device of a charitable trust beginning in the sixteenth century (Madoff 2010: 92). Though characteristic of common law systems, legal trusts are not unique to common law systems: consider, for example, the Islamic waqf (Arjomand 1998).

The Milton Hershey School trust fund is a perpetual charitable trust. Its exclusive beneficiaries are the students of the Milton Hershey School, a K-12 residential school for children in poverty based in the town of Hershey. The Hershey Trust Company (hereafter the Hershey Trust or simply the Trust) is the trustee of the Milton Hershey School trust fund. Its board of directors—eight persons at the time of my fieldwork—assume two primary roles: in one role, they manage the trust fund’s assets; in the second, they govern the Milton Hershey School. The board of directors also manage the trust fund of the M.S. Hershey Foundation, dedicated to educational and cultural enrichment in the town of Hershey, and a fund for the Hershey Cemetery.<sup>27</sup> For much of its history, the Hershey Trust has included members of the boards of directors of the Hershey Company, the Hershey Entertainment and Resorts Company, and the M.S. Hershey Foundation.

The Hershey Trust’s board of directors oversee two primary assets that pay dividends to the Milton Hershey School trust fund.<sup>28</sup> One of those assets pays relatively minor dividends: the Hershey Entertainment and Resorts Company, which operates the complex of tourist attractions and amusements in and around Hershey, chief among them Hersheypark. The Hershey Trust wholly owns this private entertainment company; every tourist who visits Hershey’s amusements is, *de jure*, contributing dollars to the Hershey School trust fund. The other asset is highly remunerative: the Hershey Company, which is the largest chocolate manufacturer in North America. The Hershey Trust owns controlling stock in the publicly-traded Hershey Company; every purchaser of Hershey’s

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<sup>27</sup> M.S.H. is interred in the cemetery next to his mother, father and wife, and several boys who died in the early days of the Milton Hershey School.

<sup>28</sup> In addition to owning the entertainment company and controlling the chocolate company, the Trust manages real estate property in and around Hershey and sells investment and financial planning services.

chocolate is, likewise, contributing to the School trust fund. The Hershey Trust's longstanding control of the Hershey Company has made the Milton Hershey School the wealthiest residential school for children in need in the United States—valued at the time of my fieldwork at a remarkable \$8 billion.<sup>29</sup>

In one crucial respect the Hershey Trust is an outlier among American charities, which over time has made it a special case for oversight and regulation by the Pennsylvania Attorney General and the federal government: it is a de facto “industrial foundation”—a not-for-profit organization that owns a controlling stake in a business corporation (Thomsen and Hansmann 2012). Until the middle-20<sup>th</sup> century, industrial foundations were common in the U.S., after which legislation was passed to prevent tax-exempt foundations from owning a controlling share of votes in a business corporation. The U.S. Tax Reform Act of 1969—passed under the Nixon administration —made it “illegal, with very few exceptions, for private foundations to own more than 20 percent of the voting interest in any for-profit enterprise” (Fleishman 2009: 98-99). The legislation was intended to prevent the founding of charitable foundations as a “vehicle for retaining control of a closely held corporation” (2009: 98). A specific exception, however, was granted for the Hershey Trust, the special status of which was argued for persuasively by then-senior senator from Pennsylvania Hugh D. Scott (DiRusso 2006).<sup>30</sup>

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<sup>29</sup> A figure comparable in 2010 to the endowments of major U.S. universities such as M.I.T.

<sup>30</sup> The status of the Hershey Trust was critical to the creation of the category of “supporting organizations” (509(a)(3) organizations) (DiRusso 2006: 213). The legislation allowed supporting organization to retain control of for-profit enterprises. Such organizations derive their “freedom from income tax by reason of [their] relationship with other charities who enjoy broad public support” (2006: 209). Like charitable organization, supporting organizations are understood to be providing some kind of public benefit such as poor relief, religious advancement, educational or scientific

Rare in the United States today, industrial foundations are common in Northern Europe, report business scholars Thomsen and Hansmann (2012: 3):

In the nations of Northern Europe, nonprofit foundations own a controlling interest in a substantial number of industrial firms, including world-class companies such as Bertelsmann, Heineken, Robert Bosch, and Ikea. In Denmark, where they are particularly numerous, such “industrial foundations” control companies comprising a quarter of the 100 largest Danish corporations and close to half the value of the major Danish stock index (C20). These companies operate in a wide range of industries, from pharmaceuticals to consulting engineering, and include such internationally prominent firms as Carlsberg beer (the world’s fourth largest brewery group), A. P. Møller (the world’s largest container shipping company), and William Demant (one of the world’s largest producers of hearing aids).

Typically, industrial foundations are governed by a self-electing board of directors. The charter or deed of the foundation sets out its purposes. In the case of the Carlsberg Foundation, for example, the purpose of the foundation is to support a Carlsberg Laboratory (which researches the science of brewing), and to support “Danish scientific research within the fields of natural sciences, mathematics, philosophy, the humanities and social sciences” (The Carlsberg Group n.d.). The foundation is run by trustees appointed by the Royal Danish Academy of Sciences and Letters.<sup>31</sup> The nonprofit form of the industrial foundation is “evidently chosen as protection for the company one’s large donor – its founder:”

In most cases, presumably, the founder is effectively seeking a degree of immortality. He wishes to assure, as far as possible, that the firm he built will live on in perpetuity—often with his name on it. In short, he wants to perpetuate his control over the firm beyond the grave. Or, put differently, he is making an ongoing gift from his live self to his dead self. But clearly his dead self will be unable to police the fulfillment of any arrangement to this effect that his living

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advancement, construction or maintenance of public works, and so on.

<sup>31</sup> The Carlsberg Foundation apparently emerged from a personal conflict between the founder of the Carlsberg brewery—JC Jacobson—and his son, Carl (The Carlsberg Group n.d.). The family business was passed on to the Foundation instead of the natural heir.

self makes with the persons who will control the firm after his death. So the founder reduces the incentive for those persons to deviate from his wishes by constraining their ability to profit from deviation—which he accomplishes by giving ultimate control of the firm to a nonprofit organization. (Thomsen and Hansmann 2012: 6-7)

The Hershey Trust was a bank before it was an industrial foundation, beginning its operations in the town of Hershey in 1905. It became trustee of the Milton Hershey School (initially named the Hershey Industrial School) in 1909. At that time, M.S. Hershey and his wife Catherine—who could not have children of their own, the story goes—deeded most of their local land holdings to the Trust in order to establish a charity supporting orphans: specifically white orphan boys, in accordance with prevailing social and legal logic. In 1918, following Catherine’s premature death (perhaps as a result of complications from syphilis; see D’Antonio 2007), M.S.H. donated his full stake in the Hershey Chocolate Company to the School—at the time valued at \$60 million. Ever since, the Hershey Trust has functioned as an industrial foundation. M.S. Hershey died in 1945 as chairman of the board of Hershey trustees.

Like most charitable trusts in the country, the Hershey Trust is subject to scrutiny by the state office of Attorney General, which occupies the role of *parens patriae* (“parent of the country”); as well as scrutiny by the federal Internal Revenue, which grants federal tax relief to charitable organizations in exchange for public service broadly-construed. As a general principle, neither the office of Attorney General nor the I.R.S. interferes with the everyday governance of charitable trusts; to interfere with the activities of a trustee, attention must be drawn to evidence of harm to beneficiaries.

“Self-dealing” is the practice of a trustee’s profiting from transactions of trust property—a clear harm to beneficiaries and a violation of a trustee’s fiduciary duty.<sup>32</sup> When journalists began alleging “self-dealing” on the part of Hershey trustees, the Pennsylvania Attorney General took notice. Responding to the publicity around the Attorney General’s probe in October 2010, a spokesperson for the Trust explained that the purchase of the golf course was made at a fairly negotiated price with its primary beneficiaries—the students of the Milton Hershey School—squarely in mind: The newly-acquired land was purchased as a “buffer” between expanding student housing at the School and the surrounding community. I took this “buffer” as an ethnographic opening to “talk Trust” with Hersheyites.

### **Meeting Sharon in Hershey and talking Trust**

“It appears trustees bought the property to bail out the three guys who had owned the golf course, one of whom is CEO of the Hershey Company. It just looks bad,” remarks Sharon, who for over three decades has made Hershey, Pennsylvania her home as well as the center of her career in advocacy for victims of domestic violence. Sharon mailed me a copy of the *Patriot News* article when she heard through a friend of hers (my mother, in fact) that I am making a “community study” of Hershey. For her, the acquisition of the golf course epitomizes what the local public has perceived increasingly over the last several decades: Hershey trustees have lost their focus on needy children and become, in a phrase, “self-interested.”

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<sup>32</sup> Compensation is generally allowed to trustees of charitable trusts for carrying out their fiduciary duties but trustees are not entitled to profit from their control of entrusted property.

The grievance of locals is that the Hershey Trust has forgotten what the real meaning of the Milton Hershey School is. They're out of touch with what the students need. I'm not sure if [this grievance] is based on fact; it's more based on what people think is going on. But one thing that's factual is how the money is spent. A "buffer" doesn't justify spending that much money on a golf course!

Sharon and I meet together at a Starbucks Coffee installed in the Hershey factory outlet mall—a strip of manufacturer-branded retail stores, such as Banana Republic and Calvin Kline, adjacent to the Hershey amusement park and not far from Sharon's home. The reputed origins of the outlet mall turn out to be relevant to the conversation that ensues: The mall was constructed on Hershey Trust-owned farmland that had been sold to a trustee, a local developer. The developer apparently received a "sweetheart deal," paying a small sum upfront with a promise to pay in full after a decade of developing the land. This was not technically "self-dealing"—there is nothing in the Hershey Deed of Trust specifically or in trust law generally that forbids such a transaction—but it gave the appearance of unscrupulousness on the part of Hershey trustees: "For the last thirty years there's been this appearance of conflict of interest around money, and trustees have done nothing to dispel it," Sharon remarks. "It's just a small, closed network. I haven't talked to people in the community who feel proud of what's happening. People have lost trust in the trustees."

A longstanding resident of the community and keen observer of politics local and otherwise, Sharon articulates the commonsense expectation that private, charitable trusts such as Hershey's ought to "justify" their private activities in front of a public. She conveys a sense, shared by many of her local peers (whom I would meet in the course of fieldwork), of general unease—bordering on embarrassment and shame—over the Trust's activities in and around the local township. She expresses a hope, too, that the community

will someday be able to take “pride” in the Trust; and furthermore, that a “community study” might contribute, somehow, to the Trust’s revitalization.

Sharon’s interest in accountability and transparency at the Trust arises from her sense that, as she puts it, “the Trust truly is invisible, and therefore sometimes it looks suspicious and maybe it's not. There should be public knowledge, but there isn’t.”

Though she expresses sentiments of many Hershey locals, she is not an “insider” to Hershey, she hastens to point out: “It wasn’t my choice to come here,” Sharon tells me over coffee and a lemon square. A baby boomer, she grew in Pittsburg in a family that strongly identified with Catholicism and Democratic party politics; in college she majored in sociology and developed a strong commitment to social and economic justice. A few decades ago her husband at the time become employed by the city of Harrisburg. She and her husband were “big believers in living in the inner city” but, she remembers, street violence was increasing in Harrisburg through the 1970s. With a newborn child and the resources to leave, Sharon and her husband resolved to relocate: “The night a bullet came through our window right above our heads, we left Harrisburg.”

Hershey’s pastoral setting appealed as an alternative to Harrisburg’s inner city, though Sharon admits to feeling “like a fish out of water” specifically in political terms: “I was surprised moving to this area how conservative it is. People around here tend to be anti-union, anti-abortion, Republican—but I’ve been very fortunate in the [anti-domestic violence] work I do.” Indeed, in U.S. political geography, Hershey is in the heart of what nationally-popular liberal political commentator James Carvell has famously called “the Alabama in-between Philadelphia and Pittsburg”—a popular remark Sharon repeats to me (A related nickname for the middle-Pennsylvania region is “Pennsylvucky.”). Derry

Township is “Republican through and through.” Candidates for local government positions are essentially determined in G.O.P. primaries, which in Pennsylvania are closed—meaning that voting on primary candidates is restricted to party members; affiliates of other parties find it difficult to field candidates.<sup>33</sup> The “religious slant” of the region is reflected in the region’s politics, Sharon observes, but this has not prevented local and state politicians from supporting many of the bills her organization has proposed. As domestic violence has become an increasingly familiar issue across the state and nationally, the network of domestic violence shelters Sharon started in her kitchen in Hershey has become increasingly well funded; since the middle 1980s, her network has been working with federal legislators to create new law.

Sharon’s work in Hershey on state and federal domestic violence legislation critically informs her observations about the Hershey Trust and its role as fiduciary of the Milton Hershey School trust fund. “About 85% of the kids at the School come from homes with domestic violence, that's why they're there,” she explains. “They're from one parent homes and they've had lots of problems in the home. Their mothers typically want a place for them to be safe and have opportunities. Our network gives information about the Hershey School through the shelters.” In her time as a Hershey resident, she has observed that anti-violence curriculum at the School mostly takes the form of an anti-bullying program focused on girls; the School “doesn’t recognize domestic violence as an

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<sup>33</sup> For a history of Pennsylvania electoral politics, see Madonna 2008. Derry Township, in which the census-designated place Hershey is incorporated, and which was first incorporated in the 18<sup>th</sup> century, has voted Republican in most elections—local, state, and national—since the Civil War. There are exceptions: within the last few years an independent was elected to Derry Township’s board of supervisors for the first time in the modern history of the township.

important issue.” The fact that Hershey trustees tend not to recognize domestic violence-related issues as a priority has less to do with its political or religious affinities, she suggests, than with trustees distance from the everyday lives of students at the School: “There’s something out of sync between trustees and the everyday of the School, and that’s new.” With its substantial material resources, the Hershey Trust has, in Sharon’s outsider view, a practical opportunity if not an ethical obligation to revitalize its charitable mission: to innovate, expand its institutional horizons and take account of new social needs and realities.

Sharon recently considered volunteering to join the Trust’s board of directors, she tells me—going so far as to contact the then-Chairman, with whom she had some familiarity through her state legislative work. It seems her candidacy was not seriously considered; and now that the Trust is under state investigation, the Trust appears increasingly closed to “outsiders” such as herself. Like many Hersheyites whom I would get to know, Sharon takes little consolation in the fact that the Pennsylvania Attorney General’s Office is involved in an investigation of the Trust. That the Trust was until recently chaired by a former state Attorney General begs the question of serious reform in her mind. Serious reform begins with an “above-board,” “clean” investigation into the Trust’s activities, Sharon observes. An “objective” appearance is required; otherwise, “when people see the Attorney General’s office will be involved in investigating, they think it’s all insiders.”

### **Dessert at Sharon’s with the “Hillary Girls”**

When Sharon invites me to join her and friends for dessert at home one evening, I eagerly accept—anticipating, among other things, an opportunity to learn about the social and

political legacy of the Trust from the perspective of participants in the local community. The four women who gather span two generations in age and share a political persuasion in terms of electoral politics: Each supported the nomination of Hilary Clinton in the Democratic primary campaign leading up to the 2008 national elections, which is around the time the group started regularly meeting together. “We were ‘The Hilary Girls,’ one recalls as we gather around the dining room table. We were going to have a big Hilary rally in Hershey.” It seems the rally did not happen (for whatever reasons), but the four women—Sharon, Rebecca, Lisa, and Jennifer—have continued to meet together.

Each is a longstanding resident of the local township and invested in the community’s improvement—improvement characterized as increased democratic participation in local institutions, both “public” and “private.” Collectively they have approached affiliates of the Trust about the use of space in downtown Hershey. They have suggested to trustees that former factory space be repurposed into public art-making space, for example. In general they have expressed voice for more forums for public input into the Trust’s activities locally—especially activities pertaining to the development of the town’s historic center.

The topics over the course of the evening’s conversation range across the recollected origins of the company town Hershey; the social transformation of the company town beginning in the middle 1960s; and recent talk of the Trust’s politicization by Pennsylvania electoral party politics. The conversation culminates in discussion of the 2002 campaign to stop the sale of the chocolate company by the Trust—a watershed in local citizen’s relationship with the Trust. “I didn’t realize the School, Trust, Company and town are interlinked in the way they are,” I admit when we all sit down around

Sharon's table with coffee, tea, and apple crumb cake. Everyone laughs: "Yes, very enmeshed!" It's almost incestuous," comments Rebecca. Until recently, everyone who ran the Hershey Company and School used to live in town and were "accessible" to residents: "You could go down the street and talk to them. They considered themselves neighbors." Most everyone living locally was an employee of M.S. Hershey or had some relationship to Hershey enterprise. "You were beholden to him for your job, so you didn't question the way things were done," Jennifer remarks. Factory workers' paychecks were deposited at Hershey bank; employees were never handed a paycheck. Electric, water, mortgage, telephone: everything was paid for at the bank downtown. Groceries were available in the Hershey press building. A pharmacy, a creamery, an abattoir: "anything you needed Hershey provided."

Everybody concurs that the company town changed dramatically beginning in the middle 1960s when the Trust and Penn State University co-sponsored the construction of a medical center just outside of town. "After the Medical Center came, people began to think the company town model was crazy. It was as if the chocolate company was saying 'This is what's good for you; what you'll enjoy or need,' and people began to resent that kind of paternalistic thing. That's when the you started to lose things." The people affiliated with the medical center were a new population: "hippies, Jews, Democrats. They all had beards!" They "didn't want anyone telling them what was best for them:"

Lisa: So, there was a lot done for the community at one time but it was all, 'This is what is good for you.' *Noblesse oblige* — that's the term. There were wonderful aspects of that — benefits the community had which we no longer have.

Sharon: Sometimes I think it's a shame we no longer have those benefits. When it's done well, altruistically...

Rebecca: I don't find anything wrong with Hershey having done those things. I'm

not sure why people took offense to their saying ‘This is good for you.’ It *was* good, wasn't it?

Jennifer: But that's about the time the Trust began to withdraw its support from the community. Because trustees were getting so much grief. Things became too costly. People came in from the outside—not just related to the medical center—and they wanted everything to be run in a more business-like manner. ‘Enough of this taking care of everyone, we're not going to do this anymore!’

Other local changes followed: a fence was erected around the amusement park in the early 1970s: “Before that you could just go in and buy tickets for the rides.” This coincided with the closing of a large and beautiful swimming pool at Hersheypark that, many townspeople speculate, was closed in order to keep out African Americans coming by bus from Baltimore to swim. “This was during the civil rights period,” Sharon notes. Many of the amenities of the company town were sold off or closed as the 1970s unfolded: the drug store, the community center, the Cocoa Inn—a landmark of the town center. “The Trust was divesting themselves from these things because they were draining off resources,” Jennifer comments. “Things change. A new head of the board of directors comes in and they have new ideas.”

The relationship between the Milton Hershey School and the surrounding community was changing in the 1970s, too: Sharon remembers that when she moved to Hershey, there was a residential unit of students near her home. The unit was a working turkey farm. The boys of the School raised the turkeys and used them for food; later the unit was converted into a home for a marching band: “You'd hear the drums and the horns. It was so wonderful having those kids in the neighborhood.” Students would visit with local people for dinner on weekends: “It was a way for the community and the School to feel on the same page. It was very personal.” “The boys were more integrated in the community then,” Rebecca observes. “Friday nights Milton Hershey School boys

visited families for dinner. We used to take two boys every other weekend or so. Tyrone played hockey; we took him everywhere. He spent Christmas with us and everything.”

“Now they're not really part of the community,” Jennifer adds. The women remember visitation stopped all-together around the time the School centralized its campus and “more ‘bottom-line profit’ people” moved onto the board of trustees: “This would have been sometime in the ‘90s. They started to close the School in; you never saw the kids:”

Sharon: [Speaking to the ethnographer] Peter, you have to figure out how to tell what is the Trust, the School, the Company, the town... it is so, *ugh!* The Attorney General disbanded the Trust’s board of directors after the attempt to sell the chocolate company in 2002. One of the trustees owned a construction company and every construction job at the School went to him. A real conflict of interest. He wasn't the only case. The Attorney General said, ‘You cannot have these conflicts of interest.’

Lisa: Trustees say they don't take money from the School to pay themselves. They say they get it from the chocolate company, but....

Jennifer: And then there's the dinner at Mr. Hershey’s mansion for Republican candidates....

Rebecca: There was an article in the newspaper a few months ago, 'Is the GOP taking over the Trust?' Because they have all Republicans at the Trust. The good old boy network is alive and well!

Jennifer: I think the time the town came together was “Derail the Sale” in 2002.

Lisa: Yes, it was as if we'd just had enough. When the Company came up for sale, the community said ‘That's it, we've had enough!’

Rebecca: People got very upset that our town was going to go down the drain.

Jennifer: I still have the signs from our march. We used candy themes: ‘Hershey Trust is *NutRageous!* Hershey Trust is Sending *Reeses* to Pieces!’ And my favorite: *Mr. Goodbar* saying ‘Hell no, we won't go!’ It was in the *London Times* — a picture of us holding up the signs. The signs got in the papers because they were fun. Everyone was honking with the signs while we had the rallies and marching up to the Trust’s headquarters at the Hershey mansion.

Sharon: Oh my, I loved that — shades of the '60s. But you're marching with Republicans and staid proper people who were all doing the same thing. That was

pretty awesome. I don't think you'd find that happening too often. And then we went to the court house for the hearing the Attorney General was having. It brought people out. People got really protective.

The expression “shades of the ‘60s,” in reference to the 2002 rally to “Derail the Sale” of the chocolate company by the Trust, lingers with me as the evening comes to a close. It strikes me as curious given that it was not a protest in the name of rights per se—or was it? What kind of “activism” was this? At the end of the evening, Sharon and her friends give me the names and phone numbers of people who might be interested in talking with me about “Derail the Sale,” among other Hershey-related subjects, and tell me to call on them. In the weeks that follow, I do—entering a circle of largely male community elders who recognize themselves as both insiders and locals to Hershey, and for whom the legacy of “the Hershey Entities,” as they are called—the chocolate and amusement companies, the charitable school, the local community—is a matter of honor.

### **Hersheyites recollect “Derail the Sale,” 2002**

“Derail the Sale”—the acronym of which spells out the initials of “Derry Township Schools”—is the single major public outcry over the Trust in local memory. The event implicates the legal rights and obligations of the Hershey Trust, School, and Company, and the social fate of the community in and around Derry Township—as well as the relationship between Hershey and the state. Orchestrated by the Trust’s board of directors as a means of diversifying the charity’s stock holdings, the sale of the chocolate company was unexpectedly “derailed” in 2002 by a coalition of townspeople, School alumni, employees of the Hershey Company, and political office holders. The coalition successfully petitioned the Pennsylvania State Attorney General to argue in probate court for an injunction against the sale—culminating in a last minute decision by Hershey

trustees not to sell the Company. Significantly, in ruling in favor of the injunction, the probate court (the “life cycle court” having to do with wills and estates, known in Pennsylvania as the “Orphan’s Court”) recognized a “symbiotic relationship” between the Hershey Trust; The Hershey School endowed by the Trust; the Hershey Company in which the Trust holds controlling stock; and Derry Township—a decision effectively making all the “Hershey Entities” in organic solidarity by law, as it were.

As Hershyites recollect it, the story of “Derail the Sale” begins among a small group of village elders who—in the midst of planning the 100<sup>th</sup> anniversary celebration of the community—received word that the Trust was considering selling the chocolate company. “It was a July, Wednesday night,” recollects one member of the group planning the celebration, who meets me in his living room in downtown Hershey: “I remember saying to the person who called me, ‘Who would put out such a heinous rumor?’ And his comment was, ‘Well it’s going to be in the *Wall Street Journal* tomorrow.’” The next morning the news broke in the *Journal* (N.a. 2002) and at breakfast the group began strategizing: someone would communicate with town residents; someone else with affiliates of the Company and the School; someone else with press. Several former trustees agreed to “go public” with their opposition to the sale, emphasizing the potentially detrimental consequences on the local community and by extension, the School: “We had no portfolio. We were retired trustees. All had a common feeling about the negativity of this whole thing. And I forget what did we do, how did we do it—but it grew from that.”

For many Hershey locals, it seemed as if the battle for Hershey was “everywhere.” The campaign was publicized nationally and internationally. “My wife’s calling on the

phone ordering something from a mail-order place,” one participant remembers, “and the woman in Arizona says ‘good luck!’” Sympathies for the community coincided with tactical assistance to the primary organizers of the campaign. Bell hops at area hotels reported on the comings and goings of representatives of potential buyers of the Company. Documents internal to the Trust and Company and details of board meeting times and locations were leaked. At the same time, national and European press “poured into town” and painted a portrait of David versus Goliath. The community—described as “unique,” “historic,” “iconic” and decidedly “small”—was David. The Trust, standing in for the interests of giant, anonymous, indifferent (perhaps hostile) capital, was Goliath. “All the stars were aligned—legally, politically, everything” observes an organizer. “One of those rare things—providential,” says another.

In a climax of the campaign, a rally on the downtown plaza on Chocolate Avenue brought together alumni and employees of the School, residents of the township, workers at the factory, former Company officials and former Hershey trustees who opposed the sale. Both the Democratic and G.O.P. gubernatorial candidates came out against the sale. The latter, crucially, held the office of state Attorney General, with oversight of the Trust. Over a matter of days his office successfully petitioned the local probate court to delay the sale pending review by a higher court. This “bought time,” as one participant in the campaign put it, for winning a public relations battle in local and national news. To engage the press, the campaign drew on some participants’ marketing experience with the Hershey Company: “One of our challenges was making sure that this wasn’t like a Flint,

Michigan<sup>34</sup> where news reporters would come in and report the sad news that another iconic community had been shuttered because of the greed of capitalism,” recalls a retired Hershey marketing executive. “So we devised a strategy to make the campaign entertaining. That way we could prolong the stays of all the news people and build up the pressure upon the social responsibility of those that were irresponsible and hopefully break their backs.” After three weeks of sustained press coverage in which the town’s capacity for punning on associations with chocolate, nuts, and sweetness became something like a public relations weapon, “the board finally—thank God—they buckled,” recalls a campaigner.

Portfolio diversification was the trustees motivation for the sale. In their understanding—which, they believed, reflected the U.S. legal community’s consensus on what it means to be a prudent fiduciary of a charitable trust—the Hershey Trust’s function was not to protect the Company or community but to prudently maximize the revenue stream of the School trust fund. They were following the logic of “portfolio theory:” the idea that “a good trustee will invest in a variety of stocks and bonds.... If the portfolio as a whole is 'prudent,' then the trustee has done its job and should not be open to criticism (or to lawsuits)” (Friedman 2009: 123). The assets of the Trust appeared obviously undiversified: if Hershey Company stock tanked, what would happen to the endowment of the School? Selling the Company seemed to make good fiscal sense.

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<sup>34</sup> Flint, Michigan, the former General Motors factory town which sank into deep depression in the 1980s after the company closed production facilities and which, in 2011 during the course of my fieldwork, declared a state of financial emergency for the second time in a decade. Michael Moore’s documentary *Roger and Me* (1989) is a vital document of Flint’s struggles that doubles as an attempt to revitalize the community. See also Dandaneau 1996. C.f. Dudley 1994 on the closing of the Chrysler car plant in Kenosha, Wisconsin.

Indeed, trustees claimed that their attempt to sell the Company came at the behest of the Pennsylvania Attorney General. The Attorney General publicly denied that suggestion. His office may have suggested the Trust diversify its assets, he claimed, but it did not advise the company be sold outright.

“Derail the Sale” campaigners rejected trustees’ claims that prudent management of the School trust fund necessitated the Company’s being sold. The sale was not a matter of “fiduciary responsibility” to the charity; on the contrary, trustees were “misguided [by] their own interpretations of what Mr. Hershey intended.” The problem, observed “Derail the Sale” campaigners, was that the board of directors was made up mostly of “outsiders:” “Some of them didn’t live here. They came here from outside. They didn’t have the sense of community.” The logic of financial diversification did not take into account aspects of the School’s historical mission that depend on its retaining some link to the surrounding community—which was in turn, they argued, dependent on the Hershey Company’s remaining locally-headquartered.

Crucially, the probate judge who ruled in favor of the Attorney General agreed with this latter argument. In the court’s opinion,<sup>35</sup> the board of trustees was too “large” and too “distant and disconnected” from both the beneficiaries of the charity and the local community. The School, Company, and community enjoyed a “symbiotic relationship” which is “common knowledge,” the court asserted. The Trust’s sale of the Company potentially would do harm to this “public interest,” and therefore the Attorney General was entitled to injunctive relief.

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<sup>35</sup> In *Re Milton Hershey School Trust* 2002

The probate court's holding is remarkable for essentially establishing a public right over a private charitable trust if the trust's activity threatens the local community. Before an appellate court would have the opportunity to hear the Trust's appeal to that holding, the board of directors (then seventeen members) voted to abandon the sale—ten to seven. Trustees attributed their last-minute reversal in consensus to both local and state resistance, which had taken them aback. Victory was declared by residents of the community, employees of the Company, alumni of the School, and local and state politicians. Hershey Co. would have been sold to Wrigley Co. for \$12 billion had the vote turned out the other way.

The canceled sale of the Hershey Company precipitated the reorganization of the board of the Hershey Trust in 2002: all those trustees who voted in favor of the sale, and a few others, would resign; ten in total left. In the aftermath, a former state Attorney General—the first in the state to have been elected to office, in 1980—took over the chairmanship of the board of directors and pledged fidelity to the founder's original intentions. He vowed in a public statement—though it was not a stipulation of the Hershey Deed of Trust—not to sell the Hershey Company. At the School, a new president pledged to restore morale and a more orthodox mission (discussed in chapter III).

After trustees rejected the sale and many board members were replaced by the Attorney General, the Pennsylvania state legislature entered the scene, enacting a new law which seemed to bolster the prospects of the Hershey Company's remaining headquartered in Derry Township for a long time to come:

[The new Pennsylvania state law] made it the duty of charitable trusts—if 'a majority of its beneficiaries' lived at a particular place in Pennsylvania, and if the

trust had as one of its assets 'voting control of a publicly traded business corporation'—not to 'consummate any transaction' that would give up that control, without notice to the attorney general—and to the 'affected employees.' In the 'case of a charitable trust,' a fiduciary making investment and management decisions was supposed to consider 'the special relationship' of an asset, 'and its economic impact as a principal business enterprise on the community in which the beneficiary of the trust is located'; and the 'special value of the integration of the beneficiary's activities with the community' where the business might be located. The language is quite general, but obviously was aimed squarely at the Hershey Trust. (Friedman 2009: 168)

For a brief moment in the wake of Derail the Sale, it seemed, as one participant put it to me, that “everything was lovely and back to normal.” The moment did not last.

### **The socio-legal aftermath of 2002**

U.S. legal scholars have scrutinized the canceled sale in terms of state power over charitable trusts—specifically the power of state Attorney Generals to interfere with trustees’ exercise of fiduciary duties.<sup>36</sup> For example, Evelyn Brody analyzes the Hershey case in terms of the parochial—meaning locally-bound—conception of “public interest” inherent in charitable trust law; and the paternalistic role played by regulators of charities, i.e. attorney generals, legislators and courts. For Brody, the 2002 canceled sale presents a case of illegitimate “near-seizure of assets” by the state (2004: 3): “The Hershey case illustrates the lesson that the value of narrowly-confined charitable assets does not disappear—it just gets appropriated by those with power over their disposal,” in this instance the office of governor and attorney general in Pennsylvania. This transpired, Brody argues, at the expense of the beneficiaries of the Trust—the students of the School—as well as Pennsylvania residents who may have enjoyed more employment opportunities had Wrigley’s acquired the Hershey Company (28).

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<sup>36</sup> See Brody 2004; Klick and Sitkoff 2008; Komoroski 2003; Schramm 2006; Sidel 2003.

Klick and Sitkoff (2008) take the analysis of 2002 in another direction. The “ugly secret” of charities in the U.S. is that “their lack of clearly defined owners invites deadweight losses” arising from agency costs (2008: 750). Agency costs, the primary concern of the study and practice of corporate law, are the cost of delegating control of a principle’s assets to an agent (830). In business, such costs arise when the incentives of managers diverge with the interests of shareholders.<sup>37</sup> In the case of the Hershey Trust, Klick and Sitkoff argue, the injunction of the sale obtained by the Attorney General imposed roughly \$850 million in agency costs on Trust beneficiaries—the children of the Milton Hershey School. Furthermore, preventing the sale destroyed \$2.7 billion in shareholder wealth in the Hershey Company—the stock of which dropped significantly in the wake of the canceled sale: “The \$2.7 billion increase in the value of the Company on exposure to the takeover market is a damning indictment of the trustee’s failure as agents of the Trust to maximize value” (831).

The trustee’s failure is, Klick and Sitkoff argue, specifically a failure to diversify the Milton Hershey School trust fund. A portfolio valued primarily on the performance of a single business corporation is unnecessarily exposed to unsystematic or uncompensated risk—“risk for which there is no offsetting improvement in expected return and that could be avoided costlessly by diversifying” (2008: 766). The Pennsylvania Attorney General rightly urged trustees to embrace, in Klick and Sitkoff’s striking formulation, the “risk-avoiding magic of diversification.”<sup>38</sup> The canceled sale—what Klick and Sitkoff

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<sup>37</sup> For a classic formulation of agency costs see Berle and Means 1932.

<sup>38</sup> Klick and Sitkoff suggest that the deflation of the 1990s technology bubble and management scandals at U.S. energy and telecommunications giants Enron and Worldcom, respectively, made explicit the “perils of an undiversified portfolio” and may have prompted Hershey trustees to diversify (2008: 767).

term, somewhat provocatively, the “aborted sale”—was a missed opportunity, they argue, for both the Hershey Trust and The Hershey Chocolate Company. Perhaps as a consequence, they suggest, the Company continues to lack an international presence comparable to that of its competitors Mars, Nestle, and Cadbury (2008: 755). The missed opportunity has also created “an unfortunate expectation in the town of Hershey that the trustees will retain control over the Company indefinitely” (755). The sentiment of Hershey locals “obscures the sad reality of the Trust’s exposure to uncompensated risk and the growing disconnect between the Trust’s value and its mission” (755).

Klick and Sitkoff’s view from corporate law has not gone unchallenged in business scholarship. Thomsen and Hansmann (2012), namely, suggest an alternative view: that the industrial foundation arrangement encourages foundation trustees to consider themselves “virtual owners” of a business corporation, creating a condition of “managerial distance” (‘distance’ in the sense of clarity and objectivity) that improves the economic performance of business corporations. Klick and Sitkoff’s analysis purports to find inefficiency—i.e. high “agency costs”—in the industrial foundation arrangement, but as Thomsen and Hansmann observe, the results look differently when considering company performance before and after the canceled sale: “...If one considers the entire four-year period surrounding the brief event interval on which [Klick and Sitkoff] focus, the foundation-controlled Hershey Company...strongly outperformed both the industry average and the overall Dow Jones Industrial Average” (2012: 5).

Among Hersheyites who participated in “Derail the Sale,” the socio-legal aftermath of 2002 is most salient in terms of their sense of control and participation in Hershey’s seminal institutions. The story of the derailed sale is framed by some

participants I spoke to in terms of activism—echoing the formulation “shades of the 1960s.” Other participants expressed worry that, in retrospect, it might be a story of passivism. After all, they observe, the economic and social fate of the local community appears to remain largely in the hands a self-perpetuating board of trustees whose accountability to the community is limited, if somewhat expanded by the legal precedent set in 2002.

Hersheyites who recollect “Derail the Sale” shared a sense with me that the struggle over the social, legal, and market relationship among Trust, corporation, and community is ongoing and, perhaps, gaining in intensity—if out of public view and out of local control. According to some participants, a *Fortune Magazine* article (Heylar 2002) best captures the campaign and its aftermath. After detailing the efforts of the “citizens’ militia” that organized in opposition to the sale, the article concludes on an anti-heroic note:

Now that the immediate euphoria of the town's victory has worn off, some wonder whether that victory was a Pyrrhic one. For these self-appointed keepers of Milton Hershey's flame, there's no going back. The end of silent acquiescence is surely a good thing. But it's been replaced by endless chatroom conspiracy theories. One popular protest sign tells all about the new age of suspicion: **HERSHEY TRUST IS AN OXYMORON....** The town emerged with its beloved company--but it can't truly regain its past. The quilt that is Hershey has frayed, and many of its threads have popped. Hershey long proclaimed itself ‘the sweetest place on earth.’ Now, it's bittersweet.

The campaign to Derail the Sale “got to be something that I don't think can be duplicated, because I don't think the stars are going to line up like that—that there's going to be an election for governor at the same time there's that same kind of outcry,” one participant in the campaign observes. “People from 2002 are changed,” comments another:

I'm not sure that if the Company went up for sale again we could get near the same kind of firestorm of outrage. Hundreds of chocolate factory jobs have been moved to Mexico and people could care less. The old plant is closing down. We don't have that same legacy feeling, I guess—a feeling of heritage. Or, it's still there, but leadership has changed a lot. Whatever's going to happen next, it comes down to that trust board.

### **Hershey Trust Vs. Hershey Trust**

The public that emerged to make claims on the Trust in 2002 was not limited to the polity of Derry Township or to an already-existing social class or group; it incorporated stakeholders variously-construed: Derry Township residents, employees of the Hershey Company (who may or may not have resided locally), shareholders in the Company, employees and alumni of the Milton Hershey School, as well as consumers of Hershey's candy, for whom the potential sale was a matter of concern for whatever reasons. Participants in the campaign speculated to me that “public outrage” at the Trust's attempt to sell the Company could not be repeated.

As a voluntary association of people who shared a common interest in preventing the sale, the campaign to “Derail the Sale” fulfilled its function and concluded: in this sense the “outrage” is over. But this is not to say that attention to the Trust has waned in the last decade. Publics attuned to the circulation of texts about the Trust are, as it were, alive and well. Indeed, journalistic and activist discourse concerning the Trust has proliferated in the decade since “Derail the Sale.” This is the context of local newspapers' publicizing property acquisitions made by trustees, i.e. the golf course, which Hersheyites termed “the tip of the iceberg.”

It was no mere coincidence, then, that as I made rounds interviewing “Derail the Sale” participants, my interlocutors and I were confronted with the “breaking news” of a

whistle-blowing lawsuit filed by a prominent Hershey trustee— a Mr. Reese, grandson of the founder of the Reese’s Company (Associated Press 2011).<sup>39</sup> Reese’s filing with the Pennsylvania state Attorney General alleged a variety of ethically unscrupulous, if not technically illicit practices by his fellow board members: profiting through property acquisitions; luxury hotel stays; first class airplane tickets; limousine services; Trust-funded political campaign contributions; financial enrichment of relatives through contracts; and general negligence in the management of the School, including overlooking situations in which children were involved in sexual misconduct and abuse.

Coming on the heels of the Attorney General’s announced probe, the Reese lawsuit detailed publicly for the first time the escalation in compensation (disproportionate to monetary inflation) since the founding of the charity in 1909. While disinterested observers may not find the escalation remarkable, among concerned Hersheyites the escalation is objective evidence of trustees “self-interestedness:”

|              |                                         |
|--------------|-----------------------------------------|
| 1909 – 1940: | \$ 0                                    |
| 1941 – 1984: | below \$1,000 and [later] up to \$2,000 |
| 1985 – 1990: | \$12,500                                |
| 1990 – 1993: | \$20,000                                |
| 1993 – 1996: | \$30,000                                |
| 1997 – 2002: | \$35,000                                |
| 2003:        | \$49,000                                |
| 2004:        | \$65,000                                |
| 2005:        | \$85,000                                |
| 2006 – 2010: | \$100,000 to \$130,000                  |

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<sup>39</sup> *Reese’s* founder, H.B. Reese, was a dairy farmer and a shipping foreman for M.S. Hershey. As local legend has it, Reese was inspired by Milton Hershey to open his own candy business and in the 1920s established a company in the basement of his home in Hershey. Peanut Butter Cups—made of chocolate-coated peanut butter—used Hershey’s chocolate. In the early 1960s, a few years after Reese’s death, the company—inherited by the Reese children—merged with the Hershey Chocolate Company and became a subsidiary, which it remains today. H.B. Reese’s grandson sat on the board of the Hershey Trust for several years until the day he filed his lawsuit in February 2011.

The Reese lawsuit was withdrawn within a couple months of being filed— the petitioner citing health conditions preventing him from proceeding.<sup>40</sup> By that time, the Attorney General’s probe into the golf course already had expanded to include an investigation of the allegations. In Pennsylvania, the lawsuit became one key subtext among others in the run-up to the 2012 election cycle. Publicity of the allegations drew national attention, culminating in articles such as the one published in *The Nation* magazine, provocatively entitled, “Hershey’s Charity for Children Became GOP Slush Fund” (Fouad and Stroud 2012):

In keeping with its mission, the Milton Hershey School serves about 1,800 students from pre-kindergarten through twelfth grade, who study in state-of-the-art school buildings in Hershey, Pennsylvania. What the charity also does, of late, is shovel money and favors to a coterie of prominent Pennsylvania Republicans. MHS’s alleged wrongdoing is pervasive and well documented, but thanks to the GOP’s grip on power in the state—most crucially its iron lock on the attorney general’s office—the charity has never been effectively called to account. With the first real possibility of the attorney general’s office shifting to the Democrats since it became an elected position thirty-two years ago, all this may change come November.

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### **Who makes claims to trust?**

In the United States today, there are nearly one and a half million qualified charity organizations; excluding religious congregations, these organizations control about \$3 trillion in assets (King and Roth 2007). Oversight and regulation of these charities vary by state; often oversight is considered lacking. In a national-historical perspective, anxiety among Americans over charitable trusts and their oversight and regulation is not

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<sup>40</sup> Despite my multiple efforts to arrange a conversation, Mr. Reese would not commit to speaking with me: evidently he was avoiding journalists in part because of the legal implications of press exposure; perhaps as an ethnographer I was associated with a variety of journalism. On the “suggestive boundary problems” of anthropology, journalism, and other academic and professional disciplines, see Lederman 2004.

recent or novel. It is rooted, perhaps, in a tension between democracy and plutocracy that can be traced to the founding of the country, as legal scholar Lawrence Friedman observes (2009). The United States was, after all, “born in revolt against a system of inherited, dynastic wealth” (Friedman 2009: 21).

Following the Revolutionary War, writes legal scholar Ray Madoff, “the charitable trust, associated as it was with privilege, the dead hand, and massive wealth held in perpetuity, was viewed with particular suspicion” (Madoff 2010: 92). Jefferson warned against future generations of Americans being dominated by previous generation’s contracts (2010: 5). Madison expressed concerns about religious establishments perpetually controlling large amounts of property: “The growing wealth acquired by [ecclesiastical corporations] never fails to be a source of abuses” Madison warned (quoted in 2010: 92).

The American view towards entrusted charitable wealth changed dramatically in the late 19<sup>th</sup> century:

The late nineteenth century was a time when individuals in the United States began amassing wealth at levels never before seen in history. At the same time, it was an era of growing public awareness of larger societal ills, particularly those suffered by immigrants in the rapidly expanding American cities. In the end, the combination of societal problems in need of resources and the possibility of devoting a portion of this growing private wealth to the problems of the day outweighed earlier concerns about the unfettered growth of perpetual charitable organizations. This transformation was also eased by the simultaneous development of another entity with perpetual existence: the [business] corporation. (Madoff 2010: 95)

By the time the Hershey Trust was established in the early 20<sup>th</sup> century, the United States “had grown its own crop of dynasties” involved in charitable organizations (Friedman 2009: 14). Unlike English dynasties, the new American dynasties were “not

old, noble families;” they were, rather, “the descendants of men who made their money in business. To be 'in trade' was not a disgrace; it was one of the highest callings a man could have" (2009: 122):

...A new American aristocracy of wealth had emerged—bankers, industrialists, captains of industry. Judges were, by and large, men who sympathized with society's elites. The doctrines [of trust law] catered to the needs and wishes of rich dynasts. These were men who were beginning to endow universities and create huge charitable foundations. They were often--not always--benefactors of society. The law reflected the conservative views of these men. It supported the wishes of founders and owners of great fortune." (Friedman 2009: 120-121)

Along with the change of the public image of entrusted wealth among Americans, the capacity of banks and trust companies to lobby for their interests in Washington changed.: “...The new professional trustees, the trust companies (or banks with trust departments), became, for the first time, significant players in the game of trust management” (2009: 134). In the twentieth century, "they largely took over the business of trust management from private individuals...with regard to larger and dynastic trusts. And by the end of the twentieth century their influence on trust law was felt in decisive ways” (134).

As I discovered in conversation with Hersheyites, the relationship between entrusted charitable wealth and the “public interest” has become re-problematized in the early 21<sup>st</sup> century. The stories told by Sharon, her friends, and senior townspeople who recollect “Derail the Sale” draw attention to the “public capacity” of the Trust’s private actions, to borrow a phrase from John Dewey (2012 [1927]: 13). Implicit in their interest in the Hershey Trust’s oversight and regulation is the notion that a public is entitled to make claims on the activities of a private trust; that a trust has “public capacity” to the extent its private transactions have social consequences affecting the welfare of a

community. Hersheyites who narrative recent scandal are concerned with making some legitimate claim on the direction of the Trust's private activity—though they have no direct legal standing to do so. The publicization of scandal at the Trust and efforts to shine a brighter light on the Trust's existence, history, and activities is, as I hear it, part of a public's legitimation work—charting an uncertain path for new juridical and ethical claims to be made on charitable trusts in the name of one or more publics.

Who will be those future publics who make claims on charitable trusts such as Hershey's? To begin to answer that question—and to formulate alternatives to the question—I inquire into the publics who made claims on the Trust in Hershey's recent past. The inquiry into who used to make claims on the Trust, and who might make them in the future, leads me deeper into the town (the next chapter), the School (chapter III), and the Company (chapter IV), and eventually leads me to consider claims and counter-claims among a few individuals substantively invested in the fate of Hershey's charitable legacies (chapter V).

## Chapter II: Localizing Trust

At one point everything about Hershey was in Hershey. The interests of the Hershey Trust and its various components and subsidiaries were pretty much intertwined. That love relationship, that marriage that once existed got fractured in 2002. The trust level—everybody’s trusting Hershey changed after that. There’s some bad blood from that and it hasn’t gone away.

The day is long passed that the Trust would take care of everything in town. The Hershey Company has broadened its horizons. They’ve decentralized. They’re well beyond being the patriarch of the community. That’s why there’s friction: The former golden years, up to and including the 1960s—the local predominant role of the company began to wane after that. That’s attributable to the global economy. You can no longer function as an insular, locally-based, locally-popular company.

The folks who run Hershey have been with the company for a long time. They’re a creature of our social and political culture in Central Pennsylvania. If you know the culture of Central Pennsylvania, you know pretty much how Hershey thinks and reacts to things. It’s the conflict between local, culturally-based thinking and action, and entrance into the global economy—that’s what produced the 2002 melee. They ain’t gonna do that again. What further changes they make in decentralization and moving out of the township will be slow.

—longstanding Harrisburg politician in conversation with the ethnographer

The South-Central Pennsylvania area where Hershey lies is among Pennsylvania’s more affluent regions (trailing Philadelphia and Pittsburg). It enjoys a relatively diversified economy spanning mining, high-tech industries, and higher education. However, the larger national area containing it—the so-called ‘rust belt’<sup>41</sup>—has suffered four decades

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<sup>41</sup> The term ‘rust belt’—referring to an area of the United States “spreading from New York through Pennsylvania and Ohio and onto the shores of Lake Michigan”—likely entered the American lexicon through a remark by Walter Mondale in his 1984 presidential campaign against Ronald Regan (Safford 2009: 3).

of de-industrialization. Known through the immediate post-war years as the U.S. manufacturing belt, it began ‘hollowing out’ in the late 1970s and early 1980s as businesses relocated in search of less expensive labor, and skilled workers left to seek opportunity elsewhere (Safford 2009: 3). The 20th century industrial economy’s new model of economic organization left in its wake “a proliferation of rusting factories, declining home prices, population losses, high unemployment, and general economic malaise,” writes industrial scholar Sean Safford (2009: 3).

Through the immediate post war years, the central feature of the U.S. industrial economy was “the large bureaucratic company, itself organized within large industrial complexes:”

Industries were defined by their core products (steel, autos, textiles, and so forth). Manufacturing output was oriented predominantly toward mass production. Frontline workers were represented by labor unions organized, not by craft or occupation, but rather by industry. Economic policy was oriented toward social stability, with Keynesian fiscal programs aimed at achieving full employment and a welfare state that mitigated the social impact of cyclical layoffs. The federal government—particularly following the Second World War—took an active role in regulating a number of key industries, particularly transportation, communication, energy, and banking. The demise of this way of organizing the economy—leading to an extended period of what economists have referred to as a ‘structural adjustment’—produced the crisis of the rustbelt. (2009: 5)

Key to this “Fordist” industrial economy—named for the mode of production pioneered by Henry Ford—was the “close interrelationship that existed between industries and the communities they inhabited” (2009: 5). Cities such as Akron, Detroit, and Pittsburg were capitals of the industries they housed. Likewise, industry leaders tended to reside locally and held prestigious positions in the local social order. Corporations depended on the cities for infrastructure, short-term financing, an educated workforce, and labor peace (13). Beginning in the 1970s, that close interrelationship was disaggregated

The evolution of the American economy toward global supply chains, customer bases, and financing; the emergence of national markets for labor, talent, and financing; and the willingness of communities to compete against one another to provide tax breaks and infrastructure improvements... cleaved the economic interests of business leaders from their civic interests.... Diminished, downsized, rationalized, and globalized, industrial firms—and their leaders—no longer played by the same rules when dealing with their communities. And because so much revolved around the industrial firm, the redefinition of its identity within communities rippled out to affect the roles and identities of every other actor in these places as well. (Safford 2009: 14, 10)

This realignment of economic identities affected other registers of identity inside the “rust belt” and beyond. Over the last four decades, for example, creative expressions of a post-industrial ethos have proliferated in American arts and letters, cinema and music.<sup>42</sup> The absence of industry at the heart of community life is an enduring theme in these cultural productions. Another expression of post-industrial identity—an unfortunate expression, in contrast to creative arts and letters—is what David Harvey identifies as “the cultural nationalism of the white working classes and their besieged sense of moral righteousness (besieged because this class lived under conditions of chronic economic insecurity and felt excluded from many of the benefits... distributed through affirmative action and other state programmes)” (Harvey 2005: 50). “Besieged” white working class cultural nationalist identity, amplified by national broadcast media such as talk radio and cable news, has become stubborn feature of U.S. electoral-political discourse in particular.<sup>43</sup>

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<sup>42</sup> Perhaps the music of Bruce Springsteen is the most popular exemplar.

<sup>43</sup> As evidenced by right-wing publicity around 2008 presidential candidate Barack Obama’s comment about “bitter clingers.” Obama’s remarks were ethnographically astute: “You go into these small towns in Pennsylvania and, like a lot of small towns in the Midwest, the jobs have been gone now for 25 years and nothing’s replaced them.... And they fell through the Clinton Administration, and the Bush Administration, and each successive administration has said that somehow these communities are gonna regenerate and they have not. And it’s not surprising then they get bitter, they cling to guns or

As an ethnographer among longstanding residents of Hershey, I discovered a discourse of “exception,” and a collective expression of good fortune pertaining to the social and economic realities of de-industrialization. Residents pointed me to the idiosyncratic history of the company town, its genius founder, and the founder’s legal legacy, when accounting for what makes Hershey a “lucky town”—a “bubble” that remains prosperous in spite of economic hard times. This sense of exceptionality and good fortune among residents is tempered by a critique of the direction of the town’s development in the new century. In the second half of the 20<sup>th</sup> century, the Hershey Trust became an engine for local development in two specific directions: in one, entertainment and resorts. In the other, public university medical education. The later of these paths—made possible through some remarkable legal and political maneuvers (discussed below)—would prove to be the most surprising to longstanding locals. Both paths are matters of concern and occasional contestation.

“Old” Hershey—the 20th century model industrial town—is evanescent, and the “new” Hershey emerging in its stead raises empirical and ethical questions among locals, namely: Whom has recent development benefitted, and whom ought it benefit? The Hershey Trust is crucially implicated in these questions, if not always centrally implicated. Such questions are intimately related to an aesthetic question I heard posed in different formulations time and again: Is Hershey becoming more or less beautiful?

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religion or antipathy to people who aren't like them or anti-immigrant sentiment or anti-trade sentiment as a way to explain their frustrations.” (Quoted in Fowler 2008)

### **Hershey-before-Hershey**

At the end of the 19th century, the crossroads called Derry Church—“Hershey-before-Hershey,” as it is known among Hersheyites—was home to a small community of Pennsylvania Dutch and Scots-Irish farmers. It was situated just south-west of the Blue Mountain region known as coal country—the “anthracite region” (Wallace 1988: 1988). Industrial coal mining ushered in a new social order to that region: Beginning in the 1870s, “a big union and a cartel of coal, iron, and railroad corporations banded the diversities of religion, national origin, and social class together into a state within a state,” writes anthropologist Anthony Wallace (1988: 367). Coal towns were strictly administrated, buoyed by “a perception by both unionists and capitalists that a higher level of sovereignty, social control, and industrial discipline was required for mutual survival...” (367). “Apart from being the economic mainstay of the entire region by virtue of direct employment and the purchase of local goods and services,” Wallace writes, “the [coal] company wielded an enormous power comparable only to a state's right of eminent domain” (426). Land was appropriated at the will of the company. Social control was enforced by the state as well as by private police. Labor disturbances were quelled by secret police (i.e. the Pinkerton Detective Agency). The Hershey model town both appropriated and countered the social order of these coal towns—establishing a model town adjacent to the anthracite region in farming territory.

Though geographically proximate to coal country, the Hershey model town would be inspired less by Pennsylvania coal company towns than by the “garden cities” of England, which M.S. Hershey admired and presumably visited. These industrial towns can be identified with the latter of “two tendencies [which] accompanied modern

capitalism through the whole of its history” (Bauman 2001: 34). The first tendency is, Zygmunt Bauman observes, “a consistent effort to replace the ‘natural understanding’ of bygone community, the nature-regulated rhythm of farming and the tradition-regulated routine of the craftsman’s life by an artificially designed and coercively imposed and monitored routine.” The second tendency “was a much less consistent (and belatedly undertaken) attempt to resuscitate or create *ab nihilo* a ‘community feeling’, this time within the frame-work of the new power structure.” Company towns expressing this second tendency “put a wager on the moral standards of labourers, their religious piety, the ampleness of their family lives and their trust in the boss-patron.... The bid [of such model towns],” Bauman writes, “was to recreate community centred around the place of work and, conversely, to make factory employment into a ‘whole life’ pursuit” (2001: 35).

The Hershey model town was particularly inspired by Bournville, England—home of the Quaker-established Cadbury chocolate factory.<sup>44</sup> Quakers in England turned to chocolate making, among other business pursuits, in large part because they were banned from universities and restricted in professions such as law; they could not stand for parliament; and as pacifists, did not join the armed services (Cadbury 2011). At Bournville, George Cadbury paid relatively high salaries for women, limited working hours, established sick pay and a pension plan, and in lieu of passing his fortune to his children, established the Bournville Village Trust,<sup>45</sup> created to maintain and improve the

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<sup>44</sup> Rowntrees—another English Quaker confectionary and a rival of Cadbury—modeled its company town at New Earswick on Cadbury’s Bournville.

<sup>45</sup> The Bournville Trust continues to operate; the Cadbury Company was acquired by Kraft in 2010 (after briefly being considered for purchase by Hershey Co.; see chapter IV).

community surrounding the factory.<sup>46</sup>

Comparisons aside, the Hershey model town tends to be interpreted as a unique — “one of a kind” — product of its founders’ ethical and practical imagination: a vision of the good life paradoxically premised on mid-19th century Mennonite values and turn-of-the-20th-century financial principles. Schools, an amusement park, zoo, theater, museum, hotel and gardens, sports arena and ice rink with ice hockey team: each were built for the education and recreation of employees of the chocolate company and their families. Each were managed during the founder’s lifetime under the bureau called Hershey Estates. After the founder’s death in 1945, the amusements of the model company town became incorporated into the for-profit Hershey Entertainment and Resorts Company, wholly-owned by the Hershey Trust; some other amenities and amusements were retained by a foundation established by the founder for the benefit of the public community (the M.S. Hershey Foundation); and yet other assets — the company town’s utilities, mostly — would be sold off, the monies reinvested by the Trust into the emergent Hersheypark.

### **“The Goose That Lays the Golden Egg”**

Conversations with Hersheyites about the development that followed the company town and the extent to which the Trust enjoys control of that development led me to the headquarters of Derry Township governance, among other local milieu. When it comes to local property, the Hershey Trust remains “the big daddy,” a township manager — Jake — puts it to me when we meet in his offices across a highway from Hersheypark. With control of the Hershey Company, outright ownership of the Hershey Entertainment and

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<sup>46</sup> Famously the Cadbury factory inspired Roald Dahl’s children’s novel *Charlie and the Chocolate Factory* (1964). Dahl spent his adolescence at an English public school near the Cadbury Company (Shultz 1998). See also Managan 2014.

Resorts Company, sponsorship of the locally-based Penn State Hershey Medical Center, and ownership of most of the land in the township, it is well understood among local citizens and their representatives that “the Trust looks out for its interests.” The Trust is especially “concerned about image,” Jake explains—pointing to the badge that until recently he wore as chief of police. The badge features a graphic rendering of the street signage at the intersection of Cocoa Avenue and Chocolate Avenue in downtown Hershey. The initial design for the badge was a Hershey’s Bar, but the Trust rejected that design: “If a police officer were to do something wrong and the news puts the patch up there and it shows a Hershey’s Bar, it reflects badly.” The Trust hired an artist and developed the alternative logo for the police department, Jake remembers. Officers wear the badge with pride:

When Hershey does something, they do it right. They put a lot of thought into it. Nothing looks shabby. Nothing brings discredit to the name. When you’re working with Hershey, you know you’re going to get a good product.

The town Hershey would survive if the Company left, as it might have in 2002—but “it’s heart and soul would go.” Fortunately, Jake observes, a new chocolate production plant is currently being constructed outside of town to replace the original downtown Hershey factory—“19 East”—that has just announced it will close. Though jobs will be lost because of efficiency improvements in the new factory, the township will benefit in revenue from building permits as well as a tax assessment on the new plant. The construction of the new production plant coincides with an improvement project at the square in downtown Hershey, which as Jake sees it, exemplifies the township’s positive relationship with the Trust and Company. The Trust and Company have put up land for the construction of a new intersection, bridge, and pedestrian underpass, and the

township is awarding construction contracts: “It’s very cooperative and it’s for the betterment of the community.”

Like his colleagues in township governance, Jake approaches his current work in the public township in terms of the services provided to the various Hershey entities, as well as the medical center. The township police department, for example, ensures Hershey remains a safe place for tourists, who will not visit if there is a “reputation for being a troubled community.” The township has been “accused of hiding things from the press to make the community better,” but this is untrue, Jake insists. One needs only to look at the newspaper and read about the arrests made at any given pop concert that comes through Hershey: “The township has nothing to hide.” He figures that nine out of the ten people arrested are outsiders to the township: “People come here to prey on the affluence we have.”

Jake began his work for the township as a police officer, in fact. A native of nearby Lancaster, he entered the armed forces after graduating high school, and after returning in the early 1970s from serving in Vietnam, entered police work. When he arrived in Hershey, the police department had only recently been formed and claimed only four officers. (Until the early 1960s, Hershey Estates’ security patrolled the town as a constable power.) The number of officers has grown ten-fold over the last several decades—in large part to accommodate the several million tourists circulating through Hershey yearly. At the town’s concert venues, township police in uniform and undercover in plain clothes—occasionally partnered with state police on horseback, who have maintained a headquarters nearby since the 1920s—direct car traffic, pursue drug and alcohol violations, and make assault-related arrests. Jake has participated in the

expansion of the force and, as he tells it, refashioned himself personally and professionally from a U.S. marine into “a community protector.” In Hershey, he says, “you feel more like a protector than anywhere else you could go.”

The Trust-controlled chocolate company and amusement park are the two entities that makes Hershey “iconic,” Jake explains. They are also what furnish town residents with low-tax, high-quality of living and public education. Unlike its neighbors, Derry Township is fortunate to have the tax base it has—in particular the “amusement tax” generated by the Trust-owned Entertainment and Resorts Company. The township generates more revenue from the amusement tax, and a corresponding parking tax (charging tourists to park their vehicles before entering the park), than from certain real estate taxes. Nonetheless, given this good fortune, tax revenue is increasingly stretched thin, Jake reckons.

Township management is putting together its 2012 budget when I visit its offices. After sixteen years on the job, Jake says, it gets more difficult each year—because no one in the township wants a tax increase. Indeed, he reckons, the township has not increased some real estate taxes since 1987. Eventually taxes will have to be raised, but this time in particular—a period of economic recession—is regarded as an especially bad time to raise taxes. “In retrospect, had we been smart in the good times,” Jake reflects, the township would have raised taxes incrementally and “built up a bank.” “A gradual increase would’ve been the way to go instead of the hammer coming down and hitting them hard.” But there is no target for when real estate taxes will be raised. The projected budget maintains the levels of the last several decades.

In economic hard times, Hersheypark's "amusement tax" can become contested, as happened in the course of my fieldwork. When I visit Derry Township's administrative offices, for example, the public school district is in the midst of filing a lawsuit implicating the amusement tax in particular and, more broadly, M.S. Hershey's intentions—specified in his last will and testament—for funding the township's public school system. The lawsuit comes in response to recent state budget cuts in education precipitated by the 2007/8 financial recession and the subsequent election of an austerity-minded state governor (Tom Corbett). As Jake sees it from the township's vantage, the public school district and the private trust are in opposition and the township is in the position of mediator: If the school district is going to petition for more revenue, it ought to be done "quietly and in private," he suggests. Reflecting a view I heard throughout my time in Hershey, Jake reckons that lawsuits may close off future sources of revenue from Trust-owned properties. He is wary about "asking too much" from the Trust: "I just think you don't want to kill the goose that lays the golden egg."

Government in Derry Township makes claims on the Hershey Trust most publicly through its amusement tax on the Trust-owned Hersheypark. Hersheypark is part of a national amusement and theme park industry which, when I was doing fieldwork, was made up of about five hundred businesses and generated around \$10 billion a year—half a billion of that in profits (Samadi 2011). As an effect of the Great Recession, the park industry was facing significant drops in revenue.<sup>47</sup> Indeed, it has been a difficult start of the century for regional parks and amusement companies, which have been confronting

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<sup>47</sup> The one exception was Disney Parks and Resorts, which saw attendance grow "largely because of lower admission prices and ticket specials" (Samadi 2011). On Disney amusement parks, see Fjellman 1992.

difficult economic times at least since the terrorist attacks of September 11, 2001. In the wake of the attacks, leaders in the parks and hospitality industry looked inward and concluded that trafficking in “family fun” was a legitimate, state-condoned activity that ought to be promoted. Young (2002), for example, argued that Americans are looking to re-connect with families and make family-oriented trips after the tragedy of 9/11: “Both Mayor Guiliani and President Bush attended baseball games after September 11. It is OK to be selling fun. Fun remains on the approved list.” “There has never been a better time” to promote and deliver fun, in particular “family fun.” His advice to his fellows in the industry: “Focus on the family” (Young 2002: 140).

In line with the industry’s “focus on the family,”<sup>48</sup> Hersheypark’s marketing campaign during my year in Hershey was “100% family.” The imagery in television commercials is designed to emphasize “the precious little time that families have together,” a designer of the campaign tells me. The park is “an ideal environment where people can come and be totally immersed as a family.” Unlike other forms of modern entertainment, such as cinema, the amusement park is not an “individual situation,” a longtime Hersheypark administrator explains to me: “You go to a movie and either you like it or you don’t like it. You might be watching it with others, but it’s an individual thing.” Amusements parks are “a family presentation of experiences,” comparable to baseball games, or more proximate to Hershey, hockey games (a regular feature of the park’s entertainment programming).

The “family unit” the park appeals to is not restricted to “nuclear family,” a park official explains. “It could be an extended family. It could be three families from the

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<sup>48</sup> A focus conceivably compatible with the evangelical social-political mission of the Colorado-based, national non-profit “Focus on the Family.”

neighborhood.” Hersheypark makes efforts to incorporate all generations and family situations into the immersive experience. This means the park avoids excluding visitors on account of age or body-type: “We don’t do the biggest, tallest, or fastest of anything. We play it down the middle so that it’s something everyone can enjoy.” Competitor amusement parks have tried to cater to specific demographics—teens, for example. One such park has adopted metal detectors at their front gates in order to reduce the risk of weapons being brought into the park by teenagers. “We say [to our competitor], ‘Go ahead and put up metal detectors,’” the administrator says. “Our own mantra is family. The reason we do what we do is because of the family unit, and that’s why business is going to stay strong.” He elaborates:

The 75-year-old grandfather looks up [at a rollercoaster] and says, ‘I rode that and my son, you rode that. Now your son ought to ride it.’ Those continuums are good as long as you have got the traditional family experiences being shared over and over and over again. That seems to be pretty hard to break. I don’t know what breaks that— what situation. So far economic downturns haven’t broken it totally. [An economic downturn] just means you consolidate a little closer. Bad experiences perhaps could break it. But the mind has a tendency to forget the negative and remember the pleasant. I believe the experience with the family is going to be a long continuum. As long as there’s a family unit—as long as there is a remembrance of getting together and that continuum of wanting to get together—amusement parks have a bright future.

### **“The Hershey Entertainment Industrial Complex”**

The origins of Hersheypark and its development over the last four decades are at the heart of Hersheyites’ local knowledge of post-industrialization. Now nicknamed the “Hershey Industrial Entertainment Complex” by some, senior townspeople remember it was constructed initially for families of chocolate factory workers and visitors to the town:

The park was Mr. Hershey's way of giving his town, his community and his employees a place to recreate. It was a gift to the community and it was free. You didn't have to make a commitment on lots of dollars. You walk in with a dollar and leave with a dollar.

The company town's park became problematized as an asset by Hershey trustees in the middle 1960s. Though the park remained popular at this time and was frequented by "bus groups and picnic groups," townspeople recall, no substantial capital had been invested in it since the founder's death, and it generated minimal profit. It was "a little shabby"—maintenance having been cut down to once a week in order to reduce operation costs. Hershey trustees, inspired by recent national development in theme parks by the Disney and Six Flags companies, invited consultants to evaluate the property as a potential theme park. A multi-year, "phased" program was enacted to enclose the picnic grounds and transform them into a regional amusement. Money made from selling off the company town's utilities and infrastructure would be used to finance the theme park.

The Trust's investment of money from auctioned utilities into an amusement park occasioned significant negative feelings among some Hershey residents. The park's marketing strategy was to transform the company town—previously a minor center of regional tourism—into "Destination Hershey: Come for the chocolate, stay for the fun." Marketers working for the newly-formed Entertainment and Resorts Company focused on attracting visitors from the surrounding region—termed the "hilly market" for its topography. Under the "phased" program, townspeople eventually paid a fee to enter to the park—along with all other visitors—though the fencing of the park preceded its pecuniary enclosure by a year or two.

The story of the park's journey since its enclosure in the early 1970s is well-rehearsed by senior townspeople and park officials: Riding a wave of national-cultural

interest in environmentalism,<sup>49</sup> the park became known in the 1970s for “clean and green family fun.” This public image disintegrated when, in March 1979, a nuclear reactor at Three Mile Island power plant, located a dozen miles outside of town, partially melted down.<sup>50</sup> Hershey trustees directed the entertainment company to diversify its amusement assets outside the Central Pennsylvania region, “so that if something really did happen [at Three Mile Island], the whole company wouldn’t be lost,” a park administrator recollects. New hotel and resort ventures—in Philadelphia, Connecticut and Texas, among other locales—were badly mismanaged and sold off within a decade, leaving the entertainment company near bankruptcy by the late 1980s. Crucially, the Trust bailed out the entertainment company with a cash infusion, after which bank financing was secured to expand the park locally.

Through the 1990s, the value of the entertainment company and the size of park’s physical plant grew considerably. Trustees of the various Hershey entities opened legal avenues between the Hershey Company and the Entertainment and Resorts Company in order to introduce the Hershey brand-name into the park itself—a strategy of “synergy” that makes the park and brand generally synonymous in the eyes of today’s visitors. Over the last decade, the entertainment company has added roller coasters and a water park; constructed a new concert stadium; invested heavily in area restaurants; and refurbished the Hotel Hershey—transforming the original Depression-era construction into a luxury

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<sup>49</sup> Coinciding with national environmental legislation such as the National Environmental Policy Act, the Clean Air Act, the Water Pollution Control Act, and Endangered Species Act.

<sup>50</sup> Three Mile Island had serious economic effects on Middletown, Pennsylvania—Hershey’s neighbor—from which Middletown apparently has never recovered. For a history of the nuclear emergency at Three Mile Island, see Walker 2006.

spa resort. The park has won prestigious industry awards;<sup>51</sup> it is regarded one of the better representatives of its kind in the mid-Atlantic region. As I gleaned from prior experience and re-discovered in the course of fieldwork, it is indeed a pleasure to visit with “extended family”—particularly when weather is accommodating.

Among locals who narrate the origins of the park at Hershey, the development of Hershey’s consumption attractions in the late 20th century is a potential source of discontent. Remembering the old park may be nostalgic for some; however, narrating the story of development, and critiquing the park’s present-day incarnation, is not restricted to those who claim first-hand knowledge. Narratives of local development tend to naturalize the development of the old park as an inevitability—an artifact of the perpetually profit-seeking nature of firms such as the Hershey business corporation—all the while critiquing it. A young man I met who lived until recently in neighboring Middletown (not a pseudonym) articulates the commonly-held sentiment among Hersheyites:

The love of the place used to tie it together. The park was genuinely for the workers at the chocolate factory, the families in town, and for people from around the region. It was an affluent place in the region but it wasn’t snobby like New York or Philadelphia. People from the area wanted to be associated with it; they were proud to be associated with it. When people ask me ‘Where are you from?’, I still say ‘Just outside Hershey.’ Of course, it’s a huge corporation and it was even then, but there was still this local, small-town feel to the place that attracted people. It was part of the family, part of the home.

Today Hershey is more like a very expensive fantasy— a fantasy of familiarity. The tourists who come, I think they want to be part of the fantasy. They pay to be a part of it. But the park is no longer for the workers, the old swimming pool is closed down, and they’re making Hershey’s Chocolate in

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<sup>51</sup> In 2000, Hersheypark received the International Association of Amusement Parks and Attractions’ Applause Award. “The award’s aim is to recognise an amusement park or theme park whose management, operations and creative accomplishments have inspired the industry through leadership, foresight, originality and sound business development” (Liseberg Amusement Park 2014).

Mexico! People get upset about that because it makes the place less special. In the end, though, that transformation from love and family to expensive fantasy is just evolution. It's bound to happen. You can't ask a company to be entrepreneurial and then stop.

### **From love and family to fantasy: Narrating the conversion**

The transformation from love and family to commodified fantasy—if that is in fact the conversion that characterizes Hershey—is not so natural, logical, or inevitable as it may appear in retrospect. My conversations with senior townspeople who recollect growing up in the “golden age” of the company town elicited their remembrances of playgrounds past: sites of communal, commercial-free recreation furnished by the chocolate company. In their memory work, these residents recall substantive losses over the last four decades that coincide with formal gains. Specifically, they bear witness to the uneven yet pervasive for-profit enclosure those communal recreation sites. The places villagers freely used to play in as children have been either demolished or monetized—such that, as they observe, their own children share little of their parents’ emotional or ethical investment in the place itself. Senior residents’ narratives reveal the tension and transition between the unique, “iconic” company town and the suburban community that both prospers and flounders, as they tell it, on account of Hershey’s charitable legacies.

“The golden years” of the company town were the two decades following the founder’s death in 1945—overlapping in large part with the national “golden years” of the post-world War II United States. During this period in town, the sites of commercial-free, communal recreation furnished by the corporation in the first half of the 20th century remained largely intact. Though running a deficit, the amusement park remained unenclosed. The public schools in the township had been built by M.S.H. Likewise, the

utilities were owned and operated by company men. A child running errands for her mother in the village would pay a single service bill at the company department store for water, electricity, waste disposal, groceries, etc. Among those buildings in town not owned by Hershey were an Italian grocery store catering to the palettes of factory workers—many of whom had immigrated with their families from Italy—and perhaps a motel, senior townspeople recollect.

“It was like a little utopia for kids,” Brian recollects. In those years—the 1950s and early ‘60s—the theater presented orchestra concerts at no cost. The amusement park, though a little run-down, was open to townspeople. The community center organized what seemed like a thousand games. And children of the town freely entered the chocolate factory. Inside, they followed the yellow line corresponding to the production sequence. Workers threw candy for them to catch. At the end of the line, their thermoses were filled with cold *Hershey’s* chocolate milk. “You didn’t need any money,” Brian tells me, “and there was always something to do.” Even when it was raining, there was the penny arcade; pennies were plentiful.

Brian lives in downtown Hershey a few blocks away from the house he lived in as a child; his sister and her family live down the street. He and his wife have had four children together, each of which are grown and living in different parts of the country. He is “semi-retired” today—“more retired than semi-“—and enjoying himself: “Like Jane Fonda says, life is best at 60,” he tells me as we drink coffee in his kitchen one afternoon. He is financially secure. His children have attended college and are trying to find career paths: “I’m kind of waiting for my kids to go to a different stage of their lives.” He expresses the hope that someday soon he will have grandchildren. He does not expect,

however, that those grandchildren will grow up in Hershey.

“Hershey did not stay as special as when I grew up,” Brian says when I ask him why he expects his children won’t return. Growing up, his children “all thought this was no more special than any other place—a nice pretty little town, but so are a lot of other towns.” The reason for this de-specialization, in a word, is “money.” “The powers of Hershey wanted to make more money, and they did it at the cost of kids.” When Brian observes that the profit motive of “the powers of Hershey” comes “at the expense of kids,” he specifically means, at the expense of children of the public town: children such as his own who—in the absence of fond memories of the company town and realizing upward mobility elsewhere—seemingly have no need or desire to return. Implicit in his critique is the knowledge that the de-specialization of the community Hershey has been carried out for the benefit (nominally, at least) of the children of the Milton Hershey School—the alma mater of his father. The Milton Hershey School is, after all, the primary owner and beneficiary of what remains of Hershey’s Estates.

Brian’s parents are Pennsylvania Dutch. They grew up in nearby Annville and Lebanon County. His paternal grandmother spoke the Pennsylvania Dutch dialect; he did not learn to understand or speak it. His father was born “in the heart of Amish country,” and Brian grew up with the influence of “plain folk” in his life—particularly through his experience in the Brethren church. His parents each have longstanding ties to the Hershey School and Trust: His mother’s family sat on the first Board of Managers of the Trust after selling their farmland in neighboring Lebanon County to the Hershey Company. And his father is among the oldest living alumni of the Milton Hershey School—enrolling there with his brother during the Great Depression after his own father died.

Brian's sister's full name includes the name of M.S. Hershey's wife—a way of honoring the family benefactor.

Brian remembers when the Hershey amusement park was open for free to chocolate factory workers and inhabitants of the town; it was more like a picnic area than a modern amusement park. One could walk through the park anytime one wanted; the zoo and the beautiful rose gardens, likewise. There was the starlight ballroom, where men and women dressed up and danced to big bands; and the sunken gardens, where a fountain was lit up at night and couples embraced when they tired of dancing. “Dutch Days,” a Pennsylvania Dutch arts and craft fair, brought thousands of Amish and Mennonite people into town to sell trinkets, dolls, hex signs, and Pennsylvania Dutch delicacies: apple butter, chicken corn soup, shoofly pie. At the Hershey Theater, the Philadelphia Orchestra would visit and perform free of cost—an opportunity that neighboring communities obviously did not enjoy. Growing up there—inside a “bubble” of sorts; a protected sphere—it was possible to believe that “no one else had a theater with moving clouds across the ceiling before the movies began.”

Hershey's population in the golden years of the company town was less than half of what it is today. Many of Brian's classmates in the public schools lived on farms; he knew all of their names: “It was a small town.” The primary social division was between Protestant Germans—in particular Pennsylvania Dutch or “Dutchman”—and Catholic Italians. Germans were those who owned and worked the farms in the region before 1905, when the chocolate factory was built. The Italians who settled in the region were skilled laborers—many masons among them—employed by the corporation in the construction of the factory and the town. Both “Dutchmen” and Italians worked on the chocolate

factory floor; Hershey corporate officials were primarily Dutchmen through the late 1960s.

This primary division in the company town was “racial” and “cultural,” senior residents remark. The Germans were “the whites;” the Italians “the other whites.” The Germans ate meat and potatoes; they spoke English and some Pennsylvania Dutch dialect. The Italians ate pastas with sauces; they spoke Italian and some English. “Blacks”—meaning African Americans—were few and far between; the name and location of the house of the one African American family that lived in the township in the early 20th century is remembered by members of the township historical society. Marriages between Germans and Italians, when they occurred, were known commonly as “interracial.” Often they resulted in both bride and groom being disowned by their respective kin. “On the religious thing, you stayed apart,” recalls Brian’s sister Betsy. She remembers a young German-Italian couple who dated and made an appearance together at a local Presbyterian church service sometime in the late 1950s, early 1960s: “All the youth of the town flocked to see if there would be thunder and lightening—if god would strike them dead.”

During the lifetime of the founder—between the early 1900s and middle 1940s—the relation between Catholic Italians and Protestant German was more antagonistic—or alternately, dissociated—than in later decades. The social contact between Germans and Italians was minimal—the latter ghettoized in Hershey’s own “Little Italy,” which was centered around the Catholic church. The Italians “were hated,” in the words of one senior resident of Italian descent. “We weren’t liked. I couldn’t tell you why. Not too many of them [Germans] used to play with us. Only a few—two, three, and that’s it.

Then I guess after the war [WWII] it changed.” A senior resident of Pennsylvania Dutch heritage recalls, “I didn’t even know any Catholics. We were never close to the Italian community.”

Among those who grew up the post-war golden years, the play of Christian difference among Protestant German and Catholic Italian is recollected more in terms of fun and friendliness: “The Italians lived on Areba Avenue [named after a cocoa-growing region] and the German guys would live on Cocoa Avenue,” Brian recollects. “On weekends we’d have ‘holy war’ football games—the Catholics and the Protestants. We all went to school together. We were all friends.” This primary social division is overwritten by a sense of socio-economic equality in the memory of senior townspeople: “There were no rich people, there were no poor people.” Germans and Italians “were all pretty much in the same boat.” After the death of M.S. Hershey, the C.E.O. of the chocolate company “was probably making more money than the rest of us—but it wasn’t like he and his family were rich.” The “first family to become rich” in Hershey were the Reese’s. After the H.B. Reese Company was sold to the Hershey Chocolate Company for \$25 million in 1963, the Reese family “had more money than anybody else, but they were good people. It wasn’t like they were any different.”

Looking back at the company town, “Hershey was a good opportunity not just for Pennsylvania Dutchmen but for Italians too,” Brian reflects. Each generation of Italians got more educated; they were all hard workers.” This sentiment is widely shared among the longstanding residents of the town. It is a story of integration and social mobility oft-told by senior residents of both German and Italian heritage—and indeed it may be read as a ‘classic’ American story:

At one time Italians weren't particularly wanted real badly. Hershey Estates wouldn't even let them build in Hershey — because if you were Italian you were a little bit lower, you know? But they got around that. The kids started to go to college and doing better and better. Now if you look, a lot of them are legislators. Our district attorney is an Italian. Judges are Italian. They got over that and it all worked out pretty well. Some of that bigotry, you know how it gets — it gets watered-down. And by the time people are more educated, it goes away.

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The transition out of the company town model into its present-day suburban incarnation begins in the middle 1960s — just as “the world, the country, everything started to change,” recalls one townspeople. Locally during this period the Hershey Trust — which inherited what was known among townspeople as Hershey’s Estates — gradually withdrew its investment in the town’s infrastructure, utilities, education and recreation. This is the time when the public township formed a police force, taking over duties that had been assumed by private security at the chocolate company. A township building code followed. In the early 1970s, the first public school constructed with tax dollars was opened. And the township began paying for the electricity that powers the Hershey Kiss-shaped street lamps running along Chocolate Avenue in the town center.

While the Trust withdrew services and infrastructure from the town center, it retained downtown property for future development projects — many of which remained largely unexecuted in the decades that followed. Commerce and real estate proliferated in suburban developments surrounding the town center, making Hershey “a town that has no town” — “a town without a town,” in the striking formulation of present-day Hersheyites. Young villagers during this period of transition were perhaps most affected by the withdrawal of the company town’s interests in their recreation and education.

If there was little public outcry when the Hershey “community center” — the

primary alternative to church youth groups for socializing young people—was appropriated for office space by the rapidly expanding chocolate company, it was because many locals (young and old) felt they had no right to complain; the benefits they enjoyed came at the pleasure of “the powers of Hershey.” There was some outcry, however, over the closing of the Hershey Junior College—the two year community college built by M.S. Hershey at the height of the Great Depression, which promised free matriculation to residents of the township as well as students of the Milton Hershey School (Klotz 1973). Many students graduating from Derry Township’s public high school had their sights set on the Junior College. When the College closed its doors in 1964—managers cited an unsustainable annual shortfall in earned interest on the trust established to fund it (the M.S. Hershey Foundation)—“everybody’s plans had to change,” recalls a senior townspeople.

For Brian, “leaving home to find [his] way” felt like the right thing to do when he graduated from Hershey’s public high school in the late 1960s. He went first to Texas for college—it was the one school he applied to and he did not know what he wanted to study—and later to Philadelphia where he trained as a health care professional. In Texas he was “the Yankee” in a time when “Yankees were still different.” In Philadelphia, at Temple University, he was “the gentile.” Both experiences were a “culture shock.” Hershey “felt like home,” and he was glad to return there in the early 1970s: “Just like my father who graduated from Milton Hershey—he thought Hershey was a pretty special place to live—I stayed in Hershey, because I remembered what a wonderful place it was.” When he returned to Hershey, the company town he grew up in had been transformed: the amusement park, now fenced, was expanding into an industry; and most significantly,

the new Penn State Hershey Medical Center was drawing a differently-diverse population to the area.

### **The arrival of public university medicine**

In Derry Township today, the teaching and research hospital of the Penn State University has become the primary employer in the township—larger than the chocolate company. The medical center’s research and development, direct delivery of health services, trauma center with aviatational component and children’s hospital make it, in the word’s of one prominent state politician, “the most significant progressive project undertaken in modern times in South Central Pennsylvania.” Its well-funded infrastructure and extensive campus co-exists with an increasingly dense development of entertainment and resorts.

The story of the arrival of medical center is often told with an admixture of angst and pleasure by longstanding Hershey residents, as it implicates the power (construed positively or negatively) of the Trust in collaboration with the state. Constructed with a combination of Trust and state monies in the middle 1960s, the public university hospital reconfigured social relations in and around Hershey. The beginning of the story is set sometime around 1963 with a “\$50 million phone call” made by the chairman of the Hershey Trust to the president of Penn State University (based a hundred miles northwest in the city of State College). The chairman offered the university president \$50 million of Trust monies for the hospital’s construction, provided it was carried out in Hershey—and named after the founder. The money would be transferred from the Trust to the University vis-à-vis the M.S. Hershey Foundation—established initially to support the Hershey Junior College, among other community educational ventures. The money would be channeled through the foundation “in order to gussy it up—to satisfy the court,”

remarks one longstanding resident with local knowledge of the proceedings.

In relatively short order, without public announcement, the local probate court approved the transfer from the Trust to the state under a U.S. legal doctrine known as *cy-pres*:

American law... acts to fulfill the donor's wishes by giving courts limited authority to modify the terms of a trust (rather than allowing the trust to fail). Under the doctrine of 'cy pres' (the term derives from the French expression 'cy pres comme possible,' as near as possible), if a charitable purpose becomes 'impossible, impracticable or illegal' to fulfill, and if the donor expressed a general charitable intent, then a court can modify the terms of the trust to put in place an alternate scheme that will carry out the donor's original charitable scheme as nearly as possible. (Madoff 2010: 98)

When courts apply cy press, "they tend to authorize only the most minor changes to the donor's plan," observes legal scholar Ray Madoff (2010: 98); however, in the case of the Hershey Trust, the courts authorized a more major diversion of funds. The rationale for diverting \$50 million from the care of orphans to the construction of a university teaching and research hospital was that the Trust had accumulated an excess of wealth. The Hershey Chocolate Company was performing well in the immediate post-war years and the Trust had a surplus. Trustees sought to direct the surplus in a different direction than the Milton Hershey School.

That the Trust could have but did not spend its excess wealth funding the locally beloved and endangered Junior College was not lost on locals, senior townspeople recollect. Nor was the fact that the Trust could have used the surplus to dramatically expand enrollment at the Milton Hershey School. In fact, one recently published account of the founding of the medical center suggests Hershey trustees had considered both possibilities, but ultimately decided against them (Lang 2010): Expanding the charity would mean taking children from "broken homes," which, trustees reasoned at the time,

would call into question the core mission of Mr. Hershey's school for orphan boys (The Trust began to admit children from broken homes—"social orphans"—about a decade after these deliberations; see chapter III.). Alternatively, funding the Junior College, trustees reasoned, would attract too many "outsiders" into Hershey who wanted to take advantage of the free education. There may have been "complaints" from villagers on this matter of "outsiders." Constructing a public university teaching and research hospital, rather, would be a service to the national interest.

The cy pres petition for a \$50 million re-allocation of charitable monies includes statistics on the impending dearth of physicians in the United States relative to its growing population (Lang 2010). This "national interest" argument won over both the state Attorney General and Orphan's Court judge — the two offices with oversight of the Hershey Trust. The Pennsylvania governor was informed of the proceedings and gave his endorsement. Apparently some members of the state congress, upon learning of the cy pres after it had been approved, were furious: because of the implications for funding a public university that had just acquired a teaching and research hospital; and even more because of the secrecy of the process.

Senior townspeople remember that locals initially directed a certain suspicion and even hostility towards the medical center. Some claimed it performed experiments on patients and warned family and friends to avoid it. Others openly criticized the Trust for driving the town's family doctors out of business: physicians who had staffed the former company town hospital were given the option of re-training and being employed at the new hospital or locating their practice elsewhere; the plurality chose the latter.

“Can we bring back the family doctor?” asks a December 1967 *Boston Globe* feature (Rogers 1967). “The Pennsylvania State College of Medicine at the Milton S. Hershey Medical Center—just opened in September—is the home of [an] experiment which, in this age of specialization, aims at turning out family doctors.” The experiment, the *Globe* reports, is funded by \$50 million of “Hershey chocolate wealth” in combination with \$21 million in “federal cash.” It centers on exposing medical students to patients early in their training and focusing on “bedside manner,” among other central components of general practitioner medicine. “I have absolutely no interest in being a specialist,” comments one new medical student; “I want to be a family doctor who sees ordinary people in ordinary circumstances.” 20 percent of physicians in the U.S. are family physicians, the article notes, down from 30 percent at the beginning of the decade. The medical school at Hershey “feels a need to buck this trend.” As a general practitioner, “you treat the patient as a human, not as a bag of interesting organs,” comments one senior physician. “This program is binding us and the community closely together,” comments the program’s first Dean. It realizes the “ideal family doctor concept.. regarding patients as people, not cases.”

Over time, as longstanding residents tell it, Hershey locals began recognizing benefits of the institution’s being in their backyard, and grew sympathetic towards the explicitly family and community focus of the institution. The medical center also provided new job opportunities of which some younger townspeople with credentials were able to take advantage: “I walked right over to the medical center and got a job,” recalls one. “Back in those days, if you came from Hershey and you kept your nose clean and you were of average intelligence—it didn't hurt to be white—doors opened up.”

Among longstanding residents, the most ambivalent aspect of the medical center's appearance was the social capital it introduced locally. First among the new population associated with the medical center were "hippies, Jews, and Democrats." (My own family is associated with this population, having moved from the New York metropolitan area in the middle-late 1970s and finding employment with state-affiliated health and education services.) This was followed in later decades by South and East Asian families. The expanding medical community established residence both in town and in suburban annexes, one nicknamed "pill hill" for its association with pharmaceuticals.

The public university medical center re-cosmopolitanized the population of the company town and surrounding region by attracting novel varieties of high-skilled labor including highly-educated non-white and non-Christian citizens and non-U.S. citizens. It introduced more or less permanent "newcomers" and "outsiders" to the community. Likewise, it precipitated novel dichotomies between the "sophisticated" and the "provincial:" Whereas in the company town Protestant Germans occupied a sophisticated subject position in relation to Catholic Italians, in the post-company town the "old" population of Hershey—Germans and Italians taken together—found itself in a provincial position. This occasioned some resentment among the emergently "old" and "provincial," as one longstanding resident tells it: "A lot of people would come in associated with the medical center and ask where to get a decent haircut or suit as if it's Manhattan. These people who had lived in metropolitan areas, they'd say, 'My god how do you live in such a place?' Well, we're living just fine, thank you!"

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In 1967, two decades after the death of the founder, the *Los Angeles Times* could declare Hershey “strictly a company town” (Joseph 1967). In fact that industrial identity already was in flux, and would become increasingly unstable over the next decade. When *Newsday* special correspondent Ehud Yonay reported on Hershey in the early 1970s, he noted that “residents point automatically to the second-story company offices of Hershey’s Estates, above the Hershey Drug Store and across the street from the Hershey Department Store, when asked to direct a visitor to the seat of their town government” (Yonay 1972). “There are some residents who grumble quietly, saying that the town is not what it used to be, that the company no longer cares for the people. The new management, they note, is trying to shove down their throats a huge amusement park.” New residents tend to observe the change is for the better, Yonay notes: “I think that M.S. Hershey spoiled his people,” one recently-arrived resident tells him. “You can see it now, the way they don’t know how to take care of their own affairs, or to stand up to the company.”

New residents grouped together recently, Yonay observes in *Newsweek*, to protest a decision by the Estates to stop paying for street lighting in downtown Hershey and to put the cost on township taxpayers: Were the street lamps—in the shape of Hershey’s kisses, installed in the middle 1960s—not actually advertising for and by the company? Such grievances are held by commuting suburbanites, who are on the cusp of becoming the majority in town: “The newcomers not only bring into Hershey great numbers of Democrats and liberals, nonexistent here for many years, but an attitude toward the company which can at times be called rebellious,” Yonay reports. “Law-enforcement sources say that drugs, long an unheard-of element here, are available in Hershey schools

as they are elsewhere;” the town apparently has become a “dropping point in the Philadelphia-Harrisburg dope route.” As the Estates divested itself of company town assets and sells off property to residents and real estate agents, “the company’s grip on the town weakens, and the resolutions between the two gradually become dependent on good will.”

By the middle 1970s, even the local sports team was becoming more “transient” (Cuniberti 1979). “In this chocolate-factory city that resembles the top of a huge birthday cake, the Hershey Bears of the American Hockey League once held the deed to the people’s hearts,” writes the *Washington Post* in 1979. “Like almost everyone else in this play town of golf courses, amusement parks and fragrant chocolate factories, the hockey players often worked for the Hershey chocolate conglomerate.” Now, the article continues, after being one of the most successful teams in the American Hockey league—and the oldest team in the league, dating back to 1938—the players are more interested in working “to get out of Hershey and up to the NHL.” The fans are mad— because the Bears have turned into a “development team.” “What they used to care about in the days when there weren’t 17 NHL teams and zillions of dollars floating around was Hershey—the team, the town, the tavern [and] the people. ...Now it is hard for a minor-league hockey player to feel a part of anything.”

By 1985, the Allentown, Pennsylvania-based regional newspaper *Morning Call* could declare, “Hershey No Longer One Industry Town” (1985). “The nation’s self-proclaimed chocolate capital isn’t much of a company town any more,” the article reports. “The hospital that chocolate built played a role in transforming the community.” The article quotes a chocolate worker and longstanding resident: With the introduction of the

hospital, "for the first time I saw people living in the community who did not owe everything to the power structure."

### **"We'll never be original:" Talking 'New' Hershey**

A now-familiar discourse of "old Hershey" emerged in distinction to "new Hershey" beginning with the arrival of the medical center in the middle 1960s. The former are characterized positively by their capacity to "talk in shorthand," as one old-identifying Hersheyite explains to me (a participant in new Hershey) at some length:

'Old Hershey' is when you see everybody you grew up with and you know who you're talking about. You know who's related to whom. And everybody knows about you too— all your foibles, the stuff you did bad. That's the thing any place: they [locals anywhere] want to know, 'Who are your people?' They mean, go back a couple generations and tell me who you're related to. 'Who are you?' That gives them a frame of reference—to make up their mind about you or something.

Perhaps because they lack the capacity to reckon kin in shorthand and memorialize the community of the company town, new Hershey residents continue to remain relatively anonymous and transient in the eyes of old townspeople—despite the fact they may have lived in town for decades or raised a family there. Michelle—who has lived in town for several decades and raised her children there with her husband, a physician—expresses a familiar sentiment among new residents: "We're still not considered original and we'll never be original. There is pride in growing up here and 'remembering when.' The impression I get is, 'it was better then.'"

Michelle reflects on raising her children in town—giving voice to thoughts and feelings about local life that are characteristic of "new Hershey." Two of Michelle's three children—the youngest of which has just graduated from the public township high school—were not happy in Hershey, Michelle tells me over coffee on the back patio of

her house. They were “different kinds of kids.” Difference is not celebrated in Hershey; it is “difficult to be different here,” she observes. For example, one of her daughters enjoyed the taste of tunafish—and she would get made fun for eating it during lunch periods in school. None of Michelle’s children wanted to stand out in terms of taste preferences or dress styles; they wanted to “blend in.” It can be “hard to be yourself” in Hershey, as the community “tends to be homogeneous.” As an example, she points to the disappointing response of the community to the foreign exchange students her family has hosted over the last couple decades: The most difficult part of hosting an exchange student is that “the phone never rings for that kid.” Exchange students interact only with other exchange students and the immediate host family. Michelle wonders why these children are not welcomed and introduced to local children: “Here’s a kid from Thailand or Chili, we know nothing about their country or culture, and there is no interest in learning. Maybe that’s just American” and not unique to Hershey, she speculates—“like our ‘World News,’ it’s all of a minute.”

Despite the “homogeneity” and inward-looking quality of the community, Michelle appreciates her neighborhood specifically because of its “diversity:” “It’s a mix: a truck driver, an older retired man, a chocolate factory worker, a physician, an electrician—from several different countries.” She worries, however, that her children gravitate socially towards the town’s most affluent families. Her youngest son is, she observes, almost exclusively friends with the children of physicians. He enjoys visiting their homes because they have big screen televisions, pools, large basements and so on. She tells her children—all of them now fully-grown—that in their fortunate situation, others easily will assume they are “spoiled brats:” “Assume that’s where you’re starting and keep that

in the back of your mind. You have to be extra nice.” Indeed, Michelle feels she has to be “extra nice” in her own interactions in the community, especially with women who, because of financial necessity, are wage earners. Though she has trained as a professional, Michelle is not a wage-earner, and she has felt uncomfortable in front of working women in the community for this reason: “Woman can be hard on each other. How many women can stay home with their kids and do their own interests? I know how lucky I’ve been.”

Michelle is a keen observer of status among parents active in the township school district. The back-to-school-night is dominated by parents who make use of the forum to ask questions related specifically to their own children—in order to curry favor among administrators or otherwise gain an advantage, she observes. ‘Status’ among these parents is related to “how busy you are:” Saying ‘I’m sorry, I’m just so busy’ to other parents is a mark of high status. This is “the whole busy soccer mom thing.” Such parents—she includes herself among them—are “over-involved” in their children’s lives. They want to be “the ideal parent” who does not miss a back-to-school night and is involved in all of her children’s after-school activities. For their part, “the ideal student” plays a musical instrument, plays on the varsity sports team, is enrolled in a large number of Advanced Placement classes and is in the process of applying to prestigious colleges. It is also “helpful” in status terms if students drive a high-end car (a BMW or Mercedes, namely): At the public high school, “you can tell the teacher’s parking lot from the student’s lot because the students have better cars.” Talking about status issues in Hershey can be embarrassing when the township is compared to neighboring Harrisburg, Michelle adds: “We have so much, and we’re only ten miles away from Harrisburg.”

On the subject of “old Hershey” and its seminal institutions—the chocolate company, the charitable school, the long-standing families of Pennsylvania Dutch and Italian descent—Michelle “confesses,” as she puts it, to not paying much attention. Occasionally she reads about the dealings of the Trust in local newspapers, and “it doesn’t sound great.” “It seems like the School was for the greater good. And it seems like the town worked out well. Milton Hershey provided for the townspeople and the townspeople benefitted.” Michelle followed the news of the chocolate company’s potential sale in 2002 and was glad when it did not sell. What most concerns her about “old Hershey” is the lack of a developed center of the historic town—and in this specific respect she voices a sentiment shared among longstanding and recently-arrived residents alike. There are no bookstores and few shops and restaurants in the downtown that are independent of the Hershey brand, she observes—and there seems to be an excessive number of banks. It is this wish for a town that allows Michelle to identify as a “Hershey person.” “I’ve had tourists stop me and ask, where is town? There are so many beautiful towns around. Hershey people like me who live in the town think, ‘I wish we had a town.’”

### **‘New’ Feuds with ‘Old’**

The newcomers and outsiders to Hershey who took up residence in Hershey beginning in the late 1960s, early 1970s, tend not to count kin locally, as participants in ‘old’ Hershey do; nor do they tend to position themselves as beneficiaries of the enduring legacy of the company town and Trust. ‘New’-identifying townspeople I met tend to regard Hershey in terms of “small town America” or “middle America”—not in terms of a “model company

town.” In spite of the social claustrophobia that attends the small town—“Everybody knows your business,” as one recently-arrived resident puts it—there are advantages to living there over metropolitan regions of the country: “It’s safe, it’s clean, it’s beautiful. The cost of living is relatively low. The schools are good. People aren’t flashy. There’s money but not like in Manhattan. There’s less materialism” – these are common sentiments. I found that, in general, old-identifying townspeople—who may or may not claim some experience living in a metropolitan area—make similar observations about life in Hershey compared to city life (typically New York City); yet they tend to interpret the arrival of newcomers in terms of newcomers’ investment in what Hershey is uniquely prepared to offer, rather than what a typical small town has to offer. This distinction is crucial: for ‘old’-identifying insiders, Hershey is a small town, but not merely one small town among others; it remains, or ought to be recognized as distinct, unique—“one of a kind.”

Because of Hershey’s uniqueness, longstanding residents say, “a lot of outside people are coming in and purposely investing in Hershey. They expect to get nothing but the best in terms of quality of life and education for their children.” Longstanding residents observe that this expectation of superior quality gives rise to an “entitlement mentality”—the notion that “I bought into Hershey so I’m entitled.” “There are far more mandated requests today than ever before and it’s ugly”—a common sentiment among ‘old’ residents. “Mr. Hershey has given us so much, there’s just no room to squawk [complain] about how things are done here. If you’re coming in, you should play by the rules already established.” What is ugly is less the content of “mandated requests”—for example, parents petitioning to have their children placed with specific

teachers in the public school—than the character of those requests. “Mandated requests” and “squawking” treat the community as if it were a conglomerate of services. But as ‘old’ Hersheyites insist, the community is more than the sum of its constituent parts.

For their part, ‘new’ townspeople I met construe their efforts to become recognized as familiar and “rooted” in Hershey as a struggle against inequality. Derry Township residents Maggie and Rob, for example, are upwardly mobile middle class professionals who moved in about two decades ago from the New York Metropolitan area. She is a homemaker with employment experience in journalism and finance; he is a lawyer who works for a large Harrisburg-based electronics company. They bemoan inequalities between ‘new’ and ‘old’ “in every domain” of everyday life in Hershey. “If you aren't part of one of the families that is well known, you are treated very unfairly,” Maggie tells me when I meet with her and her husband one evening in their suburban living room a few miles outside of town. Maggie and Rob interpret this inequality in terms of the history of the company town: “Milton Hershey had no heirs, so the people that have been here for a few generations think they own the place and can do whatever they want.” The starting football player on the public high school team, for example, is often “an old Hershey family name. It's like a dynasty, and it has nothing to do with whether you're good or not at football.” In their daughter’s dance classes, “it's the old Italian families whose children get assigned the lead roles. Something like that would never happen where we come from.”

Hershey is a company town, Rob observes: the legacy of the company town is manifest in the “docility” of the local people. If natives do not cause trouble, they eventually are allowed to do whatever they want in terms of “control and power.”

Anyone who “rocks the boat” gets persecuted, ostracized. "There's something to admire about the company town: everybody is taken care of," Maggie suggests. “But,” Rob adds with a flair of melodrama, “there's a price to be paid, and that price is freedom.” Rob identifies as an “outspoken guy from New Jersey” who was raised to “stand up for what is right:” the opposite of Hershey people who “in order to get along, bite their tongue and never speak up.” When I ask him to elaborate, he shares with me an interpretation of ‘old’ Hershey published not long ago on an Internet discussion forum. The title is “It’s all about Control and those who have IT and want to keep IT:”

Let’s face it, Hershey is a strange place. Historically it started as a captive company town. When the great Milton Hershey passed on, without heirs, the void fell to the Trust and the in-families to run the joint. So over the years, the Trust has controlled the town via the Hershey Chocolate Company, Hershey Entertainment and Resorts, local politicians, the Milton Hershey and Derry Township schools, and the Hershey Medical Center—but mostly the in-families have controlled the town.... To keep control and the preferred natural, traditional order, they need to keep everyone in check—especially new-comers.... The realities in the ‘Sweetest Place on Earth’ are played out every day in local politics, our schools and sports teams. It should all be on merit and by hard work, but many times it is not.

Rob and Maggie’s first experience “speaking up and rocking the boat” locally was with the township school board. They came to the defense of a school board member who was being slandered for allegedly acting inappropriately in the context of a local sport league’s governance. From that period onward they were known as “people who would speak their minds”—plus Rob was a lawyer. Residents of the township approached them with matters of concern, the primary one being the behavior of Coach Winter in his capacity as public school gym teacher and coach of the high school football team. Concerned parents reported to Rob And Maggie that Winter was bullying students, physically and verbally; commenting on girls weight and touching them inappropriately

while they were weightlifting; positioning weight equipment so that male students could see up girl's blouses; pitting "Jews against Christians" and "yellows against whites" in dodge ball; and making racist comments at public speaking events. Rob and Maggie raised these concerns before the township school district.

Coach Winter was "old school," in a phrase used on both sides of the feud. School board meetings ensued in which large numbers of residents and employees, including the bulk of the football team and many senior teachers, spoke out in defense of the coach's character and against school board efforts to reprimand or fire him. Rob And Maggie and their allies were labeled "The P.C. Police" (short for "politically correct") in local media and gossip.<sup>52</sup> They experienced retaliation: Rob's car tires were slashed; a football player threatened him; and a police officer sent to investigate the threat attempted to smear him by insinuating an affair between Rob and the school board member he previously had defended against slander. In spite of this, Rob and Maggie say, Coach Winter eventually resigned in response to the pressure they and their allies applied. They do not hesitate to claim victory in the feud. Their family has "paid" for the gains made in Hershey, in terms of making enemies, but "it's worth it:" "We've made some enemies here, but we've never been ones to worry about fitting in," Maggie says. "When it's your own kids who are being disadvantaged, how can you not speak up and try to change things?"

The feud over Coach Winter raised the issue of collective values in suburban Hershey, and put into question the customary control of longstanding community associations over the character education of local children. Supporters of the coach were not limited to insiders to 'old' Hershey—just as his detractors were not limited to

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<sup>52</sup> For a critical historical approach to discourses of "political correctness," see Hughes 2010.

recently-arrived residents to the township. But general the affair seemed to polarize its participants along the lines of ‘old’- and ‘new’-identifying Hershey—those associated with the social order and institutions of the company town, on one hand, and on the other, those who were not.

Among his detractors, the coach’s authentic identity is plain to see, as one longstanding ‘new’ Hershey resident relates to me:

You know, ‘Good old Coach Winter, what a guy, he’s just amazing.’ People thought he was a great guy because he drove kids home and gave them uniforms— but he’s a bully. A bully is what he is. The outpouring of support for him was like, ‘Coach knows how to make boys into men.’ He chose to leave around that time but the following year he got inducted into the high school hall of fame. It was such a slap in the face to the families that felt as if they’d been done wrong.

The figure of the ‘bully’ is striking in the criticism of the Coach’s detractors as it implicates the question of motives: in medical literature, bullies—conventionally thought of as children but not restricted to children alone<sup>53</sup>—are understood as guided “by social dominance motives that peak at times of social reorganization associated with transitions” (Juvonen and Graham 2014: 165). Indeed, it would appear to the Coach’s detractors that his actions are motivated in precisely this way. Among his supporters, on the contrary, Coach Winter is championed for “instilling children with confidence and hard work ethic.”

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<sup>53</sup> As pediatricians Juvonen and Graham note, bullying is conventionally defined as a form of “peer maltreatment” among children (2014: 160). Though bullying typically applies to children an analysis of bullying can be extended to adults. “Bullying involves targeted intimidation or humiliation. Typically, a physically stronger or socially more prominent person (ab)uses her/his power to threaten, demean, or belittle another” (161). The difference between bullying and conflict is that the former entails a power imbalance. Bullying can be direct—“physical aggression, threats, name-calling”—or indirect—“spreading rumors, backstabbing, exclusion from the group (162); “robust gender differences are... documented only for physical aggression,” which is practiced almost entirely by males (164). It is related to the phenomenon of mobbing, in which a group turns against one person (160).

His actions were motivated by a rubric of “tough love.”<sup>54</sup> The opposite of “tough love” is “coddling”—the sort of behavior characteristic of ‘new’ Hershyites, as one of Coach’s supporters puts it to me:

If Coach yells at you, screams and rants and raves—get a grip! You’re going to run into this shit all your life. And that’s the problem [with those who moved into town and criticized the coach]. The problem is they’re coddling kids in this sort of perfect little world, and then they fly and get knocked down when they get out in the raw reality of life and they have no experience behind them and get crushed. [Coddling] also promotes arrogance and certain qualities of aloofness—a condescending attitude. The fact is if kids don’t have a little tough love along the way, they will turn into prima donnas.

That Coach is a “homeboy” from the “old days” of the Milton Hershey School who married a townsperson and raised a family locally is critical to those who came to his defense. He is understood to be “very physical” specifically because of his experience at the School; he is particularly physical with members of the football team. His corporal techniques—variously described as shoving, choking, “yelling in your face,” and so on—are part and parcel of his “old school mentality,” as one of his supporters relates:

‘Old school’ is the mentality of the Milton Hershey School before blacks came and long before girls came. Coach Winter was operating under an entirely different set of rules that he had grown up in. Politically correct, not really he was nothing like that. He was good-hearted. And there’s no meter for that.

Coach’s supporters qualified his good-heartedness in terms of “quality of giving.” “He’s not just a football coach. He does a lot behind the scenes for kids that are less fortunate.”

As for the substance of the accusations against the coach, another supporter explains:

Those people who moved in and made a fuss were probably right the coach wasn’t conforming to the letter of the procedures for public school teachers. But who gave a rat’s ass? He’s a good old ‘homeboy’ doing the best he can. We know where he used to come from, and we were just going to say ‘He’s our guy.’ He

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<sup>54</sup> On “tough love” as a conservative Christian strain of compassion, see Burack 2014.

decided to retire I guess because he didn't want people like that down his back all the time.

The coach's quiet retirement, followed by his induction into the high school's hall of fame, is the apparent conclusion of what my Hersheyite interlocutors referred to in shorthand as "the Coach Winter thing." By the time the coach's daughter was hired as a coach for a different local sports team, tempers and rhetoric had cooled, and Hersheyites both 'new' and 'old' apparently embraced the arrangement.

Though "the Coach Winter thing" is seemingly past, the difference and distance between old and new Hershey remains a strikingly salient matter of local concern. This distinction is not limited to the public community, I discovered; it is implicated in yet another seminal institution of the company town: the Milton Hershey School. There, inside the School, the rubric of the coach's "tough love" is alive and well—though not without alternative formulations in the new century. In the following chapter the ethnography enters the School, exploring the contested legacies of charity therein.

### Chapter III: Domesticating Trust

Much of what is known among residents of the public township about the everyday practices of the private Milton Hershey School—beyond the traditional knowledge of families who have lived in the Hershey area over generations—is what is reported in the press about the Hershey Trust. When I arrived in the field in fall 2010, recent press reports were publicizing a series of questionable land acquisitions (discussed in chapter 1) which suggested “self-dealing” by Hershey trustees and which generally did not appear to benefit the beneficiaries of the Trust—the children of the School. Later in the course of my fieldwork, in 2011, the Trust gained national publicity for excluding a student with AIDS from applying for admittance.<sup>56</sup> Neither of these public accountings of the School’s activities shed light on everyday life inside the institution—though they illuminated crucial aspects of its governance. In general, who the children of the School are, how they have come to Hershey, and the charity’s internal organization is not publicized.<sup>57</sup>

The history and inner workings of the institution are not obvious to the immediate public surrounding the charity—residents of the township. Indeed, dissociation characterizes the relationship between the private charity and the public town.

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<sup>56</sup> A lawsuit was filed by the AIDS law project of Pennsylvania with the U.S. Justice Department and won on the grounds that the School violated the Americans with Disabilities Act (U.S. Department of Justice 2012).

<sup>57</sup> One recent exception (in 2010) is singer and actress Queen Latifa’s visit to the School, which was well publicized and reported in national media. Latifa appeared on *CNN*’s *Larry King Live* as Milton Hershey School national spokesperson and “centennial ambassador” in May of 2010, calling the School “radical” (positively construed).

Dissociation was not always the case: There was a period in the early history of the town and the charity—in the nineteen teens and twenties—when all the children in Hershey (the orphan boys and the boys and girls of local families) attended a single school constructed and financed by M.S. Hershey. That changed during the Great Depression, when a school building was constructed to accommodate expanding enrollment at the charity. Nicknamed “the school on the hill,” this is where M.S. Hershey’s casket was on view following his death in 1945. After its construction, social interaction between children of the public town and children of the private charity re-aligned around courtship competitions for the affections of the public school’s girls, and rivalry in sport. The “Cocoa Bean” football game between the rival Hershey Trojans and Milton Hershey Spartans became—and to some extent remains—a primary arena of interaction between the private charity and public town: “Anytime Milton Hershey played Hershey it was a huge deal. There was pure hatred between our two schools,” recalls a longstanding alumnus of the School and former member of the Spartan football team. “And for one of us to date one of their girls it was a huge deal. I still hate [the public school] Hershey.”

Through most of the last century, as agricultural routines at the School intensified and became routinized, the most common epithet leveraged against children of the private charity by children of the public town was “cow.” There was no reciprocal epithet leveraged by the children of the charity against the children of the town: “They were the ‘jerks!’” a School alumnus recalls. “Milt” or “Home guy” was a more familial term used by insiders to the charity and less commonly by townspeople. Young women of the town who dated boys of the charity were popularly known as “cow lovers” or “cowgirls.” A senior townspeople recalls the dynamic that prevailed locally until recently:

The Hershey [public school] girls, especially the kind-of shady girls, they would meet [Milton Hershey boys] when they were let out on town privilege. The shady girls were the girls the Hershey boys didn't want— the girls who were allowed out on Friday nights. That was the only time those schools would mix. Other than that, we knew about [the existence of the School] but it was almost like having a penitentiary in your town. If you have a penitentiary in your town, you don't mix with the prisoners.

The “hatred” that alumni of the School and residents of the township routinely refer to is generally understood as playful, though insiders to the School and town point to “resentments” that are comparatively solemn in character: “Mr. Hershey left 99.5% of all of his wealth to the disadvantaged kids and not much to the town,” a senior School alumnus explains. “Town fathers” in particular “saw the School as this place that unfairly got all of the Founder’s wealth:”

They thought, ‘the Milton Hershey kids are separate and they’re also juvenile delinquents. There they are in this brown-and-gold bubble over there [the colors of the Milton Hershey School] and they’ve got all this wealth, and yet the kids are bad....’

Rivalry between children of the private charity and children of the public town persists in some athletic domains today; however the great competition over female companionship has dissipated in the wake of the charity’s eliminating gender restrictions on admissions (in 1976). “Cow,” “cow lover” and corresponding epithets are largely in disuse. It is exceedingly uncommon for public school students and students of the charity to court each other, I am told. Over the last decade or so, a “new stigma” has attached to the biological or privately adopted children of School houseparents: evidently these children—who live among children of the charity and go to school among children of the public township—are stigmatized in the public school for their association with the charity. A distinct social boundary separating the private charity from the public town remains, and perhaps has grown more distinct: “It’s like there are giant walls around the

campus,” observes an employee and alumnus of the charity. An “invisible fence” separates the charity from town, a Hershey resident observes.

In my year in Hershey, I was curious about how people make sense of the boundary between the private charity and the public township. I often heard the explanation that the charity’s administrators are increasingly focused on issues of student privacy and security, perhaps in response to sexual abuse of students—or fears of sexual abuse—by both insiders and outsiders to the institution. Perhaps this is the reason why “visitation”—the practice of Milton Hershey students visiting the homes of families in the township for Sunday dinners and holidays—has largely been discontinued. The School today “tends to isolate the kids for safety and security reasons,” notes a school official. For the same reason, students are generally kept indoors while on campus—a departure from “the old days” when children of the charity routinely “ran wild” out-of-doors. “If you ever go out on the campus you’ll not see a lot of kids out,” a School teacher observes:

The reason is the kids have to be monitored. It’s hard for adults to be outside monitoring kids when there are some kids inside, so generally they keep them all inside. If you don’t monitor them, they’ll do things like run off under a pine tree and try to have sex. They’re kids—they want to do regular kid stuff—but [because of monitoring] they’re real limited.

Increasing securitization is one explanation for the dissociation characterizing the relationship between the private charity and public town. Social stigma is another. Though the association of Milton Hershey School students with agriculture and dairy in particular has diminished in the local popular imagination over the last several decades, the association with delinquency has not diminished; moreover, beginning in the 1970s, a link between delinquency and race intensified locally as African American children

entered what had been an exclusively white institution situated within a largely white ethnic community. Over the last several decades among the local public, the charity has become associated with a black urban underclass in particular. A pastor at the School who is also a preacher in the community's largest evangelical church reflects:

Hershey is a pretty affluent community. Money tends to breed a certain attitude that really doesn't want anything to do with 'them' — and 'them' are the kinds of students we serve at the School. At one end of the socio-economic spectrum in Hershey you've got the medical center creating economic diversity, and at another end of the spectrum you've got the School creating ethnic diversity. This is a pretty stable, lily-white area, so it creates some interesting dynamics. There is some racial stigma. Maybe it's just fear [among townspeople]: 'Who are these kids?'

I was curious myself: 'Who are these kids?' As a ten or eleven year old, I remember visiting the charity's campus on an afternoon field trip from the township's public school—perhaps the first time I became conscious of the charity *qua* institution. I remember above all two culinary details from my brief visit: the food in the cafeteria at Founder's Hall was served directly onto cardboard-like trays; there were no serving plates. And as the students ate, they drank tall glasses of milk—sometimes multiple glasses in one sitting. The details seemed strange to me then, and I remained curious. When I returned as an ethnographer nearly two decades later, my attention was directed less towards current students than towards alumni and administrators. While the students are preoccupied with earning their diploma, possibly entering college, and beginning an autonomous life of their own, alumni and administrators are preoccupied—for better and worse it seems—with a struggle to interpret the “dead hand” of Mr. Hershey in the 21<sup>st</sup> century.

### **Sunday morning at Founder's Hall**

The Sunday chapel service of Milton Hershey School takes place inside Founder's Hall. Students and visitors enter through the rotunda—the second largest marble rotunda in the world, say tour guides<sup>58</sup>—in which stands a bronze statue of the charity's founder, M.S. Hershey, placing a fatherly arm on the shoulder of a young boy. The words inscribed on the base of the statue read: “His Deeds Are His Monument. His Life Is Our Inspiration.” The chapel service takes place inside what appears as a modern, secular auditorium, seating around six hundred. There is no sign of the cross; there are no Bibles or pews. Attendance on Sunday mornings is mandatory for every student at the School. On the day I visit, the assembled young people – an equal number of boys and girls – range in age from six to eighteen. They are ethnically diverse: Latino, African American, white. The faces and bodies of some bear the traces of hard lives—scars, disfigurements. Most of the young people in attendance appear vibrant and spirited—laughing with friends before the sermon begins.

The service is led, as it is most Sundays, by Pastor Bill, a kindly man with short-cropped salt-and-pepper hair and a German last name that is not uncommon in the South Central Pennsylvania region. Brass orchestral music, performed by a “middle division” student band, begins the service, followed by brief, assorted bible passages read by a few elementary-aged students. Pastor Bill speaks for about twenty minutes on the theme of gratitude—“being grateful and saying thank you.” He begins with examples of what he is thankful for: He is thankful for the assistant pastor, who chose students to recite Bible

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<sup>58</sup> Second, apparently, to St. Peter's Basilica in Vatican City.

passages earlier in the service; he is thankful to a "bodybuilder" who is his friend and not his enemy (The joke about the implied size difference between the pastor and his bodybuilder friend elicits laughter from the audience.). The Pastor uses a passage about Jesus' cleansing of the lepers (Luke 17:11-19) to make a point about the importance of saying "thank you." Jesus healed the lepers without their having to do anything, he explains. The lepers walked on after being healed and did not thank him, except for one out of the ten. One of the ten healed lepers thanked Jesus and Jesus' response was, "Where are the other nine?"

The pastor poses the same question to the audience—singling out senior students in attendance who have less than a month remaining in the institution: "Most of you, once you graduate, will never express gratitude," he says, quite sternly. "Nine out of ten of you will leave when you graduate and never look back. But that's not what God wants you to do." Pastor Bill continues:

God wants you to express gratitude. You can express it in words, by saying 'thank you' — to your houseparents, to your teachers, to Mr. and Mrs. Hershey. Or, if it's a little weird to say thank you to Mr. and Mrs. Hershey, you can show your gratitude in your deeds, by what you do for others. Remember there are always people who have it worse than you, and you can help them. Remember that you are fortunate to be a student at the Milton Hershey School. An observer might not notice that you're fortunate—because a lot of the time, I look out and I see dour faces and I hear complaints that you have it hard. Sometimes I wish you'd just get over it. Sometimes I wish you'd just smile. You have been given an opportunity, and you should feel grateful for it. Now my message for today is coming to an end, and you can feel grateful that chapel is ending a little early. [Cheers from senior students in attendance]

Such a message, I learn through my conversations with insiders to the charity—administrators, teachers, "houseparents," alumni—is fairly typical of Sunday service at the charity. In the view of some longtime employees of the School, religious programming has improved markedly over the last decade. In the 1990s, when the charity

was under a reforming administration, the chapel service seemed to stray far from its origins: “One time they had a rock and roll band—that was supposed to be chapel. They told the kids to rip off their ties!” recalls one employee. “Things have calmed down now.” Indeed, Pastor Bill left the employ of the School at the beginning of those reform years and was rehired there after the state Attorney General-led re-constitution of the Hershey board of trustees in 2002. His rehiring was part a specific effort by trustees to “restore the original intent and purposes of the founders,” he explains to me as we meet over coffee in town.

During the reform years of the 1990s, “there had been a straying-away from the original intent of Mr. and Mrs. Hershey. The religious program in particular had really wandered,” remarks Pastor Bill, who is also an active member in the most popularly-attended church in Hershey, the Evangelical Free Church. The emphasis of the program in the charity’s reformist years was “multi-faith.” Bill felt he was being asked “to teach all faiths and let the students decide what path to pursue, but that’s not me: I can’t teach all faiths when I’m committed to my own faith.” He resigned his position as pastor and returned to a position he had occupied in the local evangelical church. He was only convinced to return to the School when the newly-formed, post-2002 administration assured him he would be supported to run the religious programming as he saw fit. He feels strongly supported by the current administration and expresses deep commitment to what he and other officials understand as the original vision of Milton Hershey and his wife when they founded the institution in 1909. I ask him to tell me about that vision.

Pastor Bill identifies the socially-oriented Mennonite faith of Hershey’s upbringing—what might be called a “social gospel”—as the reason why the charity was

created. For Milton and Catherine Hershey, “it was obedience to faith, the call of God to serve the poor and serve the needy. They couldn’t have kids so they helped kids in need—that was Milton Hershey School.” As Bill elaborates on the interpretation of Milton Hershey School as a specifically Christian institution, and the original intent of the founder, I hear some frustration in his explanation—echoes of past and perhaps present conflicts, perhaps—but I also hear a confidence regarding his contribution to that original mission:

In 1909, the world of Central Pennsylvania was Christian. One might not have been a follower of Christ, but Christianity was pervasive in the culture of that day. When the Hershey School started it didn't begin as a Christian school. It was a home and a school that had a religious program, which was Christian -- that's just the way it was. Over the years there has been a lot of tension because we didn't begin as a Christian school. People say ‘If Mr. Hershey was alive today, he would have wanted to us to be multi-faith.’ But that’s wrong. If Mr. Hershey were alive today he would say, ‘We're going to teach kids the Christian faith. We'll welcome kids of any faith background and allow them to practice whatever faith they choose but what we're going to teach them here is the Judeo-Christian faith of the Old and New Testament’ – which is what we're doing today. We’re not forbidding kids to practice a faith that is not Christian, but on our campus, in our chapel service and in our religion classes, we're teaching the Christian faith.

Now, the Deed of Trust says the School shall be non-sectarian and that we shall show no favoritism to any particular sect or creed. One might be inclined to think we're in violation of that because today ‘non-sectarian’ means showing no preference to any faith or religion. But in 1909 non-sectarian meant non-denominational. We believe the best way to understand the language of the Deed is to interpret it in the context of the world 1909. We believe non-sectarian means non-denominational; that our religious program will be Judeo-Christian but we will show no favoritism to any particular denomination in the Christian faith.

The admission of children on a rolling basis and the unpredictable termination of a student’s enrollment for wrong behavior or withdrawal-by-sponsor makes it a challenge for administrators to determine the faith background of the charity’s population; but Pastor Bill figures about 65% of children have “no faith background”—meaning they do not attend a religious service regularly. The other 35% are identified Catholic or

Protestant. The number of children counted as practicing non-Christian faiths is small. Administrators reckon about five or six Muslim children, one Buddhist, and two Jews among a population of about 1,800 (at the time of my fieldwork). Wiccan—a cult of modern witchcraft claiming pre-Christian pagan origins—is not counted as a faith background, though the charity’s officials recognize it has become increasingly popular for children to identify with it. Though Wiccan-identified children at the charity insist they practice white magic—“magic that we do for good,” students tell Pastor Bill—in distinction to black magic, the charity explicitly prohibits the practice of any variety of witchcraft on campus, as well as Satanism, under the premise that it is harmful to self and others.

Though more than a third of the institution’s population is figured Catholic or Protestant in background, Pastor Bill observes the majority of those children “don’t have a clue about faith.” They do not know what a rosary is, for example. They have never been to confession. They know they are Catholic, for example, likely because they have been told so. For many Milton Hershey School students, Bill explains, their church background is the food bank or the clothing bank—“which is what the church is supposed to be about, by the way: the church is about serving the poor,” he adds. “But what I’m saying is, if the Baptist Church in Philadelphia has a food pantry and their family went there to get food, that’s their church. When they fill out the papers, they’re Baptist. They don’t know what it means or the name of their pastor.”

The Hershey School is generally the students’ first introduction to the Bible and to “the fact that Christianity is not so much a label as much as it is a lifestyle and a practice,” Bill explains. The School frames introductions to Christianity in terms of

“having to do with the choices you make.” Though faith in Jesus Christ is a central to chapel service, there is no public calling to Christ. The acceptance of Jesus Christ into one’s life is construed as a non-formal, private act, entailing a process of “crossing over,” in which a child initiates a conversation with an adult follower of Christ. Though this does not happen at chapel service, Pastor Bill tells me, it happens “in private every day.”

Curious about the “gratitude” theme of the chapel service Bill recently led, I ask him to reflect on the “weird” notion of “saying thank you to Mr. and Mrs. Hershey.” He explains that all the good the School does for its students produces a negative effect—“an entitlement attitude.” The School gives food, clothing, education, a safe environment, college scholarship, health and dental care—“we’ll even take out your wisdom teeth,” he says, reiterating an oft-heard refrain. This leads to an attitude among students that they are entitled to such goods; “it leads them not to be thankful, not to be grateful.” This entitlement attitude continues, Bill suggests, after students graduate. They go to college and return to student homes during break and want to eat the charity’s food, for example. Recently-graduated students do not understand why the School will not let them eat: “They say, ‘we’ve got billions of dollars in the bank, why won’t you help me? Our response is,” says Bill, “we have already helped you. We’ve helped you to be independent and to learn to help yourself: now you’ve got to do it.” An entitlement attitude is “part of the culture we have to battle against everyday,” Bill explains. Another part of the student culture which the School battles is, in his words, a “culture of poverty,” which produces a notion among students “that they will never become successful in life.” Students think they have always been poor and therefore always will be poor; they think that they will not be able to finish college because their parents and siblings never went to

college, Bill observes. Such a defeatist attitude is deeply entwined with the drug and alcohol abuse that the charity's employees witness regularly among students.

Bill's interpretation of the challenges faced by both current students and employees of the School reveals, as he acknowledges, a contradiction in the charity's construction of itself to its members as not merely a school but a home, too. "I'm sure if you [the ethnographer] left home and needed a hundred bucks to pay the bills, you can pick up the phone and call home," he remarks—pointing to my own social class status. Most Milton Hershey graduates cannot do this: "They don't have family support. They call their former houseparents and teachers and pastor at the School. We want to be there for them, but at the same time we wish there were somebody else they could go to." The ambivalence of this formulation, which I heard time and again in my year among 'insiders' to the Hershey charity, is striking: the wish to help those in need is coupled with the wish that those in need will find help elsewhere. The charity's employees and administrators expressed this ambivalence despite—or perhaps in part because of—the Trust's agreement with the state, post-2002, to make a concerted effort to recruit and retain more and more students in the first decades of the 21<sup>st</sup> century.

### **The Deed of Trust**

Though oriented toward "social betterment," the Milton Hershey charity stands out from early 20<sup>th</sup> century philanthropic projects by other U.S. entrepreneurs in one crucial respect: It is not a general purpose foundation—the modern philanthropic institution par-excellence. As Oliver Zunz notes in his historical account of American philanthropy (2011), the most significant innovation of turn-of-the-20<sup>th</sup> century U.S. philanthropy "was to envision an unlimited agenda of works, in which participants redefined goals as

circumstances changed” (Zunz 2011: 3). With the introduction of the general-purpose foundation, philanthropic giving was freed of the donor’s dead hand – “the legal obligation for trustees to follow strictures only because they were the donor's wishes,” as Zunz puts it—and was free to underwrite evolving experiments in medicine, science, higher education and so on. The sixteenth amendment to the U.S. constitution, which instituted a national income tax beginning 1913, exempted these foundations from taxes, giving rise to what is what is commonly called the “Third Sector.”

The Hershey charity began its life as an orphanage—specifically a boys’ orphanage (restricted to “white, healthy” boys). Orphaned girls could find care in homes where they could perform domestic labor, whereas orphaned boys enjoyed less social protection—it was reasoned at the time. Initially named the Hershey Industrial School, the institution gradually incorporated more academic and industrial agricultural routines. The incorporation of industrial agricultural routines coincided with the “high tide of enthusiasm for applying industrial methods to agriculture” in the U.S.—stretching roughly from 1910 to the end of the 1930s (Scott 1998: 196). The charity’s largely industrial-agricultural ethos dominated through M.S.H.’s death in 1945 until the early 1990s, when dramatic reforms were introduced (discussed below).

The Hershey Deed of Trust is quite similar to the deed of neighboring Girard College in Philadelphia. The Girard Deed, which first raised the question of the oversight of charitable trusts before the Supreme Court in 1844 (*Vidal v. Girard's Executors*), is regarded by contemporary legal scholars as an example of the limitations of perpetual charitable trusts with specific delimited missions. Girard, a French-born, naturalized American banker best known for financing the U.S. in the War of 1812, “was looking for

a kind of immortality; and his device for achieving this goal was through setting up a permanent and perpetual charity, in this case a school,” writes Lawrence Friedman:

Girard's aims were, however, in a kind of tension. The urge to set up something that would last forever tends to clash with an urge to specify, in minute detail, exactly how this something was to operate. In both regards, his charitable trust was an extreme example of the dead hand at work.... [Girard's will] left his vast estate to be used to build a 'permanent college, with suitable out-buildings, sufficiently spacious for the residence and accommodation of at least three hundred scholars.' The college was to be located on land that Girard owned. The estate would pay the teachers and supply the college 'with decent and suitable furniture as well as books and all things needful' to carry his 'general design' into effect. (Friedman 2009: 146-147)

The “general design” of Girard’s was extremely specific, including provisions for how the building would appear, the kind of food served, the kind of curriculum offered, and where the residents would be drawn from. It also included a restriction on residents' race which eventually would be eliminated in *Pennsylvania v. Board of Directors of City Trusts* (1957), a landmark Supreme Court decision that held that Girard’s board of trustees was “an agency of the State of Pennsylvania” and the refusal to admit African Americans was a violation of the 14th Amendment (Friedman 2009: 146).

. The Hershey Deed is similarly specific to Girard’s. The Deed acts as the charter of the Milton Hershey School. It was established between two trustors – M.S. Hershey and his wife Catherine – and the Hershey Trust Company, which acts as trustee. The first trustees were mostly Derry Township land owners who engaged in land dealings with the Hershey Company. According to the Deed as it stands today, its purpose is to found and endow, “in perpetuity,” the institution known as the Milton Hershey School. It entrusts a wide tract of farmland in Derry Township for this purpose. As the Deed states, the School “shall be permanently located” in Derry Township. It instructs the School’s managers (who are also the trustees) to admit “as many poor, healthy children as...the extent,

capacity, and income of the School will provide for....” “Only a child deemed poor and healthy by the Managers, and who...is not receiving adequate care from one of his or her natural parents, is of good character and behavior, has potential for scholastic achievement, and is likely to benefit from the program then offered by the School....shall be admitted.” The Deed gives priority of admission to students based on their place of birth: first, to those born in Dauphin and its neighboring counties; second, to those born elsewhere in Pennsylvania; third, to those born elsewhere in the United States. The Deed does not make provisions for children born outside the country. Among the key provisions:

All children admitted to the School shall be fed with plain, wholesome food; plainly, neatly and comfortably clothed, without distinctive dress, and fitly lodged.... They shall be instructed in the several branches of a sound education, agriculture, horticulture, gardening, such mechanical trades and handicrafts as the Managers may determine, and such natural and physical sciences and practical mathematics as in the opinion of the Managers it may be important for them to acquire, and such other learning and science as the tastes, capacities, and adaptability of the several scholars may merit or warrant, to fit themselves for the trades they are to learn, and a useful occupation in life.

Each and every scholar shall be required to learn, and be thoroughly instructed in some occupation or mechanical trade, so that when he or she leaves the School...he or she may be able to support himself or herself.

The School shall be non-sectarian, but the moral and religious training of the scholars shall be properly looked after and cared for by the Managers. No favoritism shall be shown by the Managers to any particular sect or creed.

The Hershey Deed makes provisions for expelling a child if he should become “incompetent to learn,” “insubordinate,” or become unfit in some other way—or if he has become competent enough in his chosen trade such that he no longer requires support. It also makes provisions for the appointment of future Managers by those presently sitting on the board of directors of the trustee. Furthermore it allows the Trustee to incorporate

as a corporation at some future date, which occurred in 1919 while M.S. Hershey was chairman of the board.

In its one hundred year history, the Deed has been modified numerous times—occasionally controversially. The first of many minor and major alterations to the Deed came about during the donor’s lifetime: in the early 1930s the definition of “orphan” was modified to allow for the enrollment of boys with a single living parent. A few years later the Deed was modified to establish the Milton S. Hershey Foundation, an educational foundation based in Hershey to support Hershey’s public schools and the residents of the township. This foundation become, in the early 1960s, the mechanism through with the construction of the Penn State Hershey Medical Center was funded in Derry Township—perhaps the most controversial reinterpretations of Hershey’s Deed of Trust as my interlocutors tell it (see chapter II).

In 1970, a modification eliminated racial restrictions on admittance; six years later, a modification eliminated sex restrictions. At the same time as females were admitted, the definition of “orphan” was modified again, this time to enroll children determined not to be receiving adequate parental care at home—the “social orphans” who make up the majority of the children at the charity today. The most recent controversial changes at the institution were not an effect of the Deed’s formal re-interpretation: They came in the 1990s under general reform efforts (discussed below) provoked partly but not exclusively by state scrutiny of the charity.

### **The private charity’s public face**

The charity’s present-day self-representation—in marketing and public relations, which are national in scope—emphasizing the cultivation of productive citizens. “Our main goal

for all of our students,” School publicity proclaims, “is that they leave the School well-prepared to enter society as productive citizens. We want all of our graduates to be good students, but we also want them to be good people, good employees, and responsible members of their communities” ([www.mhs-pa.org](http://www.mhs-pa.org)). The charity’s publicity in brochures and on the internet describes Milton Hershey School as “the country’s largest pre-kindergarten through grade 12 home and school for boys and girls from families of low income and social need.” Students live under the supervision of married couples—“houseparents”—in one of 150 student homes across campus, with about a dozen students of the same sex and relative age occupying each home. Tuition, housing, education, clothing, food, and medical, dental, religious, and psychological services are provided to students at no cost. The basic qualifications for admission are enumerated as follows:

- Come from a family of low income, limited resources, and social need
- Be from the ages of 4-15 years old
- Have the ability to learn
- Be free of serious emotional and behavioral problems that disrupt life in the classroom or the home
- Be able to take part in the School’s program
- Born in the United States

The average household income of a student accepted into the School is around \$15,000, according to publicity (Presently the median income of US households is about \$50,000 a year [DeNavas-Walk and Proctor 2014].). Nearly three fourths of those students come from inside the state of Pennsylvania. Preference is given, in accordance with the Deed of Trust, to the counties that immediately surround the School; the remainder of students are drawn predominantly from the U.S. mid-Atlantic region. Over half of currently enrolled students are students of color. A little more than half the

students are female. Nearly half the students have a brother or sister enrolled at the School—the effect of an enrollment practice going back to the elimination of gender restrictions in the middle 1970s.

The emphasis throughout the publicity for the School is the modernity and comfort of the institution—both in terms of its physical plant and its social body. Publicity images for the School feature the bright faces of young girls and boys of various ethnicities and body types, and the beauty of the sprawling rural-suburban campus. Students are depicted at work in the classroom, in front of computers, playing instruments, and on tennis courts. Publicity prominently features campus amenities: centers for fitness, visual arts, performance, library resources, etc; and highlights various student associations: sports teams, choral groups, service organizations, and so on. The School's presence on social media elaborates a vision of productivity and responsible citizenship. Its official Facebook page ([facebook.com/MiltonHersheySchool](https://facebook.com/MiltonHersheySchool)) features testimonials from students and snippets of student's everyday life in the institution. A visit to the Facebook page on one recent winter day (in 2014) shows students tapping maple trees to make syrup, participating in a walk to raise money for cancer research, and playing sports.

The technical and agricultural educational components of the charity's academic curriculum are especially stressed in publicity—a curriculum which is in other respects typical of K-12 education in the U.S.. A majority of students continue their education at a two- or four-year college or trade school, the publicity notes. Enrolled students are given the opportunity to “earn” college tuition dollars through academic performance and good behavior—up to \$80,000 in recent years. The regimentation of students' days is, however,

not a feature of the charity's publicity; it becomes obvious when entering the institution and observing, for example, the students' uniforms and the daily schedules to which both students and employees strictly adhere. It also becomes apparent in administrator's interpretations of the charity's mission—specially their reference to students as “product.” The terminology about “product” is not official, though it is used by officials internally to describe what the charity is intended to achieve.

### **“Tough love:” The Spartan System**

Though a certain regimentation or routinization is a common feature of comparably large-scale residential education institutions (e.g. the English boarding school), the language of “product” seems a distinctive feature of the Hershey School. I cannot help but hear it in the context of the model company town, in which the product of the chocolate factory is chocolate, and the product of the orphanage is worker-citizens. Administrators are eager to speak on this subject, and in particular to correct a perception “among the public” of the institution's being “strict” or “harsh:” “People who don't understand who the students are or what they're coming from, or don't understand what Milton Hershey product has been over the years—those people have difficulty” with what they perceive as strictness or harshness, an administrator (who is also an alumnus, as many are) explains to me. The strictness or harshness the public perceives is a form of care, he explains—what some might call “tough love.” Here is how he summarizes the work the School does today:

We're trying to change young people's thoughts and minds and behaviors from all that they've ever known, and it's not a simple task. We're trying to pick them up academically. We're trying to pick them up socially. We try to get them to understand that you're going to get knocked down — you might even get flattened — but you've got to get up again, because that's what you do when you

want to get ahead. We're really about the true middle class values of trying to be a hard worker, trying to believe that hard work and diligence will get you ahead. Work hard, pay attention to the rules and you'll be a success: that's been the mantra. You may never be the head of the company, but you're striving to be... something. You're striving to get somewhere. That's been the entire goal of Milton Hershey since he started the School. The majority of people here believe in that and, on a daily basis, that's what we're trying to get students to understand.

"Tough love" is expressed in, among other dimensions, the routines the charity provides for students. The dress of students, for example, is a routine. With minor variations, it consists of "navy blue or khaki pants and pullover shirts with a collar." The daily schedule of students is, likewise, a routine. Generally it proceeds as follows:

6am: Rise and shine. Toilet. Morning devotionals at breakfast table. Student performs domestic chore — dusting, vacuuming, cleaning bathroom, setting table, etc.

7am: breakfast, followed by table and kitchen clean-up. Dressing for school. Van transportation or walking to school.

8am-3:15pm: school hours [on campus]

3:15pm-6pm: extra-curricular activities (athletics, drama, tutoring); relaxation time before dinner.

6pm: dinner, followed by clean-up.

7pm-8pm: quiet study time.

8:pm-9:30pm: relaxation time (television, games, etc.)

9:30pm: lights out.

Saturday morning: "A deep cleaning day — washing the windows or, instead of washing the silverware, cleaning it with cleaner to make sure it it's not getting spotty or the dishes getting stained. Cleaning the bathroom a little better, a little deeper," in the words of an official.

Saturday afternoon: optional return to 'home of origin' with parent sponsors or other authorized visitors. Return by bedtime.

Sunday morning: mandatory chapel service, followed by optional second church (transportation to town for students to attend churches). Optional leave again. Return by dinnertime.

Among the most routine operations at the charity is the evaluation of students in terms of levels in the “Spartan System.”<sup>59</sup> The System, which encompasses households, classrooms, and playing fields, is composed of four levels: (1) Spartan, “the highest you can get in the house if you’re showing above and beyond what is expected,” as one official explains; (2) Gold, “if you’re doing exactly what we expect;” (3) Brown, which restricts some privileges or recruits; and (4) Novice: “If you’re a novice, you’re on restriction and you have to sit outside the door to the houseparent’s office. If you want to go to the bathroom you must ask. You go to bed thirty minutes early. You cannot go anywhere on weekends,” etc.

Levels are changed weekly, based on aggregate daily markings by School employees. Markings are point deductions for non-adherence to standards of dress, chores, and time management. For example, after children leave the house for school in the morning, houseparents examine the house and deduct points for dust, soap spots on dishes, unkempt clothes’ drawers, and so on. Deductions are also made for “incidents,” for example a physical altercation between two children in the house. Incidents are inscribed in a computer database. The database proscribes specific “consequences” based on the incident, selected from a list by houseparents. Employees themselves are subject to audits of the sort they perform on students—though consequences are differently qualified. Multiple times a year a Home Life Administrator—typically a former houseparent—will audit houseparents by performing an inspection of a house. The

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<sup>59</sup> The Spartan is the totem of the school’s sports league, whose colors are brown and gold—the colors of chocolate and caramel.

emphasis of these inspections is above all physical cleanliness—the *sine qua non* of adherence to the Spartan System.

### **Inside a Milton Hershey home**

The house Denny and Missy occupy on Milton Hershey School campus is a spacious modern unit that resembles a conventional two-story American suburban home. It has aluminum siding, a green lawn, and a basketball hoop in the driveway. The house is scaled-up, however, to accommodate a dozen young children—in this case elementary school-aged boys. When I visit one spring evening, Denny, the housefather, is cooking dinner in the kitchen, which strikes me as enormous in size—the refrigerator in particular. Missy, the housemother, is occupied with chores in the couple’s apartment, attached to the main unit. The gendered division of domestic labor in this context is a typical arrangement across residential units: Denny performs domestic chores in the charity’s household, while Missy performs domestic chores in the couple’s private household. As I sit with Denny, boys periodically pass through the kitchen, in one case announcing that a toy has been stolen by another boy, in another case asking about the meaning of the word ‘geography.’ “That means a place,” Denny responds gently. “Look out the window here. That’s geography. The lay of the land. You know how the land rolls and hills? And the place where we are: we’re in Hershey.” “Like Hollywood?” the boy asks. “Hollywood’s part of geography but that’s way out on the West Coast. Does that make sense?” “Yes. So is Canada part of geography?” “That’s right.” The boy leaves satisfied.

Denny confides to me that he has never really had a chance to reflect in conversation on his work as a houseparent. “This is the most I’ve talked probably in ten years” he tells me in the middle of our conversation. When I ask him about how his

career as a Hershey houseparent began nearly twenty years ago, he takes time to respond: “It’s almost like a calling. You want to give something back.” Denny grew up locally in Hershey and attended Derry Township’s public schools. His father died when he was a young teenager. Friends’ fathers took Denny under their care. His mother continued to work and was supported by social security. He did not enter the School—though he could have given the circumstances: “I was a mess for a long time,” he says. Denny was saved by Jesus Christ about a decade before becoming employed as a houseparent. A good friend of his from church worked as a herdsman at the School before becoming a houseparent; Denny visited his friend regularly and started to consider making a job application: “Both husband and wife get paid; it seemed like the right thing to do.” He and Missy started with a division of senior boys. After fifteen years, they considered quitting—apparently on account of the temperament of the high school-aged boys under their care. “I’m real close with the first ten years of graduates; they still call for Mother’s Day,” Denny explains. “But in the last five years, they’re a different-type kid. They don’t call, they don’t come back to see me. Things have changed.” Denny and Missy were convinced by administrators to transfer to a division of elementary boys. “The younger kids appreciate you more,” Denny reflects. “Problems in the house are resolved in ten or fifteen minutes. It’s just nicer.”

A day in the life of Denny and Missy’s household begins in the early morning with bed-wetters. Denny and Missy currently have two daily bed-wetters. He gives them showers while she wakes up the other boys and prepares them breakfast. Three times a week Denny cooks a hot breakfast; on Saturdays the boys “can have anything they want”—eggs, pancakes, bacon, potatoes; the food is hearty and plentiful. After breakfast

the boys brush their teeth, change in their school clothes and do chores. Everyone has a kitchen chore and a house chore: wiping down the counter tops, vacuuming the carpet, and so on. The boys are allowed a few minutes of T.V. before a bus takes them to school on campus. At the time of year I visit, daylight savings time is in effect—there is light well into the evening—so when the boys return home, they will do their homework before eating dinner and playing outside. Over the last couple weeks, since the weather has gotten warm, bumble bees have entertained the boys. The boys knock the bees out of the air and entrap them in cups and buckets—proclaiming to one another, “These are *my* bumble bees!” At the end of the evening the boys will bathe and brush their teeth again; the youngest among them go to bed as early as 7pm. Denny and Missy are asleep in their apartment adjacent to the main house by midnight. “Each day’s a little different,” they remark: Keeping the children active is the priority.

Houseparents oversee a domestic situation in which students generally assemble into a “pecking order,” as Denny puts it, with the housefather assuming the predominant position. Among the students, the upper-most slots of the social order of the household are generally occupied by “bus babies”—recruits who arrived in kindergarten, picked up by the charity’s officials from the bus station. They know the workings of institution better than their peers and tend to dominate. Like many houseparents, Denny has developed “a look” with the children in his home which signals to them that they must change their behavior or be ‘consequenced.’ “I try to teach them, ‘When you see this look on my face, you’re either going to stop what you’re doing or something’s going to happen.’” He has cultivated this technique *du corps* over time, learning through experience that the children are “great manipulators.” “I explain to them I try to be a man

of my word: This is what we're going to do and that's what's going to happen— it ain't gonna change.” Denny likens the social order of the home to a “wolfpack:”

I'm the alpha male and the rest get in line behind me. But they're always nipping at my heels. Nobody wants to be the bottom, so if you had two or three kids of equal stature, they are always fighting to keep from being the bottom guy on the totem pole. That's where you have the unrest. If everybody else gets in line, you don't have problems. You get trouble when they are trying to change the pecking order.

Denny and Missy are clearly confident in maintaining order inside their household; yet they brood along with other employees of the charity over the “new level of issues” that attach to children recruited by the institution—issues which, they say, claim reservoirs of time and domains of competence they do not to possess. The School is constantly playing “catch-up” to these apparently novel issues among students. The psychiatric diagnosis ADHD—Attention Deficit Hyperactivity Disorder<sup>60</sup>—is a hallmark of this new order of issue. ADHD-diagnosed students require exceedingly “hands-on” attention. “Hands-on” in this case means child and houseparent confer with one another constantly; it suggests, as it were, an excess of dialogue. ADHD diagnosed children seem to be incessantly asking questions and demanding answers. The sort of behavior labeled as ADHD and treated with medications would have been ‘diagnosed’ in the old days as disrespect or lawlessness and would have been treated with literal “hands-on” attention—that is, corporal punishment. “ADHD might have been around in the 1950s but if the kid acted out you paddled them, and houseparents were able to do that,” remarks Missy. “You don't do that now. The kids of today, they have so much baggage coming into the School. A lot of the kids are on psychotropic meds. All we [houseparents] can do is make sure they take their meds.”

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<sup>60</sup> Introduced into professional psychiatric literature in the late 1980s (Lange et al. 2010).

Much of the “baggage” students introduce into the home is manifest as emotional barriers. Older-aged recruits in particular “have a wall:” “They won’t let you get close to them. They don’t want to have a relation. They want to get in here, get this over with, get their education, and get out of here.” In response, houseparents erect their own strategic barriers to intimacy. It seems verbal expressions of love between houseparents and the children under their care are uncommon, especially in households with older students. In general, “you don’t hear [between a child and a houseparent] ‘I love you’;” physical displays of affection such as hugs are likewise rare. Physical contact in the institution may be suspect of abuse, bullying, or illicit erotic exchange; it is generally confined to medical-hygienic and recreational activities. Perhaps this accounts in part for what some alumni and employees refer to as the “coldness” of the charity.

Adherence to the System appears to dominate everyday routine inside the household, though both students and houseparents seem to exert as much flexibility as possible. Houseparents spoke to me about liberal / conservative distinctions in houseparenting—distinctions which do not necessarily correspond with political affiliations. “There are definitely people more strict and people more lenient. You all have your own style,” reflects one housefather. “You’ve got to have some leeway. It’s your personal preference. All homes across the United States are the same way, right?” For example, devotionals are part of the morning routine, carried out around the breakfast table. Houseparents have leeway in what they might read aloud with the children. A houseparent who, for example, wants to emphasize “success and positive spirit” might substitute John Wooden’s *Pyramid of Success* (2009) for Bible passages. Non-Bible-centered devotionals falls under the category of “liberal” houseparenting. Proselytizing

by houseparents, which is officially prohibited though reportedly commonplace, falls under the “conservative” category.

As is the case well beyond the boundaries of the charity, the sexual education of students is a primary terrain of conservative / liberal antagonism. Instruction in abstinence corresponds to the conservative side; instruction in prophylactics and contraception, the liberal side. Instruction condemning or condoning homosexuality seems to proceed along these lines. The response to gay youth by houseparents evidently varies within households, from general acceptance and celebration to endorsements of “conversion” therapy (into heterosexuality). Feuds between the homelife and academic halves of the institution have been known to erupt in this context; for example, when a teacher suggested not many years ago in a public forum that “Milton Hershey isn’t a safe place for homosexuals.” This conservative / liberal antagonism is punctuated by the voice of “moderates” who seek a compromise between the two: “Let’s not have a houseparent telling kids that homosexuality is an abomination; and let’s not have a teacher or counselor say being gay is great,” a “moderate”-identifying houseparent suggests. “We need to find a medium. In the meantime, let’s ask our kids to do their homework.”

Houseparents in general are considered conservative in distinction to liberal teachers and psychologists working at the charity. Administration—made up of non-psychological staff and psychological staff—seems split in terms of the binary conservative / liberal: non-psychological staff (including the Office of the President) tend to be associated with the former; psychological staff, the latter. Houseparents I met tended to perceive psychologists as enjoying the most control and influence over students, on account of the official confidentiality of the relationship between students and their

psychologists. Psychologists tell houseparents “basic things about the kids when we get them, like what scars they have, do they wet the bed, who their sponsor is,” explains a housemother. “But some of these kids have issues—whether it’s suicidal or they’re cutters or whatever—that we’ll never find out about.” This lack of disclosure is a well-established cause of concern among some houseparents who have their own young children in the house and who worry that their children may be subject to physical or sexual abuse by Milton Hershey students with non-disclosed “issues.”<sup>61</sup>

Psychological staff have become a “force” in the institution over the last half century. The staff has expanded from one part-time psychologist in the mid 1960s to around forty or fifty full-time psychologists at present, including around a dozen college counselors. For “conservative” administrators and houseparents, this expansion is most salient in the “cultural practice” of recruits, as one senior administrator who is also a longstanding alumnus relates:

In the old days it was unspoken but kind of a sacred practice that you would never tell your story about your misfortune as a student at Milton Hershey. No one wanted to hear your sad tale, so students didn't express it. Today the cultural practice is, kids are encouraged [by psychological staff] to talk about it. It's now kind of the norm to come and say, for example, ‘I'm Sally, my mother's a crack addict and my father molested me when I was three.’ The biggest challenge the School has now is, the kids tend to actually exploit their story. They use it as a reason for not being able to accomplish something or for behaving a certain way. Psychologists are clearly a force behind this.

### **The search for “sticks”**

Crucially in the Spartan System, the words ‘consequence’ and ‘consequencing’ are substituted for ‘punish’ and ‘punishing.’ As administrators explained to me, students

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<sup>61</sup> Psychological staff would not meet with me on my visits to the School on account of concerns about student privacy.

have been ‘punished’ throughout their lives outside the institution for no particular reason—they have been abused, in a word. “To consequence” a student is to respond in a standard (negative) way to an action the student has chosen to take. What constitutes a ‘consequence’ is a primary and deeply contested matter of concern for administrators, I discovered. Institutions will always need both carrots and sticks to get people to change their behavior, but in the institution today there are few “appropriate sticks.” “Where are the sticks?” an administrator asks me rhetorically. “That’s what we are fighting every day at Milton Hershey School.” The absence of “sticks” in the home is a primary loci of the charity’s present-day struggles, as administrators relate it.

The progressive loss of “sticks” over the institution’s history presents itself as a crisis of consequences. Corporal punishment is one of the primary consequences to have disappeared over the last four decades. In the “old days” of the charity—through the 1960s—corporal punishment was a legitimate exercise of violence—construed not only as discipline but as care; indeed, “tough love.” The origins of corporal punishment at the charity are opaque; it is not clear that it was routinely practiced at the founding of the institution. It is possible physical punishment was eschewed—as the well-known, Southern-Eastern Pennsylvanian Mennonite educator Christopher Dock advised.<sup>62</sup> Whatever the case, corporal punishment at the charity had become routine by the middle of the 20<sup>th</sup> century—not uncommon in a context of non-relative caretakers of young children.<sup>63</sup> It was one of the primary “sticks” available to houseparents whose authority in

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<sup>62</sup> Author of *School Management* (1750), a colonial American treatise on pedagogy.

<sup>63</sup> Drawing on the Human Relations Area files, anthropologists Ember and Ember (2005) focus on possible causes of corporal punishment in children and its variance in frequency across cultures. They define corporate punishment of children as “hitting, striking, wounding, or bruising a dependent child for the purpose of punishing, disciplining, or

the home was challenged. There is no substitute for the effectiveness of corporal punishment today, a longstanding administrator and alumnus relates: “I believe corporal punishment has a place in raising children, whether they’re your own biological children or the children you’re in charge of, but in today’s society it’s just not going to fly.”

Corporal punishment was one primary “stick” available for consequencing students; chores were another—specifically the chores associated with the charity’s dairy program, which, through the late 1980s, were a part of every student’s daily routine, and which could be extended to individual students as consequences of their bad behavior. Those who participated as children in the dairy program talk about “hating it then,” when they were obliged to work in the barns, and “loving it now.” The dairy chores instilled in students the understanding that certain tasks had to be accomplished regardless of their desire to accomplish them, observe senior administrators and alumni. The cows had to be milked, whether the boys liked it or not—and it seems most boys hated it. The institutional value of the dairy program seems to have been its loathsomeness. In the absence of the dairy program—which was closed down with much controversy (discussed below)—the repertoire of loathsome tasks to assign children is decidedly narrower.

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showing disapproval” (2005: 609). They find that “societies employing nonrelative caretakers have the highest corporal punishment, relatives as caretakers somewhat less, and societies in which parents are the exclusive caretakers the least” (615). Moreover, they find that “corporal punishment of children is likely in societies that are marked by power inequality caused by the presence of social stratification or high levels of political integration, or an alien power (as indicated by a longtime use of alien currency).” They conclude, speculatively, that corporal punishment of children is perhaps “a conscious or unconscious way for parents to train their children for a world full of power inequality” (616). The apparent nostalgia for corporal punishment among administration at the Hershey charity may be considered, speculatively, in this context.

The restriction of “town privilege” was yet another “stick” in the old days that no longer exists, senior administrators relate; it was perhaps even more effective than the others. This was in effect a restriction on students’ interaction with a public—specifically a gendered public—and it served as a powerful deterrent to bad behavior:

The worst punishment you could get in the old days was ‘student home detentions,’ because if you were on detention you could not go to town on Friday night. And so that literally meant the only time you potentially saw a young woman was on a bus while driving through town. Home detention was an awful stick that never blistered you or bruised you physically but emotionally it was awful. It wasn’t just the girls but it was that bit of freedom on a Friday night.

“Town privilege” and “home detention” were phased out of everyday practice at the charity amidst the administrative reforms of the 1990s—perhaps partly in response to complaints by local township businesses that Milton Hershey students were shoplifting during their weekly visits. “Now we have movies here on our own campus and we have recreational places for the kids to go and they’re both boys and girls at those places,” an administrator explains: “We can still ‘ground’ kids, but it doesn’t produce the same effect.”

In general, administrators and houseparents narrate a gradual loss of control over the behavior and affect of children at the charity. Strikingly, some administrators have responded to a sense of diminished authority by attempting to revitalize the culture of the founder. Over the last decade—since the re-composition of the board of trustees post-2002—they have introduced a discourse of “Pennsylvania Dutch Mennonite culture”—construed as a culture that stresses labor and humility over and above a student culture that stresses “hotness” and “coolness.” Pennsylvania Dutch Mennonite culture is the culture of Milton Hershey, an official explains:

Mr. Hershey, he was Mennonite. He really believed in the power of working long and hard and together. The whole system at the School was setup around that: Everybody pulls their weight, whether it's milking or picking corn or bailing hay. We don't go anywhere, any one of us, until it's all done. We work hard, we persist and persevere. That's the culture of Milton Hershey School.

### **The student body**

Hershey School employees I met convey love, affection, and respect for the individual students under their care; at the same time, they express ambivalence towards students collectively—the student body. I found that employees who are themselves alumni are especially critical of the “new breed” of student that has populated the School in the last decade or two. Such students are perceived as especially prone to “bucking the system.” They “fight against themselves about everything,” in the description of one houseparent and alumnus: “They constantly divide each other up, four against five, five against ten.” Race, ethnicity, and geographic origin are the primary terrains of these divisions and conflicts.

Any new student is expected to resist discipline briefly at the onset, School insiders observe. During that initiatory period, new students test and play against institutional boundaries and the social and personal boundaries of their peers and caretakers. What seems to distinguish the “new breed” of student from past generations is their concerted resistance. A single student who “doesn’t care”—about the institution’s goals, its metrics of evaluation, its authoritative claims broadly construed—will “ruin” an entire household. Such students “get some kind of intense pleasure out of making other’s lives difficult.” The institution is supposed not to have tolerated such resistance in the past—it would have expunged these recruits. Presently, however, it is trying to bolster retention rates in an effort to bring the School’s enrollment above 2,000 within the next

several years. Employees of the charity seemed to share a sense that, as one houseparent puts it, “it might be better to keep our numbers lower and help the ones who want to be here” — but they perceive that this would have intolerable political ramifications especially in light of recent state scrutiny and publicity around the Trust.

Maurice, a houseparent who is also an alumnus, expresses a widely held view that “the kids today are... completely different animals” than the students who passed through the institution in the last century. “We called it a home,” Maurice tells me when we meet for coffee in town. “A lot of students now call it a school and they might say their home is wherever—no matter their circumstances.” Maurice has been an alumnus for nearly 25 years and a houseparent for the last several years. He entered the School at ten years old. Originally from Philadelphia, he comes from “a background of drugs, alcohol, and violence,” in his words: “I wasn’t a dumb kid, it was my environment.” He had gotten in trouble with the law and was at the police station when he heard about the Milton Hershey School from the police chief.

Maurice got accepted within a month of applying to the School. “Every Milt remember his first day,” he recounts. “I’d never seen so much grass and trees, the big marble building [Founder’s Hall]. My mother dropped me off, one of the kids took me and showed me my room, and I was all alone in the strange place with people who were supposed to be my surrogate parents. It was scary.” As an African American who grew up in a majority black and Latino neighborhood, Maurice was initially struck by his minority status at what was then a largely white institution. He found it difficult at first to confront the “new lifestyle that was thrown at [him],” particularly pertaining to food, clothing, and the music tastes of his peers; the school uniforms seemed especially

ridiculous. Gradually, as he tells it, he began to understand the uniforms and the way of life at the School as a means of “sharing the same thing, living the same life;” the color of his skin “wasn’t an issue” after accepting this.

Maurice feels fortunate to have had houseparents who were present when he needed them most. His were a “classic 1960s couple” of houseparents—echoing the characterization of many longstanding alumni: The housemother always had makeup and hair done; she was always dressed “no matter what time.” Whereas she was a little harder in demeanor, the housefather was softer—“silent but reassuring”—and would sing in the mornings to wake up the boys. Crucially in his experience, as he narrates it, the School “stopped being a school and started becoming a home” when he decided not to return on vacations to the neighborhood in which he grew up. The peer pressure to participate in his old way of life was strong, he explains. In Philadelphia his acquaintances were stealing cars. They felt he was “acting better than them” by not participating. For a time he was conflicted: was he still a “tough gangster kid” or an “educated kid who had a future?” To stop the conflict he resolved not to return. His mother, though she did not drive, occasionally would visit him in Hershey, which became the center of his life until he left for college.

There were times as the student Maurice wanted to leave—escape, even—but he always reconsidered: “What am I really going back to, as opposed to the green grass and the great education?” The years he spent in the home with other boys from Harrisburg, New York, and Pittsburg is “where I saw a future:”

I started studying, doing chores, making new connections. I started to see there was something else going on, and a chance for me. I was taught vernacular, manners, being polite, showing respect. All the things that have made me who I am today were instilled in me there. I can honestly say Milton Hershey School saved my life.

Maurice worked in marketing and banking, trained in the Marines, and worked as a prison guard before returning to the School as a houseparent—a career trajectory not atypical of houseparents I met. As a houseparent, he has tried to reintroduce some of the “old school” mentality of Milton Hershey School—before the administrative reforms of the 1990s in particular. “I know we can’t go back to the old days, but there needs to be more of a struggle to be here,” he remarks, reflecting a common sentiment. “You need to earn your place. You need to earn that name, ‘Milt.’” The honor, he explains, relates to “Uncle Milton and Aunt Catherine—because if it wasn’t for them, there wouldn’t be us.” M.S. and Catherine Hershey were above all great servers of community, in Maurice’s view.

Maurice teaches the high-school aged girls under his care that participating in community service is a way of reciprocating the gift they have been given by the charity. The meanings of community service range widely from picking up trash in a local municipal park, to contributing time and money to national and international charitable institutions (Red Cross, YMCA, Big Brother, Head Start), to finding private employment in a business oriented towards “community.” The typical student Maurice works with, he suggests, lacks an imagination for service to community: “Go help someone!” he tells students, and they respond “By doing what?” “Find something you like to do,” he tells them, and they plead, “Will you find something for me?” They must do it themselves, he says. They perform service grudgingly and without “positive spirit”—one of the five

“sacred values” of the charity. “Honesty, integrity, judgment, commitment to mission, positive spirit—most alumni would say, that’s how they live their lives today,” Maurice observes. The current Milton Hershey School student body is construed as lacking in these values. Among the current student body, says Maurice, “there is no honor in being a Milt.”

The notion that the present-day student body takes no honor in their membership in the institution may not be novel or recent; indeed, my conversations with senior alumni—“old timers”—suggests that the claim that students suffer from school pride-deficiency is longstanding. What is recent or novel, however, is administrator’s explanation of the origins of the student body’s anomie. The narrative administrators tell about the current student body has to do with a distinction between “true orphans” and “social orphans.” The “ideal” Milton Hershey student is, in the general view of administrators, the “true orphan” who loses one or both parents in a stroke of misfortune such as illness or accident and who is sponsored at the charity by a living parent or relative; however, the vast majority of young people in the institution today are “social orphans.” These students tend to count two living parents who are divorced or separated. Administrators construe “social orphans” as less than ideal candidates, for some of the reasons discussed below.

### **Social orphanhood**

The category “social orphan” is not unique to the Hershey charity. The term initially gained currency in the former Soviet Union (Dillion 2009), referring to “a child with living family members [who is] separated from them either temporarily or permanently by social circumstances” (2009: 19). The general causes of social orphanhood include

“legal and social barriers that separate one or both parents from the child and individual adult choices by which they become unable or unwilling to provide consistently for the needs of the child” (Warlde 2005; cited in Dillion 2009).<sup>64</sup> Given these causes of social orphanhood, social orphans are confronted with several, distinct “possible outcomes,” as legal scholar Sara Dillon reports:

Family reunification, extended family care or guardianship within the extended family or community, institutional care (orphanages and group homes of varying sizes), domestic foster care, domestic adoption, international adoption, or a more ad hoc and chaotic option, such as living on the streets. (Dillon 2009: 2)

At the Hershey School, the category “social orphan” was introduced in the middle 1970s through a *cy pres* (discussed in the previous chapter in the case of the state university medical center). The admittance of “social orphans” followed the elimination of racial restrictions on admittance by less than a decade and coincided with the elimination of gender restrictions on enrollment. Senior administrators reflect on the period leading up to the admittance of social orphans in terms of difficulty finding and attracting the traditional Milton Hershey student—the boy who lived in an “in-tact family” before his father or mother died.<sup>65</sup> Social security, which did not exist at the charity’s founding in 1909, was expanding through the middle 20<sup>th</sup> century, rendering those children less socially vulnerable, as officials recount. With the compensation of insurance,

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<sup>64</sup> As Warlde reports (2005, cited in Dillion 2009), it is difficult to calculate to the number of social orphans globally, and to distinguish them from numbers of “true orphans;” however, UNICEF has estimated 100 million street children worldwide, a plurality of which live in Latin America.

<sup>65</sup> Mothers dying at childbirth and one or both parents dying of illness were common causes of orphanhood in the 19<sup>th</sup> century when many U.S. orphanages were established; social issues related to “unwanted children” became more salient in the 20<sup>th</sup> century (Friedman 2009: 56)

families who lost a breadwinner could more readily afford to keep their boys in the home and educate them.

Another factor in the difficulty of attracting traditional recruits, officials suggest, was the moral reputation of orphanages, which by the middle of the 20<sup>th</sup> century had become problematized. Milton Hershey School in particular may have been “stigmatized,” administrators recount, for its association with the chocolate company, which depended on fresh milk from regional farms. That the orphan boys’ routines revolved around the twice-daily milking of cows invited a perception among outsiders of exploited child labor. Moreover, since the 1950s, administrators recount, the charity had become increasingly associated with juvenile delinquency and penal-correctional practices. Hershey Trustees tried dispelling this reputation by changing the institution’s name from the Hershey Industrial School (with the connotation of a correction facility) to the Milton Hershey School. Concurrently, the charity substituted *in loco parentis* contracts for contracts of *indenture*; *in loco parentis* contracts appealing more to potential sponsors, perhaps, than contracts of *indenture*, which have connotations of peonage. None of these tactics seemed to draw substantive numbers of “traditional” recruits, however.

A senior administrator sums up Hershey Trustees’ rationale for introducing “social orphans” in the 1970s as follows:

The idea was, we’re having difficulty finding enough children who meet the deed’s criteria and who have a sponsor that wants to send them, and yet there are thousands of kids in America who are just as needy, just as poor, just as ill-kept—*as if* they were an orphan. And so the term ‘social orphan.’

The difference between true orphans and social orphans makes all the difference in present day administrator’s interpretation of the institution’s challenges in the 21<sup>st</sup> century. As one administrator puts it, “scar tissue remained” among true orphans from the tragic

incidents and accidents leading to their orphanhood; but in general those children were able to “buck up and go on:”

True orphans lived somewhere and life was good. Mom or dad died and then they were here at the School. Mom couldn't pay the bills and so they came here. There might have been a stigma attached to mom because she gave them up, but ultimately the School was a better place for them—and when they graduated they got great careers.

Social orphans have “a different kind of scar tissue.” Often they wear the open wounds of malnutrition; mental, physical, and sexual abuse; and generational poverty and ghettoization. When they graduate, these young people tend to confront a hostile or indifferent labor market, rather than the promise of a “great career.” And in distinction from those orphans who experienced—in one official's striking phrase— “the clean sever” from their parents, social orphans often retain links to their home of origin— a “so-called home,” in one senior administrator's words.

As administrators tell it, social orphans have been living for years surrounded by crime and drug use, often prostitution by their mother or siblings. They have been “more abused, less well-cared for, less well-nurtured and nourished” than the charity's traditional recruit. They have “more exposure to violence, including on themselves,” and perhaps “a greater feeling of abandonment.” One longstanding alumnus and current School official reflects on the difference in terms of his own experience:

I came from a very unstable environment with a mom who was crippled and had a whole bunch of boyfriends and every time that didn't work out it was my fault; it was just a terrible life. When I came to the School— my mom was abusive but my dad was gone [deceased]. My mom's comment to me was, ‘This is where you're going to be.’ And that was the end of my relationship with her. I remember getting to the School and I could relax: I wasn't on the streets anymore; I didn't have to prove myself every day. Today the School has kids with guardianship issues. There's so much happening in their lives and so much happening in society. The kids today still have to go through proving themselves—even though the School is a safe place.

A majority of the School's current students return to their home of origin and visit their adult sponsor during breaks in the charity's calendar, corresponding to breaks in an academic school year. As part of the effort to restore the charity to its traditional status as a family and home, administrators are generally intent on restricting leave and visitation privileges between sponsors and students. In their view, only the children who remain in the institution year-round, limited in their contact with their home of origin, can be "inculcated" with the middle class values that the School is originally intended to transmit. However, officials express concern that new restrictions may give the appearance to outsiders of "pulling the family [of origin] apart." The ability of sponsors to visit, and of students to return home often and for extended periods, is considered a valuable recruitment tool for the charity. Long calendar breaks appeal to sponsors who otherwise are uncomfortable with "the sacrifice of giving up their child," as one official puts it strikingly. Reducing the duration of breaks and the frequency of visitation heightens this sense of sacrifice, officials speculate, and this could hamper recruitment efforts—which in turn could trigger heightened scrutiny from the state.

The adult who sponsors a student at the charity has a reputation for interference in the process of "inculcation." She—the sponsor is typically marked as female and the plurality of sponsors are women—appears to officials as a self-interested agent who sustains a complex alliance with the student—alternately assuming the role of friend and rival guardian. Officials consider the economy of sponsor-recruit alliance—signaled by the dispensation from sponsor to recruit of luxury tokens of affection, such as fashionable shoes or expensive technology—especially disruptive to disciplinary routines. The sponsor "goes against the School," "sides with the kid" in cases of disciplinary action.

She sometimes will remove or threaten to remove a recruit for various pseudo-legitimate reasons, officials suggest: because she is “more homesick for the kid than the kid is for them;” because she discovers that “if she brings her child home she will get more welfare dollars;” or because she intends to make the child a wage earner.

The present-day sponsor tends to be contrasted in officials’ discourse with the sponsor from the “old days,” who acquiesced more readily to the substitution of the institution’s authority for her own authority over the child. As a typically “working poor” person, the traditional sponsor understood, officials reckon, that the child’s capacity to travel home or to be visited would be restricted in accordance with the charity’s agricultural and disciplinary routines. She remained, above all, affectively indebted to the charity and grateful to its governors. The present-day sponsor, by contrast, “plays the system,” approaching the charity as if it were a government welfare agency. “The system is what’s all around [the sponsors],” a senior administrator observes. “And so even though Milton Hershey is not a government agency, to them we’re a part of the system. And they think, ‘How can we get the most out of this system and put the least in?’”

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### **The discourse of the “old days”**

The discourse of the “old days” at the charity is much more complex than I understood it to be on “first contact.” It can furnish sentimental nostalgia (“way back when...”) or a reactionary stance (from which to indict “the system,” for example); but it also can provide resources for social critique and institutional revitalization. The narrative heart of the discourse of the old days is the story of the founders—Milton and Catherine Hershey. Theirs is a “story to remember,” as one of the charity’s brochures tells it:

The story begins with Milton and Catherine Hershey, a fortune made in the chocolate industry, and a deep concern for children. Unable to have children of their own, the Hersheys used a portion of their wealth from their chocolate business to found the Hershey Industrial School in 1909. The School opened its doors with just four young boys who not only lived at The Homestead—Milton Hershey's birthplace—but also attended classes there. Sadly, Catherine Hershey died just a few years later at the age of 42. In 1918, Milton Hershey gave virtually all of his personal fortune to the School to provide for its continuation throughout all time.

The story the charity tells about Catherine Hershey in particular focuses on a comment reportedly made by M.S. Hershey that the orphanage was “Kitty’s Idea.” The story of “Kitty’s idea” told by the charity today elevates the institution’s claims to home and family; at the same time, it hails the modernity of the institution—in the sense that it is the realization of a modern, 20<sup>th</sup> century woman’s idea. The eldest of four children of Irish Catholic immigrant parents, “Kitty”—Catherine Hershey (1872-1915)—had been active in charity since the early 1900s following her marriage to M.S.. While M.S. oversaw the chocolate factory and town in Hershey, Catherine participated in a charity society in neighboring Lancaster with, among others, F.W. Woolworth—the five-and-dime store founder (McMahon 2010a; 2010b). The charity society was dedicated to “the elevation of the moral and physical condition of the indigent, and for the relief of their necessities,” which included training for industrial jobs (2010a; 2010b). Catherine’s concerns with the charity society extended to the orphanage that would become the Milton Hershey School. When the Hershey orphanage opened with ten boys, Catherine planned their homelife—including their meal menus, clothing, and social activities. She is remembered at this time for inviting the children of the School to have meals with her at “High Point,” the mansion she shared with her husband (2010a; 2010b). In her final years, she was almost completely incapacitated—perhaps on account of syphilis

contracted in her early years (D'Antonio 2007). A practicing Catholic for most of her life, at the end of her life Catherine embraced Christian Science.<sup>66</sup>

“Kitty’s idea” prospered and grew through the first half of the 20<sup>th</sup> century, by all accounts. By the 1950s and ‘60s, the School had an enrollment of 1,200 boys and had graduated more than 2,500 students. White boys with one or no living parents were the exclusive beneficiaries of the Trust at this time. Industrial-agricultural routines organized the everyday life of the boys and their caretakers. A short essay about the School published in 1965 in New York Times, entitled “The Hershey School and Its Philosophy of Dignity in Working With the Hands” (Rusk 1965), depicts this period with rather rose-colored glasses: The article describes eighty-eight homes, featuring gymnasiums and playrooms, “scattered over 12,000 acres in the foothills of the Blue Mountains.” Between twelve and sixteen boys live in each home under the supervision of a pair of houseparents, who each morning drive the boys in a station wagon to classes in the School’s instructional facilities. Student’s educational programs are “individually tailored to meet each boy’s need and desire based on scientific counseling and testing.” Half the students are preparing to go to college or university after graduation, for which the charity will pay the majority cost and loan the remainder at low-interest; the other half are being prepared for vocations such as carpentry, plumbing, food service—“and of course candy making.” “The real significance” of the institution, the article notes, is its “philosophy of

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<sup>66</sup> The “quasi-pathological” character of optimism in American religions of healthy-mindedness is taken to an extreme in Christian Science, observes William James (1994: 96). Born of the Second Great Awakening (circa 1800-1830), Christian Science is “the most radical branch of mind-cure in its dealings with evil” (1994: 121). For its adherents, “evil is simply a lie, and any one who mentions it is a liar. The optimistic ideal of duty forbids [adherents] to pay it the compliment even of explicit attention” (121).

dignity that it is just as important to do good and creative work with your hands as it is to have an academic degree.” The boys training to become plumbers feel “the same pride” as those training to become physicists. “This is social rehabilitation in essence that brings a new dimension to dignity.” The article concludes: “The community and school that chocolate built...serves mankind as a significant example of total community service in its true meaning.”

Today, the School of the 1950s and ‘60s is memorialized for better and for worse as “the old days”—the period when a majority of senior alumni passed through the institution. Though the emphasis on “total community service” remains central to the charity’s present day self-representation, this emphasis has a decidedly spectral quality. This is to say, the “total community” in which the charity was once incorporated—the social order of the company town specifically, and in general the social order of the modern industrial nation-state—has become disaggregated. The “philosophy of dignity” accorded to modern industrial-agricultural labor, in distinction to academically credentialed labor, has likewise become outmoded.

The social order and philosophy of the “old days” are most salient in the charity’s practices of alumni relations, a central activity of which is the production of a mutual identification of “home” among current students and senior alumni. The “old days” of the charity are memorialized in recently refurbished buildings on campus which serve as offices for alumni liaisons and social space for alumni association members. The “Dearden House,” in particular, is a former student home repurposed as a meeting place that pays tribute to William Dearden—the 1940 graduate who fulfilled the express wish of the founder that “one day, one of the boys from the school will run the chocolate

company.” Dearden (discussed in chapter IV) is “widely regarded as a legacy to Milton S. Hershey and his work” (The Milton Hershey School Alumni Association n.d.). The physical office he occupied as CEO of the Company in the 1970s and ‘80s is replicated in a room of the Dearden House, which serves as the School’s office of alumni relations. Also replicated in the House are several interiors of student homes from the 1950s and ‘60s.

At one student-alumni event I attend, an “alumni-student fellowship dinner” sponsored by the alumni association, the discourse of “old days” and the emphasis on Milton Hershey School’s being a home and a family is reiterated in formal programming and casual conversation. Crucially, there are no requests for giving back financially to the institution at the event (The charity’s accepting donations is prohibited by deed.). The evening—a buffet hosted in a Hershey Entertainment and Resorts property named the “Chocolate Ballroom”—begins with an invocation lead by the Alumni Association’s chaplain, who thanks God for the food, the fellowship, and for Mr. Hershey and his wife Catherine; their actions, the audience is told, were guided by the Lord. One of the evening’s main speakers is a locally prominent alumnus who was given the name Milton as a tribute to the charity’s founder (Milton’s elder brother preceded him as a student at the School). He shares an anecdote about his time in the institution, which clearly moves the senior alumni in attendance, among others:

One day me and some other Milts decided we didn't want to be here anymore. We wanted to run away. So we started packing our belongings and our houseparents approached us: 'Let us give you some food,' they said, and we agreed. So we left the house with brown paper-bag lunches and walked over the hill where our houseparents could still see us and where we could still see them. We ate our sandwiches, apples and cookies, and then we wondered, 'What do we do now?' 'Let's go home!' somebody said. And we did. Those were the good old days.

In the awards ceremony that follows, awards are given out to students for academic performance and to alumni for community involvement, commitment to the alumni association, and so on. Alumni variously stress the institution's status as home first and foremost. Closing remarks are given by an alumni official who speaks about her own fear of leaving the institution when she was about to graduate, and who encourages students in attendance at the dinner to remain in contact with their houseparents, alumni sponsors, and fellow students: "Don't forget that you have 9,000 brothers and sisters around the country," she tells the audience. "Just remember that we're still here."

The charity's being a home is generally not accepted by current students whom I met; indeed, they tend to talk about home as the place they grew up and to which they return over breaks in the institution's calendar. Around a table at an alumni-student event, a few students share reflections with me in terms of the practical challenges and opportunities the charity affords—namely the opportunity to attend college: The hardest part of being at the institution, one young woman tells me, is "living with girls all the time." The rules are very strict, adds another student. They agree that the rules have gotten stricter with successive presidents (though evidently they have been students at the school during the tenure of only one of those presidents). Students "like the School after graduation, but not before," one senior student tells me. Another expresses how proud everyone is to attend: "We don't boast about it but our families do. Our families tell everyone we're at Milton Hershey." "The best part of the School," says a senior who had attended for several years, "is the scholarships we get to go to college." The others around the table nod in agreement.

As alumni and administrators recognize, this is the primary value of the institution for most of those young people who pass it through it: The charity affords an opportunity to go to college to those who otherwise could not afford it. It has assumed this value among students since the early 1990s, when the fracturing of the social and institutional order of the “old days” could no longer be ignored, and a reformist administration introduced controversial reforms under the name of a “21<sup>st</sup> century initiative.” An account of the reaction by alumni to the “21<sup>st</sup> century initiative” is critical to understanding the administration of the charity today.

### **The drama of alumni relations**

Present day employees and alumni are generally united in their rejection of what they view as the progressive, multiculturalist policies that characterized the School during the 1990s. Generally they are united in their endorsement of the current administration’s efforts to restore the orthodox mission of the charity so far as it is feasible. With the current effort to restore the charity to its early 20<sup>th</sup> century status as home and family, the Hershey charity is in some sense re-claiming an identity as “orphanage.” This may be surprising to outsider American observers of the institution, given popular representations of orphanages as somewhat arcane institutions—perhaps integral to child welfare in the developing nations but no longer relevant, seemingly, in liberal welfare states. However, officials at the charity point to the renewed currency of the “orphanage” model—re-framed in terms of “residential education.” They pointed me to research, for example by

Lee and Barth (2009),<sup>67</sup> that makes a case for the “residential education” model of the Hershey School and comparable institutions in light of the failure of the U.S. fosterage system. A key figure of that failure is the rate at which former foster youth report graduation from high school or completion of a GED program: less than half the rate of their non-foster peers. Nearly a quarter of former foster children do not obtain a high school diploma or equivalent by the time they reach the age of twenty one (Courtney et al. 2007 cited in Lee and Barth 2009: 157). Residential education programs offer anecdotal evidence of better outcomes.<sup>68</sup> Beyond this anecdotal evidence there is, however, “no evidence that residential education programs improve youth outcomes compared to any other intervention or non-intervention. There is not even evidence that students at residential schools or their families are more satisfied with their experience, compared to youth in other out-of-home placements” (Lee and Barth 2009: 157).

The revitalization of an orphanage model at the Hershey charity is in large part a “counter-reformation” to the reforms of the 1990s, which appear to have been sparked by the School’s receiving a low grade by a regional state accrediting agency (D’Antonio 2007: 250). In response to the review, the charity’s managers—trustees of the Hershey Trust—resolved to overhaul aspects of the School’s curriculum and everyday practice. As current administrators recollect, trustees in the early 1990s began to consider that the

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<sup>67</sup> Reporting in *Children and Youth Services Review* on research facilitated by the Washington D.C.-based Coalition for Residential Education, of which the Hershey School is an affiliate. See also Allwn and Vacca 2011 in the same journal.

<sup>68</sup> Of the nearly hundred and twenty programs Lee and Barth survey, two-thirds reported monitoring the outcomes of former students after graduation; those programs reported that nearly half of all graduates proceeded to tertiary education. Crucially, the authors of the paper note, the survey used to obtain the data on post-high school outcomes “did not attempt to obtain information about the proportion of a cohort that graduates” from residential education programs (2009: 158). This makes the scope of the results difficult to assess.

industrial agricultural skills taught at the School were less valued on the labor market than in decades past. They started listening more to teachers in the institution who complained that students did not have enough time to study on account of the dairy program, as students' days were organized around the morning and evening milking of cows in barns spread out across campus. The dairy program was the first orthodox component of the charity to be eliminated in what would eventually become an official initiative to remake the school through the 1990s. The fact that the dairy program was instituted a couple of decades after the institution's founding bared little on its being taken as an orthodox component. Symbolically, the program was—and to a large extent remains—constitutive of the School's identity as a "homestead." The dairy program was the fulcrum of character education, in which children were enjoined to participate in a primarily agrarian work ethic. The new work ethic introduced by the "21<sup>st</sup> Century Initiative" would be a technological one; it would be centered not on barns but in classrooms.

The story of the "21<sup>st</sup> century Initiative" is well-rehearsed by most everyone I encountered in the context of the charity, and it already has been told at some length (D'Antonio 2007): Identifying a need for fresh leadership to carry out reforms, Hershey trustees conducted several national searches for a new president beginning in the early 1990s. A non-alumnus, out-of-state education professional eventually was hired, assuming the newly created position of "School C.E.O." The president and his leadership team undertook "a whole new direction for the school over the next ten years—creating a middle class boarding school instead of a home for orphaned or disadvantaged children," in the words of alumni who organized against the reforms. The "21<sup>st</sup> Century Initiative"

re-worked the practical and ideological character of the charity from industrial-agrarian and technical-vocational to informational and college-preparatory, broadly construed. The home for orphans became re-inscribed by officials as “community;” the geographical territory of the “homestead” became “campus;” and the young people admitted to the school were awarded “scholarships.” The Initiative included the introduction of new admissions criteria focused on the academic potential of applicants; new college-accreditation criteria for employees; de-funding of agricultural and vocational training and closing down of barns; investment in computer technology in classrooms and student homes; selling off or sub-leasing of Trust-owned farmland and consolidation of buildings; pluralization of religious programming; expansion of psychological services; and the unionization of houseparents (under the Chocolate Worker’s Local 464; see chapter IV).

The reforms in the academic curriculum coincided with the precipitous firing of several longstanding and revered employees, as well as an attempt by the new leadership to pass a cy pres petition through the county’s probate court which would have allowed for the founding of a research institute focused on the education of children in need. The attempted cy pres, which possibly would have diverted monies outside of Derry Township to another part of the U.S., led to the new administration’s becoming an object of scorn among alumni and officials who identified closely with the charity’s “original” mission. The progressive educator from the mid-West who was president for most of the 1990s became something of a bogeyman in the popular imagination of alumni and

administrators and largely remains so today.<sup>69</sup>

Though they largely had welcomed innovation at the Milton Hershey School, many alumni active in the school's alumni association in the early 1990s were disconcerted to discover that the I.Q. floor for admission had been raised, from around 80 to 100—disqualifying especially low functioning children. The financial threshold had been raised as well, from around \$14,000 to \$25,000—opening admission to less impoverished families. Even more disconcerting to alumni was the new leadership's focus on sending every Milton Hershey student to college: “a terrific mission—but it wasn't Mr. Hershey's,” alumni recount.

Alumni responding to the “21<sup>st</sup> century initiative” generally perceived that the charity was moving away from the agrarian, “homestead” lifestyle originally intended by the founders. They generally perceived that students were moving away from chores—in particular those chores associated with the barns and the farms spread across the campus. The use of the term “scholarship” was especially charged in this context of contested institutional reform. The term was employed by the charity's reformers as a recruitment tool. Potential recruits were told they would be granted “scholarships” to Milton Hershey School, which seemed to suggest admission based on scholastic merit. Hershey trustees' use of the term was intended to counter the reputation of the charity as a remedial institution; to some alumni, however, the use betrayed the spirit of the Deed which, in their understanding, was intended to recruit children who could benefit from programming regardless of demonstrated scholastic merit. The use of the term

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<sup>69</sup> Despite my best efforts, the educator who acted as President and CEO of the School during its reform years would not agree to meet with me. I regret the missed opportunity to include his voice.

“scholarship” coincided with the deployment of another key term by reforming trustees: “community.” The re-inscription of the school as an intentional “community” in lieu of “a family and a home” drew the ire of alumni. “This isn’t a community, where you opt to come here. This is a home,” activist alumni insisted.

In response to these reforms, members of the alumni association pursued legal counsel for the first time in the history of the association. Though the association did not enjoy legal standing to sue the Trust (it eventually appealed for standing in the Commonwealth Court of Pennsylvania and lost in 2005), alumni association members approached the state Attorney General’s office and began detailing what they considered a long history of negligence and self-dealing by trustees. That history, as they reconstruct it, begins in the early 1960s with the use of Trust monies to found the state university medical center at Hershey. Alumni also pointed to the Trust’s selling off or transferring of School properties to the Hershey Entertainment Company; the abandonment and demolition of historic buildings scattered across its 10,000 acres; and most significantly, the substantial drop in enrollment numbers as the value of the Trust skyrocketed and the compensation of trustees increased.

Though the Attorney General responded to alumni activists’ pleas by officially inaugurating a preliminary investigation, a formal review had yet to materialize a decade after the beginnings of the “21<sup>st</sup> Century Initiative.” The Trust’s attempted sale of the Company in 2002 “was when the community joined forces with the alumni, and we all got in lockstep against the board—just as the Attorney General was deciding to run for governor,” an activist alumnus recounts. “Had it not been for the Trust board deciding to sell the Company,” the conflict between the Association and the board of trustees “would

probably still be happening.” With the announcement of the proposed sale of the Company, the alumni association, residents of the town, and employees of the factory recognized each other as allies:

The townspeople didn’t in general care about Milton Hershey School. It’s kind of its own enclave and when you go to [townspeople] and say these kids aren’t going to get the right training and aren’t being admitted the way they should be— townspeople had an empathy for it but not a full understanding. But then someone [at the Trust] said, ‘Let’s sell the town, let’s sell the company!’ and land prices and jobs and all that stuff begins to look like it’s going to change. And man, people went like ‘boom!’ overnight.

The canceled sale of 2002 resulted in an Attorney General-sponsored reconstitution of the Hershey board of trustees (as discussed in chapter I), as well as new leadership at the School. New administrators were drawn from alumni association members intent on bringing the institution in line with what they understood to be the original intentions of the founder—in particular emphasizing the institution’s identity as a “family” and “home” in distinction to a “community” and “school.”

In the view of current administrators who took over after 2002, the reforms of the 1990s marked the decline of a traditional approach to childrearing and the rise of a “pampering,” “student rights-based” approach to childrearing— the latter approach grounded in contemporary psychology and educational theory. Psychological staff became a more dominant faction in the charity during that period, encouraging the adoption of a discourse-based approach to discipline, i.e. explaining to students the rationale for a rule or punishment. Their approach undermined the traditional authority of houseparents who embraced a traditionally “strict” or “mean” approach toward students and who were told to “be nice.” The emphasis on discipline and chores in the home seemed to fall to the wayside as students were given “more rights,” “more freedom”—

including exceedingly generous college scholarships. As current officials tell it, the administration of the '90s was “trying to get a different kind of kid into Milton Hershey School—different kinds of kids that were college bound anyway, so that the School would look more successful. But that’s not the School’s role” in the new century:

It’s the School’s role today to take the 3s and 4s of the world and make them 7s and 8s. Somebody who’s already a 6 or a 7 will probably become a 9 or a 10. Leveling the playing field is what we’re supposed to be doing. We want our kids to become the guy next door. We want them to become the person you can call when you need help— somebody that takes care of their property, somebody that takes care of their family. If you look at what Mr. Hershey said in the Deed of Trust, it was more about creating the guy next door. The School focuses more on their character than going off to college.

Though many practical aspects of the “21<sup>st</sup> Century Initiative” remain in place at the School today and have been incorporated into the current administration’s program, current administrators are engaged in efforts to rollback a good deal of its substance. The post-2002 efforts to revitalize a more orthodox mission at the charity include introducing a lower economic threshold and lower I.Q. requirement for applicants; expanding enrollment; recruiting and retaining specifically rural white students—males in particular—under a program of “racial-cultural balance;” explicitly Judeo-Christian religious programming; merit-based restrictions on financing of students’ post-secondary education; “iconic” construction projects signaling the legacy of the founders; construction of additional student homes to accommodate a larger number of students; and property acquisitions that will allow for future expansion (i.e. the controversial acquisition of the golf course discussed in chapter I). Administrators are intent on restoring non-academic tracks to the curriculum: culinary arts curriculum; industrial technology; automotive mechanics, etc. Above all, they are focused on restoring the home-life character of the charity, convinced that the School “has to be a home.”

Such is the context in which I encountered the School beginning in fall 2010. I encountered the business corporation around the same time and discovered a parallel: just as the School is construed by insiders as more than a school (a home-school, in a word), the Company is construed as more than a company: a “socially responsible” business corporation *avant la lettre*. The following chapter visits with employees of the corporation and explores alternative legacies of charity therein.

## **Chapter IV: Industrializing and Marketing Trust**

Around the time I arrived in Hershey in 2010, the closing of the “original” Hershey chocolate factory was the subject of a National Public Radio program (Tarabay 2010).

“Imagine Google wrapped in chocolate,” the radio story begins:

What the Internet giant [Google, Inc.] is to its employees today — the extra benefits, the comfy workspace — Hershey was a hundred years ago. A theme park, a theater, low-rent housing and cheap public transportation were all things Milton Hershey brought to the dairy region of Pennsylvania when he created Hershey, the chocolate center of America. At the heart of the town was the chocolate factory, a brown brick building nestled in the shadows of two smokestacks, where cocoa goodness wafted out into streets and homes. That factory on the corner of Chocolate and Cocoa avenues, however, will soon be closing, and the chocolate making will move to another facility being built just outside the town. The Hershey Company says it needs to close the historic factory, and cut 500 jobs, to remain competitive in the global market....

As Hersheyites narrate it, the closing down of the original factory — “19 East” (named for its address on Cocoa Avenue) — is the more or less “natural” next step in a process of optimization that has been ongoing for the last four decades. Optimization has made the Company more efficient in market terms, and more profitable for its controlling shareholder, the Hershey Trust. But the Trust and state have also placed limits on this optimization — maintaining since 2002 that the Company will remain headquartered in Hershey and will continue to manufacture products there, even as the Hershey brand name “goes global.”

The total chocolate production operation in Hershey today employs about 1,100 factory workers — down from a peak of around 3,300 in the late 1960s. Many of the jobs

lost over the last several decades relate specifically to cocoa bean processing. When “19 East” was constructed, cocoa beans arrived in railroad cars or trucks. The beans would be deposited into silos where they would be stored until being roasted, shelled, milled, and pressed. Cocoa powder, cocoa “nibs” (beans separated from their husks and crushed), and cocoa butter (vegetable fat extracted from the bean) were the end result. In order to facilitate bean processing, a central shop employed machinists, plumbers, mill rights, and electricians among others. Machinists would fashion additional parts for production equipment; electric groups would repair motors; mill rights installed equipment. Many of these positions have been phased out and no longer exist, though the factory continues to employ maintenance staff who fix production equipment when it breaks down. Today the Company purchases cocoa derivative products from third party vendors, rather than processing cocoa in-house. “19 East” retains only one cocoa processing treatment, in which cocoa butter procured from a vendor is refined to remove “impurities” such as shell parts or dirt. This process, which factory employees liken to a “miniature oil refinery,” is named—ironically enough, given chocolate’s olfactory reputation—“deoderization.”

Tours of “19 East” have been closed to tourists since the early 1970s, when the Hershey Company constructed a simulated tour adjacent to the Hershey amusement park called “Chocolate World.” Visitors to “Chocolate World” take a 10-minute Omnimover-style<sup>70</sup> tour through a fantasy chocolate factory in which they observe the transformation of a cocoa bean into a piece of Hershey’s chocolate. The ride follows cocoa beans from tropical rainforests to the end of a factory conveyor belt, concluding with a free sample of

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<sup>70</sup> “An amusement ride system for conveying passengers past a display and including a support track having inclining and declining portions” (Broggie et al. 1971).

the product. This “Chocolate World” ride is dramatically different than the walking tour of “19 East,” the latter of which follows a yellow line printed on the floor corresponding to the production sequence. When I take a tour of “19 East” months before the plant is set to close, I follow the now-faded yellow line.

My tour guide Phil, a longstanding manager at the factory, tells me I will see only a fraction of the facility— “5%.” In its entirety the plant includes twenty-some buildings, each with around half-a-dozen floors—the most famous part of which, the “conching rooms,”<sup>71</sup> are apparently off-limits during my tour. In early winter when I visit, products are being manufactured for Halloween the following October. There will be more activity in springtime when the factory has access to “true springtime milk.” Springtime milk—procured from dairy farms in Pennsylvania and Maryland—is “the good stuff,” Phil explains. Even though cows can be artificially induced to produce fat-intensive milk – they can be “tricked into thinking it’s always springtime” – true springtime milk remains the fattest and most delicious of the year; the factory will utilize as much of it as possible before closing its doors.

Phil’s tour emphasizes innovation and bricolage at the plant throughout its one hundred year history. In its beginning in the early 1900s, workers would haul wheel barrels full of chocolate through the factory. The work in those days was especially long and hard, though it was considered much better than the other employment in the region at the time: farming, coal mining, and—in Northern Pennsylvania where Phil’s family comes from—lumber. It made good sense to build a company town around the factory, Phil tells me: “it was a way to keep the workers happy,” simply put. Later in the factory’s

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<sup>71</sup> See McPhee 1972.

history, steam pumps to transport the chocolate were introduced, followed by electric pumps, which made the labor of transporting ingredients throughout the factory less physically demanding, though the work never has been easy.

Though the wheel barrels and steam pumps are gone, production equipment from the early 1900s remains. Much of it continues running with parts added and taken away in order to produce new products. For example, Phil and his co-workers had a hand in retrofitting a machine that produced metal cans of chocolate syrup into a machine that produced plastic bottles. Other modifications have been made to more recently-acquired machines — for example, a machine that wraps palm-sized chocolate bars. When the wrapping machine was first installed in the factory, chocolate bars were falling off before reaching the end of the line; the factory's engineers added metal chutes on the side of the machine to funnel the candy — “a seventy five dollar adjustment which saved millions of dollars.” This was an “in-house” innovation. Other innovations at the plant have been incorporated from outside; for example, a tool organization system developed originally by the Toyota Company. Color-coded outlines of hammers, screwdrivers, spatulas and other instruments are printed on walls and counter-tops throughout the factory, designating the place that tools are stored when they are not in use. The organization system means that “everything goes in its place.” There are no superfluous instruments on the factory floor—a significant improvement in efficiency and a boon to worker safety, Phil points out.

The “19 East” plant currently employs between 1,000 and 1,200 people, a couple hundred of which will be laid off in the move to the new facility. Most of the factory will be knocked down when the new plant opens outside of town, but some parts have already

been refurbished into new Hershey corporate marketing offices. Much of the production in “19 East” will be moved to the new plant outside town, but other products will be moved to different plants scattered across the U.S., Canada and Mexico. The idea is to produce, in each of the company’s plants, a small number of products on a large scale, rather than a large number products on a small scale, Phil explains. The Virginia plant, for example—one of the Company’s largest facilities in the U.S.—will be dedicated to manufacturing all products with peanuts and almonds, reducing concerns about nut contamination at other plants and in general streamlining production costs. Most of the jobs lost in the transition between the old and new factory will be young persons’ jobs, as senior employees are relatively protected. The jobs lost are mostly due to technological innovations in production: In the new plant’s chocolate syrup department, for example, a piece of equipment will run twice as fast as the current equipment. Only two shifts of labor will be required in the department, compared to three in the current plant.

Along the tour route, Phil exchanges nods and waves to employees, one of whom approaches and inquires about details of the new plant: “Am I going to like it?” Phil assures him that information about the move is forthcoming. The closing of “19 East,” and the opening of a new facility outside town, comes on the heels of an antagonistic time between labor and management, he later explains to me. In the early 2000s—after the attempted sale of the Company by the Trust—the union had an opportunity “to put their foot down” in negotiations for health care, but ended up resigning themselves, he says, to cuts. It was around this time that Hershey executives decided it was not going to invest anymore in the original Hershey plant, that it was “done innovating” there, and there would be no new jobs.

As Phil tells it, the Company's announcement of the closing led to a collaboration, between plant managers and union leaders to "discover efficiencies" at the plant and to continue production there for as long as possible. The collaboration led to the purchase of a rather expensive (\$5 million) wrapping machine which was just recently installed. An agreement was reached in which factory workers could elect to work on the machine for a pay cut or take a layoff and be replaced with temporary workers. The temporary workers were employed for \$11 hour instead of \$15. This arrangement benefitted both the Company and the labor union—allowing the Company to cut production costs and the union to create new jobs at the 19 East factory. It will not last beyond the closing of the factory, however, as the Company determined that the cost of outsourcing production for the amount of time it would take to move the machine to the new factory is too high. The recently-acquired machine will remain in the factory after it closes and eventually be sold; and the machine that will replace it at the new factory will wrap even faster. "If you can save a little time on something—if you can produce more quickly—that's the name of the game," Phil tells me as the tour comes to a close. "We're not a charity. It's all about profit."

The irony of the distinction Phil makes between charity and profit runs deep, as I hear it. I wondered about the histories and futures of that distinction. What is the history of the distinction between charity and profit at the Hershey Company, and how is that distinction re-fashioned (or not) in the new century?

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### **"Re-identifying true roots"**

The Hershey Chocolate Company's success was made technically possible by M.S. Hershey's turn-of-the-20<sup>th</sup> century innovation in processing. Nominally the "Hershey

process” remains a trade secret; however, it is widely speculated the Company puts the milk in its chocolate product through a process of controlled lipolysis (Moskin 2008). Lipolysis breaks down fatty acids in milk. It produces butyric acid, which stalls fermentation—key to the shelf life of the product—and gives Hershey’s chocolate a characteristically tangy, sour flavor profile.<sup>72</sup> The characteristic taste of the Hershey bar—the taste of process, as it were—has remained largely consistent over the last century of its production:

“We ask people, ‘why do you eat candy?’,” a recently-retired Hershey marketing executive tells me. “And people tell us, ‘Because I like it.’ Period. That’s all they say.” When I ask him to elaborate on what accounts for the candy’s good taste, he offers a bio-cultural explanation: “Humans are born with a sweet tooth.”

Mother’s milk is sweet. It’s in our genes. It’s in our makeup to enjoy and to like sweet things. Chocolate happens to be one of those. Mr. Hershey didn’t know this when he developed the Hershey bar. He basically traveled Europe, saw this great thing called chocolate—very expensive—and said, ‘I’m going to come back and I’m going to figure out how to make chocolate that’s affordable— because people like it, and I know people like it because I like it.’ And he did. There’s no magic formula. We innately like sweet things.

There is no magic formula—perhaps the fact that humans innately like sweet things is itself magical. “Indeed,” Mintz writes in his study of sugar as a culturally defined good, “all (or at least nearly all) mammals like sweetness” (Mintz 1986: 16). “That milk, including human milk, is sweet is hardly irrelevant” to modern cravings for commodified sugar products such as chocolate. “On the one hand, that the human liking for sweetness is not just an acquired disposition is supported by many different kinds of evidence; on the other, the circumstances under which that predisposition is intensified

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<sup>72</sup> On the chemistry of varieties of chocolate production, see Beckett 2008.

by cultural practice are highly relevant to how strong the 'sweet tooth' is" (1986: 16). The 'sweet tooth' is irreducible to either biology or culture alone—as Hershey marketers understand well.

Sweetness, and sugar in particular, has “unusual symbolic 'carrying power,'” that has evolved over time, Mintz observes:

[Sugar had] a symbolic weight that endured among the rich and powerful until sucrose became common, cheap, and desired, when [beginning around 1650] it spread widely through the working classes of all western nations, carrying with it many of its older meanings but also acquiring new ones. The affective weight of sweetness, always considerable, was not so much diminished as qualitatively changed by its abundance. The good life, the right life, the full life--was the sweet life. (1986: 207)

The Company played no small part in qualitatively changing the affective weight of sweetness by making sweet eating chocolate available in abundance to American consumers. Prior to the Hershey bar's introduction in 1900 at five cents a bar, chocolate had been known in the States as a European luxury.<sup>73</sup> In European society, chocolate “figured as a food of luxury and fantasy,” providing a “rich field of symbolic associations,” in particular an association with the feminine—in contrast to masculine-identified honorific foods such as tobacco and alcohol (Barthel 1989: 431-433; following Veblen 1919). It was associated with acts of patronage from men to women and adults to children (Barthel 1989). It was also recognized in the 19<sup>th</sup> century as a healthful foodstuff—endorsed by English temperance advocates (Lamme and Parcel 2013: 200).

Hershey furnished this socially virtuous and fantasy-rich European foodstuff to the American hoi polloi. In the early days of the Company, Hershey's chocolate was promoted as a food—comparable to contemporary “health foods” such as breakfast

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<sup>73</sup> For a sweeping social historical account of chocolate, beginning with cocoa's association with “food of the gods,” see Coe and Coe 2013.

cereals.<sup>74</sup> Hershey's cocoa was a "food to drink;" Hershey's chocolate was a "sweet to eat." "Cocoa is a food and a good food is Hershey's" was one popular tagline. "Hershey's for health" was another. During World War II, American GIs became a market for a more substantial foodstuff. *Hershey's Ration D* bars were part of many GIs diet—manufactured to withstand high temperatures and serve as a 600 calorie meal if necessary. Evidently these bars tasted more like a boiled potato than like chocolate and were not popular with troops; however, standard *Hershey's* chocolate bars became valued as currency among troops and civilians during the war, commonly traded for cigarettes among other goods. In the post-war era stretching into the new century, the Hershey brand name has become "iconic," explains a Hershey marketing executive:

The Hershey bar has become part of Americana, emanating from World War II in particular, where Hershey bars could buy you just about anything in Europe. It's become part of our culture. It's Chevy, it's apple pie, and it's a Hershey bar. Unless somebody says one of its ingredients is bad for you, the Hershey bar is always going to a Hershey bar— and hopefully it's always going to taste that good.

When I arrived in Hershey in fall 2010, the Hershey Company was wrestling with the effects of the economic recession that began a few years prior (in 2007/08). Its volume of sales had decreased over the last several years and it had begun charging pennies more for its product. The Company was expanding its national advertising to stimulate demand and introducing products with less expensive ingredients; for example, whipped chocolate products which use less cocoa—the most expensive ingredient in milk

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<sup>74</sup> As Bruce and Crawford recount (1995), Kellogg—born into a family of Adventists, trained as a physician, and eventually becoming one of the best-known figures in late 19<sup>th</sup> century medicine—championed what he called "biologic living" (1995: 15), which stressed the health of the digestive tract. He devised the corn flake to combat "auto-intoxication"—"the process by which materials left in the intestines due to constipation putrefied and caused disease" (17). Kellogg's corn flakes originated as, in other words, a turn-of-the-20<sup>th</sup> century health food.

chocolate. Other novel products recently-introduced included Hershey's "drops" (small, circular-shaped chocolate candies) and Reese's "minis" (miniaturized peanut butter cups sold in re-sealable pouches).

Hershey is in the midst of "re-identifying what its true roots are," longstanding officials told me when I asked them to reflect on the state of the Company. Current executives are "reestablishing themselves and trying to pull themselves back in what was Hershey's culture for over a hundred years." The Company's re-identification with "true roots" entails several components. One component of the Company's re-identification with roots is its return to familiar, "core" ingredients, such as peanut butter or nougat; apparently the Company had experimented with more niche products in recent years—macadamia nuts, for example—which were unsuccessful. Another aspect is a return to marketing products in terms of "reasons and seasons." "Reasons" are rationales for purchasing candy relatively independent of calendrical considerations ("Because I deserve to treat myself after a long day of work" is a "reason" for consuming a chocolate bar). "Seasons" are times of the year in which candy is commonly consumed, i.e. holiday celebrations such as Halloween and Christmas. Apparently the "reason and season" approach to marketing had been neglected in recent years with negative effects on returns; officials were hoping to re-introduce it.

A third component of roots-return entails a "return to taste standards," which implicates the Company's use of cocoa bean varieties and cocoa butter, respectively. Hershey purchases cocoa beans from multiple markets, officials explained to me. Indeed, the cocoa bean "varietal" developed by Milton Hershey in the early 1900s was a means

of maintaining a consistent product taste despite an unstable global cocoa bean market.<sup>75</sup>

Beans of both “low cost” and “high flavor profile” varieties are “blended.” In recent years the Company has reduced the number of beans in its blend and depended more on low cost varieties; it is apparently expanding that number at present.

Hershey is also “re-committing” to standards of cocoa butter, officials tell me. Cocoa butter makes chocolate smooth and slippery. It gives chocolate its “snap” when broken in half. In recent years, the Company has increasingly substituted far less expensive vegetable oil for cocoa butter.<sup>76</sup> As vegetable oil is substituted, the chocolate becomes dry; instead of snapping, it bends. “There’s a point at which you take too much cocoa butter out—you can tell,” remarks a longstanding executive. “Six months to a year ago, the taste wasn’t very good. Today it’s pretty good.”

The Company continues its longstanding strategy of marketing Hershey’s chocolate as both a “kid’s product” and an adult “snack—a sweet, wonderful snack,” in the words of one executive. A single child consumes a larger quantity of chocolate than a single adult; however, most U.S. consumption of Hershey’s chocolate is carried out by adults, however— and their palettes are changing with the times. In the last decade or so ‘haute’ European chocolate has become big business in the States. This “New Chocolate”

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<sup>75</sup> See Off 2014 on the history and politics of the global cocoa bean market.

<sup>76</sup> In the early 2000s, Hershey collaborated with M&M Mars to eliminate the FDA stipulation that chocolate products sold in the United States must contain one hundred percent cocoa butter in order to be labeled “chocolate.” The removal of the stipulation would have allowed candy companies to synthesize cocoa-butter like materials and include the ingredient in products labeled “chocolate.” Removing the stipulation was projected to be profitable for the companies, since cocoa butter is the most expensive ingredient in milk chocolate; however, these efforts were thwarted after a coalition of boutique chocolatiers and chocolate enthusiasts successfully petitioned the FDA to maintain the stipulation (and M&M Mars withdrew from its collaboration with Hershey—publicly endorsing the standing stipulation and embarrassing Hershey executives).

economy (Ferguson 2008) is centered on dark chocolate with cocoa contents far higher than those of familiar mass production brands such as Hershey's.

The marketing strategy of boutique dark chocolate providers intensifies chocolate's longstanding association with passionate indulgence, on one hand, and health benefits, on the other—an association that recalls Hershey's early 20<sup>th</sup> century marketing strategy, in a time before the product primarily catered to kids and snack-seekers. Curious about these “roots,” I learn through interlocutors in the Company about a local museum of sorts—off the tour map—to which I pay a visit one afternoon. Admission is free.

### **“Good History”**

The basement of Ed's house in downtown Hershey is an unofficial, comprehensive museum of Hershey Chocolate Company history—filled with photographs and artifacts from the early years of corporation and model town. “There's a lot of good history here,” Ed tells me with a wink as he invites me downstairs. “Good history” in Ed's basement is double, in one sense as moral virtue, and in the other as merchandise. Indeed, this is the connection—between goodness and goods—that is constitutive of the rise of American consumer capitalism (see again Leach 1993); Ed is a collector of the material history of that “first wave” of consumer capital—gathering Hershey brand memorabilia as someone else might gather seashells along a beach.

A Baby Boomer of Pennsylvania Dutch ancestry who makes his living as a hospitality entrepreneur along the U.S. eastern shoreline, Ed got the idea to start a collection at a summer block party in Hershey a couple decades ago. In casual conversation, a neighbor asked him “When did Milton Hershey die?” and when Ed did not know the answer, he started doing research. Ed reckons he knew about as much about

Hershey history as his own children: they were taught in Derry Township's public schools about "a man who failed and succeeded, who built this town and the park and the chocolate factory and the School"—but they learned little more than a general outline.

Beginning with a few postcards of early 20<sup>th</sup> century Hersheypark, Ed built up his basement museum by going to local antique malls and shops and buying anything branded *Hershey's*. With the rising popularity over the last decade of online shopping and auctioning websites, he increasingly acquired memorabilia. As his collection grew, he started to give talks about the history of Hershey advertising for historical societies, church groups, and genealogy societies around the south central Pennsylvania region. Today he has networks with country-wide collectors of Hershey memorabilia—collectors who are in large part "fascinated by the whole story of this poor, young Mr. Hershey who, learning through trial and error, failed and then succeed," as Ed puts it.

Ed has presented material to the marketing division of the Hershey Company—correcting the common misunderstanding that M.S. Hershey, during his lifetime, did not advertise his product. This misunderstanding is perhaps rooted in present-day associations of advertising with broadcast media, and in a sense that the Hershey Company was late to the advertising game. It is true, Ed points out, the Hershey Company did not engage in national print, radio, and television until the early 1970s, when it inaugurated a national advertising campaign. But Milton Hershey advertised his wares by many means—for example, purchasing the first automobile in the Central Pennsylvania region and driving it around as a billboard for the Company. The Company promoted itself through inserts, which Ed displays for me, in national trade publications such as the *Confectioner's Journal*. One such insert touts the Hershey model town and its

products under the tag line “A Step Ahead”—emphasizing progressivism of Hershey at the turn of the century.

Providing free samples of chocolate was another means of promotion. In the early days of the Hershey Chocolate Company, samples were readily available at the factory where people could visit and make “inspection tours.” Grocer’s associations regularly picnicked in the nearby park, toured the factory, and sampled the goods. The town itself was perhaps most effective advertising for the Company in these early years, featured in Playbills on Broadway in the early 1900s. Chocolate bars included postcards of the Hershey company town. “No town Hershey’s size printed as many postcards of itself as Hershey,” Ed reckons. These postcards were similar to trading cards, which had become popularized around the turn of the century; they traveled wherever the product traveled. Ed’s personal favorite postcard features an image of M.S. Hershey’s mansion. It reads, “This is Milton Hershey’s Home, The Man Who Owns This Town.” “He was kind of a benevolent dictator,” he reflects. “Loyalty is probably the quality he valued most in people.”

Recent scholarship in advertising history shares Ed’s interpretation of the founder’s penchant for advertising by non-standard means. What makes M.S. Hershey “unique,” write Lamme and Parcell (2013), is his “eschewing paid-placement consumer advertising in favor of creatively promoting his utopian town...which, indirectly, promoted his chocolate products” (2013: 199). Hershey’s early approach to promotion avoided “paid placement in consumer media [in favor of] promotional strategies that conveyed... complex ideas to employees, consumers, and visitors about the value of quality, community, harmony, purity, and social compassion”—values which, “in turn,

reflected well upon the company, the brand, the town, and the man.” (206). Lamme and Parcell suggest that Hershey’s business practices, in particular the Company’s indirect approach to promotion, was “closely aligned to traditions of Mennonite principles” (200). Hershey’s practices hewed more closely to Mennonite contemporaries—agriculturalists, poultry processors, trucking business owners—than to more famous robber barons of the Gilded Age (201). Early company managers were hired from among the surrounding Anabaptist communities; employees were drawn from about a dozen families in total (200). Mennonite values of stewardship, ‘hard work,’ community-focus, and individual economic security eventually “extended to the product, the brand, and the company, even to Hershey himself” (201). Promotions in trade journals featured “messages and images that conveyed self-sufficiency, purity tied to proximity of dairies and ingredients, technology, and industrial power” (202). As the town of Hershey grew, the Company shifted to “more complex layers of promotional messages and imagery that were designed to attract to the Chocolate Town potential employees and their families looking for a workplace and quality of life, and then, later, visitors seeking a wholesome vacation destination” (203).

Though his Mennonite background may have been uncommon among U.S. industrialists in the early 20<sup>th</sup> century, Hershey was not alone in combining Christian principles with business. Indeed, the Hershey Chocolate Company participated in a wider movement among American businesses towards customer and community “service,” which blended liberal republicanism with Christian values (Leach 1993: 118). The turn towards “service” among American businessmen, writes William Leach, “projected the right image of merchant benevolence, ensured ‘popularity,’ and fulfilled the larger

purpose of meeting consumer needs. Service emerged, in other words, because merchants had to move goods..." (1993: 121). It was essentially, Leach argues, a "strategy of enticement," comparable to new uses of color, glass, and light in attracting consumers to merchandise (147).

For consumers, "service" meant lines of consumer credit, new pleasurable spaces in which to consume, and highly affective labor by workers hired to serve them. For employees, it meant welfare programs: Macy's department store in the early 20<sup>th</sup> century, for example, included a hospital and a school along with a publishing outlet for employee prose—intended to foster a sense of "family" among workers and ameliorate some of labor's conventional antagonism towards management (Leach 1993: 118-119).

Wanamaker's stores, comparably, boasted employee musical choirs and bands, as well as "employee restaurants and medical clinics, branch public libraries, pension plans, and clubs for language instruction and debates on women's suffrage" (1993: 121). At the company's flagship store in Philadelphia, there was an open-air, rooftop gymnasium—perhaps the country's largest at the time [ibid]. Service "marked something of a turning point in industrial capitalism, which in the minds of many had for so long invoked only dark, satanic mills and undying penury" (112). It directly addressed the "image problem" of turn of the 20<sup>th</sup> century industrial capitalism:

Between 1895 and 1915, when merchant enthusiasm for service reached its highest point, many Americans were reacting against what they perceived to be the repressive, sometimes violent practices of the new corporations. Industrial workers, badly treated, revolted against industry, and farmers organized a populist uprising against the railroads, the banks, the land speculators, and the utility companies for price-gouging and for robbing the country blind of its lands and forests.... Businessmen revamped their public image to try to prove that they were operating in the best interests of all. (Leach 1993: 117)

Christian service endures as a defining characteristic of the Hershey brand-name; it also furnishes grounds for criticism of the 21<sup>st</sup> century Hershey Company, and present-day business practices in general and at large. Hershey had “an ethic of fairness in making money,” Ed recounts as we admire the artifacts in his basement collection. In the early 1900s, M.S.H. had an employee profit sharing plan in place; he allowed employees, including women, to purchase property and a home at a reasonable cost. Most of what he did for workers and the community came before the Hershey Chocolate Company’s initial public stock offering in 1927, after which the Company became “ beholden to stockholders” and, Ed observes, “the drive for profit” subsumed the other values associated with Hershey. “I like keeping more of an historical bent instead of getting into opinions,” he adds.

Before ascending the stairs of his basement museum and parting ways, Ed offers to loan me a document from his archives—an undergraduate thesis written at the tail-end of the Great Depression at Princeton University (where, at the time of my fieldwork, I am affiliated as a graduate student). The thesis, written for the Department of History, is “The Story Behind A Hershey Bar: The History of the Foundation and Subsequent Growth of the Hershey Chocolate Corporation, and the Simultaneous Development of the Model Industrial Community of Hershey, Pennsylvania” by Richard Wallace Murrie—son of William F.R. Murrie, who served as the President of the Hershey Chocolate Corporation (M.S. Hershey’s “right-hand man”) from 1908 until 1947.<sup>77</sup> The Murrie

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<sup>77</sup> The Murrie lineage is integral to Hershey’s competition with the Mars corporation, as the Hershey Community Archives reports: “Shortly before the war, Forrest Mars, the son of Frank Mars, owner of the Mars Candy Company, was interested in marketing a new chocolate product. Forrest anticipated a chocolate shortage developing during the pending war. Forrest Mars teamed up with Bill Murrie’s son Bruce to ensure a supply of

thesis explicates recurring themes that continue to shape local and national conversations about American big business in general and Hershey in particular:

“The story of our time is in its essence the story of industry,” Murrie begins. “No scholar of the future will be able to describe our era with authority unless he comprehends that expansion and concentration which occurred during the last half century, the great benefits of this change and the great excess” (Murrie 1939: 1). “The growth of the Hershey Chocolate Corporation is a perfect example of the rise of big business in twentieth century America,” (1939: 2), but it is not only a big business, he continues— it is also an ‘idea.’ “We shall attempt to evaluate the whole Hershey Idea, and find out whether we have an Arcadian paradise for chocolate workers set up by an altruistic and benevolent employer; or whether we have merely a sugar-coated feudalism benefitting only the highest paid workers, and established to conceal the real ends of a thoroughly evil employer” (3-4).

At the end of more than a hundred pages exploring the geographical origins of cocoa, the chocolate production process, the biography of M.S. Hershey, and the physical site of the chocolate factory and company town, Murrie’s thesis culminates with an analysis of the labor question in Hershey: “...The spirit of cooperation with its employees exhibited by the Company shows us the great advantages to be gained from the fair treatment of labor,” Murrie concludes:

The story of the Hershey Chocolate Corporation is important as an early and obviously imperfect example of the spirit of perfect employer-employee cooperation, which seems to be the ideal of the future. Only when we have

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scarce chocolate for their new product: M&Ms (for Mars and Murrie) during the war years. After wartime quotas ended in 1948, Forrest Mars maneuvered Bruce out of the partnership and went on to become Hershey's largest competitor.” (Hershey Community Archives n.d.). See also Brenner 1999.

achieved a perfect understanding between capital and labor, together with a more equitable distribution of the profits derived from business endeavors and a less selfish attitude on the part of both parties concerned, will we achieve any semblance of economic peace and stability, both of which are essential to the continuance of our democratic, capitalistic philosophy of life. (Murrie 1939: 130)

Is there local evidence of the spirit of perfect employer-employee cooperation in 21<sup>st</sup> century Hershey? I took Murrie's thesis with me as I entered the offices of the Chocolate Worker's Local 464, in which the closing of the original chocolate factory, the opening of a new one, and the loss of jobs in the transition was the topic du jour.

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#### **The Chocolate Worker's' Local 464**

Company executives called in union officials from the Chocolate Worker's Local 464 to announce the closing of the "19 East" production plant—the 'original' Hershey's chocolate factory—a few months before I had arrived in the field. Ensuing contract negotiations between the Company and union took place daily, over the course of several weeks in a Harrisburg hotel. In the midst of those negotiations the Company shared two sets of plans with union leaders: one set for a new manufacturing plant in Hershey, and one set for a new plant in an anonymous other location. The message from management to labor was clear: vote 'yes' to the Company's contract and production will remain local—though jobs will be shed. Vote 'no' and production will be moved elsewhere. The union voted nearly unanimously in favor of accepting the Company's contract, under the assumption that the Company will at some point "add on" to the new building.

Executives did not want the story of the closure of the original Hershey chocolate factory to leak to the press in advance of finalizing negotiations, union leaders told me: executives anticipated, correctly, a news event. When the announcement became official, television crews and reporters encircled the local 464 union hall. Journalists crafted a

well-rehearsed story of the precariousness of labor and community in heartland America, for example in this CBS television news segment (Doan 2010):

....Milton Hershey started his chocolate empire here back in 1903. Since then Hershey, Pennsylvania became known as "The Sweetest Place on Earth." Even the lamp-posts are wrapped like chocolate. But hard times have come to Hershey.... More than 200 jobs were moved to Mexico in 2009. And now Hershey will lay-off up to 600 more people this year, as the company modernizes its plant. Workers without enough seniority...could lose their jobs. The story here in Hershey is by no means unique. It raises the questions many small community towns are struggling to answer. What happens when these decent-paying manufacturing towns simply disappear? It's just that here – [The segment cuts to a visual of Hershey's Kiss lampposts along Chocolate Avenue in downtown Hershey]— the reminder of the importance of this company seems everywhere.

The story might have been crafted otherwise to tell a tale of relative affluence and security for white-collar employees, as the number and quality of corporate jobs continues to grow in Derry Township. What has become precarious, specifically, is Hershey's 'original' association with a community of industrial workers. In fact, from the beginning of its organization in Hershey, I learned, industrial labor is positioned in tension with the corporate Hershey Story — alternately reckoning itself part and not a part of the Company's official narrative. In the historical periodization of union members, the town Hershey remained a company town until a 1937 sit-down strike. An historical marker on Cocoa Avenue not far from the union's headquarters memorializes the site of the strike. That conflict—which turned violent, opposing factory workers on one hand and, on the other, local dairy farmers with milk to bring to market—inaugurated the Chocolate Worker's Local 464. Evidently it precipitated M.S. Hershey's first stroke.

Union members routinely refer to M.S. Hershey as "Milton" instead of "Mr. Hershey." This more informal appellation counters some of the aura of mystique and authority around the founder, as in the story related by present-day union members of the

formation of the Chocolate Worker's Local:

The story has it that when the union organizers were here, Milton showed up. They allowed him to speak. He said he won't be able to afford to operate if a union gets in, because it costs him \$1,000 per student at the Hershey School. And somebody got up at the meeting and said, 'How do you think I can afford my two kids? I don't make \$2,000 a year from you!' And that was the turning point. Milton made that statement and it backfired. He thought workers would be sympathetic to the kids at the School but it backfired.

Before that strike of 1937, Hershey's factory workers—many of whom resided in town (and others who commuted on the Company-built trolley system)—were prone to seasonal layoffs from factory work. Some may have devised a way around this by appealing to M.S.H.'s economizing nature, as one union member relates: "People used to say that if the workers thought it was going to be slow and there would be a layoff, they would go buy something at the [company] store. Milton won't lay you off because you owe him something at the store." In general, workers were subject to the whims of the boss patron. They knew Milton as quick-to-anger and to fire people for minor infractions; and they understood that the benefits and amenities they enjoyed came at the pleasure of the Company.

The 1937 strike over layoffs and wages resulted in a Congress of Industrial Organizations (CIO)-backed union that associated Hershey chocolate workers with bakers, confectionaries, tobacco workers and grain millers. Today the Chocolate Worker's local 464 represents grain millers and flour millers (specifically pretzel flour makers), as well as many of the employees of Hershey Trust-affiliated operations. Full-time maintenance workers in the Hershey Entertainment and Resorts Company are represented by the Local 464. So are employees of the Milton Hershey School. Houseparents at the School joined the chocolate worker's local in the early 1990s (the

time of the “21<sup>st</sup> Century Initiative” discussed in the previous chapter) after a successful organizing drive that focused on issues of favoritism by the administration. Cooks, grounds keepers, electricians and janitors at the School followed. After its success at Milton Hershey School, the local 464 organized cafeteria and custodial workers at other schools in the region.

“I’d hope the success rate [for organizing] would be better, but we get people. We have our victories” remarks Roger, a longstanding official in the Chocolate Worker’s Local 464. Roger has been working at the Hershey factory since the late 1960s. He lives in neighboring Annville and speaks in the distinct accent of Lebanon county, where he grew up (pronounced “Leb’ nin”). As he has moved through various official positions in the union, he has retained his current office space in the union’s headquarters—a former firehouse across the street from the original chocolate factory—for nearly three decades. He characterizes his work at the union in vocational terms: “Helping people, I’ve always enjoyed that.” He started in the plant on the second floor of the Hershey Kiss department, which until the middle 1970s was occupied almost entirely by women—most of them older than him—whose job was to hand-wrap Hershey’s Kisses. Roger heard about their insurance problems and, when they had a complaint, he would research a problem. Over the years he gained a reputation among factory workers as “the insurance guru.” This reputation followed him into the union hall, after which he began attending all the union’s negotiations with the Company.

Most of the recent negotiations between the Local 464 and the Company have been oriented around health benefits. The price of benefits has soared over the last couple decades and the Company has, in large part successfully, scaled back its financial

commitment to cover the costs of employee health. “Bottom line is, the Company tries to change the plans to save money. It has only one thing in mind: passing on a little bit more of the cost to either the retiree or the employee. Our job [at the union] is to minimize that heartache for the retirees and the workers.” “In theory,” Roger explains, the local 464 is negotiating benefits for workers across the country—at Hershey plants in Virginia and California for example. Although there is some variation, in general Hershey workers everywhere in the U.S. get the same benefits as Chocolate Worker’s Local 464—even workers who are unsuccessful in unionizing or who historically have not unionized, such as employees of the Reese’s factory located down the road from the Hershey plant.

Health benefits were the subject of the union’s most recent major strike against the Company, which lasted forty-four days in 2002—before the attempt by the Trust to sell the Company had become a matter of public knowledge. The longest in the union’s history, the strike was called in response to the Company’s attempt to raise the cost of employee contributions to their healthcare plan. A compromise was achieved between the union and Company that eventually ended the strike—which was quickly followed by the Trust’s attempt to sell its control of the Company. The union took an active role in the local and state coalition to “Derail the Sale” of the Company following the strike over health benefits. “We were right in the thick of it. We didn’t want it to be sold because, what would a new company do? Would they just close it and operate somewhere else? We didn’t know.”

Echoing the sentiments of union members, Roger says that the early 2000s marked the point of the corporation’s transition “from a family” into “just business, period.”

Basically the Company used to have ties to the community. It used to be that people went up through the ranks and they were from around here. Some of the CEOs and chairmen of the boards even went through Milton Hershey School. They were tied to the School more. When they started bringing people from the outside to run the company, the company stopped caring about the community.

The corporation “has been in downsizing mode ever since” the introduction of outsider management and the attempted sale in the early 2000s. Products and the jobs that correspond to them gradually have been moved out of Hershey’s production facilities. Seasonal peanut butter cups — produced in the shape of a pumpkin for Halloween, Santa Claus for Christmas, and eggs for Easter — were the first to be relocated; they went to the Virginia plant. A couple hundred of people were employed in the peak of the peanut butter cup operation in Hershey; they have since been laid off and, because of production innovations at the new plant, will not be recalled. Hershey’s miniature candy bars were the next operation to relocate. Though the union expected the production of miniatures to expand in the new Hershey plant, production was moved instead to California. This resulted in another round of layoffs. Then, “on Valentine’s Day 2007,” Roger recollects, the Company announced it was building a plant in Monterray, Mexico; six hundred jobs at the Hershey factory eventually were shed.

Although Hershey had manufactured chocolate internationally for years — maintaining a facility in Canada, for example — the opening of a production facility in Mexico was directly linked to a loss of jobs locally. It is regarded as the corporation’s inaugural “offshoring” effort. “It took them a long time to decide to go outside the country to Mexico — it wasn’t like Hershey was first [among U.S. corporations] — but they decided to go. Now they’re doing the same thing that other businesses do:”

The stuff they make in Mexico – ‘Peppermint Paddies,’ ‘Miniatures,’ ‘Pot of Gold’ – what they did is they moved the stuff that is highly labor-intensive because they don't pay them hardly anything down there. I think this thing is going to go in cycles: Eventually workers overseas are going to say ‘Hey, why should we keep doing this for nothing?’ At some point these things change. Companies aren't going to manufacture overseas if it ain't cheap. Look at Nike: They move from country to country in Asia. As soon as workers get disgruntled and say ‘Hey, I want more of the cut!’ they close the factories and move to the next country. Eventually they'll run out of countries, I guess.

The Company encountered “a little glitch in Mexico” that may have benefitted Hershey's local workforce, some union members recollect with a certain pleasure: The Company intended for a subsidiary to produce the chocolate for the milk chocolate miniature candies produced in Monterrey, but the chocolate did not taste like Hershey's. “Real” Hershey's chocolate uses liquid milk—a process that begins with transporting milk from dairy farms and pasturing it before water is removed and sugar is added. The condensed milk and sugar is combined with cocoa bean “liquor” (derived from cocoa beans) and run through dryers, resulting in a powder which, when refined, is mixed with cocoa butter and other ingredients prior to baking. The subsidiary company in Monterrey was using powdered milk in its chocolate product—a different production process and a different flavor. The Hershey Company ended up having to ship milk chocolate from Hershey to Monterrey at significant expense.

This hiccup in otherwise-optimized production evidenced to the Local 464 what remains crucial—for the time being, at least—about keeping some chocolate production in Hershey. And yet there is clearly a sense shared among longstanding union members—a structure of melancholy feeling, as it were—that local production matters less and less: “Nationally manufacturing is booming, but they don't need any more workers. The same

thing is happening here in Hershey,” Roger observes. “Technology is good, but in manufacturing it's a loss of jobs all the time.”

In addition to technological advancements in production and off-shoring of production, out-sourcing is another obvious facet of the precariousness of manufacturing jobs locally. In 2011, when dozens of young foreign college students briefly took to the streets of downtown Hershey in protest of their summer working conditions at a nearby Hershey Company-owned packing facility, it was the students who made the critical connection between their exploited labor and the loss of manufacturing jobs locally. As U.S. State Department-sponsored J1 Visa holders on a “cultural exchange,” they had been employed at the plant (by a subcontractor of a subcontractor, it turns out) to do a job that previously had been the responsibility of permanent, unionized Hershey employees. (Preston 2011a; 2011b).<sup>78</sup>

### **Corporate generations**

While union members I spoke to tended to narrate the history of the Company in terms of strikes and layoffs, corporate officials tended to narrate its journey after the death of the founder in terms of generational distinctions. The late 1960s, when the Company inaugurated its first national advertising campaign, are one marker of generational distinction; 2002, when the company was briefly considered for sale by the Trust, is another.

After the death of the founder in 1945 until the late 1960s, the corporation “had been complacent making money,” as one recently retired executive relates to me.

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<sup>78</sup> On the historical and legal aspects of temporary labor in the U.S. and its supplanting of permanent labor over the last four decades, see Smith and Neuwirth 2008.

“Hershey was technically public, but the Trust always had a majority ownership. Through the ‘60s all the Company really cared about was keeping the Trust happy, and they were making enough money to do that.” Another longstanding executive explains, “We had a lot of the old tenured ‘Willy Loman’-ish type of salespeople at that time.”<sup>79</sup> They were very polite, very personable, but they weren’t ambitious to move things forward.” The official elaborates on the “cultural transformation” in the Company beginning in the late 1960s, in which he took part:

Hershey was getting clocked by M&M Mars. The Company realized it had to become more marketing oriented and more competitive. Finally there was a senior management decision that we had to catch up and to become more contemporary and more relevant in today’s society – because we had these wonderful icons but we weren’t leveraging them.

“The kids in the orphanage are fed up with trailing earnings, so the chocolate king will soon have a new image,” declared one *Newsday* article from the period (Brown 1969). Hershey “tries first ad campaign, spurs acquisition effort, introduces new products” reported the *Wall Street Journal* (Morris 1970). Insiders to the corporation largely attribute the success of Hershey’s new direction in the 1960s to a graduate of the Milton Hershey School—William Dearden (after whom the Milton Hershey School alumni campus is named; see the previous chapter). Dearden joined the chocolate company “in order to repay his debt to Milton Hershey for making him what he was today,” as one official tells it. Dearden is credited with introducing the dual class of Hershey stock, in the middle 1980s (Klott 1984). He also is regarded as responsible for the introduction of national marketing practices, including what eventually would become one of the more famous product placements in American advertising history: the trail of *Reese’s Pieces* in

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<sup>79</sup> Referring to the main character of traveling salesman in the stage play *Death of a Salesman* (Miller 1949).

Steven Spielberg's *E.T.* (1982). The Company claimed the title “number one candy maker” in the nation from M&M Mars under Dearden's tenure as CEO. A marketing official recounts:

Dearden was the visionary — the contemporary visionary — for Hershey. He basically grew up through the success of Hershey when he was a boy [through the School]. And he was very passionate about making Hershey number one again and restoring its prestige. He brought in lots of people, remolded the whole sales department, sophisticated it, and basically made it what it is today.

In the recollections of insiders, the corporation is described as being “like a family” during this period of “cultural transformation.” The scale of the corporation is recollected as small and medium-size relative to other U.S. corporations. “The thing that made us good is that we were all pretty familiar with each other,” another longstanding executive remarks. “It was kind of—I hate to use the word in today's corporate atmosphere, but I will—a family. Everybody kind of got together and did the things that had to happen. And we were successful.”

For corporate employees, the corporation stood as an example of a “successful medium-sized company” with “integrity relative to its community and relative to society.” “It fulfilled its social obligations to the community.” As profits rose through the next several decades, it “became more visible to the world.” “There was a lot more pressure from the stock market, as well as the Trust, to continue to grow and make more money.” The corporation may have made some tactical and financial missteps, insiders reckon, in efforts to expand into non-candy-related product lines (pastas, for example)— but in general the Company continued to grow in marketplace value and generate high returns for the Trust through the beginning of the 21<sup>st</sup> century.

If the late 1960s were a “cultural renewal” at the Hershey Company, the early 2000s were a “cultural cleansing,” as one executive describes it. This marks a distinct generation inside the corporation. The installation of an “outsider” CEO in 2001—the first time a CEO from outside the corporation had been hired (Winter 2001)—and the attempt by the Trust to sell the Company in 2002 was characterized by longstanding officials as a failed effort to “break up the family” and “go large.” The new CEO, arriving from the rival snack food company Nabisco, “came in like a jackal,” in the words of one official. He and his “cronies” “didn’t really give a rat’s ass about Hershey, its people.” The mentality of the new guard was “to not give a shit about what happens to Mom as long as they get their wallets full.”

Evidently, upon his arrival in 2001, the new CEO removed images of yesteryear from the walls of the corporate offices in his first days in office—pictures of Milton Hershey’s house and the first factory. The new CEO did not necessarily agree with or endorse the prospect of the Trust’s sale of the Company; indeed, he initially came out against the sale. But the fact that the Company was considered for sale by the Trust soon after his arrival made him controversial from the beginning of his tenure, and it marks a significant break with the corporation’s “roots.”

For current officials in the corporation, the attempted sale is considered “a rough patch”—“past history”—as a current executive puts it to me:

I have a lot of connections and impact on the Hershey community and would hate to see our company get acquired by somebody, but I work for the company who’s paying me to do my job. Ultimately the Hershey Trust is responsible for funding the Milton Hershey School in perpetuity, and the Hershey Company is responsible for maximizing shareholder value.

The critique I heard of the ‘outsider’ CEO resonated with a more broad critique of business leadership in contemporary American society. For many Hersheyites—corporate employees, union members, local township residents and affiliates of the charity—the Company’s first 21<sup>st</sup> century CEO seemed to epitomize the self-interested, ‘utility-maximizing’ manager of a new age in general. This new kind of manager supplanted the mid-20<sup>th</sup> century image of corporate executives as “loyal, conformist organization men....” (Welker and Wood 2011: 63). Whereas managers of the last century characteristically “subordinated their own interests and identity to that of the firm” and acted “as industrial statesmen mediating between various stakeholders” (c.f. Whyte 1954 and Mills 1951), new millennial embraced the “agency theory” of neoliberal economists—a theory, taught widely in business schools, that “naturalized and legitimated ‘opportunism as the dominant mode of managerial behavior’” (Welker and Wood 2011: 63-64, quoting Khurana 2007: 324).

The corporate leadership at Hershey in the early 2000s brought with them a language of shareholder value that has become even more pronounced inside the corporation in the last decade. Broadly speaking, the logic of shareholder value coincides with the fall of “the notion of the company as an ongoing social organization, an institution with multiple stakeholders and roots in particular communities” (Ho 2009: 124). Until as recently as the 1980s, paternalistic corporate and state policies and regulations shielded U.S.-based businesses from the claims of shareholders. Such policies and regulations were conceived in the immediate postwar period, when the business corporation “was dominantly understood as a social institution,” writes Karen Ho:

[The business corporation was considered] an organization with constituents and responsibilities well beyond the individuals and institutions that owned stock in

the corporation. The primary concern of the corporation was the maintenance of the integrity of the organization over and beyond what was dubbed as the 'derivative' claims of the shareholder—which might have to be sacrificed for the good of the corporation itself. (Ho 2009: 124)

In the last three decades, the dominant understanding of business corporations has shifted from “complex, bureaucratic, social firms” into “liquid networks of shareholders.” As a consequence, 'traditional' constituents of the corporations—workers, for example, but also the communities in which particular corporations have been historically based—have become reconceptualized “as components of individual and institutional stock portfolios governed by an ideology of instant liquidity and convertibility into cash.” At the Hershey Company today ‘shareholder value’ is, to borrow Karen Ho’s characterization from her study of Wall Street, a “mission statement, a declaration of purpose, even a call to action. Creating or reclaiming shareholder value [is construed as] morally and economically the right thing to do” (2009: 125). That the social orphans of the Hershey School are the de jure the controlling shareholders heightens, perhaps, the sense of rightness and virtue in the pursuit of shareholder value at today’s Hershey Company.

### **The Rise of Hershey’s shareholder value**

Though Hershey has largely embraced the dominant discourse of shareholder value, it remains something of an outlier on Wall Street on account of its special relationship with its primary shareholder—a relationship which, since 2002, appears as if frozen in place by the Pennsylvania state legislature and Office of the Attorney General. An aura of protectionism and “insularity” surrounds the Company’s corporate headquarters, in the view of some investors and journalists who visit there. “It’s amazing being there,” a

financial journalist who covers the Hershey Company for a prominent national news outfit tells me. “They are tucked away and out of the gulf stream of corporate America, stuck there in their own little world. It’s operating at a different speed and mentality.” The journalist elaborates on his first visit to corporate headquarters on a hill just above downtown Hershey:

I expected Hershey to be much more Disney-ish. That’s the preconceived notion. But it’s its own thing— more a protected thing than a produced thing. They’re protecting their lifestyle. There’s a whole lot of engineering that goes into it. There’s a sort of fakey-feel to it—to protect it from the outside world—but it’s not a replica of something else.

The Hershey Company is comparable in a U.S. financial context to family-controlled firms—publicly-traded business corporations “in which the founder or a member of his or her family by either blood or marriage is an officer, director, or blockholder, either individually or as a group” (Villalonga and Amit 2009: 3057). Such family firms—also known as “closely held” corporations—are powerful corporate actors globally and nationally. “Even in the United States, where ownership dispersion is at its highest,” write Villalonga and Amit, “founding families exercise a significant degree of control over a third of the 500 largest corporations...and over more than half of all public corporations” (2009: 3048).

Most family firms are controlled by family trusts, which tend to leverage control over and above their equity stake in a firm through so-called “dual-class” stock mechanisms. Such mechanisms typically divide a company’s stock into ‘A’ and ‘B’ classes: ‘A’ stock pays higher dividends, while ‘B’ stock enjoys more voting privileges. The dual stock mechanism makes founding families “the only blockholders whose control rights on average exceed their cash-flow rights...”

Dual-class stock enhances founding-family control by creating a wedge between the percentage of votes owned by the founding family... and the percentage of shares it owns. The wedge is due to the superior voting rights associated with the shares held by the family with voting power, and will exist even when all shares are held with both investment and voting power. (2009: 3088)

Dual stock mechanisms were first put in place by some firms in the early 1900s (e.g. General Motors); most were established in the “dual-class recapitalization wave” of the 1980s (Villalonga and Amit 2009). In the case of the Hershey (which went public in 1927), the Hershey Trust retained a majority of common stock until the middle 1980s. Since then the Trust has divested itself of ‘A’ stock in favor of ‘B’ stock. By this strategy the Trust is able to control the Company while owning a minority of shares (At the time of this writing the Trust owns about 30% of Company stock and commands around 75% of votes.). The crucial difference between Hershey’s dual-class arrangement and the arrangement of typical family-controlled firms is the Hershey Trust’s charitable status (as discussed in chapter I). Though there is no language in the Milton Hershey School Deed of Trust that mandates the Trust retain control of the Company in perpetuity, the Trust has continued to retain control as a matter of custom—a tradition of ‘old’ Hershey, as it were.

The attempted sale of the Company in 2002 revealed the extent to which the Trust’s customary control of the Company would be overseen and adopted by the state. Because of this custom, the Hershey Company tends to be regarded by ‘A’ stock investors as “a company that can’t do things as a company would,” as the financial journalist puts it to me. In particular, the corporation is understood to be constrained in the domain of mergers and acquisitions—and perhaps handicapped in an increasingly-conglomerating global marketplace. As a controlling agent of the corporation, the

Hershey Trust is responsible for decisions related to the Company's mergers and acquisitions; as a fiduciary of the charity, the Trust is responsible for protecting and growing the income stream of the Hershey School. Common, 'A' shareholders of Hershey stock are "second class citizens along for the ride," in the formulation of the financial journalist. Common shareholders invest in the corporation with the assumption that it eventually will be acquired. They are "holding out hope the Trust breaks" and that Hershey stock value will rise significantly. For this reason, Hershey Company stock is generally regarded as a long-term investment.

Insiders would tend to agree with the assessment of financial analysts about the "protectionist" aspect of the Trust's relationship to the Company. In the words of one official, "The only reason Hershey is independent today is because of the Trust, otherwise the Company would be merged. The Trust wants Hershey to be an independent company and not controlled by somebody else." Indeed, it appears the customary control has shielded the Company from hostile takeover attempts throughout its history. Close to a third of "Fortune 500" companies were subject to such attempts in the 1980s (Welker and Wood 2011).<sup>80</sup>

For employees in the corporate office, the Company remains "the right size" on account of the Trust's customary control. "It's prevented us from being sucked up by other large conglomerates," an executive reflects. "It's prevented us from becoming just another brand in a large consumer goods portfolio of companies." The Trust's control has

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<sup>80</sup> Takeovers generally liquidated corporate assets and put into jeopardy "existing social arrangements such as plant and headquarters locations; product lines and services offered; union contracts; pension and retirement benefits; and contracts with local suppliers, banks, and other community" — resulting in significant health and family problems for employees of the liquidated corporations (Hirsch 1986: 801 quoted in Welker and Wood 2011: 62).

not prevented the corporation from merging with smaller-scale companies in recent decades (for example, “Scharffen Berger,” a boutique, U.S.-west coast confectionary); the point is to “be on the ownership of the merger—not the acquired side.”

Whether or not the Trust’s customary control conflicts with the corporation’s capacity to compete globally is a matter of concern. The Company’s overarching goal is—in the language of a recent shareholder report (West and Bilbrey 2011)—“winning globally” in the confectionary market. The story Hershey tells at its 2011 annual shareholders meeting is about the “fundamental advantage” of the corporation over its national and global competitors in the second decade of the new century. Confectionery is large and growing globally—a \$147 billion industry. The U.S. snack market—including snack and nutrition bars, bakery snacks, salty snacks, and cookies and crackers—accounts for half of that value. Hershey remains a leader in that market—accounting for nearly half of all sales (followed by Mars and Nestle). Globally, Kraft Cadbury, Mars/ Wrigley, and Nestle dominate, however. The Company stresses that its “global footprint” – quantified in terms of sales outside the U.S. and Canada -- is growing: *Kisses* have been introduced in China, marketed during the New Year gifting season. And new brands have been acquired abroad, for example, Nütrine in India—producers of the popular chocolate-coated crispy wafer ball Choco Rocko.

Some Hershey insiders with whom I spoke voiced skepticism of the Company’s global strategy and its recent attempt—abandoned a few months before I had arrived to do fieldwork—to acquire Cadbury (Cadbury was later acquired by Kraft, thereafter renamed Mondelēz International.). “People say about Hershey, ‘Well, you’re vulnerable because you don’t have the efficiencies of mass,’ but it’s not true because candy is

unique,” a recently retired executive tells me, reflecting on the Cadbury deal. Because of long-established national and cultural flavor preferences, he says, it is difficult to penetrate global markets—and moreover it is unnecessary: As an American chocolate company, “you don’t have to own the world. You can be successful owning a few markets.” “Thank God we didn’t acquire Cadbury,” he adds.

This is the mentality that shareholders and investors who are inclined to expand globally find problematic about the Hershey Company and its long-standing leadership. The Company can appear “insular” for sticking to the markets it knows and not aggressively growing overseas. As more aggressive investors would have it, the point is to “make markets;” to cultivate a taste for the product among new categories of consumer—even if those consumer’s conventionally-preferred “flavor profiles” are incompatible with current brands. That Hershey resists a more aggressive approach in this regard is legible as insularity, protectiveness, and so on. The primary concern among these critics is that a lack of international presence relegates Hershey to a mere “domestic niche” (Merced 2010).

### **The emergence of Hershey’s “social responsibility”**

Along with shareholder value, the corporation has embraced a discourse of corporate social responsibility in 21<sup>st</sup> century which has displaced an older language of corporate philanthropy and charity—and which situates the corporation’s relation to the Milton Hershey School and surrounding Hershey community in a much broader context than in the last century.

Broadly, the discourse and practice of corporate social responsibility (CSR) rose to prominence in the late 1990s (Welker 2009). Its rise and consolidation was prompted

in no small part by transnational activist campaigns that targeted corporations using boycotts, shareholder resolutions and other methods (Keck and Sikkink 1998 cited in Welker 2009). There are several key features of corporate social responsibility discourse, as Marina Welker observes: its emphasis on voluntary as opposed to mandatory state-led regulation; its emphasis on social and ethical responsibility as fundamentally a profit-maximizing practice; and its ties to the development industry, expressed in the "growing belief that corporations alone have the power to catalyze development" (Welker 2009: 146). Hershey officials largely adhere to what Welker and Wood (2011) have called the "business case" for Corporate Social Responsibility:

[The business case gives] priority to how environmental and social issues affect investments rather than to how investments affect the world. [It] routes broader ethical concerns through shareholder profits, thereby reinforcing the power and primacy of the shareholder value dogma, capitulating to a logic that leaves profit maximization as the inviolable goal of the corporation and affirming a tendency to measure and interpret environmental and social problems against their real or imagined impact on share price." (Welker and Wood 2011: 64)

Distinct from philanthropic endeavors, corporate social responsibility is an institutionalized attempt to "enhance corporate reputation" and to "build positive goodwill for the corporation," as one CSR official—a longstanding employee recruited several years ago by the CEO to lead a new CSR department—puts it to me. "The Company's been based on the premise of good corporate citizenship all the way back to the founder, but the mindset of corporate social responsibility is different," he explains. "It's about creating more space for corporations to be bragging about themselves— and we were never a company to do much of that."

CSR donations to charitable and philanthropic causes are calculated as a series of investments that will generate returns in the form of increased shareholder value. The

CSR department at Hershey donates dollars to the construction of community schools in rural cacao-cultivating regions of West Africa, for example; but as the CSR official suggests, this is not to be confused with charity or philanthropy: “There’s very little we do in the area of CSR that actually is a cost or that negatively impacts the shareholder value we’re ultimately trying to create. We believe positive goodwill for the corporation ultimately enhances shareholder value:”

The Company is the brand, is the town, is the whole mindset of Hershey. Anytime our corporate reputation is affected, it has an effect on the reputation of our brands. And when the reputation of our brands is affected, it has an effect on our overall business. That’s why it’s really important that we do everything we can [inside and outside the office of Corporate Social Responsibility] to protect our brands and protect our corporate reputation. We see corporate reputation as being an extension of brand; and vice versa, brand as an extension of corporate reputation.

At the time of my fieldwork, the Hershey Company was the object of an anti-child labor campaign organized by a coalition of human rights, labor rights, and child rights organizations. Responding to that campaign fell largely within the purview of Hershey’s Corporate Social Responsibility office. Accusations of Hershey’s exploiting child labor sit uncomfortably next to the product’s association with “kids,” CSR officials acknowledge. Named “Raise the Bar, Hershey!”, the activist campaign focuses on the Company’s complicity in child labor exploitation in West Africa—the source of the majority of the world’s cocoa—and Ivory Coast in particular. The cocoa products used by Hershey’s and other chocolate companies are made from cocoa beans which are harvested from the pods of cocoa trees.<sup>81</sup> Typically the beans are fermented and dried before being sold on international commodities exchanges. The U.S. Department of

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<sup>81</sup> *Theobroma cacao*; for a popular natural historical account of the tree and its cultivation around the world, see Young 2007. See again Off 2014 on labor exploitation and political violence in West Africa related to the global market for cocoa beans.

Labor estimates more than 1.8 million children are involved in their harvesting (Payson Center 2011).

“Raise the Bar, Hershey!” has petitioned the Company to commit to using “ethically-sourced” cocoa in its products. The campaign has organized, among other things, an online “brand jamming” contest<sup>82</sup> which invites campaign supporters to create “mock taglines, print advertisements, and commercial videos that reveal the reality behind Hershey Chocolate products:”

While Hershey’s commercials, print advertisements and brand slogans emphasize joy and happiness, farmers in West Africa who produce the majority of the world’s cocoa continue to live in poverty. The cocoa industry has been plagued for years by abusive child labor, forced labor and trafficking. ...Hershey lags behind its competitors in sourcing cocoa that has been certified by independent, third parties to meet international labor rights standards.

Some of the winning taglines that resulted from the contest include “Hershey: Sweet Chocolate. Bitter Story,” and “Exploitation never tasted so sweet” (Green America 2011). The campaign has encouraged consumers to sign a pledge to boycott Hershey products. It has been successful in the United States in recruiting Whole Foods retailers to remove Hershey’s specialty organic chocolate products—sold under the acquired brand name Scharffen Berger—from its shelves.

Largely in response to activist campaigns such as “Raise the Bar Hershey!,” the Company has invested in development initiatives that are intended to reduce the prevalence of child labor in cocoa-growing regions, including funding and supporting schools, teacher training programs, farming training programs, and community centers—community centers apparently not unlike the one that used to organize activities in the Hershey, Pennsylvania company town. More directly, the “Raise the Bar” campaign

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<sup>82</sup> On culture and ad “jamming,” see Klein 1999.

prompted the Company to announce that it will “source 100 percent certified cocoa for its global chocolate product lines by 2020 and accelerate its programs to help eliminate child labor in the cocoa regions of West Africa” (The Hershey Company 2012).

“Child labor is a very serious issue for us,” a CSR official tells me flatly when I meet with him in Hershey’s corporate headquarters: “We don’t promote it.” Officials stress that Hershey does not buy cocoa beans directly from farmers. The Company purchases derivatives of cocoa products—chocolate liquor cocoa butter, cocoa powder, and cocoa “nibs”—from processing companies: namely Cargill, ADM, and Barry Callebaut. This lack of direct connection to farmers and farms is cited when the question of responsibility for child labor is raised by concerned consumers, ethical investor groups, rights campaigns and others. Ultimately the responsibility to eliminate child labor is a “shared responsibility” among industry, governments, and cocoa-growing “families themselves,” officials explain:

The majority of cocoa is grown on small, family farms, on four to seven hectares of land that’s owned by the family, and the kids are involved in the family, so... You see child labor happening all the time. Whether that’s abusive child labor or imported [trafficked, forced] child labor is sometimes difficult to figure out. Hershey’s approach has been, let’s fix the social issues out there that have caused child labor in the industry and see if we can make it go away by those means.

Hershey takes a “holistic approach” to social responsibility, the CSR official explains. The Company’s efforts in Ivory Coast are wound into this approach.

Comparable to other major business corporation’s CSR agendas,<sup>83</sup> it is framed in terms of

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<sup>83</sup> Ethnographic accounts suggest that CSR practices of business corporations around the globe are similarly structured to one another. See, for example, Benson (2008) on the CSR efforts of Phillip Morris in the United States; Rogers (2012) on gas companies in Russia; Shever (2010) on Shell Oil in Argentina; Welker (2009) on Newmont mining company in Indonesia. Everywhere the discourse of CSR travels, it invites a connection

four “pillars:” environment, community, marketplace, and workplace. The “environment pillar” emphasizes energy and water conservation, waste reduction and recycling programs. These are essentially cost reduction or profit initiatives that align with consumer interest in “green” business practice. For example, manufacturing and distribution facilities have been “re-bulbed” over the last several years—lighting fixtures have been replaced with relatively less energy intensive ones—such that the cost of lighting these facilities has been reduced by half. “The community pillar” involves monetary donations made in the name of community outreach. Donations are made to support a national Track and Field Games program, for example; as well as to support medical facilities for children near the corporation’s off-shore offices and community schools in rural, cocoa-cultivating regions of West Africa. Further donations are made in support of charitable institutions with which individual corporate employees are associated. The Milton Hershey School is included in this “community pillar.” The Company organizes a business management course at the School; it also supports a “fellowship project” in which student homes are “adopted” by corporate employees, who organize recreational events for the students.

In the “marketplace pillar,” the emphasis is on the “touch points” along Hershey’s supply chain. This pillar includes, for example, efforts to equip cocoa farmers with cellphones, which furnish agricultural-educational material by text message. It also includes investments in the CSR projects of corporate customers such as Wal-Mart Stores, Inc.—a way of affirming allegiance to these priority clients. Lastly, the “workplace pillar” emphasizes the health and safety of employees. The CSR department sponsors, for

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between doing well (in terms of increasing shareholder value) and doing good for the consumers, producers, and communities situated along a company’s “value chain.”

example “wellness challenges,” in which employees are encouraged to substitute walking for television-watching. This pillar also supports “affinity groups” that organize women, African Americans, Asians, Latinos, gay and lesbian employees, and junior-level employees under a rubric of employee diversity.

Public health concerns among domestic consumers increasingly have become a focus of Hershey’s Social Responsibility Office; they also remain an enduring motive for profit. The large amount of sugar in the chocolate bar “has always been a problem; something the industry has been concerned about,” an official explains to me. The founder himself recognized a relationship between excess sugar consumption and tooth decay, officials point out: Apparently he had rotten teeth on account of eating so much of his own product; and during his lifetime he invested in dental research at the Milton Hershey School. In more recent decades, the Company has attempted to produce sugar-free chocolate, but the artificial sweetener did not perform as a “bulking agent” as effectively as cane sugar—and it did not taste very good. Hershey continues, I am told, to experiment with “sugar-free technology.”

Like sugar, fat “has always been an issue for snack companies like us, and always will be,” an official explains. The Company takes a more or less explicit position on the epidemic of obesity in the U.S. and maintains that food manufacturers are not primarily at fault: “Our position has been and continues to be that there is a place in a healthy diet for consumption of our products, but it has to be in moderation. We haven’t and don’t promote our products in a way that encourages overuse. You need to incorporate our products into a balanced and healthy lifestyle.” An official elaborates on the Company’s theory of responsible enjoyment:

Chocolate is a treat. It's a darned enjoyable treat that people deserve to have periodically when they want to. It's up to individuals and parents — in particular parents — to set examples and not over-consume sweets in general. It's not just candy that people over consume. It's you-name-it. Why do some people weigh 300, 400 pounds? The issue is bigger than candy.

Partly as a way to respond and profit from these “issues bigger than candy,”

Hershey is developing a portfolio of products that are more health- and nutrition-focused than its primary chocolate line. There is a connotation that Hershey is an “indulgent product line,” explains a CSR official, “but if you go back to the Incas and the Mayans, they were using cocoa-based items as medicinal products to fix a lot of ills.” Some new Hershey products highlight the high antioxidant properties of cocoa. They are sold under various brand names: *ReGen*, a milk and cocoa-based sports recovery drink is one.

*Eat.Think.Smile*, a granola-based product line with “heavy cocoa content,” is another. On a related note, the CSR points out, the Company remains at the cutting edge of food safety and ingredient labeling—emphasizing potential peanut allergies, for example. Tamper-proof packaging—which replaced the Hershey's bar's original sleeve and foil wrapper—was introduced in the last decade as a response to the safety concerns of the “youth market” in particular (apparently provoked in no small part by media reports of razor blades being implanted in Halloween candy by sadistic adults).

Perhaps the most distinctive feature of Hershey's recent “social responsibility” efforts centers on publicity of the Milton Hershey School. The publicly-traded company's fiduciary connection with the private charity began being publicized officially for the first time just as I was entering the field. In 2010—a hundred years after the founding of the charity—the Company initiated an advertising campaign to promote the Milton Hershey School through Hershey-branded products. As Hershey officials tell it, after the death of

Milton Hershey in 1945, the leaders of the various Hershey entities—the Hershey Trust and School, the Hershey Company, the Hershey Entertainment and Resorts Company, the Milton S. Hershey Foundation—could not come together and decide to market the fiduciary connection between corporation and charity. There was concern about violating the stipulation in the Deed of Trust that monies cannot be used to advertise Hershey Company products; also there was a concern that marketing the connection could appear “exploitative” of the students. The founder did not publicize his charity when he founded it in order not to appear exploitative of the children, officials say; he did not want the news to read as a “publicity stunt” for chocolate sales.

“There was always this taboo about advertising: people thought that Mr. Hershey really didn’t believe in it, when in fact that’s not really the case,” a CSR official tells me. Today, however, the Company has developed a clearer picture of the founder as “masterful” at advertising. This lead Hershey Company executives to decide, in conversation with Hershey trustees, that the 100<sup>th</sup> anniversary of the School (in 2009) was “a milestone worth promoting.” “We anticipated some halo effect on our brand equity as well,” the official adds. Graphics were introduced on Hershey’s candy packaging that illustrate an association between the School and Company; a website was founded ([thehersheylegacy.com](http://thehersheylegacy.com)); and a 30-second television commercial was created. The commercial, which premiered nationally during the 2010 Academy Awards, features young children from the School taking turns narrating an encapsulated version of the story of Hershey’s beneficence:

There was this really, really nice man and his name was Milton Hershey—like the candy bar. He couldn’t have any kids. So he gave all of his money to make the Milton Hershey School where he could help children in need. It’s way more than a School. It gives you a place to live. A home. This School helped thousands of

kids. Thousands and thousands of kids who don't have as much as other people. They care about you. They love you here. He changed my whole life practically. I love it here.

Since 2010, the text on the back of Hershey chocolate bar wrappers reads: "Every Hershey's product you've enjoyed has helped support children in need through Milton Hershey School. Thank you for making a difference." The text directs consumers to a website that tells "Hershey's History of Happiness" in four parts: "The Man," "The Company," "The Legacy," and "Timeline" of significant dates beginning with the birth of Milton Hershey in 1857 and concluding with "Today: Hershey's is still making people happy-- in 90 countries around the world" (The Hershey Company 2010). Officials at the various Hershey entities were surprised, they remember, when consumers responded to the publicity by sending personal checks to fund the School. Those checks had to be returned in accordance with the Deed of Trust. The letters the School sends in response to consumers who write checks advises "two avenues," an official relates:

We suggest you take your money and reinvest it in your own community in a way that helps support kids. Or if you want to help the Milton Hershey School in some other way, you can buy Hershey products—because if you buy Hershey products the majority of our proceeds from the Hershey Company will feed into the Trust that supports the School.

The distinction between charity and profit in the new century, it strikes me, does not get any more or less distinct than this. In the chapter that follows, I exit the Hershey Company and re-enter the local community, inquiring into the future of the legacies of charity in the company town. Hersheyites' reflections on the subject reveal emergent critiques of the Trust and new claims implicating the long-standing linkage between community, company, and charity.

## Chapter V: Revitalizing and Re-Contesting Trust

We have to make sure we pass it on. Not live in the past—don't want to do that—but we've got to make sure we understand what we have. We were given a gift: the community, the company, everything else. Now somebody wants to come along and shuffle it all up and spread it all out so it will never be the same. Even though the value might be there collectively, it's not a unit anymore. We want to make sure we keep the value going but not split it up.

It used to be that every member of the Trust board always went to the Hershey School and they don't do that anymore. New members of the management group of the Hershey Company used to go to the School, too. It was a 'cross-pollinated indoctrination,' if there is such a term. Whether you were a salesperson in Chicago or somebody in Harrisburg, there was a feel about the community and the School that what you were doing was good—to keep it going and keep it growing.

What we've got here, we've got to be very protective of. I'm depending on you [the ethnographer]. Don't just write a good paper. Remember this is your birthplace. If you enjoy it, make sure it's here when your kids are growing up. Then you can do the same thing I'm doing right now—talking about what a great place it is.

— Bill, a longstanding Hershey School alumnus, Hershey Company official, Hershey resident, and former Hershey Trustee

“We do not quite forgive a giver,” writes Emerson in his essay on “Gifts” (1987 [1844]). Mauss took Emerson's insight as inspiration for his (perhaps) even more famous essay: “We are still in the field of Germanic morality when we recall the curious essay by Emerson entitled ‘Gifts’,” he observes (2000 [1925]: 65). “Charity is still wounding for him who has accepted it, and the whole tendency of our morality is to strive to do away with the unconscious and injurious patronage of the rich almsgiver.” I had Emerson's “Gifts” and Mauss' *The Gift* on my mind when I encountered Bill, quoted above, and his

fellow travelers. I wondered about their preoccupation with the perpetuation of Hershey's charitable trust given Emerson's and Mauss's insights. Did they feel wounded? Could they forgive the giver? My research as designed and carried out could not, I realized in retrospect, answer these questions. But it could render an account of the sense in which the social and legal legacy of "Mr. Hershey" is sacred among some Hersheyites, and it could listen in on their talk about the future of that legacy.

In local legend, "Mr. Hershey," as he is commonly referred to, is reckoned as a weird fellow—in the sense of odd, strange, and connected with fate (the archaic meaning of 'weird' [McKean 2005]). People project transparency onto his lifework: "His deeds are his monument, His life is our inspiration" is inscribed at the base of the statue in the center of Founder's Hall. At the same time, they ponder his "dark side." A "genius of a man," "benevolent and kind," the founder is also reckoned as "vain," "controlling" – a "dictator" and "feudal lord." Though his biography and the history of his estate is readily available, there is tantalizingly little interpretation of M.S.H.'s interior life, as he evidently did not write or keep personal letters or diary entries. Historians working in local archives have only fragments available to them. Reading in the Hershey Company's archives [in the "Paul Wallace Research Collection," comprising local oral histories from the middle 1950s], I found curious bits and pieces of recollections from others; but none could be added up to achieve an account of the person that would challenge the legend:

"M.S. was terribly knock-kneed. His feet were eighteen inches apart when his knees were together," recalls a chocolate plant manager. (The Kevin Wallace Research Collection, Box 1, Folder 33, pg 10)

"He was of the old school with a hard-boiled background. He was absolutely honest, but strict. His tendency was not to raise the rate of pay. That was the old school," recalls a dentist employed by M.S. at the industrial School (Box 1, Folder 42, pg 1)

"Mr. Hershey would do a favor for you, but not too often," says a housefather at the School (Box 1, Folder 46, pg 1)

"He talked in a high-pitched, eager, nervous voice," says a state senator. "Mr. Hershey, as far as English was concerned, was illiterate." (Box 1, Folder 53 pgs 3, 2)

"He did eat an enormous amount of candy," recalls his personal physician. "He was a deep thinker. He was really brilliant. I asked him, 'Where did you learn this chemistry?' 'Well,' he said, 'I never studied it.' He had something that you just cannot explain." (Box 2, Folder 51, pgs 3, 9)

"Mr. Hershey was a very fair-minded man, without bigotry," recalls a Lancaster, PA-based Monsignor. "He was a business man, and he wanted to run religion on a business basis." (Box 3, Folder 36, Item 33)

"He told me his religion was the Golden Rule," recalls his personal nurse. (Box 4, Folder 6)

"Mr. Hershey" is not commemorated as a particularly charismatic personality.

From what is remembered of his countenance and affect—a man of few words, an unremarkable humor, a homely appearance—he was not especially magnetic in person. Yet for the people I spoke to at length and got to know well in some respects—residents of the township, employees of the Company, alumni of the School and others variously invested and implicated in Hershey legacy—the persona of M.S.H. inhabits a potentially vital center of everyday life. The founder continues to ‘act,’ as it were, through his deeds—literally through his Deed of Trust. In this regard, Hershey is a charismatic figure. His charisma resides, following Geertz (following Shils), in his symbolic relation to the active center of a social order (Geertz 1983: 122). Charisma is “a sign, not of popular appeal or inventive craziness”—a routine misreading, Geertz suggests—“but of being near the heart of things” (122). The center has “nothing to do with geometry and little with geography” (Shils quoted in Geertz 1983: 122); the center is, rather, a “concentrated

loci of serious acts... an arena in which the vents that most vitally affect its members' lives take place" (1983: 122). It is involvement with the center that "confers charisma" (ibid). Hershey's deeds—past, present, and future—are at the "glowing center" of a particular, localized social order. Whether that social order is evanescent—in decline—is a primary matter of concern among Hersheyites.

The preoccupation with perpetuating Hershey legacy is not surprising considering the extent to which the founder is associated with redemption: M.S.H. is celebrated by alumni of the Hershey School for giving children from destitute families "an opportunity to succeed in life." Without his generosity—and the inspiration from his wife Catherine—they would have been "criminals," alumni often say. Townspeople commemorate M.S.H. otherwise as a man who, after founding a community, "saved his town from the Great Depression because of his own ingenuity." Italian neo-classical architectural landmarks constructed in the 1930s attest to the founder's mostly successful privately-financed effort to keep dollars circulating locally, making Hershey "one community in the United States...unaware of the depression," according to M.S.H.'s obituary in the *New York Times* ("M.S. Hershey Dead; Chocolate King, 88")—an incredible claim. Some Hersheyites truly have been saved by Mr. Hershey, and they are stubborn—loyal—in not forgetting it.

The association between the founder and redemption is the heart of the narrative of "old Hershey"—the social order of the company town, corporation, and charity that flourished from the early 20th century through the middle 1960s. I was curious to pursue that association in Hershey today, among some local institutions formally unaffiliated with Hershey's trust. In the course of investigation I discovered emergent critiques of

Hershey legacy. Such critiques contest that legacy, make alternative claims on it, and present paths of “revitalization” multiply-construed.

### **Hershey and redemption**

Among the pastoral leadership of the half dozen or so churches in Derry Township, the link between “Mr. Hershey” and redemption remains a major or minor matter of concern depending on context. I visited most of the local churches during my year in Hershey, and spoke with the pastoral leaders of several of them—starting with what local residents referred to as the “big boy on the block.” The Hershey Free Church—part of the Evangelical Free Church of America—draws the largest number of people for Sunday services among the churches in Hershey. It plays prominent public roles in the local life of the township; its administration is involved in one of the largest private Christian K-12 schools in the area. Pastor Ryan, who grew up in the south-central U.S. and attended seminary in the UK before joining the Free Church in Hershey a few years ago, is one of the Free Church’s pastors. The Free Church emerged in the early 1970s out of home Bible study among a set of local families, Ryan tells me as we meet together in his offices. He reflects on the relation of the Free Church to the surrounding community in terms of “the leadership gifting of people being brought here to work” beginning in that era. These families were associated in some part with the Hershey entities— the company, the charity, the amusement park — and in large part with the state university medical center. People relocating to Hershey around this time “were investing their leadership skill sets into the life of the church in very creative and entrepreneurial ways,” as Ryan puts it. This gives the Free Church a “cosmopolitan feel” as compared to his experience pastoring in the south mid-west. For example, in a bible study he facilitated the previous

evening, half of the half-dozen participants were physicians. They excitedly engaged in debate about the medical dimensions of a particular episode in the Book of Acts—leading Ryan to remark with pleasure, “I’ll never read that Bible passage the same way again.”

The Free Church’s appeal—the reason it is the “big boy on the block,” Ryan suggests—is its strong commitment to the Gospel. The typical religious backgrounds of people in the region—South Central Pennsylvania and beyond—have felt “legalistic or burdensome.” The Free Church attempts to draw people from minimal church backgrounds, especially people with “a level of church memory from when they were a child and now they’re a parent.” In one Sunday service I attend, Pastor Ryan directs his sermon, as he often does, at those in the audience who are “unsure about the whole Christianity thing.” He introduces his sermon with a video clip projected on a screen behind him. The video clip shows images of Facebook, computers, cars sitting in traffic, office work, and so on: “Are you tired of all the noise around you? Do you feel overwhelmed? Find solace through prayer” says the voice narrating the media presentation. Pastor Ryan follows this with a sermon on the resurrection and readings from Corinthians 15: Christianity is predicated on the reality of Christ's resurrection, he says. If you do not understand resurrection as truth, then Christianity is just another "do-it-yourself, follow-your-own-path, whatever-works-for-you" approach to life that is morally equivalent to other paths. Only if you believe in resurrection can you be a true Christian.

Ryan preaches that God is in the process of restoring his creation through the work of Jesus Christ and people have roles to play in that process which are unique and diverse. Americans have difficulty accepting the biblical concept of grace because, as he

puts it, “we have an almost unique sense of hard work, achievement, and transcending limitations.” He gained this cultural insight into Americans during his studies in the Oxbridge system. In England he observed that Europeans born into low social status are not expected to overcome their status and become a leader in industry or government. Americans, by contrast, thrive on the mythology of “rags-to-riches stories—you know, like a Milton Hershey who tries and tries again only to become a success.” A hard work ethic and responsibility are laudable, Ryan observes, but the transformational work of Jesus Christ is about grace—receiving rather than achieving: this seems difficult for Americans to fathom. Grace is “counter-cultural and counter-intuitive. So much of American culture says work hard and earn, but ultimately the gospel is about receiving the gift. It’s the difference between being an employee and being a child.”

The congregation of the Free Church includes local families that span four generations. While this generational integration is highly desirable, Ryan suggests, it is a challenge to maintain. Specifically, generational distinctions within the Free Church have political connotations. Whereas the most senior members of the congregation push to be associated with electoral politics and political institutions, church members under forty tend to avoid this kind of engagement: “We go from a generation with almost absolute confidence in certain American institutions to a generation where the default is skepticism and criticism almost to the point of cynicism.” At present, older members of the church are committed to producing a memorial to September 11 emergency responders. The church’s plan is to sponsor a guest speaker at Founder’s Hall on the Hershey School campus; the guest will speak about the death of her firefighter husband in the collapse of Twin Towers and give a testimony of “how God was used” in

transforming her experience of personal loss. For older generations, not to commemorate September 11 emergency responders is “to be unpatriotic,” Ryan observes. But for younger members—of which he counts himself as one—the “more exciting issue” is “connecting with the community.” The church participates in a food bank in Hershey, English as a Second Language instruction and financial counseling, among other projects. Pastor Ryan hopes to expand the Free Church’s charitable activities into neighboring Harrisburg in the coming year: “We’re in this little rural area, but in reality we’re suburban Harrisburg—and Harrisburg is looking for help.”

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At the Church of the Brethren in Hershey, the sense of local transformation and development feels much different. Hershey industry and charity were built around the Brethren church, Pastor Franklin tells me as we meet in his study on the church’s grounds one afternoon. The church’s original meeting house dates to before the Civil War. It was transformed into a modern facility in the middle 1930s at the height of the Great Depression through funds from M.S. Hershey. “Mr. Hershey’s idea was, we have all these little churches in town, let’s just build one great big church,” Franklin explains. “But his mother or wife said, ‘It’s not going to work.’ So instead he gave about \$20,000 to each of the five churches”—four protestant, one Catholic. The refurbishment of the original meeting house using Hershey money made the Brethren church “look like other churches,” he observes. An organ was also installed using those funds. These transformations in building reflect the increasing “worldliness” of the Brethren throughout the middle-20<sup>th</sup> century. Photographs in the Pastor Franklin’s study show the early Brethren wearing plain clothing, plain coats and hats and bonnets. In the early

1940s, as the photographs depict, younger women began substituting their simple dresses for more embellished dresses and men gave up their black plain coats. Around that time the Brethren transformed from a “free ministry”—in which elders were called out of the congregation to pastor —into a ministry that employed professional pastors such as Franklin.

The peak of membership in the Brethren Church in Hershey coincided with the golden age of the company town—the 1950s and ‘60s—a time when, Franklin recollects, “everything Mr. Hershey built for the community was still for the community.” The church claimed about 600 active members at its peak. Growing up locally during those years, Franklin remembers the activities of the church blending with the exuberance of “Pennsylvania Dutch Days,” the fair hosted in the Hershey amphitheater and surrounding fields, which drew Brethren and other “plain folk” from around the region. “Culture has obviously changed” since those years, he observes: “Postmodernism—whatever you want to call it—we’re living in a very pluralistic culture right now.” Long-standing churches such as the Brethren’s struggle on account of the “phobia to institutions of any kind and the individualism of our culture.” Franklin attributes the decidedly low membership numbers in the church today to this larger-scale cultural transformation: The church has around 250 members, most of whom are senior citizens. “If we don’t change the way we’re going things, ten, fifteen years from now we might not be here anymore. The building might be here, but there might not be anymore of us.”

It is “tough times” for the Brethren and also “scary times.” The struggle and fear “hit home” one recent autumn, Franklin remembers, when the Brethren’s church was excluded from a community event—the Hershey Half Marathon, sponsored by the

Hershey Entertainment Company in partnership with the Children's Miracle Network.<sup>85</sup>

A month before the marathon, the church received a letter from the Entertainment Company explaining that the marathon's route would cut off access to the Church on a Sunday. Specifically, access would be cut off on the day of Worldwide Communion Sunday—the first Sunday in October—which is one of the most highly attended services of the year next to Christmas and Easter. Franklin took away a lesson from the experience: "The church is not what is at the top of people's minds anymore. Sunday morning is no longer church time." The church's exclusion from the organization of the marathon route lead him to reflect with his parishioners on cultural change in general and the response by the church broadly-construed, "Culturally, going to church was the thing that you did" when many current parishioners—including himself—were growing up. Church was where people made business contacts necessary to professional work; and there was an expectation in the professions that employees would be involved in a church somewhere. Though this has changed, the church "is still living in the old Christendom paradigm where the whole culture revolved around the church and where churches try to influence government—almost like a theocratic kind of thing." One solution to this impasse is, Franklin observes, "starting a church from scratch" such as the neighboring evangelical Free Church—but this is not an option available to the Brethren.

Pastor Franklin has become convinced, he tells me, that the church "needs to be out in mission and out in ministry in the community." In local terms, this means participating in events such as the Hershey Half Marathon. Indeed, this year, after the Brethren sat down with the Entertainment Company and Derry Township administration,

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<sup>85</sup> A national charity that raises funding for children's hospitals

an agreement was reached: the marathon will be run mostly on Milton Hershey School property instead of township property and the route to the church will remain open. The church will help with one of the water stations on the route. It also has volunteered to perform an opening scripture or prayer before the marathon begins. “We can fight or we can get out there and be a part of it. This year we’re going to be a part of it,” Franklin says. In spite of feeling that the local Brethren’s parish is “fading away,” he tries encouraging this positive attitude among parishioners.

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The Catholic parish in Hershey originated with the Italian Catholics who emigrated to the area in the early 20<sup>th</sup> century to work in the chocolate factory and in nearby brownstone quarries, and it has remained an important parish in the region. “Mr. Hershey thought the Italians made the best stone masons and they were the best to build his kingdom, if you will,” the parish priest—Father Kevin—tells me over lunch in a local restaurant. The Italian population of Hershey is largely a result of M.S. Hershey's entrepreneurship, he observes. The modern congregation is made up of two dominant groups: the descendents of Italian immigrants to the area, many of whom are senior citizens and live in the homes surrounding the church; and the group of Catholics who moved to the area beginning in the late 1960s—the families of physicians at the medical center, lawyers in Harrisburg, and other professionals. The boundary lines of the parish extend well beyond the local township. The parish is “challenging” because of its size and diversity. There are many families and individuals that must be ministered to who are “transient”—who seek care at the medical center’s trauma center or children’s hospital. There also are Catholic students at the Milton Hershey School who—“as long as their

houseparents aren't anti-Catholic," Kevin notes—are bussed in on Sunday mornings for mass and Sunday evenings for bible classes.

Through reading on his own and talking with senior townspeople, Father Kevin evidently knows more about “old Hershey” than many of his parishioners. St. Joan of Arc was his first assignment after being ordained as a priest about a decade ago and he has made an effort to educate himself about the history of the parish and town:

Milton Hershey wanted all the local churches to combine into one non-denominational church, but he failed to account for church history. You can't just be all one happy family that easily—it's not that idealistic of a situation. But that's what Hershey wanted: He wanted Hershey-ism; he wanted idealism; he wanted houses to look alike and whatever—the all-American town.

In his time at St. Joan, Kevin has tried to bring Hershey history to people's minds because, he says, that history is “getting lost amidst the transience.” Those in the congregation who do know Hershey history tend to be the older population of St. Joan—aged 60 and above. There is little these parishioners will say about M.S.H. that is negative; indeed, Kevin observes, they tend to be defensive at the perception of a slight to the Hershey name—for example, the suggestion that Catherine Hershey was infertile because of untreated venereal disease (D'Antonio 2007). The mistreatment of Italian Catholic workers in the early decades of the enterprise is little-recollected, he observes. Long-standing Italian Catholic parishioners tend to criticize, if anything, the present-day incarnation of Hershey's Estates: “There is a sense in people's minds and hearts that the Hershey Entertainment stuff has gone over the top.” Parishioners routinely complain about the high price of admittance to the local amusements. “Hershey is now nickel-and-dimeing people for everything”—tourists and locals alike. But the reverence for the name of the founder and his wife remains.

Father Kevin has referred to M.S. Hershey in homilies as an example of perseverance, emphasizing the business failures that preceded financial success. Such homilies reach upwards of a thousand people, he notes—many of whom know little Hershey history in general, or more specifically, the fact that Milton’s wife Catherine was Catholic. Father Kevin also has invoked stories about M.S. and Catherine in messages about the meaning of marriage, as I witness while attending the wedding of a childhood friend one Saturday afternoon at the church: “Marriage is a covenant, not a contract,” he begins. “It’s about the commitment you make before God, not the emotional feeling of love you experience for your partner or the legal, transactional aspects of your partnership.”

Let me tell you a story. Bishop McDevitt who was in Harrisburg in the early decades of the 20th century found out that the boys at the Milton Hershey School weren’t allowed to go to Catholic service. He brought this up with Milton Hershey at a meeting at High Point [Hershey’s mansion-home]. ‘Mr. Hershey,’ McDevitt said, ‘Why are you not allowing your Catholic boys to go to Catholic service? Don’t you know how important it is for them to receive the Eucharist? You must know how important this is, as your own wife Kitty was raised Catholic.’ Mr. Hershey wasn’t listening well to Bishop McDevitt. Hershey had in his mind that he would provide everything for the orphans at his School: their clothing, lodging, education, and church would all be taken care of inside the School by Hershey himself. At first he refused McDevitt’s request to allow the orphans to attend Catholic mass on Sundays. But then, he changed his mind. When McDevitt asked him why, Hershey responded: ‘Kitty made me do it.’ His wife Catherine made him change his mind. But here’s the thing: Catherine had been dead for over fifteen years! She was speaking to Milton even after her death. Their covenant was still strong. That’s the meaning of marriage.

### **The politics of “Mr. Hershey”**

The legend of “Mr. Hershey” is available to a range of interpretations that occasion reflection in terms commonly understood as political. For example, at a reception following the wedding in the Catholic church described above, the father of the groom—

a ‘new’ Hershey resident, trained as a physician at the Penn State Hershey medical center and a longstanding surgeon there—offers an interpretation keyed to contemporary U.S. party politics: “Somehow Mr. Hershey, who was a progressive, was able to combine the best aspects of progressivism—taking care of people, giving them resources so they can succeed—without sacrificing their self-esteem,” he tells me as we share a glass of wine. “That’s the problem with liberals today,” he adds: “They give people handouts and it ruins their self-esteem. I’ve seen it.” The physicians’ son-in-law, soon to become part of the management team at the Hershey Company, joins in the conversation and concurs: “My bias is against any kind of socialism in government, but it seems Milton Hershey was able to give people things without their becoming dependent on what he provided. I admire that.”

Well-worn liberal / conservative / socialist distinctions aside, most people I met who know something of “Mr. Hershey” recognize him as a progressive in an American vein, as Hofstadter characterizes progressivism:

...That broader impulse toward criticism and change that was everywhere so conspicuous after 1900, when the already forceful stream of agrarian discontent was enlarged and redirected by the growing enthusiasm of middle-class people for social and economic reform.... It was not nearly so much the movement of any social class, or coalition of classes, against a particular class or group as it was a rather widespread and remarkably good-natured effort of the greater part of society to achieve some not very clearly specified self-reformation. Its general theme was the effort to restore a type of economic individualism and political democracy that was widely believed to have existed earlier in America and to have been destroyed by the great corporation and the corrupt political machine; and with that restoration to bring back a kind of morality and civic purity that was also believed to have been lost. (1955: 5)

‘Old’ and ‘new’ Hersheyites are, moreover, well-prepared to interpret “Mr. Hershey” as an antecedent to the figure of the contemporary, socially-progressive entrepreneur-philanthropist—a figure that has become dominant in the early 21<sup>st</sup> century

national and international political-economic landscape: “Mr. Hershey had this incredible desire to give and give—not give back—give ahead,” a longstanding School alumnus and town resident observes. “Who would ever do that? [Bill] Gates might be the closest to anybody who’s doing it today.” The affinity between Hershey and Gates is, he points out, their “combination of commerce and compassion.” The comparison of Hershey to Gates is one I heard time and again, and it strikes me as sociologically astute: Both Hershey and Gates fall under a category of what Weber called “charismatic capitalists.” Such “captains of industry... [standing] beyond good and evil” are not unique to modern capitalism; they have always existed (Weber 2001 [1905]: f.n. 187). Their activities exceed “the routine activities of the workaday enterpriser;” and as such they can be distinguished from the “sober bourgeois” capitalists that epitomize the Protestant ethic and capitalism’s spirit (Gerth and Mills in Weber 1957: 67).

Founder of the Microsoft Corporation and the world’s wealthiest person, Gates is the foremost exemplar of the American entrepreneur-philanthropist in a distinctly 21<sup>st</sup> century mode. He is, perhaps, the paragon of the neoliberal ideal: the liberal individual who pursues self-interest with the aid of the state, and who in turn furnishes varieties of social welfare of which the state could not have dreamed (or funded, presumably). The philanthropic foundation Gates established with his wife in the late 1990s—the Bill & Melinda Gates Foundation—is the largest private foundation in the world today, its endowment reaching \$40 billion (Bill and Melinda Gates Foundation 2014). Global health and global development, as well as domestic U.S. library and educational funding, are the foundation’s primary concerns. Unlike a majority of contemporary philanthropic foundations—and in sharp contrast to the Hershey charity—the Bill & Melinda Gates

Foundation is organized so that all of its resources will be expended within twenty years of the death of the founders. There will be no legal perpetuity for the Gates Foundation, evidently, if the donor's intent is executed.<sup>86</sup>

The Hershey-Gates comparison makes salient the present-day relevance of Hershey industry and charity for 'outsiders' who may not be familiar with its history. The comparison also opens a path for making novel claims and counter-claims on the Hershey Trust—perhaps revitalizing its practice in the new century. In what follows, I consider three critiques of Hershey legacy from three distinct Hersheyite subject positions: a Company executive, a School administrator, an activist alumni organization. These critiques are not themselves “revitalization movements,” in the sense that Wallace uses the term: “a deliberate, organized, conscious effort by members of a society to construct a more satisfying culture,” typically lead by a charismatic authority (1956: 265).<sup>87</sup> Rather, they point to the “stress of individuals” and “cultural distortion” from which revitalization movements regularly arise (268)—establishing grounds, as it were, for a sort of “revivalistic” or “reform”-oriented revitalization.

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<sup>86</sup> “The Gates Foundation’s biggest challenge,” writes legal scholar and philanthropist Joel Fleishman (2009), “may be responding appropriately to the increased scrutiny it can expect as the steward of such a massive sum. The public attention drawn to a foundation governed by only three trustees who will oversee its annual spending of around \$3.5 billion has already sparked public concern over its scale and the lack of broader accountability, as well as curiosity about how and how well the Gates Foundation will manage to spend such large amounts of money wisely and effectively” (2009: 47).

<sup>87</sup> ““Nativistic movement,” “reform movement,” “cargo cult,” “religious revival,” “messianic movement,” “utopian community,” “sect formation,” “mass movement,” “social movement,” “revolution,” “charismatic movement,” are some of the commonly used labels” for what Wallace terms “revitalization.” Persons involved in revitalization feel their culture is unsatisfactory. They innovate a “new cultural system,” specifying “new relationships as well as...new traits.” “Deliberate intent” is key, as it sets apart revitalization from other processes of cultural change (Wallace 1956: 265).

### **Three emergent critiques**

#### **1. “A responsibility to perpetuate a man’s dream”**

“What has always intrigued me about this community is the man Milton Hershey and his perseverance to succeed,” says Jeff, a recently-retired executive in the Hershey Company and longstanding resident of the town. “He never gave up. He tried different ventures and was bankrupt multiple times before he finally came down on mass production of affordable chocolate for our society—which was the lynchpin that has made Hershey what it is today.” Jeff began his career with Company in the mid west, then relocated to corporate headquarters in Hershey, where he worked in sales and concluded his career in marketing while in his mid-50s. He lives with his wife in a house downtown, where I visit throughout my year in Hershey to chat around the dinning room table. “It’s interesting to take a look at the man himself and ask, ‘What was his goal?’ ‘What what his mission?’ ‘What was his vision?’ And to try to roll the clock back to the turn of the century,” Jeff reflects:

What did we actually have here in Dauphin County? Farmlands, basically. And coal country. Now here comes a man that had a dream—a specific dream—to be successful at manufacturing candy. In order to succeed he realized he had to create an environment that would attract qualified people and also productive people to work in the factories. It was an incredible vision back at the turn of the century. He literally was an entrepreneurial type of person. And then you consider that with the massive wealth he garnered, he came across the idea of actually establishing a trust and he bequeathed all the money to the Trust in order help those that are less fortunate.

Jeff is readily prepared to acknowledge the hagiographic construction of “Mr. Hershey.” The real Milton Hershey must have been a more complex and contradictory fellow than the perfect gentleman represented on the multiculturalist mural at the entrance to the downtown Hershey Story museum, for example: “He’s ‘our founder.’ Not

a bad word is ever spoken about him, but I've got to believe he probably was a son-of-a-bitch," Jeff reflects. "He vertically made everything! Now why did he do that? He wanted control of everything—every element, every store, every utility—everything."

Nonetheless, "there is a paternal feeling of Hershey because of our benefactor—what he did and how he established it. We all have a responsibility to give back and to perpetuate this man's dream." He goes on—reflecting a common sentiment among Hersheyites:

We're only here for a short period of time and we all, in our own little way, are stewards. We have to make sure that what transpires on our watch gets passed down to the next generation, whether it is keeping our houses tidy or whatever. It comes back to that model community and also a certain amount of community pride, because this is a very unique society in relation to all the other crap that's going on. This one's working. It's a result, I think, of a lot of collective efforts from many different avenues coming in and coming out.

Well beyond the tax burden he bears as a resident of Derry Township and the pension he enjoys from the Hershey Company, Jeff's investment in Hershey legacy implicates his own sense of honor and virtue: "It was an honor to work for the Hershey Company, where the majority of its profits ended up going back to help kids that needed help. At the end of the day you weren't one hundred percent capitalist pig," he observes. "You were actually adding value back to society." Employees of the Company "all had a firm understanding of our fiduciary responsibility to make sure that we succeeded. We wanted to make sure it wasn't on our watch that we compromised [the charitable trust's holdings]." Jeff and his corporate colleagues were prudent and judicious in the investment of money and marketing of products—"because the last thing we wanted to do was taint the imagery or compromise the fiduciary viability of the Trust."

Jeff is well-known, despite his status as officially retired, for being active in the politics of the local community. He is involved with the Democratic Party in Derry

Township and volunteers financial services to the township school district, from which his daughter and son graduated. He was heavily involved in the campaign to “Derail the Sale” of the Company in 2002. He has also been involved in a recent (2011) public school district lawsuit filed against an arm of the Trust implicating Milton Hershey’s intentions for funding the township’s public school system. Though the lawsuit was thrown out of the county probate court in relatively short order, it affirmed a division between township residents such as Jeff who were prepared to make claims on the Trust; and others who looked upon local investments by the Trust as a “gift” that should not be litigated or otherwise politicized. Crucially, this distinction does not fall along the lines of longstanding and recently-arrived residents. Hersheyites both “old” and “new” have various reasons for making claims on the Trust or not. The distinction is a matter of judgment.

In Jeff’s judgment, the present day challenge to Hershey’s “unique society” is not dissimilar to what it was a decade ago, when the Trust’s board of directors were contemplating selling the Company. “There could have been a catastrophic closure of multiple business entities in Central Pennsylvania—because a lot of industries have built and invested around Hershey’s business plan. It was an economic threat in 2002 and thank God the courts agreed with us.” The threat today is less immediately economic than ethical: “You’ve got trustees taking advantage of their position for personal and political ends. Once you establish precedence for this type of attitude, it eventually compromises the purity and simplicity of the Deed.” “Of course,” Jeff adds, “this is how things work everywhere—not just in Central Pennsylvania. Trustees have become almost drunk with glee or power and hubris—arrogance—everything we have seen over the last three years

with the financial markets.” He refers me to the documentary film *The Art of the Steal* (Argott 2009), about the ultimately successful effort by officers of the Barnes Foundation to depart from the legal will of founder, Albert C. Barnes—moving the foundation’s vast Modernist and Post-Impressionist art collection from suburban Lower Merion, Pennsylvania to Center City Philadelphia. “The Hershey Trust is a nest of politicians and lawyers, comparable in their ambition to the Barnes Foundation,” Jeff observes. As the film chronicles, Barnes, a chemist and entrepreneur, was a fierce critic of Philadelphia elites during his lifetime and strongly resisted locating his art in Philadelphia. In the early 2000s, apparently because of inadequate funding for housing the collection, the Barnes Trust asked courts to authorize relocation of the collection to Center City. *The Art of the Steal* features figures on both sides of an argument over whether or not to break Barnes’ will: members of the Lower Merion community, officials of Lincoln University (which had managed the collection), journalists, art historians, and current trustees among others. The strong editorial view of the film is that trust-busters—savvy politicians and businesspersons mostly—were, in the words of one player in the documentary, “destroying a man’s will.” I would hear this line repeated throughout my fieldwork in the Hershey context.<sup>88</sup>

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<sup>88</sup> Since the production of the 2009 documentary, the Barnes Collection has opened in downtown Philadelphia. A visit I made to the Collection reveals the extent to which the Foundation has gone to preserve the intentions of Alfred Barnes in mounting his collection: artworks are hung identically to the way Barnes hanged them in Lower Merion, and the rooms of the museum replicate the room of Barnes’ home. In the literature about the museum, however, Barnes’ intentions are generalized: “The mission of the Barnes Foundation, which dates back to its founding in 1922, is ‘the promotion of the advancement of education and the appreciation of the fine arts’” (The Barnes Foundation n.d.). The more controversial details about locating the museum outside Philadelphia are, perhaps unsurprisingly, omitted.

Jeff has become a vocal critic of the Hershey Trust in writing and in person since his retirement from the Company. Recently he published a letter to the editor of a local newspaper on the subject of the Trust's governance—emphasizing that the original board of directors was made up of local families. Milton Hershey “trusted and had faith in those that lived directly in Derry Township to oversee the Trust and do what was necessary and right to perpetuate his vision,” his letter argues. The original board of directors did not take any compensation for their services: “It used to be an honor to serve the Trust, but look at how things have changed: Compensation for trustees is rising in relation to returns, which have gone down.” The rise in compensation is simply bad business practice, Jeff observes: If trustees are going to enjoy compensation, compensation levels should be indexed to returns. The fact that trustees paid multiple times the value of a golf course on the verge of bankruptcy (see discussion in chapter I) evidences trustees’ “naïveté of business.” Moreover, Jeff observes, “like a bad business” the Trust has failed in its “social responsibility” to the public—the public construed specifically in terms of the local community. The Trust makes claims on the public township—pressuring the township to sell property to the Trust cheaply and keep competitors to the Entertainment and Resorts Company out of town, despite the tax benefits and jobs competitors could bring. The township in turn ought to make more claims on the Trust, Jeff suggests, specifically in contributions to the township’s tax base.

## **2. “Mr. Hershey’s Fatal Flaw in Governance”**

“Mr. Hershey is watching all of this,” Jack says to me with a smile, gesturing to the brass statue on the desk of his home office. “I made sure I got one of those statues for my retirement from the School.” The statue—a replica-in-miniature of the one that stands in

the center of a water fountain at the entrance to of Hersheypark—depicts the founder dressed handsomely in a three-piece suit, holding his hat in his right hand. Jack and I admire it briefly, and it occurs to me that Jack aspires to, indeed has achieved and embodies, the sense of distinction—the sense of being distinguished—depicted in the statue.

Recently retired from senior management at the Milton Hershey School, Jack is also a School alumnus, having graduated in the early 1960s. The “old days” are not as idealistic as they can sound, Jack observes when I ask him about his experience as a student. They are infamous for the “bullying system” that defined homelife: “Growing up in the farm homes was really tough,” he reflects. “Kids didn’t have much of a built-in moral base.” There was a tacit understanding that younger students would be bullied—“almost enslaved”—by older and larger students: “Sometimes it was physical; sometimes it was just doing errands and favors.” Houseparents—the married couples employed to oversee homes of a dozen boys each—were generally complicit in this scheme, Jack remembers. Through the early 1960s, most male houseparents were hired by the School first to be dairymen; most did not have experience rearing children and assigned management of the home to the eldest students. In the early 1960s, “the back of the bullying system was broken” when School managers—i.e. Hershey trustees—introduced a “middle division” of student homes. The “middle division,” which separated students into three rather than two age groups, is largely regarded as one of the most beneficial changes in the institution since its founding in 1909. It is, perhaps, the School’s most innovative gesture.

Milton Hershey School remains on the whole “institutional” and “custodial,” as Jack sees it: It is run much like a correctional facility. There are few opportunities to experiment with new approaches to care, and this is “sad because the scale of the resources you have to invest—\$8 billion. You want to know you’re doing the very best thing.” Historically the School has never been very creative or open to innovation, Jack observes. Creating the middle division was significant, but most of the other social changes at the School—changes around gender and race, specifically—were “imposed from outside;” that is, in response to evolving national social norms and legal imperatives. The challenge of the School today is, in Jack’s judgment, to innovate and improve “while staying within the mission, within the founder’s intent.”

The Trust’s current board of directors (in 2010-11) has “gotten political,” Jack says. He traces the origins of that politicization to the late 1980s, early 1990s—the last time in recent history when the “integrity” of the Trust was in tact. At that time, each of the leaders of Hershey’s principle entities—the CEO of the chocolate company, the CEO of the entertainment company, the principal of the School, and chairman of the Trust—were, remarkably, alumni of the Milton Hershey School. Each were, in this sense, kindred to the Trustor and to each other. Each sat on the Trust and acted as the School’s managers. There was little financial compensation for sitting on the board at this time: “It was an honor to be on that board and a privilege.” This arrangement “was getting back to where Mr. Hershey left off” when he died, Jack explains; however, it did not last—for multiple reasons. For one, trustees were aging, and they left the board. But also, the School received a low grade by a regional accrediting agency (D’Antonio 2006: 250),

which precipitated an overhaul of its curriculum and everyday practice—the “21<sup>st</sup> Century Initiative” (discussed at length in chapter III). These reform effects ultimately lead, in Jack’s interpretation, to the attempted sale of the Company in 2002 and the controversies that followed.

Perhaps on account of his experience as both a student and a senior administrator, Jack is one of the few people I met who articulates a critique of the present-day charity in terms of an oversight, or failure of foresight, on the part of the founder. The Hershey Deed of Trust is generally construed by community, Company, and School insiders alike as “commonsensical and straightforward” as well as “gracious and pure.” That much of its substance is borrowed from the deed of a neighboring institution—Girard College in Philadelphia (see discussion in chapter III)—is beside the point. The Trust “should” be easy to interpret and implement, many say, based on the simplicity with which it is written, the purity of motivation of the Trustor, and the resources at the disposal of present trustees. Many attribute the “dysfunctionality” of the board of trustees to individuals on the board—“their personalities.” In particular the vanity of certain individuals—their “thinking they know better than Mr. Hershey”—is regarded as primary source of dysfunction. Jack sees it differently: In his judgement, “Mr. Hershey couldn’t see ahead a couple generations to the people controlling the endowment today, who don’t actually care that much about his mission and vision. This is his fatal flaw of governance.”

Because M.S.H. assumed that “private citizens who become members of the Trust would treat the School in the same way that he and his colleagues would do,” he failed to establish “checks and balances,” Jack observes. That current trustees may enjoy exceedingly generous compensation for their participation on the board is one matter of

concern, but not a primary matter of concern. More disconcerting is the secrecy of the board: “It is one of the most closed and secretive groups now, just years after it’s been reconstituted” (in 2002) . In Jack’s interpretation, such secrecy shrouds attempts to steer the Trust’s fortunes away from the founder’s intent and towards the interests of individual trustees—but this is not directly the result of individual trustees’ personalities. Simply replacing trustees with other personalities will not fix the “fatal flaw.” Some sort of larger-scale restructuring of the Trust’s governing protocols is necessary, Jack suggests—though it is unclear whom or what will bring that restructuring about.

### **3. “Protecting the Hershey’s Children”**

Protect the Hershey’s Children, Inc. (PHC) is a nonprofit organization engaged in a long-term, increasingly wide-scale publicization of Trust activities since 2002. “Our ranks include Milton Hershey School alumni, childcare professionals, and others who share our desire to protect the Hershey’s children,” their website announces ([protecthersheychildren.org](http://protecthersheychildren.org)). In Pennsylvania alone, “30,000 children are in foster care, costing the taxpayers millions. Managed prudently, the Hershey Trust can provide for thousands more of those children in desperate need.” The site asks readers to join a newsletter, participate in an online forum, write a letter to the editor of local newspapers and “most importantly, be informed.” Seven reform goals are enumerated:

- Ending MHS Board conflicts of interest
- Barring leadership self-enrichment
- Stopping misdirection of assets
- Removing partisan politics from all decisions
- Ending poor child welfare policies
- Hiring and promotion of MHS leaders on the basis of merit
- Creating an MHS Board whose core consists of child welfare professionals

PHC is not a School alumni group, though it consists mostly of alumni. Around a decade ago the organization began publishing a series of substantial essays about the School. The titles of the essays bespeak the passion and frustration of its members: “Factory for Miracles,” “An Orphan’s Trust Pie,” “Anyone There, Anyone Care?,” “Gaming the System,” among others. The group has also authored several letters to the I.R.S. making a case for reviewing the Trust’s tax exempt status. This appeal to the federal state through the Internal Revenue Service recalls perhaps the most famous case of an American private trust-run-afoul of its philanthropic mission—the so-called “Enron of charities”—Hawaii’s Bishop Estate. One of the most significant, longstanding institutions in modern Hawaii and one of the nation’s wealthiest charities, Bishop Estate was established by Princess Bernice Pauahi Bishop in 1884 as a school for children with Native Hawaiian ancestry. Beginning in the 1990s, trustees were alleged to have “invested personal funds in business opportunities involving the trust, used trust funds to lobby extensively for changes in laws affecting their personal interests, involved the trust in state and federal political campaigns,” etc., legitimating their actions in a legal brief that claimed royal origins for their power, in the “traditional and customary prerogatives” of the dynasty of Princess Bishop (King and Roth 2007). It was not until the beneficiaries of the Estate with legal standing—the students themselves—began to complain about conditions at the school that public scrutiny was directed at its trustees, promoting the I.R.S. to threaten to revoke its tax-exempt status as a charitable organization in 1999, and leading to rapid reforms.

A book about Bishop Estate, *Broken Trust* (King and Roth 2006), narrates the relationship between trustees and stakeholders in terms that many PHC participants use when talking about Hershey; indeed, PHC participants I met cite the book when discussing their reform efforts. Trustees of Bishop Estates had “always been political,” writes David Shapiro in the book’s Introduction (2006), “...but the earlier generations of trustees were a different breed of political cat.” Trustees sitting on the board in the late 1990s “knew little of the collegiality of a boardroom or the fiduciary duties owed by trustees. They were about gaining power by lining up voting majorities and divvying up personal fiefdoms... Most important was the different way these trustees viewed themselves--not as servants of the princess, but as feudal lords, accountable to nobody.” The most important effect of the campaign to reform the Estate, Shapiro writes, “was to energize the community spirit and elevate public expectations, ending the pervasive and demoralizing perception that official corruption was an inescapable fact of life in Hawai’i—the price of living in paradise.” Protect the Hershey’s Children, Inc. would like to fashion itself similarly to the campaign that reformed Bishop Estate.

I meet with the PHC president, Ric, when he invites me to his Manhattan apartment, which enjoys a beautiful view of Central Park. “This view is what I allow myself,” Ric tells me before sitting down to talk. In addition to his childcare advocacy, he has been involved in refugee property restoration in Bosnia. He points me to photographs on his wall of humanitarian aid workers in Afghanistan who were killed during the U.S.-led war following September 11: “Those are my heroes. My commercial law work funds my activism. I tell the truth. I can’t not tell the truth. I fight for the truth and I’m a bit of an asshole,” he says. Indeed, Ric is known among my interlocutors in Hershey as an

outspoken and more-than-occasionally angry critic. He has a temper. It strikes me he embodies the righteous rage that many of his fellows feel but do not express outwardly.

Ric spent seven years at the Milton Hershey School. He has been a reform advocate for more than a decade: “I’ve been questioning the School since day one,” he says when reflecting on the beginnings of his advocacy. “That’s part of everyone’s job, always.” While he was at School in the 1970s and ‘80s, Ric led an effort to allow students to go home on Thanksgiving vacation, which never before had been permitted; and participated in efforts to stop students from being kicked out for minor infractions: “I was a jailhouse lawyer” while a student at the School. “I always identified with childcare needs, because that’s my history.”

There has been progress at the Milton Hershey School in Ric’s view. The academic programs today are much better than in the 1970s when he was a student. The staff, teachers, houseparents, are generally well-qualified. The buildings are essential resources. Some issues have gotten worse, however:

Forty years ago the Trust had \$300 million and there were 1,600 kids served. Today it’s \$8 billion and there are only 200 students added. Over the last six years there have been more than 1,000 students removed. If you believe in luxury golf, grandiose buildings and hundreds of millions of dollars in local construction contracts, then it’s been a wild success—but the fact is, the Hershey Trust’s mission is completely underutilized.

Ric is careful to make sure I take note of the national statistics: 540,000 children are in foster care today; 1.4 million children homeless; 6 million living in extreme poverty (half the level of federally defined poverty); 600,000 children’s fathers incarcerated.<sup>89</sup> Single parent households, poverty, substance abuse, emotional illness of

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<sup>89</sup> For the most recent national data on foster care and foster populations, see Child Welfare Information Gateway 2013.

the parent, medical condition of the parent or child: such are the “antecedents,” for admitting children into at-risk childcare facilities. Facilities across the U.S. are “a hodgepodge,” he explains. Even within states, there are different schemes for addressing at-risk children in residential childcare facilities. The Hershey model is successful “as a model.” The physical model is in place: homes spread out across beautiful natural environment; and the two parent, married houseparent relationship is effective. However, managers of the School lack “sophistication and training” related to at-risk childcare issues. The School admits students who are “easy to handle,” and that excludes the children who could really benefit—in particular minority applicants who are “weeded out” of the admissions process. Managers only know “brick and mortar solutions” to the problems they confront, including the serious problem of retention. They keep building. Indeed, Ric notes, the School spent \$800 million in infrastructure in the last eight years—a “construction pigout” which, in his analysis, did little more than subsidize the personal fortunes of contractors in the area. A primary issue of concern for PHC is what happens to students when they graduate. There have been a disconcertedly high number of suicides by alumni.<sup>90</sup> Ric’s own roommate killed himself.

I ask Ric if he anticipates reforms coming from Harrisburg. Harrisburg is “the source of all corruption” he responds. Pennsylvania state governors historically have wanted goals outside the Deed of Trust—the state university medical center, for example—and they found ways to accommodate “alternative illegal interpretations.” Governors have had their inaugural celebrations at Founder’s Hall, the large marble rotunda built on the School campus “supposedly as a monument to Mr. Hershey.” The

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<sup>90</sup> Most publicly by a man who crashed his prop plane into a Texas I.R.S. building in 2010 (Brick 2010).

most recent governor to be elected avoided a celebration there only because of recent public attention directed toward the School and Trust, Ric speculates. Public attention is, in Ric's view, finally turning to the Trust because of a series of exposes on the charity written in the *Philadelphia Inquirer* (Fernandez 2011) and PHC's efforts. For this reason, "This story will have a happy ending," he insists. Law and democratic systems will bring about the reforms necessary to restore the School to what the donor originally intended: a home for as many desperately-in-need children as possible.

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### **Elections bring a close to the probe and a pause in fieldwork**

Three years after it began in fall 2010, the Pennsylvania Attorney General's probe (discussed in chapter I) concluded under the direction of a new Attorney General, Kathleen Kane—the first Democrat and the first woman to be elected Attorney General in Pennsylvania. Among other findings, the OAG found that the purchase of the golf course was reasonable given fair market values and the School's intended long-term use of the property; that evidence of self-dealing in the purchase of the golf course is insufficient; that allegations of illicit political contributions were unfounded because the contributions were made not by the School but by its subsidiary, the Hershey Entertainment and Resorts Company; and that increases in compensation for board members were reasonable in comparison to peer institutions. No evidence of breaches in trustee's fiduciary duty were established.

Addressing the Dauphin County orphan's court, the Attorney General submitted an agreement "concerning the School Trust's management and government" established in consultation with trustees (Pennsylvania Office of Attorney General 2013). "Milton

and Catherine Hershey were visionary philanthropists who cared deeply about children in need," said Kane in a statement. "...My office will continue to diligently monitor the activities of the School Trust to make sure that the use of trust assets is entirely consistent with Milton and Catherine Hershey's donative intent. Their landmark perpetual generosity demands nothing less." The new agreement supplants the one established after the attempted sale of the Company in 2002. It sets out renewed guidelines for, among other things, conflicts of interest, board compensation and expenses, legal counsel, real estate, admissions and academic standards, student safety, and the reporting of relevant information to the Attorney General's office. The agreement reflected some key concerns of various critiques of the Trust—calling on trustees to “use their best efforts to identify for election to their Boards whose education, training and experience reflect the full range of the Boards’ responsibilities,” including “at-risk/dependent children” and “residential childhood education.”

Public responses to the Attorney General's findings became visible in the days following the announcement in the comments section of *Pennlive.com*, a regionally popular online news outfit run by the Harrisburg *Patriot News* (Malowski 2013): “Just a big fat kiss on the cheek!” writes one commenter. “[A] slap in the face to taxpayers to say the Hershey Trust has been above board,” comments another. “A watered down agreement by influential people and politicians. A sad day for the legacy of Mr. Hershey's School...” comments another. Yet another post consists simply of a dictionary entry for the word “conspiracy”—implying some secret plot between Attorney General and trustees. Such are a handful of more or less localized interpretations of the state government's exercise of its *parens patriae* power.

For its part, Protect the Hershey's Children, Inc. called Attorney General Kane's agreement an "oversight failure" and charged that "Democratic insiders persuaded Kane to renege on commitments to hear independent advice on Hershey" (Protect The Hershey's Children 2013). The organization adopted a different tone, however, in a remarkable editorial published shortly thereafter, under the title "To help students, consider a Hershey-Girard campus" (Schmehl and Fouad 2013). The editorial makes a connection between the founding figures of Girard College and Milton Hershey School: Both were industrialists and philanthropists; both constructed facilities originally intended to house and educate white male orphans. Both, furthermore, had a connection to Philadelphia—Girard being based there, and Hershey having started his first independent candy business there. Over the last century, the editorial observes, Girard College and Milton Hershey School have "evolved, or failed to evolve, in parallel:"

...While Girard's financial fortunes have stumbled, Hershey's have soared. Today, Girard's endowment has shrunk to \$230 million. Conversely, Hershey's assets now exceed \$10.5 billion, primarily due to the holdings of Hershey Co., the founder's own creation. These opposite trends present a historic opportunity to boldly advance the work of both facilities.

The PHC editorial suggests a "creative way to respond" to Girard's financial woes and recent announcement that it has to close its high school and its dorms. Girard's dorm closures are "a fumble forward," the editorial observes: "...The best child-welfare practices would have long since advised the same anyway. For poverty alone is understood to no longer serve as grounds for residential placement." "Girard's difficulties allow Hershey to take a leap forward in evolving its core mission, joining the fortunes of two singular child-welfare philanthropies," the editorial suggests:

Consider that Hershey, spending a fantastic \$100,000 per child annually, is still losing more than one child every school day to attrition, far more than graduate. The total annual cost of children needlessly hurt? \$25 million. Hershey says these

students are homesick. Of course they are: Hershey is stuck in a time warp, expensively and irrationally relocating poor children to a K-12 residential setting as a condition of providing them with an education...Child-welfare professionals would have pointed out the obvious: Given the type of students Hershey is now enrolling, why not just educate them in their home communities, at a fraction of the cost, and with outcomes that all data show will dwarf what Hershey achieves? ...Why not direct some of Hershey's \$10.5 billion to keep Girard's high school open and serve Philadelphia children in their home community?... [The Hershey Trust] should endow a 'Milton Hershey School Girard College Campus.' This will preserve Girard's history, expand its own reach, use Milton Hershey's assets more effectively, and start catching the school up to the rest of the child-welfare world. The fit is so natural and obvious as to command genuine consideration.

The assistance of the Pennsylvania Attorney General and the Orphans' Courts of Dauphin County (the county in which Derry Township and Hershey is located) and Philadelphia would be required to make such a decision, the editorial concludes: "Milton S. Hershey and Stephen A. Girard would accept nothing less."

The reception of this creative claim-making on the Trust is not yet apparent. For the public that has formed around the Trust since 2002, the institution remains spiritually in jeopardy despite the terms of agreement set out between the state and the Trust's current board of governors. In local interpretations, the purity and nobility of the intentions of the Trustor remain twisted and subject to manipulation by all-too-human actors. Self-interestedness remains a central problem afflicting both the private trust and its state guardian. An array of texts concerning scandal and negligence—newsletters, letters to the editors of newspapers, articles and internet forums—continue to circulate and proliferate. The present ethnographic text possibly will become one of those texts in circulation; whether and how it will matter to one or more publics is an open ethnographic question.

### **Conclusion: “Real Hershey’s”**

One evening in summer 2013, intending to take a pause from writing about the legacies of charity in Hershey, I turned on the popular American television series *Mad Men*. The AMC-network series focuses on the ad man Don Draper (played by actor Jon Hamm), the charismatic and mysterious lead character in a cast of executives, secretaries and mid-level employees of a fictional Madison Avenue advertising agency (“Sterling Cooper”). The series follows Draper from the late-1950s through the late-1960s as he works his way up the hierarchy of the agency to become partner. His spectacular financial and creative success is dramatically contrasted with the abject failure of his personal and family life, such that by the conclusion of season 6, Draper is suffering from alcoholism and separated from his wife and children. In the climactic scene from the season finale (Weiner 2013), set inside an advertising agency boardroom circa 1968, he reveals for the first time publically that he is not the man of good breeding he has pretended to be (“Draper” is, as the audience already knows, an assumed identity.). He does so in the course of making a pitch to a group of corporate executives seeking a national advertising campaign that will compete with their chief competitor. Their chief competitor is M&M Mars. The company is, of course, Hershey.

“Every agency you’re going to meet with feels qualified to advertise the Hershey bar because the product itself is one of the most successful billboards of all time,” Draper tells the executives assembled around the boardroom table:

[The Hershey bar's] relationship with America is so overwhelmingly positive that everyone in this room has their own story to tell. It could be rations in the heat of battle, or in the movie theater on a first date—but most of them are from childhood. Mine was my father taking me to the drugstore after I'd mowed the lawn and telling me I could have anything I wanted. Anything at all—and there was a lot. But I picked a Hershey bar. The wrapper looked like what was inside. And as I ripped it open, my father tousled my hair and forever his love and the chocolate were tied together.

That's the story we're going to tell. Hershey's is the currency of affection. It's the childhood symbol of love.

The executives nod in agreement and smile. "Weren't you a lucky little boy," exclaims one of them. The pitch is perfect, but the ad man does not stop there. "I'm sorry, I have to say this," he says, lowering his eyes and voice as if making a confession, "because I don't know if I'll ever see you again:"

I was an orphan. I grew up in Pennsylvania, in a whorehouse. I read about Milton Hershey and his School in *Coronet* magazine or some other crap the girls left by the toilet. And I read that some orphans had a different life there. I could picture it. I dreamt of it—of being wanted. Because the woman who was forced to raise me would look at me every day like she hoped I would disappear. Closest I got to feeling wanted was from a girl who made me go through her john's pockets while they screwed. If I collected more than a dollar, she'd buy me a Hershey bar. And I would eat it alone in my room with great ceremony, feeling like a normal kid. It said 'sweet' on the package. It was the only sweet thing in my life.

The assembled executives are stunned—unsure whether to interpret this story as a second, alternative pitch for Hershey's Chocolate or as a personal confession by the ad man. "Do you want us to advertise that?" one asks. "If I had my way, you would never advertise," Draper responds. "You shouldn't have someone like me telling that boy what a Hershey bar is. He already knows."

At the conclusion of the episode—half an hour later or so—the Hershey brand name returns. It is a hot summer day, and Draper is driving his three young children from their tony Manhattan apartment to some uncertain destination. Inside the car, Draper's

son asks him a question, in what makes up the last bit of dialogue in the episode: “Did they name it ‘Hershey’ because of the chocolate or is the chocolate named after the city?” “There was a man named Hershey,” the ad man responds. “He made enough chocolate to build a town....” The episode concludes on the children getting out of the car and looking surprised and confused as they find themselves in Philadelphia, in front of a decrepit house; a lanky, dark-skinned boy dressed in tattered clothes, eating an ice popsicle, sits on the front steps. “This is where I grew up,” Draper announces. The eldest of the siblings—his daughter—gives the ad man a look of slight recognition and, perhaps, forgiveness for concealing his disreputable origins. The song “Both Sides Now” plays on the soundtrack as the production credits begin to roll.<sup>91</sup>

“The Hershey pitch is where we were working toward the entire season,” remarked Matthew Weiner in an interview with the *Los Angeles Times* after the episode aired (Miller, J. 2013). Weiner, who started the show in 2007, decided to construct the scene around the Hershey brand for two reasons: because Draper’s character is supposed to be from the state of Pennsylvania, and because of the story of Milton Hershey: “There are certain American businessmen that are completely eccentric but have this kind of strange moral quality...,” he observes. “As moral as you can be and be a ruthless business person” [ibid].

The Hershey-*Mad Men* encounter sparked posts in online forums after the airing of the episode. “I went to the Hershey School Don Draper had a breakdown over,” writes Ben, a self-described “fanboy” of *Mad Men* who entered the School in 2002:

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<sup>91</sup> Judy Collins’ 1967 rendition of Joni Mitchell’s composition (Mitchell 1967): “I’ve looked at life from both sides now / from win and lose, and still somehow / it’s life’s illusions I recall / I really don’t know life at all.”

My adolescence was full of arbitrary rules, marble columns, and the wealth of a dead chocolate magnate who wanted to make my life possible.... I got what [Don Draper] never had in Milton Hershey School, I know how he felt, eating that sugary slab alone in the basement of a whorehouse. I've lived the tiny joys in the din of a soured childhood. I know what it is like to receive love from the cold hand of a product of a corporation. (Branstetter 2013)

The Hershey Company, though it had been contacted by the series' creators, evidently did not know in advance about the use of the Hershey brand name. In an article in *Vanity Fair* (Miller, M. 2013), a Company spokesperson announced plans to make use of the episode "to educate [our] internal workforce to show the power of this iconic brand that we get to live with and work with every day:"

[A] senior manager of brand P.R. and consumer engagement at the Hershey Company... said, "the company was thrilled and incredibly flattered to be part of such a popular television show." When we asked if there had been any worries about Don Draper's associating the Hershey bar with memories of growing up in a brothel, [the manger] said that although the clip "is the buzz around the office today," the connection "has not been brought up as a concern. Obviously we know that this is a fictitious television show set in the 1960s." Pointing out other information about the brand mentioned on the episode, she added, "It was such a wonderful, organic moment that was actually very accurate about the company's history, and it was able to tell the story of our brand and our founder, which made it so memorable."

The episode, which aired on network primetime, was a moment in the national spotlight not only for the Hershey Company but for the whole Hershey dynastic enterprise. No paid product placement (although the scene likely sold plenty of product), this was a moment when the "Hershey story"—not the brand name alone, but the dynastic narrative—disseminated into early 21<sup>st</sup> century popular cultural consciousness. Remarkably, the episode distinguished among each institutional component of the dynastic enterprise—the commodity, the company, the charity, the town, the person—at the same time as it linked those components together: precisely what Hersheyites are preoccupied with doing. Moreover, it delivered the dynastic narrative in a "good context:"

a context of merchandise being pitched and morality being made (which is the now-classic context of American consumer capitalism; see again Leach). The ad man confesses his truth, after all, in front of the Hershey dynasty. Through the agency of Hershey, his substance is revealed. Moved by the spirit of Hershey, the ad man becomes—for a fleeting moment at least—a Real Person, and a door to redemption opens.

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Though I grew up in close proximity to the chocolate company, factory, charity, amusements, etc., I did not belong to what might be called Real Hershey (or as some of my interlocutors say, “Hershey-Hershey,” or even, “Hershey-Hershey-Hershey”). Undoubtedly my status as a local child of outsider parentage informed my curiosity as a repatriated ethnographer in Derry Township. As I discovered, Real Hershey—such that it exists—is not restricted to the U.S. census-designated place named Hershey. Indeed, the more ethnographic time I have shared with alumni of the School, longstanding residents of Derry Township and employees of the Company, the more curious I have become about the substance “Real Hershey.” Of what is it made?

My ethnographic curiosity about Real Hershey is, perhaps, not unlike Marilyn Strathern’s ethnographic curiosity about Real Elmdon—a rural village near Cambridge, England, which she studied based on archival fieldwork material produced in the early 1960s (Strathern 1981; see also Strathern 1982 and 1984). Strathern goes in search of “Real Elmdon” and finds four interrelated “core” families who are said to constitute it. She analyzes the village as a “kinship isolate,” examining the “close connection between being a member of a certain family and counting oneself as a native” (1981: 202, xxx). Claims to Real Elmdon’ status are not based on longstanding associations, she finds, but

rather "on a model of the village, shared by most of its residents, which uses the idioms and images of kinship to give it a certain structure and set it into the context of villages around" (1981: xxx).

Similarly to Hersheyites, Elmdonites talk habitually about Elmdon's distinctiveness—its uniqueness. This sense of distinction is observed by longstanding and recently-arrived villagers alike, whom discursively discriminate between, on one hand, those who "belong," and on the other, outsiders and newcomers. The more immigration into Elmdon, the more members of the four "core," interlocking families are constructed by everyone as belonging to Real Elmdon. But the empirical history of immigration does not account for the meaning—the social significance—of Real Elmdon, Strathern argues. That meaning is drawn from a society "far wider than Elmdon and its neighbors"—evidencing an agreement over "values widely shared." "The very feel of Elmdon's isolation and the village-bound imagery people project are elements in a pattern of meanings" in wider British society, Strathern finds (1981: 3). Class is that agreed-upon pattern of meanings. Class constitutes what she calls (with characteristically British understatement, perhaps), a "significant preoccupation" of that society (3). "The idea of the village" itself is fundamentally an expression of class: the "mark of English culture" (xxx).

Kinship is comparably "at the core" of Real Hershey—but with a twist. There are those longstanding families with ties to the institutions of the modern model industrial town: families of Pennsylvania Dutch and Italian heritage (mostly) whose ancestors worked for the business corporation in one capacity or another and who continue to live close to the geographical core of town. Such families are constituted by relations of blood

and marriage—relations which remain the ideal-typical expression of kinship in American society (British society, too) (Schneider 1980; Strathern 1981). And then, there is the socio-legally-constituted family that comprises the Hershey dynastic lineage, such that it exists. The “roots” of this family are figurative, constructed, discursive—some might say “fictive”—tracing their origins to the entrepreneur-philanthropist who, as the story goes, claimed no bio-genetic heirs to his business fortune and, as a substitute, established a perpetual legal apparatus to carry on the family name. Whether or not this family comprises the really Real Hershey (more “real” than longstanding Pennsylvania Dutch and Italian families, say), and whether or not it really matters—whether or not it is a “difference which makes a difference” (Bateson 1972: 271-72)—depends on context.

In the context of journalistic publicity and heightened state scrutiny of the activities of Hershey trustees, the substance of Real Hershey matters multiply. The Trust is, after all, a perpetual institution, and as such it begs the question of who will be stewards and beneficiaries in the future. As Hersheyites have related to me, the chocolate company eventually may be sold despite their best collective efforts; the factory might be relocated outside of the township, as have many production lines already; the local entertainment and resorts industry eventually could collapse (it almost did, insiders recall, a few decades ago); the façade of the town could crumble; the remaining nuclear reactor at Three Mile Island could melt and make ruin of an entire region; there is the ever-present threat of tornados, hurricanes, floods.... But the property relationship established as the Trust will go on forever—its perpetuity assured by the state. Nothing else about the future of Real Hershey seems promised.

In general, Hersheyites do not question the facticity of the Trust's perpetuity. It is taken for granted the state will ensure that the Trust will, in one way or another, perpetuate. What is put in question in the new century is the Trust's customary relation to the publicly-traded Hershey Company and the community in and around Hershey, Pennsylvania. Whether or not future trustees will act with those customary relations in mind is a primary matter of concern. Among those who identify with the Hershey dynastic lineage, the idea of leaving the Trust's fate to bureaucratic administration—to individuals who identify exclusively as disinterested lawyers, judges, clerks and so on—is not ideal. Bureaucratic experts—characterized by “emotional detachment” and “forgetfulness of self,” exercising duties and obligations “without regard to person” in “accordance with calculable rules...[to the exclusion of] love, hatred, and every purely personal, especially irrational and incalculable, feeling...” (Weber 1954: 350-351)—may not remember Real Hershey and keep its substance in mind. And yet, they suggest, in the absence of such disinterested experts, there is only “self-interestedness” and incompetence. It is a conundrum that the charismatic figure of “Mr. Hershey” seems motivated to resolve or at least ameliorate.

Marcus (1992) has made significant inroads in the ethnography of 20<sup>th</sup> century American dynastic families, and sheds some comparative light on the modern conundrum expressed by longstanding Hershey townspeople and School alumni. Based on research in Galveston, Texas among three post-Civil War American business dynasties, *Lives in Trust* (1992) is written to counter the “common sense” that understands dynastic fortunes exclusively in terms of mythical families. The ethnography aims to understand American dynastic organizations as “the complex production of multiple sorts of agencies—of

which the family itself is only one" (1992: 208). A primary theme running through Marcus' inquiry is "dynastic will." That will—the interest and desire to keep a dynasty going—"gets displaced onto the corporate, bureaucratic affairs of producing and reproducing patrimonial wealth" (8). Specifically, it gets displaced onto the management of family trusts, which tend to be run by professional fiduciaries. For fiduciaries, the problem of dynastic wealth is a problem of spending, not of accruing. Dynastic surplus must be expended legitimately, with authority. The pressure to expend is the central dilemma of dynastic formations. Modern dynastic expenditure is, following Mauss, the "bourgeois analog of potlatch," at once an expression of generosity and avarice (Marcus 1992: 111).

The American dynastic families Marcus studies are organized by family trusts which, by law, cannot perpetuate their wealth beyond a certain number of generations, typically one hundred years (on account of the Rule Against Perpetuities). After three or four generations dynastic families bound to family trusts enter a state of what Marcus terms "dynastic dissolution." The family fortune starts to evolve apart from the family lineage. As the "family" is increasingly in dissolution, the management of wealth is increasingly assumed by outsider-professionals: wealth managers and advisors, lawyers, journalists and historians, and in particular, the fiduciaries of family trusts. To maintain a sense of dynastic continuity in dissolution, decedents resort to an "ironic" filial piety (Marcus 1992: 190). This may entail, among other practices, a "return of ethnic identification" (1992: 197). Such performances are integral to the self-identity of descendants who bear a dynastic family name: Among dynastic family members Marcus finds a "construction of distinction," an ideological process which transmits a family

ethos and sense of clan to the following generations (153). "A sense of being unique and separate—a one-of-a-kindness—is itself a cultural self-perception within dynastic families that defines them as a distinctive variety of contemporary social organization," Marcus observes (108). "Distinction and uniqueness [including the cultivation of self-conscious eccentricity] are what all the construction of notable family cultures is all about" (154).

Unlike the family trusts studied by Marcus, the institution that governs Hershey dynasty is perpetual (as discussed in chapter I). The narrative of perpetual Hershey dynasty is relevant in different ways to Hershey's present day institutions: the Hershey Company, for example, makes use of the dynastic narrative both internally (employees serve a "higher purpose"—specifically the needy children of the School) and externally on the marketplace (inviting consumers to make the connection between consuming *Hershey's* goods and doing good for the children of the School). The narrative of perpetual dynasty is also highly relevant to residents of the local township—though mostly among longstanding residents. Newcomers and outsiders to Derry Township tend not to be very familiar with the dynastic narrative and are generally ignorant of the social and legal relations it implicates; the propinquity of the Hershey town, corporation, and charity means most to them in terms of local history. Thinking the community, charity, and corporation together at the same time—and together in the same moral space, as it were—is a custom which is generally considered "old Hershey." But that custom continues to get taken up in new and surprising ways—including by Pennsylvania's state legislature, which has affirmed the state's interest in maintaining the Trust's customary control of the Company.

The narrative of perpetual Hershey dynasty is most deeply invested in among those alumni of the School who remain engaged in the charity's administration or who have become active as reformers. The emphasis among the former is the cultural and social adoption of the charity's recruits—'adoption' in the broad, non-juridical sense described by Signe Howell (2009):

The practice whereby children, for a variety of reasons, are raised by adults other than their biological parents, are treated as members of the family among whom they live, and are accepted as such by others. The adults in these cases are acknowledged to assume what one in each case would recognize as the parental responsibility of overseeing the children's care, nurturing, training, and education and of fixing them on a path of subjectivation. (Howell 2009: 150, following Faubion 2001 on 'subjectivation')

Longstanding alumni and administrators engage in a process similar to what Howell calls "kinning" (Howell 2009; 2003). "Kinning" is primarily a narrative process in which, "over an extended period of time, the child may become a full member of a nonbiological family" (2009: 155)—resulting in "self-conscious kinship" (159). This kinship may be labeled "fictive," but this is not to say it is "pseudo, ritual, or artificial...." Fictive kinship is an empirical category, Howell observes, not a general or analytic one; the pertinent ethnographic question about so-called fictive kinships is: "fictive to whom?" (155). At the Hershey School, "kinning" and the inculcation of "self-conscious kinship" is a crucial aspect of everyday administration (emergent partly in reaction to the discourse of community deployed by the prior administration, as discussed in chapter III).

Alumni and administrators at the School strongly construe the charity in terms of family and home; and they invite present-day "Milts" to do similarly. Decidedly, among alumni who remain active in the alumni association and who participate in the charity's administration, kinship with the family's progenitors—"Mr. and Mrs. Hershey," also

known in the avuncular / materteral as “Uncle Milty and Aunt Katherine” – is no “fiction” in the sense of being false, incorrect or illusory. Theirs is what might be called a literary kinship in the sense of literariness. Literary kinship (kinship with the “Hershey story,” in this case) is explicitly figurative, constructed, labored over, narrated, rehearsed, and re-dubbed. It may be experienced as less real than “real” kinship—superfluous, even—because it is not naturalized in law; alternatively, it may be experienced as more real than “natural” kinship—because it is a hard-won achievement. Without speaking for my primary interlocutors at the charity (whose voices I have tried to amplify throughout the foregoing pages), it seems their experience tends towards the latter. They feel and know themselves to be descendents of Hershey dynasty. They are Real Hershey—literarily.

For active alumni especially, the “Hershey Story” is, above all, a family story. The Hershey Trust is a parent and the material institution is a home and a school—a “home-school.” Religious programming, chores, and recreation at the charity—practices adjacent to academic education—are organized in view of cultivating kinship with the perpetual Hershey dynasty. These practices entail discipline in a familiar Foucauldian sense—preparing docile bodies for the presumed demands of a future labor market—but they are also implicated in “care of the self.”<sup>92</sup> In this regard we can register the charity’s

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<sup>92</sup> Foucault’s writings about care of the self unsettle routine readings of power as an always-dominating and always-present force (if diffuse and eclectic) that determines “the subject” at last analysis. In *History of Sexuality* (2012a, 2012b), Foucault understands power as a capacity to make diverse projects happen – disciplinary, epistemological, self-technological –which, dependent on context, are more or less dominating or “liberating” (though Foucault does not like this term because it implies some kind of originary human nature, untouched by power and waiting to be unleashed; real freedom exists in degrees relative to a given historical-cultural matrix). “Sexuality” itself is not the object of Foucault’s research in *History of Sexuality*; power is his object, sex his case study as it

paradoxical investment in disciplining labor, on one hand, and on the other, cultivating sovereign subjectivities—what might be called *bildung*.

Not everyone associated with the Hershey charity agrees with the interpretation of the institution as a home-school. Indeed, much of the charity's administrative discourse is framed by a conflict over thinking the institution as family and home-school, on one hand, and thinking it as a boarding school with a community component, on the other (see again chapter III). The former position tends to be assumed by the administration that assumed office after 2002, while the latter tends to be assumed by outsider-professionals employed by the charity in other capacities. Which interpretation "wins," and whether the competition between the two interpretations is inevitably a zero-sum game or not, is an open question. Activist alumni organizations such as "Protect the Hershey's Children" have presented another path altogether, for example in the proposal of a Hershey-Girard campus (discussed in chapter V). They propose a wedding of dynasties, as it were.

The Hershey Trust's board of governors are positioned to make the most legitimate claims on the Trust's future direction (Strikingly in the case of Mr. Reese and his lawsuit, discussed in chapter I). Current students also enjoy standing in law to make claims on the Trust in the new century—though given their status as minors it may not be surprising that they do not tend to do so. Future claims on the Trust may come from

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were. In the Introduction (2012a), sexuality is interpreted along familiar disciplinary lines: one's sex becomes an object and tool for public administration and the sciences of hygiene and criminology, etc. Later in Volume III (2012b), Foucault examines sexuality's deployment in practices of ethical self-cultivation. These practices do not have an obligatory character attached to them and do not accord to any legal or customary sanctions if violated; yet they are 'moral' in that they reflect upon choices that free men (i.e. citizens of ancient Greek city states) make to inhabit the world in certain modes reckoned good, noble, or just. In this regard, "power" does not determine "the subject" but rather makes possible the subject's self-determination—the exercise of liberty (characterized by the Greek word *ascesis*).

multiple subject positions: alumni, townspeople, corporate officials, public officials, consumer groups (who may advocate for concerns related to the Company by making claims on the Trust), education advocacy groups, journalists, amusement park enthusiasts (who may make connections between the park and the Trust), and especially activists and advocates for the disfavored children who are the Trust's primary beneficiaries. The substance of future public claims on the Trust—and the substance of claims on comparable institutions elsewhere—is an open ethnographic question. It is a question that calls, perhaps, for perpetual ethnography.

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The company town Hershey's "one of a kindness"—the cultivation of the place and its local people as singularity, exceptionality, "genius" or spirit—is most salient in terms of dynastic narrative, rather than in terms of community as I had considered at the outset of my study. The dynastic narrative—the "Hershey Story"—mythologizes the company town as a material origin of modern American experience and value. It locates the company town at the "roots" of modern American culture—"roots" grown not from revolution or constitution, or civil war, but from turn of the 20th century industrialization and modernization.<sup>93</sup>

The "Hershey Story" is not strictly a reiteration of entrepreneurial "rags-to-riches" legend, as it might first sound. It is not a getting rich narrative. Rather, it tells about a poor, uneducated, God-fearing farming boy who, after failing in multiple

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<sup>93</sup> Cultural anthropology has just begun to make serious inroads into the interpretation of 'roots' grown from consumer capitalism around the globe (see Boon 1999; especially chapter 13, particularly pages 256-262). This ethnography is a contribution to those efforts.

business ventures, “succeeds,” and then “pays forward” his fortune to other destitute children. Distinct from other American dynastic legends—say, those of Carnegie, Rockefeller, or Mellon—Hershey’s involves the entrepreneur-philanthropist’s “special” relationship to future generations of disfavored children. The families of other dynasts may or may not eventually dissolve, but the family of the Hershey dynasty lives on and on.

The “Hershey story” is continually reworked by an ever-evolving business corporation to sell repeatedly-novel merchandise—it should go without saying. But that narrative, when re-told on a television screen, for example, is as much a mirror as a commercial. American popular consciousness has, over time, adopted the corporate-sponsored dynastic narrative as a story of “us.” Today’s “Hershey Story” is no longer strictly publicity—if it ever was. Nor is it—if it ever was—an historical or biographical account. It is as mythological as any origin story, illuminating pasts and potential futures of modern American ingenuity and moral integrity. Its perpetuity depends on Hershey’s ceaseless consummation.

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