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AMERICAN LABOUR

*The Story of the American
Trade Union Movement*

by

ERNEST DAVIES

PREFACE

by

HAROLD J. LASKI

LONDON

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and

THE FABIAN SOCIETY

TO CAEGARW



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WOKING

PREFACE

THE complexity of the American Labour movement makes it very difficult for the people of this country to understand either its organization or its characteristics. I therefore welcome Mr. Ernest Davies' gallant attempt to paint an outline which gives at least the basis upon which an approach to an understanding may be built. I say "an approach" because I am sure that Mr. Davies would be the first to agree that he has done no more than write a really stimulating introduction to a subject which must be seen in action to be intelligible and requires a pretty detailed knowledge of American life and history before it yields its inner secrets. But I am sure that no reader of these pages but will be anxious to go on from them to further study and, in particular, to learn from American trade unionism the merits as well as the defects it displays. It is urgent for every citizen in this country to know the mind of American labour, if only because its temper and habits will have a considerable influence on the future of Europe; and it is particularly important for socialists here to know that mind, if only that they may find the ways and means to that basis for common action in the future without which it will be difficult to safeguard not only international peace, but also the building of that planned democracy without which the fulfilment of the four Freedoms will be even more difficult than it is.

The first thing an Englishman must accept, if he is to understand the American Labour movement is that various as are the sources that have gone to the deepening of the main stream, it is essentially an American phenomenon; doctrines as wide as the world which has peopled America have been poured into it; but by an alchemy which only physical contact with America can imagine, the outcome is quite different from the parts of which it has been compounded. American geography, American economics, American politics, American religion, even that special branch of American politics which the judges of the Supreme Court turn into the impartial voice of the American Constitution are all written large over its character. It would not be what it is without the influence of the American frontier. It has been deeply affected by the character of the most tragic failure in American institutions—the police system of America. No one can fail to see the impact upon it of that faith in “manifest destiny” which is hardly less the parent of the inner essence of the American mind than it is of the drive, slow at first but now growing with such dramatic intensity, to the claim to a vital place in the world. It is complicated by the multi-national character of American labour; and it suffers deeply from its tragic inability to deal more honourably with American Negroes than the white worker in South Africa or Rhodesia with their Negro problem. No single formula will summarize its past or its present, or its future. It is quite easy—and also quite wrong—

to say that the C.I.O. represents an advance upon that antiquated craft unionism to which the A.F. of L. obstinately clings; that is only part of the truth. It is easier, and for an Englishman, even more tempting, to say that American Labour ought now to enter upon the scene of politics itself, instead of earnestly cheering the leaders of the two major parties from the rather dismal angle of the stage door; that is to forget the long history of attempts at direct political action by American Labour and the remarkable constancy of their failure. We ought to make up our minds that the character of the movement is as fully and inescapably American as pragmatism in philosophy, as Walt Whitman and Mark Twain in literature, as the skyscraper in architecture, or as jazz in music. Our special experience becomes relevant to American needs only in the degree that it is felt in America to be the natural response to American problems. It would be as foolish to regard the absence of an effective Labour Party—New York apart, even of an effective Labour vote—as a proof of the “backwardness” of American Labour, as it would be for an American trade unionist to insist that we are denied the hope of political democracy in Britain so long as that “dignified hieroglyphic” the Crown performs, to the punctual and appropriate applause of the Labour Party, the elaborate ballet of deceptive categories which enable the appointed compromises to be effected without undue public exposure of political realities. The monarchy is to Britain what the Supreme Court is to the United States. It is a screen

behind which the scenery can be changed without destroying the happy illusion it is the business of the play to sustain.

And the Englishman who likes to think that his trade unionism is a commodity of superior value will, I suggest, be tempted by careful scrutiny to a sounder scepticism. I think it is true to say that in all matters where the organization of knowledge is important for the defence of the workers' claims the great American unions are years ahead of anything the British unions can show. I venture to doubt whether there is any trade union in this country which knows its industry with the fullness and accuracy, the problems of management included, with which they are known by the Amalgamated Clothing Workers and the International Ladies' Garment Workers, by the United Mine Workers or, as Mr. Reuther's remarkable plan has just made evident, by the United Automobile Workers. The British ideal of "respectability" is not a handicap to the notable trade-union invasion of recent years into that realm of the "white collar" worker previously deemed everywhere beyond the power of labour organisation to penetrate. Labour lack of political consciousness has not prevented the unions from securing, under the great leadership of President Roosevelt, as striking a body of social legislation as any Labour movement in a capitalist society has achieved in a similar space of time. I am even tempted to argue—not without some special knowledge—that American trade unions know better than their opposite numbers in Britain how to

make full use of the service of the "intellectuals." Certainly, too, it will be a great day for this country when an important trade union takes as profound an interest in the education of its members as the unions in the needle trades of New York and Chicago. But it is not my function to draw up a table of comparative achievements. Mine is the much humbler task of urging upon the readers of Mr. Davies' narrative that it is merely the foretaste of a fascination the more profound the more completely he yields to it. And I would add that the more he is led to give himself to its study the more he can aid in the urgent duty of helping the two movements to know one another, and, out of that mutual knowledge, recognize the aid that they, especially in common with the Soviet Union, can bring everywhere to the furtherance of working-class aims. The danger is great, after the defeat of Hitler, that the very scale of our economic and social problems will tempt the more fortunate peoples to seek within the framework of a narrow nationalism safeguards against the threat to their higher standard of life. To American Labour especially the temptation will be a very powerful one. If tariff barriers and immigration barriers are maintained in the United States after the war, there is not much hope for European civilization save in the slow aftermath of recovery from the pain and cost of violent revolution. If they are lowered there is at least a prospect that we may find the terms of that new epoch of economic expansion which might make social progress the outcome of reasoned agreement. Everything

seems to me to turn on our power to persuade American Labour that its interests lie with the working-class in other continents and not with the master-class of American industry. If we are to hope to be persuasive our first duty is to know the men and the institutions we have got to persuade. The great service Mr. Davies has rendered in this book lies in the foundation he has provided for access to this need

HAROLD J. LASKI

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NOTE

IT is customary for the Fabian Society to affix, as a matter of principle, to all its publications, a note indicating that the opinions expressed therein in no way commit the Society or its members. This is certainly applicable in the present case, but the author wishes to acknowledge his indebtedness to the Society for making this publication possible, and particularly to that small but select Anglo-American Group of the International Bureau of the Society, who offered much helpful criticism after reading the original draft. Without such co-operation, this booklet would be even less complete than it now is. Within the limits of so short a study, it is impossible to cover the whole field, and the author is fully aware of many important omissions. The object has been to give a general picture as an introduction to further study. Unfortunately, the amount of material available on the American trade union movement in this country is deplorably small, but a short bibliography is given of books, some of which should be available in the larger libraries.

CHAPTER I

INTRODUCTION

THERE is to-day a rebirth of interest in things American, but knowledge of our great allied democracy across the Atlantic would be incomplete without an understanding of the American workers, with whom it is to be hoped the British Labour and Trade Union movement will co-operate in post-war reconstruction.

The formation of an Anglo-American Trade Union committee, inclusive of all sections of American labour, would be an immediate contribution to the defeat of the common Axis enemy, but of greater importance to the future. A recent attempt at co-operation failed because negotiations were confined to the American Federation of Labour which to-day represents but half of the eleven million organized American workers. Although the Congress of Industrial Organizations claims an equal number of members, it was excluded from negotiations, which were initiated with the A.F. of L. because the Trade Union Congress had always dealt in the past with that body, which was a member of the International Federation of Trade Unions. Once agreement was reached with the Federation, negotiation with the C.I.O. was ruled out. Had there been joint or simultaneous negotiations with both federations, different results might have been achieved, though no one with a full knowledge of the history, policy and outlook of the A.F. of L. could harbour the illusion that it could be brought into close co-operation with the Soviet trade unions.

Equality of treatment of all sections of the American trade union movement is essential in all dealings with American

labour. For a long time past, this policy has been observed by the United States government, and is rigidly abided by in that measure of co-operation in the war effort which exists between the Washington administration, management and labour. Past feuds have, to some extent, been set aside and many inside and outside the unions most earnestly desire that the A.F. of L. and C.I.O. use the war opportunity to reunite in one great labour movement. Locally, but not nationally, co-operation between the two bodies is extensive, but unfortunately it is not yet possible to be hopeful that a united labour movement will emerge from the war. The situation is further complicated by the secession of the C.I.O.'s founder and former leader, John L. Lewis, with his half-million members of the United Mine Workers' Union, which threatens to become a third federation. Much depends on Lewis' future moves.

With certain important exceptions, American unions, up to the advent of Roosevelt's New Deal, were organized locally on craft lines and, within any one factory, the skilled workers joined different unions according to their craft. The locals, as trade union branches are generally known in the United States, are federated in international¹ or national unions, and the vast majority affiliated to either the A.F. of L. or C.I.O. Outside of these organizations there are several groups of government employees, the four railway brotherhoods, which in many respects resemble more closely the British unions, and some independent unions affiliated to neither federation, of which the largest is the International Typographical Union. Where there is no national union, isolated craft unions co-operate in city "centrals," or state federations of labour which correspond roughly to Trades Councils, and may

¹ International unions can include Canadian or Mexican branches or both.

and union rivalry, the closed shop has always been of greater importance to American trade unions than British. Allied to this is the American preference for the "check off," i.e. the deduction of dues, fines and assessments by the employer. Initiation and membership fees are incidentally far higher in the United States than in Britain. Similarly, the fight for recognition and for labour's juridical rights, and the later and slower development of trade unionism in America, has led workers' organizations to develop more as militant unions fighting for existence, recognition and labour's rights than as mutual aid associations. Finally, and of great importance to future collaboration between the American and British workers, the federal and state constitutions of the United States and the political line-up and election machinery have caused their political development to be vastly different there than here. In America to-day the workers have no national political organization affiliated to any party, nor, for that matter, have the unions any common political programme. Sectionally, there are local parties or groups—Farmer labour organizations, co-operative movements, local socialist and labour parties, but no one of these has succeeded in gaining any influence outside the district it serves. Recent years have witnessed the growth of the American Labour Party, but its name is misleading, because its membership is confined to New York State, where for a time it held the balance of power. By and large the policy of the American unions is to work through existing parties and to follow the precedent set by Samuel Gompers—to reward labour's friends and punish its enemies; to give labour's support to candidates irrespective of party, according to their record and attitude to labour. It is completely in accord with this policy that President Roosevelt has the overwhelming support of American labour to-day.

CHAPTER II

EARLY HISTORY

THE early growth and nature of American trade unionism was governed and fashioned by the growth of the American nation and the development of its vast natural resources. Among the main influences were the apparently unlimited opportunity for expansion westward and the steady inflow of immigrant labour. The American worker felt free to escape from an industrial environment by trekking westward, and to this day he has retained a mobility which the size of the continent makes possible. The American worker has always harboured the belief that, given reasonable luck and possessed of sufficient initiative, he might graduate from wage earner to capitalist; dreaming of an ever-rising standard of living, he was content to try to get along by himself. This attitude lingers, and although the development of mass production necessarily struck it a severe blow, the belief persists that many a managing director of to-morrow is working on the assembly belt to-day. This accounted partly for the slow awakening of the unskilled to the need for organization. Competition from immigrant labour, and the mobility of labour, were responsible for the preference for organization along craft lines which prevailed until the great depression of 1932 and the advent of the New Deal. That development was to be along the lines of craft organization was finally determined on the formation of the American Federation of Labour and its emergence by the close of the nineteenth century as the most important and powerful of workers' organizations at that time.

Prior to the establishment of the A.F. of L., workers

organizations had fallen at times for the rival attractions of agrarianism—the demand for free lands, which was largely met, though the railway corporations also benefited and absorbed a disproportionate amount of the land available; cheap credit—to develop these lands; co-operatives, to escape capitalism in imitation of Robert Owen's Rochdale Movement; political action, as instanced by a Labour Reform party which played a part in the Grant-Greeley election in 1872, and the One Big Union idea, as formulated immediately after the Civil War by the National Labour Union and a few years later by the Knights of Labour. The co-operatives failed through competition of established capitalist enterprises, the Labour Reform Party was shortlived, and the National Labour Union ended with the panic of 1873, with its widespread wage reductions and labour unrest, which put an end to a period marked, since the Civil War, by a trial of strength between the unions demanding a say in working conditions and industry denying it. The Knights of Labour was alone an important influence on the development of American trade unionism, partly because of its phenomenal, but shortlived, success—in 1886 it reached its peak with 700,000 members, and two years later had only 260,000—and partly because of the philosophy behind its formation, and finally because the A.F. of L. originated as a rebellious offshoot from it.

The Noble Order of the Knights of Labour, started as a secret organization in 1869 to prevent victimization, was one of the earliest bodies to preach the doctrine that the worker's status had fundamentally and irrevocably changed. Regarding the worker in class terms set against an increasingly powerful capital-owning, profit-seeking group, the Knights proposed the organization of the skilled and unskilled into a national union irrespective of

craft. In 1873 the Knights came out into the open with its somewhat idealistic first principles which reflected something of the socialist idea then being formulated in Europe, something of the practical, with co-operatives favoured as the means of enabling the worker to share in the benefits of industrialism, and something of the political, with a legislative programme of reform. It was proposed to educate public opinion on the subject of labour and its right to a just reward. Regarding trade union organization, the Noble Order was vague. Industrial unionism was expressed in general terms but the Order comprised both mixed and trade assemblies, the former often comprising a geographic conglomeration of unrelated trade union locals somewhat resembling a British trades council. The Knights neither excluded industrial unionism nor advocated organization along those lines.

A cause of the sharp rise in membership in the eighties was the large number of disputes at that time (the years 1885 and 1886 were, for this reason, known as the Great Upheaval), and the widespread demand for the 8-hour day which was met, in many cases, thanks to a sympathetic public. In 1886 a great railway strike ended in the utter rout of the workers and President Cleveland devoted his first Presidential message to labour unrest and proposed a national commission to settle inter-state disputes. From then on the Noble Order declined in membership and influence. By 1890 it was practically extinct, but the A.F. of L. had reached a membership figure of 200,000, recruited largely from craft unions. The chief reason for the formation of the A.F. of L. in 1886 was a dislike of the confused political radicalism of the Knights, and the preference for businesslike organization for collective bargaining with employers. This last the Knights had regarded as a compromise with capitalism rather than it

raison d'être. Certain craft unions, already built up on collective bargaining, led by the printers, iron and steel workers and the leaders of the cigar makers, including Samuel Gompers, set up a national federation of craft unions not dissimilar in organization to the British T.U.C. Its executive board, with the exception of its president, who was employed by the federation, consisted of the heads of the national craft unions affiliated to it. It was thus handicapped as regards action from the start: it could take no independent organizational activity independent of its affiliates, but could merely act in an advisory capacity. This was to prove a grave obstacle to the future development of American trade unionism, because it, in effect, ruled out organization of new territories or new industries by the A.F. of L. as such, the job being left to the individual unions who naturally were jealous of their territory, and, if they favoured development at all, favoured it only along craft lines. Under its charter system the A.F. of L. confers on a union exclusive rights of jurisdiction over the workers in a given trade. A vested interest is thus created which mitigates against change and invites abuse.

With the A.F. of L. firmly established by the end of the nineteenth century, American labour had emerged from the formative stage during which the hope of self-employment had dominated its outlook. This belief in America as the promised land of plenty and of freedom, of a new political and social democracy given birth in the Declaration of Independence, had influenced American labour up to this time. It was responsible for the demand for free land in the forties, for the Homestead Act of 1862, which provided self-employment through free land and agriculture, for the demand which followed for "Greenbackism" which promised easy and plentiful credit, so

necessary to self-employment, for the co-operative era which reached its height in the eighties when the opportunity for one-man shops and the self-governing workshop declined. These panaceas proved illusionary and with industrialism tightening its grip, idealism failed and the power of the employers had to be met realistically. Bargaining power had to be developed to use against the employers; this necessitated organization of wage-earners in trade unions which meant business. This the A.F. of L. set out to do by organizing workers in craft unions, by turning its back on socialism and the class war; it preferred to bargain with, rather than fight, capitalism. Largely responsible for the form the A.F. of L. took was its first president, Samuel Gompers. Born in London in 1850, Gompers emigrated to the States in 1863 and devoted his whole life to the organized labour movement. Gompers, aware of the reason for the failure of the Knights, sought a more stable form of organization. Learning from British experience, he thought labour should concentrate primarily on the building up of strong unions amply provided with funds. In his view, premature attention to socialist theories would hamper the workers' cause, so he stressed that the working class as a whole must give priority to the struggle for immediate relief rather than to political theory. Gompers succeeded in creating a stable labour organization by fighting for few and simple economic ends, although he always professed himself to be a Marxist. It was early strike experience which led him to shun government interference, and this he carried to the point of avoiding industrial disputes as far as possible, so that no excuse for it would be provided. Gompers accordingly turned to the industrialists rather than the government to establish a beneficial labour policy, and throughout his career was a believer in

collaboration, in amicable agreements between the owners and labour officials. Once an agreement was arrived at, the sanctity of the contract became the guiding principle, so much so that it tended to replace struggle. Gompers, though a fervent believer in the strike weapon and the right to strike, established a system of co-operation with employers arrived at through round-table negotiation. Gompers' point of view was not universally accepted, and the A.F. of L. had its opponents who tried both boring from within and setting up rival unions.

For years chief opposition came from the International Workers of the World, the I.W.W., which attempted to organize politically and by industry when politics and industrial organization were both anathema to the A.F. of L. In origin the I.W.W. was itself an offshoot of the Federation, inasmuch as it grew out of the Western Federation of Miners, founded in 1895, which broke away when it found the Federation could give it no help in its strikes. In 1904 the Mine Owners' Association was breaking up mine unions with all the typical American strike-breaking weapons of vigilantes, deputies, company police, militia, federal troops and subservient courts, and against these the mine unions of the West could not prevail. The remnants formed in 1905, with other labour elements in Chicago, "one big union," the I.W.W. By 1907, there was further fragmentation, and the I.W.W. remained revolutionary as an organization of "wobblies"—casual labourers, lumber jacks, dock workers and hoboos. During the next years some one hundred and fifty largish strikes were fomented by the I.W.W.; the most spectacular were among the miners in Nevada, the textile workers in Massachusetts, the lumber workers in Louisiana, and the silk workers in New Jersey. The I.W.W. never had more than sixty thousand members,

but with a revolutionary syndicalist, creed served as an instrument of resistance for western migratory and immigrant labour and prodded the A.F. of L. to organize unskilled foreign-speaking workers in the East. Equally important, it kept alive the issue of industrial unionism for the day when mass production, combined with the depression and the New Deal, stimulated the organization of those favouring it in the C.I.O. The I.W.W. perished under the criminal syndicalist laws of the World War, when nearly one hundred of its leaders were sentenced to long terms of imprisonment. The survivors were absorbed by the Communist Party. Leader of the I.W.W. was the Chairman of the 1905 Convention which wrote the manifesto which brought it into being—William or “Big Bill” Haywood. Born in 1869 and brought up in the mining districts of the West, Haywood spent the years between 1898 and 1905 as organizer for the W.F.M., speaking to miners, striking for an eight-hour day, better conditions and a greater share of the wealth mined from the mountains. Tried with two others for the murder of an ex-Governor of Idaho, killed when his house was blown up by a bomb, he was acquitted, and emerged from the trial as a nationally known working class leader. Wherever the I.W.W. backed revolutionary strikes, Haywood was to be found; whenever Debs stood for the Presidency, Haywood would be campaigning by his side. Tough, eloquent and fearless, Bill Haywood, as the revolutionary inspiration of the I.W.W., yielded great influence in the decade that preceded the 1914-18 war. During it he was imprisoned and when released on bail after two years, he was a broken man. Jumping bail he went to Russia, and died two years later, an unhappy man.

Only in one major instance prior to the C.I.O. split did a leader emerge from the rank and file to build

a strong united movement in face of opposition from an A.F. of L. union. Harry Bridges, Australian born merchant seaman and longshoreman, began the organization of longshoremen along the Pacific coast long before the C.I.O. was conceived. The Pacific coast shipping industry, centred in San Francisco, had, since an unsuccessful strike in 1919, been notoriously strong in its opposition to trade union organization. Workers, fearful of victimization, steered clear of unions. The A.F. of L. International Longshoremen's Association was weak on the coast, but to prevent organization, the shipping interests ran a company union known as the Blue Book, membership of which was a requisite of employment. Conditions were bad, unemployment high and discontent rife when Harry Bridges, working as a longshoreman, responded to all complaints with a quiet "of course" and proceeded to preach the creed of unity of the workers and the class war. In 1933 he formed a San Francisco branch of the I.L.A., to join which the majority of longshoremen deserted the Blue Book company union. Receiving no encouragement from the I.L.A., of which Joseph P. Ryan was international president, the militants acted independently under Bridges' leadership and voted for negotiations with the employers. The I.L.A. collaborated with the employers and entered into a meaningless agreement which the longshoremen refused to accept, and on May 9, 1934, struck. In the meantime, Roosevelt had appointed his own mediation board. The strike spread along the coast and the Sailors' Union of the Pacific, an A.F. of L. affiliate, called a sympathetic strike and made their own demands to the shipowners. The docks were completely tied up and the ruthless San Francisco Industrial Association demanded that the police force the port open. On July 5th, "Bloody Thursday" to San Francisco,

the police charged the workers' lines, gassed the pickets and shot into the ranks of unarmed men. Two strikers were killed and more than one hundred wounded. That evening, the National Guard marched in and Governor Meriam declared martial law along the waterfront. In the next days an impressive procession of workers filed past the bier of the dead strikers and a funeral *cortege* of forty thousand followed them to their grave. Feeling ran so high among the locals that a general strike was demanded. A strike strategy committee was formed, which, on July 16th, called a general strike, but faced with force and terror tactics it collapsed, though the dock strike went on. Shortly afterwards, the Joint Strike Committee, with the consent of the rank and file, accepted arbitration and, with their ranks still solid, the workers returned to work. The arbitration award granted was largely a union victory; a thirty-hour week, union recognition, coastwise contracts and hiring halls, jointly controlled by the ship-owners and the union, but with a union despatcher that, in practice, assured the closed shop. The strike had been a triumph for rank and file leadership because it had raised Harry Bridges to a position of dominance in the West, and it was he who had obtained the unity of the workers and now became the centre of the employers' attack. But at this time attempts to obtain his deportation as an alien failed. He was elected president of the San Francisco I.L.A. local and later president of the West Coast district. There followed a period of unrest with the employers endeavouring to rend the award meaningless and the workers resisting with surprise and localized strikes, "quickies" often directed against ships handled by non-union labour. Bridges now formed a Maritime Federation of the Pacific of marine and waterfront unions, and his influence spread inland as agricultural

and other unions handling produce to be shipped through the port were brought in.

The power of Bridges was one big headache for the employers on the West coast who, having failed to break him with their red baiting, forced a strike when the award lapsed in 1936. The response to the strike call which went out on October 30, 1936, was a demonstration of the unity of the workers. Pacific coast shipping halted immediately with the strike on ships and docks complete. The strike ended in victory; but the Maritime Federation soon disintegrated. Such was Bridges' achievement working independently of the A.F. of L. and the C.I.O., and often against the leaders of the former. His influence was mainly confined to the West coast. When he invaded the East during the 1936 strike he clashed with the A.F. of L. leaders who were too strong for him. He, however, won the support of the rank and file and of Joseph Curran who broke with the A.F. of L. and led the maritime workers into the C.I.O.

When, during the San Francisco strikes, Bridges was accused of membership of the Communist Party, he refused either to affirm or deny it, but his strategy and doctrine was essentially communist. Above all, he believed in working class solidarity and never shirked at combat. It was natural that once the C.I.O.-A.F. of L. split had occurred, he should align himself with the former and advocate the maritime unions joining the C.I.O.

The deportation proceedings of a cat-and-mouse nature that have accompanied Bridges' career must be seen in the light of the intense antagonism he promoted among the employers of the West coast as a result of the power he has continued to wield among the merchant seamen and longshoremen of the Pacific coast.

CHAPTER III

UNITED STATES VERSUS THE WORKERS

THE comparative slow growth of American trade unionism and the policies pursued by it were a direct result of the methods employed to combat it. Violence, including the use of armed forces, and judicial action, including injunction, have characterized labour disputes in the United States. The state militia can be employed by a state governor, but the federal army can only be used when the state requests aid, or where interference with federal jurisdiction is involved. Up to the great Pullman Company strike of 1894, the military had rarely been called in, but the militia had often been used with unfortunate results. Exceptionally, in 1877, a strike on the Pennsylvania and the Baltimore and Ohio railroads was accompanied by much bloodshed in a dozen cities when police, militia and the regular army were routed by the strikers. In Philadelphia a particularly bloody struggle ensued when National Guardsmen were besieged in the railway round-houses which were fired by the strikers. Violence, so characteristic of United States labour disputes, was not caused only by state or government forces. Armed detectives employed by the companies often incited strikers to violence. A classic case was the 1892 Carnegie Steel strike at Homestead, Pa. Barges transporting detectives of the Pinkerton Detective Agency, employed by the steel company to break the strike, were attacked by strikers who compelled the Pinkertons to surrender after blood had been shed on both sides. Only when National Guardsmen were imported was the strike broken, whereupon Henry Frick cabled Andrew Carnegie in Europe: "Our victory

is now complete and most gratifying. Do not think we will ever have any serious labour trouble again. We had to teach our employees a lesson and we have taught them one that they will never forget." The great philanthropist and donator of public libraries replied: "Life worth living again. . . . Surprising how pretty Italia—congratulate all round." Unfortunately Frick's anticipations were to prove correct, and this defeat prevented the unionization of the steel industry until the 1930's.

Important as instituting precedents was the Pullman strike two years later, instigated by the American Railway Union formed by Eugene Debs in an attempt to organize the railway industry into an industrial union. Pullman employees struck against the company for restoration of wage reductions, and the railway strike was a sympathetic one, railwaymen refusing to handle Pullman cars. The strike became widespread, embracing not only Debs' union but, despite opposition from the union leaders, many members of the railway brotherhoods. Blood was spilt in Chicago, but the Governor of Illinois, Altgeld, refused to ask for federal troops, claiming that to do so would increase violence and stir up hatred. The federal government thereupon resorted to judicial action, and, despite Altgeld's objection, employed troops to enforce the courts' rulings. The federal government applied to the federal courts, which, on the initiation of the Department of Justice, issued most sweeping injunctions which, among other things, forbade Debs and the union to interfere with the operation of the railways on the ground that they were interfering with the United States mails. To enforce the injunctions troops were sent in and at the same time the Sherman Anti-Trust act was invoked against the strikers. This act, passed in 1890, forbade combinations in restraint of trade, and it was the first—

but by no means the last—time that it was applied to the organization of employees. Disobeying the injunctions, Debs was arrested for contempt of court and sent to prison. Starting work as a boy on the Terre Haute Railway, Debs became a locomotive fireman before becoming organizer for the Brotherhood of Locomotive Firemen. While in prison following the Pullman strike, he became converted to socialism, and devoted the rest of his life to its preaching. Standing for President in 1912, he obtained nearly a million votes. Dos Passos¹ describes this “*Lover of Mankind*” as “a tall, shamblefooted man, had a sort of gusty rhetoric that set on fire the railroad workers in their pine-boarded halls, made them want the world he wanted, a world brothers might own, where everybody would split even.” Like Haywood, he was imprisoned for opposing America’s participation in the war, and like him, he was an old and broken man when released. He stood again for President in 1920 while in prison, and again received nearly a million votes. Released in 1921 he died in 1926. Eugene Debs was one of the best-loved and most feared of all American revolutionaries; no man could have been more true to his principles, and none more honest.²

The Pullman strike can be considered to have instituted a pattern for combating labour disputes which was to be followed in part for some time to come. The U.S. Government, with the aid of the judiciary, applied the Sherman Act to unions, used the injunction as a weapon of industrial warfare and employed federal troops, without the consent of the state authorities, to enforce the law. The use of

¹ *42nd Parallel*, by John dos Passos.

² Much of Debs’ philosophy, idealism and personality is revealed in his works, *Unionism and Socialism* (1904), *The Growth of Socialism* (1910) and *Walls and Bars* (1927).

injunctions in labour disputes was placed on a firm legal basis. This ranging, through the judiciary, of the might of the government against labour on the side of the employers, conditioned labour's struggle for its rights for the next couple of decades. It is true legal restraints had been imposed on unions in earlier days, but for a generation or more trade unionists had been practically free of interference from the courts, and that hostility on the part of the courts and its full exploitation by the government and the employers, which played so important a part in labour's struggles during the closing years of the nineteenth century and the early years of the twentieth, can be considered to date from the 1890's. Use of the judiciary against the workers was developed to a fine point until it was restricted by President Woodrow Wilson in 1914 and became the exception rather than the rule under President Roosevelt in the thirties.

The innovation of this period was the application of a conspiracy charge to strikes, irrespective of whether violence was used or not. Previously, the common law doctrine of conspiracy, which makes illegal a combination of persons to do that which is legal when done by an individual, had been applied to labour disputes when the charge was conspiring to commit a criminal offence, intimidate, trespass or obstruct. It had also been used against the boycott, a favourite weapon of American unions in the nineteenth century. Not until the eighties were injunctions issued in connection with special statutes such as the Interstate Commerce Act and the Sherman Act, which forbade combinations in restraint of trade and the application of which to unions had not been envisaged when enacted in 1890. Conspiracy cases often involved legal doubt, not present in the Debs case, where the excuse for injunctions was the protection of property.

The difficulty was to establish the principle of injury to property when trespass, arson, sabotage and such-like criminal offences were not involved. Then the damage was to physical property, but the aim of those seeking injunctions was not to prevent such damage resulting from violence but to prevent strikes, picketing or boycotting which did not necessarily threaten physical property. To overcome this difficulty the theory was evolved, and accepted by the courts, that the employer had an expectancy of profitable relations with his customers and of enjoying free access to the labour market. The former was upset by the boycott, and the latter by picketing when union officials induced workers to leave employment. The courts accepted the fact that expectancies based upon the merchant-function and employer-function were property, and interference with them was, therefore, damage to property. But even that was insufficient to justify injunctions in labour disputes, inasmuch as no recovery can be had for losses due to the exercise of lawful rights as individuals. To surmount this difficulty it was necessary to bring in a conspiracy charge to the effect that strikes or boycotts were undertaken in pursuance of an unlawful conspiracy: in other words, that the union was a conspiracy to damage property in this way. It was this transference of the conspiracy charge from criminal offence to a civil wrong, from violence to the public to harm to the employer, that marks a great change in judiciary action in the nineties and which resulted in the general application of the injunction to prevent or break strikes. From this time on, in many kinds of disputes, injunctions were granted, enjoining strikers from acting in a great variety of ways which prevented strikes being conducted in as straightforward a manner as in England. Blanket injunctions were also

evolved which held that all who had notice of the issuance of an injunction were bound to obey its terms. It was against these new forms of legal action that labour concentrated its attack during the next decades.

American labour had to fight for its right to strike and to conduct its disputes in a recognized manner, that is by picketing, etc. In its struggle it was handicapped, not only by decisions imposed by the federal courts, but by those reached in state courts, and by the state laws restricting labour's rights, which varied from state to state. It is easy to imagine how employers exploited this legal situation for their own ends.

It would be difficult to exaggerate the influence of the use of the legal weapon on the relations between capital and labour in the United States during the first quarter of the twentieth century. It strengthened the employers' hands and encouraged them in their refusal to recognize unions and to accept collective bargaining. It limited and conditioned labour activity, but all the same it did not prevent strikes which, throughout this period, were great in number and generally accompanied with violence. The employers often had the local judiciary and police power under their control, and made unscrupulous use of detective agencies and espionage to incite the workers to violence.

In these circumstances, trade union agitators and strike leaders became tough too and developed a willingness to resort to violence which, on occasion, they were guilty of initiating. To lay the blame in all cases at the feet of the employer for the violence which accompanied strikes would be falsifying the picture because in civil war both sides are armed and each must endeavour to take the offensive; and industrial disputes in America often closely resembled civil war. It must also be remembered that the

anti-union tactics of the employers, especially blacklisting, caused the American unions to organize and conduct disputes from outside the plant involved. Paid union organizers or agitators were employed by the unions and could be brought into the affected area. There was, therefore, always available the professional union organizer who had nothing to fear from victimization. Incidentally, employers would often try to buy these professionals, sometimes with success, and much of the racketeering which characterized American trade union organization circulated around them.

Attempts to exempt labour from the Sherman Act failed. In fact, the legal position worsened, and a climax was reached when in 1908 the Supreme Court held that members of a union could be held financially responsible to the full amount of their individual property for losses to business occasioned by an interstate boycott. This far-reaching decision was against the members of the Danbury local of the United Hatters of North America, who had struck against a hat-making concern in Danbury, Conn. Action was brought against one hundred and ninety-one members of the local union as violators of the Sherman Anti-Trust Act, and were upheld by the district court which fixed damages at \$74,000, but the circuit Court of Appeals overruled this verdict. In 1908, however, the U.S. Supreme Court reversed the circuit court, and when the case was re-tried, \$80,000 was assessed as damages, which under the law had to be trebled, the total sum with costs amounting to \$250,000. As the union was not incorporated, the defendants were individually liable for their share of the penalty, and although the A.F. of L. at first agreed to talk it over, in 1913 it disclaimed further responsibility, and in 1917 the district court ordered the sale of the homes of one hundred and forty workmen in

Danbury and neighbouring towns to satisfy the judgment. The men had already paid \$60,000, but the accumulated interest brought the total still remaining up to the original sum of \$250,000. As it was the matter was settled out of court, and the amount payable raised by subscription. Obviously it was essential for the law to be changed if union organization was to continue.

It was not, however, until 1914 that labour gained temporary protection against injunctions. The A.F. of L. had supported the Democrats in the election of 1912 and obtained its reward from President Wilson in the form of the Clayton Act. This was primarily an anti-trust act and the opportunity was taken of excluding labour from its operation. The relevant clause exempts labour organizations from anti-trust prosecutions if carrying on legitimate objects; permitted strikes, peaceful picketing, etc.; prohibited injunctions in labour disputes and required jury trial for contempt of court (previously workers arrested for disobeying injunctions were tried without jury for contempt of court).

It is interesting to compare the legal position of American trade unions with the British. The repeal of the Combination Acts in 1824 and 1825 legalized trade unions, although it limited the range of their activities. As penalties were provided for "obstruction" and "molestation," there was room for wide interpretation and, on occasion, the unions were in legal difficulties. In 1875, however, the Employers' and Workmen's Act put the British trade unions in a privileged position, which the American trade unions did not gain until the 1930's. Under this Act, breach of contract through strikes became an actionable wrong, but not a crime, unless it could be proved that strikes endangered public health and safety, e.g. by cutting off gas or water supplies. More important

was the provision that nothing done in furtherance of a trade dispute could be punishable as a conspiracy unless if done by a single individual it would have been punishable as a crime. This position was not reached in the U.S.A. until the enactment of the Clayton Act.

The famous legal decision following the strike on the Taff Vale Railway in 1900 interpreted the 1875 act most unfavourably to labour. The railway company sued the union for damages for loss caused the company by its action in sending away strike breakers and issuing strike pay. The court, in ruling for the company, laid down that the act did not put the trade unions in the position of "bodies capable of owning great wealth and of acting by agents, with absolutely no responsibility for the wrongs that they may do to other persons by the use of that wealth and the employment of those agents." The judgment was upheld by the House of Lords, and the union had to pay £23,000 damages as well as considerable costs. The decision upset the accepted interpretation of the 1875 Act, and the generally recognized rights of trade unions, which now became responsible for the acts of their agents even when done in defiance of their orders. A Trades Disputes Act in 1906 not only re-established the position of the trade unions, but put them in an even better position as this Act provided that no civil action could be entertained against a trade union in respect of any action committed by it or on its behalf, and specifically stated that "no act shall be actionable merely by reason of its inducing another person to break a contract of employment, or of its interference with another person's business or with his right to dispose of his capital or his labour as he chooses." An interesting side-light on the Taff Vale decision and its sequel, the Trades Disputes Act, was its influence on the political influence of the

trade unions. In the 1906 election, the workers' vote was cast solidly against the Conservatives, and of Labour's 51 candidates, 29 were elected and, in addition, in alliance with the Liberals, 11 miners' representatives were returned. The Trade Disputes Act would not have been enacted but for the pledges given by the Liberals and the realization that its defeat would have severe political repercussions. This use of the political weapon to overthrow adverse legal decisions was more effective in England than the United States. The legal weapon was not invoked again against trade unions in Britain until the 1926 general strike was followed by the Trade Disputes Act which among other restrictions on trade union rights made sympathetic strikes illegal.

CHAPTER IV

PROGRESS OF UNIONIZATION

DESPITE legal handicaps, during the first few years of the twentieth century United States labour made important gains and membership of the A.F. of L. rose to about 1,700,000 by 1904 to decline by about 200,000 the following year, and then to remain stationary until 1910 when it jumped upward again, reaching the 2,000,000 mark in 1913. Less than 4 per cent of wage earners were organized in 1900 and only about 7 per cent in 1910. This comparatively poor showing was partly because the Federation still confined its activities to the upper strata of workers, the skilled and semi-skilled, leaving the unskilled—with a few exceptions—unorganized.

Outside the A.F. of L. the most important unions were the railway brotherhoods. Railwaymen in a strategically strong position, and thus privileged among wage earners, can afford to stand alone and avoid entangling alliances. This they have continued to do in the United States down to the present time. For somewhat similar reasons, the brotherhoods resembled more closely the British unions than those of the A.F. of L., stressing mutual insurance and benefits, and resorting to strikes regretfully and only as a last resort. There are also A.F. of L. railway craft unions which unite in a Railway Employees' Department for concerting the efforts of these unions. For bargaining purposes all railway unions co-operate in the Railway Labour Executives' Association which is composed of the presidents of twenty or more unions of railway workers.

The United Mineworkers' Union was one of the largest A.F. of L. unions that organized the industry as a

whole rather than by crafts, and succeeded in gaining a large measure of recognition from employers. Success was not achieved without strikes and violence, and some of the most bitter and best-remembered strikes in the history of American trade unionism were in the mining industry. Among these was the anthracite coal strike of 1902 which is notable as it was one of the first to attract public sympathy for the strikers rather than opprobrium. Up to this time labour disputes were generally condemned as revolutionary actions, menacing the existing social order, instigated by agitators imported into the district, often foreigners. With the turn of the century, however, opinion became alive to the increasing trustification of American industry which was alien to American belief in a free and individualistic social order. In the anthracite strike the public identified the employers with the trust movement, which was considered contrary to American tradition. Despite this public sympathy the union did not on this occasion win recognition.

By and large, from the turn of the century to the outbreak of war in Europe in 1914, American trade unions held their own in strictly competitive industry but not against the monopolies. Improved business, combined with a growth of trade unionism, had led to an increase in union recognition and the number of trade agreements entered into; depression in 1907 brought the usual setback and trade agreements were broken by employers whose uneasiness had noticeably increased with rising union power. This was evidenced by the increase in the number of employers' associations, the concerted black-listing—through exchange of information—of active union members and sympathizers, the inauguration of "Citizens' Alliances" and other organizations for anti-union activities, and the publicizing of the "open shop" as the

“American” way. This counter-attack of the employers was not confined to the industrial front, but embraced the legal and political as well. Most active on the latter front was the National Association of Manufacturers, which, through clever lobbying and manipulation, strove to nullify labour’s political influence, especially at Washington. The A.F. of L. was accordingly compelled to become more closely associated than previously with politics to work for changes in the law so that it could enjoy its rights.

The political policy of the A.F. of L. was to reward its friends and punish its enemies. It supported candidates, irrespective of party, whom it was satisfied would support its bills in Congress. Questions to ascertain views of candidates would accordingly be submitted to them by the local unions. New tactics were employed in the Congressional election of 1906 when the Federation took an active part through a Labour Representation Committee and sent trade union speakers into the constituencies of the most notorious enemies of labour. It made it clear, however, that it had no intention of forming an independent labour party, and that it was not allied with any one political party. Despite this, in the presidential election of 1908, the A.F. of L. virtually entered into an alliance with the Democratic Party, which came closer than the Republicans to accepting labour’s demands against the issuance of injunctions in labour disputes. As a result the Democratic Congress of 1911–13 passed much labour legislation and created a Department of Labour with its secretary holding a seat in the Cabinet. With the election of Woodrow Wilson as President in 1912, Executive, Administration and Congress were all exceptionally friendly to labour. While American labour up to the World War remained conscientiously independent of per-

manent party allegiance and refrained from forming a party of its own, it was not without influence on the political programme of the major parties.

Such was the position on the outbreak of World War I. The conflict in Europe had the immediate effect of practically stopping immigration which had for so long been a drag on the organization of the unskilled. This, combined with the war boom, which developed after initial dislocation, enabled labour to obtain a larger reward for its labours. The cost of living rose steeply and wage increases were granted without dispute in a great number of industries, but struggle arose over demands for improvement of working conditions. Outstanding was the demand for an eight-hour day made by the four railway brotherhoods which, declining arbitration, threatened to strike. An eight-hour day for railwaymen was enacted, but its constitutionality was challenged by the companies and the case carried to the U.S. Supreme Court. Before the latter gave its favourable decision, however, the war situation worsened and the railways came to terms with the railwaymen.

Labour stood wholeheartedly behind America's participation in the war and obtained representation on a number of bodies connected with the war effort. It gained in prestige and recognition, and was free to expand. A War Labour Board was set up of employers, employees and the public to mediate in labour disputes. Labour undertook to avoid strikes except when mediation had failed, and in return employers agreed not to hamper organization in hitherto unorganized industries nor to victimize employees for joining unions or inducing others to do so. The *status quo* was agreed on as far as the closed shop was concerned. The board could not compel arbitration or enforce its decisions, but the urgency of the war

situation and pressure of public opinion assured triumph of the board's will in the vast majority of threatened disputes. Labour's great gain was that collective bargaining was recognized, and it was in effect left free to organize. This was reflected in terms of Federation membership, which rose from two and a half millions in 1917 to over three and a third millions in 1919. Interesting though the story is of U.S. labour's part in World War I, it was merely an episode and one which had little permanent influence on American trade unionism.

Soon after the armistice the picture changed, not only as regards the attitude of the employers, which was to be expected, but also of the government and public opinion. During the post-war boom which lasted well into 1920, the trade unions pressed for increased wages to meet rising prices, the cost of living having doubled between 1914 and 1920. The unions were also determined to extend further their influence in areas where they had obtained a foothold during the war. In the steel industry, for instance, a bitter, violent and unsuccessful strike took place for union recognition in 1919. The men returned to work without a formal settlement but an aftermath was the substitution of the eight-hour for the twelve-hour day in most of the steel industry. In 1919 four million workers were involved in strikes, the largest number in any one year to date. Industry, freed from war restraints, was fighting labour which fought back. The most extensive strikes were in the building trades, iron and steel, railway shops and coal-fields. The last bitter struggle was accompanied with much privation among the four hundred and twenty-five thousand miners involved. The strike was the result of failure to obtain a new agreement with wages adjusted upwards in accordance with the cost of living. It lasted three months and ended with the

acceptance of President Wilson's compromise of a 14 per cent wage increase and the appointment of a Bituminous Coal Commission which later awarded a 27 per cent increase.

By 1921 the cost of living had fallen sharply and it was resistance to wages decreases instead of pressure for increases over which disputes arose. In their fight against the unions the employers tried to force the open shop, to set up company unions, upset long-established collective bargaining agreements and create a public opinion opposed to labour. The injunction was widely used. It was invoked by the Government during the 1919 coal strike on the technicality that the country was still at war and again during a railway strike in 1922. In the latter case as sweeping a blanket injunction was issued as had ever been devised since it practically forbade every traditional strike activity carried on by the unions, including peaceful argument. Many company unions were established in the railroad shops during this strike. The most blatant attempt to destroy collective bargaining arrangements was made by the coal owners in Western Pennsylvania and Ohio who, declining to attend a conference under arrangements existing since 1898, to negotiate a new agreement, cut wages from 31 to 46 per cent and abolished the check off. The most complete general coal strike in the history of the coal-fields followed and after a long struggle the *status quo* was restored.

The fierce struggle of the twenties between capital and labour ended with the unions in a weaker position and with an A.F. of L. membership of more than a million less than in 1920. American industry, in its determined effort to prevent unionization of industry, used every weapon in its armoury from instigated violence to co-ordinated victimization; exploited its economic and

political power through state and federal administration, the judiciary and the press; cultivated a public opinion hostile to labour; played on fear of revolution by dubbing every union man as a red and by associating all union activities with revolution, and union leaders with bolshevism. In all, it was helped by that wave of reaction which followed America's withdrawal from Europe and resulted in a Republican administration until 1932. Red-baiting and witch-hunting were widespread.

From the outset labour's power was curtailed through certain legal decisions which falsified the protective clauses of the Clayton Act. Chief among these was a Supreme Court ruling upholding an injunction issued by a lower court preventing the membership of a national union from boycotting an employer. The decision was based on the view that the Clayton Act exemptions applied only to employees directly involved in a controversy and not to all members of the union throughout the country. This made injunctions possible in national and sympathetic strikes.

As mentioned above, in 1922 the Government obtained a blanket injunction against the railwaymen on the grounds that the strikers were interfering with the mails. In the same year the residue of protection provided labour by the Clayton Act was taken away when the Supreme Court held that trade unions, though unincorporated, were in every respect like corporations and were consequently liable for damages, including triple damages under the Sherman Act. This left the unions no better off than before the Clayton Act, so the employers were once more as well off as they had ever been.

In sum, the position now was that strikes were illegal when they involved defamation, fraud and actual physical violence or threats of or inducement to breach of contract.

Boycotts were illegal when they brought third parties into the dispute by threats of strikes or loss of business, etc. Picketing was illegal when accompanied by violence, threats, intimidation and coercion. Unions were now liable for damage in their corporate capacity under the Sherman Anti-Trust Act.

The British worker, used to the strike weapon as his inalienable right, must find it difficult to imagine the plight of his American comrades who, when contemplating a strike, was faced with complicated legal opposition. Generally speaking, the main concern of the British worker would be the chances of success and whether his union's finances were strong enough to maintain strike pay on a scale to assure minimum sustenance. His was a decision between the probable gains of the strike and the suffering of his family while it lasted: hunger would be his main fear. Not so the American worker. In addition to the personal privation which must accompany all strikes, and risk of victimization afterwards, his main concern would be with behaving in such a way that violence would be avoided, the law unbroken and jail avoided. The strike would be against the employer but the fight nine times out of ten against the state, city or police power as well. Strike leaders would have so to conduct the strike as to avoid breaking whatever particular form of legal interpretation the powers in control of the local government or the judiciary cared to put on the state laws. Violence had to be avoided even when maddeningly provoked by private or public police, by *agents provocateurs*, the local business community, organized in law and order leagues, or citizens' alliances. Coercion of workers and interference with strike breakers had on all accounts to be shunned and damage to property steered clear of. The conduct of a strike on the right side of the law was developed to a

fine art, from the exact number of pickets that could safely be employed to the distance that must be kept between each; the point at which peaceful argument became intimidation, and public meetings incitement to violence. The police were often not necessarily as careful in abiding by the letter of the law and rarely the spirit, and developed a different art—that of provoking strikers beyond the limit of human endurance so that they overstepped the law. An inordinate degree of self-discipline, tolerance and patience was required of American workmen on strike. Looked at in this light, the remarkable fact of American working-class history is not the slowness of development of trade unionism but the courage and sacrifice of American workers and their families in striking at all.

The American worker had to wait until 1932 before he could strike with less fear of law-breaking. In February of that year, through the efforts of Senator Norris and Congressman La Guardia, Congress enacted a law making contracts binding employees from joining unions (yellow dog contracts) unenforceable in federal courts and exempting from injunctions certain forms of labour activity during disputes. Court procedure in granting injunctions was modified by requiring findings of facts so as to eliminate abuse of the injunction process. It extended protection of the Clayton Act to all engaged in the same industry and thereby superseded the previous ruling which had illegalized sympathetic strikes. Thus long-sought immunities were granted labour, and as ultimately construed by the Supreme Court the Norris-La Guardia immunities from injunctions afforded to organized labour freedom from judicial interference especially as regards activities formerly held to interfere with interstate commerce.

CHAPTER V

LABOUR AND THE NEW DEAL

HAVING passed through an arid period, American trade unions were in no condition to face depression when it burst upon the country in the autumn of 1929. The war-time gains had been long lost and the Federation now shrank further, until its membership numbered less than three millions in 1929, out of thirty-nine million gainfully occupied, of whom eighteen to twenty were industrial workers. Three years later three millions covered all unions.

With the depression came disillusionment, and not until 1933 did there arise a demand among the workers for organization. Among the reasons for this relatively belated urge to unionism was the growth of mass production. At the time of the A.F. of L.'s inception, American industry had been largely composed of small enterprises employing skilled labour, which the unions adequately protected. Where the worker was discontented with his lot, he could pack up and venture further afield and his chance of obtaining satisfactory work elsewhere was large. This mobility of American labour had an influence on the attitude of the worker which it would be difficult to exaggerate. As the frontiers narrowed and small enterprises gave way to large, and mass production developed, the demand for skilled labour increased less than for semi-skilled and unskilled. The conveyor system, the assembly line, intra-factory transport, automatic and semi-automatic machinery and the other technical developments which made mass production possible, changed the status of the worker and

lessened his opportunity, and with depression, as never before he realized how unprotected he was. Depression struck at the roots of his belief in his ability to better himself, that he might rise to managerial rank or that he was free to change his occupation at will, or migrate. He realized that, for the time being, the cards he carried in his pocket book did not give entry to the boardroom but were discharge papers carrying no rights, not even to unemployment relief. For the moment opportunity had ended and mobility had no advantage as the depression was omnipresent. In fact, a characteristic of the great depression of the thirties was its universality both geographically and functionally. From it no class was exempt and there was a great upheaval in the economic life of the vast majority of American families, not excluding the wealthy and the professional, the employer and employee. The full impact, of course, fell on the worker and by the early months of 1933, at the time of Franklin D. Roosevelt's first inauguration as President, unemployment was estimated by both the A.F. of L. and the National Industrial Conference Board to be between fifteen and sixteen millions. Earnings were at the lowest level they had reached for a quarter of a century, for many of the gains since the turn of the century had been wiped out. As business entered its down swing, millions of wage-earning families suffered drastic curtailment of their standard of living: they were thrown out of work to live on savings or charity, put on part-time and thus had their weekly earnings drastically cut; for those fortunate enough to continue in employment, there were wage cuts. The total real income of the working class declined substantially, and it would be difficult to exaggerate the extent of suffering among American workers during this period, especially as there was no national scheme of

unemployment relief. When the mood of the workers is seen against this background, the spontaneous demand for organization can be readily understood.

In recapitulating the subsequent period of emancipation of American labour, it is important to assess the cause of labour's advance, and look further than President Roosevelt's presence in the White House. The depression itself brought much dissatisfaction with the economic order of the immediate past, examination of the record of American business and finance and those responsible, a questioning of the cause of the depression and search for its cure: in sum, a demand for a new approach. This Roosevelt provided in the New Deal, but whether he had done so or not, there would almost certainly have been a stirring of labour, a change in the public's attitude to it and a labour renaissance. It may well have been that had Roosevelt not satisfied the demands of labour, this era would have seen the birth of a political labour movement. As it was, the Roosevelt labour and social legislation made it seem unnecessary.

During the thirties the internal struggle within the trade union movement was to prove as important to the progress of unionization as Roosevelt's labour policy. The old conservative wing of the A.F. of L. favoured the craft unions, and the young new element were anxious to seize the opportunity the New Deal presented to organize the mass producing industries on industrial lines. This cleavage of opinion, though latent since the earliest days of American trade unions, was brought to a head as a result of the great stimulus to organization administered by Roosevelt's legalizing of collective bargaining, and the realization by the advanced section of the unions that organization of the great mass production industries could be only on industrial lines. The issue of craft versus

industrial unionism which resulted in the split in the Federation and the formation of the C.I.O. was brought to a head by Roosevelt's New Deal.

One method employed by Roosevelt to tackle the unprecedented slump with which he was faced on assuming office was the National Industrial Recovery Act. One object was to regulate industry through price fixing, as only thus could the downward price movement be stemmed and an end put to the chaos which faced American industry. To make control effective, similar conditions had to be applied to all units within an industry including wages and working conditions. Industries were compelled to draw up codes of fair practice, incorporating fixed prices, the forty-hour week, minimum wages, etc. In practice the codes were written and operated by the trade associations, although in theory there were consumer and other controls. Partly no doubt to meet the current demand for union recognition but largely to obtain labour's support and co-operation in this reversal of the anti-trust and monopoly principle which had in theory previously conditioned government regulation of American industry, the National Industrial Recovery Act included a clause providing for union recognition and collective bargaining. Section 7a, which became effective June 16, 1933, provided that "employees shall have the right to organize and bargain collectively through representatives of their own choosing, and shall be free from interference, restraint or coercion of employers of labour, or of their agents, in the designation of such representatives or in self-organization or in other concerted activities for the purpose of collective bargaining or other mutual aid or protection." Here was labour's final recognition but, from the beginning, there were doubts of the constitutionality of N.R.A., and the government, unwilling

to go to court to uphold these specific provisions, sometimes failed to insist on the carrying out of the labour clauses, although a National Labour Board was appointed to administer them. The importance of the clause was more in the stimulus it gave labour to organize than in effectively compelling collective bargaining through labour's chosen representatives. Often employers countered increased unionization by forming company unions.

The N.R.A. steel code and the steel industry's reaction to labour's attempt to organize was typical of industrial reaction to this first major New Deal measure. The steel code was, in effect, an inter-company price-fixing pact. On its administrative committees labour was not represented, and on the code authority sat the heads of the chief steel companies, which somewhat resembled certain of the British wartime controls, being composed of the industrial magnates of the industry concerned. The Iron and Steel Institute became responsible for enforcing the new price structure and steel prices were steeped up. Labour and consumer control was practically meaningless. The records of the labour committee were not available to the government recovery administration; the Consumers' Advisory Board had no executive powers and its reports were disregarded. Any attempt at government interference was countered with a threat to abandon the code altogether and sabotage the N.R.A.

Under labour clauses of the steel code, twenty-one wage districts were set up and hourly wage rates fixed at a level higher than those previously prevailing. A forty-hour week was stipulated except "in case compliance proved impracticable." Under pressure the steel industry agreed to omit their usual anti-union clause, but substituted "It should be distinctly understood that the omission of the section does not imply any changes in the attitude of the

industry." Inclusion of section 7a was of course compulsory, and the workers, taking it at its face value, flocked into their unions and sought recognition. This the industry refused to grant or to negotiate. Union representatives took their grievance to the White House and asked for a conference between labour, Roosevelt and the Steel Institute, but they were told by the President to return home and await the result of elections in their mills to determine representation.

In the meantime, the steel industry started a drive for company unions. Whereas, before the codes, about one-fifth of the steel workers were in company unions, by 1934 the industry claimed that more than nine-tenths of the steel mills were under company unions. Under the National Labour Board, where dispute arose as to which union should be taken as representing labour, ballots were taken among the workers, and the union obtaining the majority vote was taken as representing all the workers. Where elections were protected, that is held under an impartial agency, the National Labour Board, the company unions won in one case only. But only six elections were held in the whole industry as chaos still ruled in an unorganized steel industry when the N.R.A. was declared unconstitutional by the Supreme Court on May 15, 1935, just under two years after its enactment.

This example is given, not in criticism of the N.R.A., which, like the unions, was faced with the overwhelming opposition of the vested interests and the courts, or the Washington administration; but to show how incapable N.R.A. was of organizing a major industry in face of the obstruction of vested interests. The urge towards industrial unionism and the creation of the C.I.O. was a later influence in the unionization of the major industries. But

for the New Deal and the important subsequent action in re-enacting section 7a in the Wagner-Connery Labour Relations Act and creating under it in 1935 a National Labour Relations Board to enforce its provisions, the C.I.O.'s task would have been harder and the results less lasting. The Wagner Act required employers to recognize a union representing the majority of its employees and to bargain with it; it forbade them to establish company unions, or to interfere in any other way with the workers' choice of their union. It also gave the N.L.R.B. power to issue orders, enforceable by law, directing employers if found guilty of unfair labour practices to "cease and desist" from them. The most difficult task of the National Labour Relations Board was to determine in disputed cases which union represented the majority of workers. Although the personnel of the Supreme Court had not changed since it ruled N.R.A. to be unconstitutional, in 1937 it declared the Wagner Act constitutional. It is reasonable to assume, however, that Roosevelt's proposals for the reform of the Supreme Court influenced this decision.

Indirectly as influential in changing labour's attitudes during this period was the social legislation of the New Deal, because greater economic security—even though it be maintenance for the unemployed, infirm and aged—gives labour a greater measure of independence and freedom of action in its relations with industry. The importance of the Social Security Acts, which provided for federal old-age benefits financed by equal percentage taxes on employers and employees, unemployment compensation under state laws approved by a Social Security Board, and grants to the states for various welfare services, was therefore as great in its psychological effect on the workers as in its immediate provisions.

CRAFT VERSUS INDUSTRIAL UNIONS

IN considering the battle royal of craft versus industrial unionism which occupied the stage from 1934 to the outbreak of war, it is necessary to free one's mind from prejudice arising from subsequent events. In 1934 John L. Lewis was the President of the United Mine Workers' Union, loyally affiliated to the A.F. of L. of which he was a Vice-President. Politically he was a Republican holding at this time no court with the Communists and devoting his energies to his union, which, though built up on industrial lines, had suffered loss of members equally with other unions. Between 1925 and 1933 the U.M.W. membership declined two-thirds. Lewis was sufficiently far-sighted to see that the strength of the miners was dependent upon the strength of the workers in the other great industries. He realized that steel, so closely allied to coal, and the automobile industry dependent upon both, must be organized if the full weight of the workers was to be brought against the employers. Further, that if advantage was to be taken of the workers' urge to organize, and of the opportunity provided by the New Deal—which, after all, was itself the outgrowth of the changed opinion of the time—of unionizing industry, drastic changes in union organization were necessary. This necessitated Lewis breaking with his past because up to this time he had been a loyal member of the A.F. of L. Executive, and though outstanding as a leader, politically a Republican and no rebel. Lewis was brought up in the mines, his father having emigrated from the coal-pits of Wales to those of

the New World. Born in Iowa, 1880, Lewis worked in the mines from childhood until 1909 when he became president of the local union. Shortly afterwards, as Samuel Gompers' personal emissary he travelled widely through the States on union business and in 1916 returned to his old union, the U.M.W., of which he became first Vice-President and after the war its President. In the struggles in the mining industry of the twenties Lewis remained faithful to Gompers' policy of negotiation and was fighting largely on the defensive, as the principle of national agreements had been undermined and district agreements were the order of the day. The result was a decrease from 400,000 to 150,000 in the membership of the U.M.W. During this period Lewis fought attempts at the democratization of the union and engaged in red baiting. With the N.R.A. came the opportunity to repair the damage. In four months the U.M.W. trebled in membership, but Lewis, having learned from the mistakes of the past, saw it was insufficient to rebuild the U.M.W. without a strong labour movement to support it: it could not withstand the full force of any anti-labour drive that might come later. He, therefore, saw the field for organization far larger than the coal industry. But Lewis had also realized the cause of the failure to organize the mass industries: the hampering effects on unionization of craft unions. The A.F. of L., by abiding by its conservative structure of craft unions, had organized no more than a tenth of the industrial workers of America, and only one-third of all organized workers were organized industrially. Workers in the great mass production and heavy industries were ripe for organization, in some cases were crying out for it, and when the Government gave it its blessing, flocked of their own accord into the A.F. of L. unions or formed their own and sought affiliation.

The urge to organize was greater than ever before in American history.

The A.F. of L. was unprepared for this flood of new members, and, making little attempt to adapt its structure and organizational ways to the new demand made upon it, tried to direct the new members into existing craft unions or even, where the officials were content with their present lot, did not encourage them to join. The struggle which followed was not only craft versus industrial unions but the traditional defensive A.F. of L. policy of co-operation against a new offensive strategy. It was between William Green who followed in the tradition of Gompers and John L. Lewis who, after twenty-five years of loyalty to it, broke away. Green was the son of an English miner Lewis of a Welsh one. Both had been brought up in the mining districts of the New World and started their union careers in the U.M.W., and where both had some legislative experience, Green as Ohio State Senator, and Lewis as legislative agent for the U.M.W. With their paths running parallel, Green and Lewis mutually supported each other, and the latter was largely responsible for Green's election as President of the A.F. of L. in succession to Gompers, who died December 1, 1924, and who had left instructions that Mathew Woll should succeed him. Lewis was opposed to him for personal reasons and put forward Green, then third president of the A.F. of L., who was elected. Green, who earlier had been somewhat to the left of Gompers in that he had supported industrial unionism as far back as 1917, and had advocated compulsory health insurance and old age pensions and the post-war Plumb Plan for the railroads which would have placed them under semi-government ownership. Green, conscious of the dangers of disunity, loyally abided by the decisions of his

Executive. Lewis and Green remained close friends until they clashed over the craft versus industrial issue. It was Lewis who changed, not Green. Green, the diplomat of the labour movement, a great believer in the power of negotiation, has received paeans of praise from the capitalist press, is a successful business man, good at negotiation and never afraid to compromise in the interests of peace and goodwill. He is of that school of trade-union leaders which is embraced by the capitalist, and applauded at business men's luncheon clubs, whose hatred of Communists and Socialists he shares. At sixty-nine William Green can look back on a most successful and prosperous career. In contrast to Green, Lewis is a much more dynamic personality, a man of intense hates and inordinate egotism. At sixty-two his career is not yet ended. But, whereas in the early 1930's his work was constructive, to-day it is in danger of being destructive. At the time of the New Deal he understood the worker's mood and exploited it.

Workers in the great automobile and rubber industries were confused and discouraged when they found A.F. of L. officials dividing the workers in a plant between a score or more of craft unions. To the young worker, without previous training in old union ways, strength appeared to lie in unity, and to him it seemed logical that all the workers in one plant or industry should act jointly to force their rights from employers who were themselves organized industrially in their trade associations. It was this new spirit of which Lewis was aware and for which he strove to get from the A.F. of L. recognition and provision. He wanted the Federation to go all out to organize the heavy and mass production unions on industrial lines, using existing unions where practicable for that purpose. But the A.F. of L. thought differently.

Jealous for the craft unions, it sanctioned organization on industrial lines subject to the full protection of the crafts. The result of this policy was that either the unskilled would alone be organized industrially or the industrial unions would encroach on the crafts. The latter occurred, and led to much acrimonious dispute, both verbal and physical, at Federation conventions especially as many of the A.F. of L. craft unions were, in effect, unable to cope with rapid growth, which, in any case, some officials discouraged, preferring a quiet life and the enjoyment of their union's prosperity. In pursuit of its policy, the A.F. of L. would grant federal charters to newly organized industries and then split the members into their respective crafts and so scatter them over a dozen or more unions. An example was in the rubber industry, where 40,000 workers formed an independent union which applied for, and was granted, a federal charter only to be immediately split into sixteen jurisdictions. The outcome of such tactics was atrophy: in *My America* Louis Adamic describes them as "ruinous."¹

Faced with this situation, the section of the A.F. of L., headed by John L. Lewis, which favoured industrial organization, pressed its case at the 1934 Federation Annual Convention, at San Francisco. Success appeared to have been achieved when a resolution was carried, favouring a campaign of organization in the steel industry, accepting the principle of vertical unionism in all basic industries and granting industrial charters to the automobile, rubber and cement workers. The executive, however, in granting the charters, reverted to its old

¹ The section of "The Workers" in this volume should be read for its eye-witness accounts of the union struggles of this period in the rubber, automobile, shipping and steel industries, and for his picture of the growth of the C.I.O.

policy by stipulating that the rights of existing craft unions should be protected. Its organizing campaign was half-hearted and failed.

Frustrated for a twelvemonth by the actions of the executive, the industrial bloc was in fighting mood when the Fifty-fifth Annual Convention of the Federation met at Atlantic City in 1935. A battle of giants on the craft versus industrial unionism was fought out with John L. Lewis and Philip Murray of the United Mine Workers and Wyndham Mortimer of the Automobile Workers among the chief protagonists on one side, and William Green, President of the A.F. of L., John Frey, secretary of the Metal Trades Department, and Matthew Woll, vice-president of the A.F. of L., on the other. The old guard accused the industrial bloc of creating dualism—division of power—and the new attacked the old for holding back the flood of union organization. The showdown came on a vote to grant the auto workers an industrial charter. The result was 104 for and 125 against. The issue was joined. The industrialists, having failed to carry their policy within the Federation, acted independently by setting up a month later a Committee for Industrial Organization composed of eight unions: John Lewis' United Mine Workers, the Amalgamated Clothing Workers (President Sidney Hillman), the International Ladies' Garment Workers (President David Dubinsky), the International Typographical Union (President C. P. Howard), the Oil Field, Gas, Well and Refinery Workers (President Harvey C. Fremming), the United Textile Workers (President Thomas F. McMahon), United Hatters, Cap, Millinery Workers (President Max Zaritsky), International Mine, Mill and Smelter Workers (President Thomas Brown); John L. Lewis was appointed Chairman of the Committee and John Brophy its secretary. Out-

standing among Lewis' associates were Hillman and Dubinsky who both represented something different from the orthodox unionism of the A.F. of L. Both had experienced imprisonment in Russia for revolutionary activities, so brought a different experience and outlook to their trade union activities than those versed in A.F. of L. orthodoxy. Both the Amalgamated Clothing Workers and the International Ladies' Garment Workers' Union¹ were industrial organizations and both had developed a large measure of labour management co-operation and activities outside the normal run of American trade unions. Hillman believed in the union's responsibility for understanding the industry and contributing to its prosperity. His union, therefore, ran a research department and was, on occasion, able to show managers how to cut costs to maintain wage scales. Hillman's union also operated a most successful bank, embarked on housing projects and assumed responsibility for the welfare of its members. Research and welfare is nothing new to British, but unconventional in American unions, although when American unions have undertaken research it has been developed on a more extensive scale and run far better than by the British trade-union movement. Dubinsky's International Ladies' Garment Workers' Union shared this attitude with its members and established an educational programme, built summer camps, founded institutions for recreation, health and mutual aid, and experimented with dramatics and art. When the Committee for Industrial Organization became the Congress of Industrial Organizations in 1938 and adopted a regular constitution as a federation of industrial unions,

¹ To avoid misunderstanding, it should be pointed out that "Ladies" refers to the goods manufactured and not the sex of the union members.

Dubinsky, who favoured unity, stayed out and later re-entered the A.F. of L.

The Committee proposed to function within the A.F. of L., its objects being to encourage and promote the organization of workers in the mass production and unorganized industries. The A.F. of L., however, accused the Committee of setting up a rival and dual organization. Shortly afterwards, Lewis resigned as Vice-President of the A.F. of L.

The C.I.O.'s next step was to propose to the A.F. of L. a campaign for organizing the steel industry, but its proposals were rejected and the C.I.O. captured the old Amalgamated Association of Iron, Steel and Tin Plate Workers for its Steel Workers' Organizing Committee, with Philip Murray as director, which handled a half-million dollar fund raised by the C.I.O. for organizing the industry.

The A.F. of L. protested against the independent action of the C.I.O. in organizing mass production industries and declared the Committee a danger to the organized labour movement. In January 1936 its executive council demanded that the committee be immediately dissolved, summoned the C.I.O. to answer charges of dualism, and accused it of organizing an insurrection. The C.I.O. did not appear to answer the charges and on August 4, 1936, the Council of the A.F. of L., by thirteen to one, voted to suspend the ten¹ C.I.O. unions. On September 5, 1936, the Committee having refused to disband, suspension went into effect, and this action was later confirmed by the Annual Convention. Only then did the C.I.O. change its policy of confining its activities to organizations within

¹ The original eight had been joined by the Amalgamated Association of Iron, Steel and Tin Plate Workers and the Flat Glass Workers.

the A.F. of L. by, in November 1936, accepting as members two unaffiliated groups.¹

In such manner did the issue of craft versus industrial unionism which had simmered within the A.F. of L. since the days of its formation flare up when the urge to organize could not be stemmed. The A.F. of L. was split wide open with the firmly established and conservative craft unions content to proceed along their chosen path little changed by the new industrial revolution of mass production and the new charter granted labour by the New Deal. Further-sighted leaders, inspired by these changes, broke away, and within five years were in control of a rival federation equal in membership and power to that from which it was expelled.

The C.I.O., at its first constitutional Convention in November 1938, was converted into an independent federation of national and international unions, under the name of Congress of Industrial Organizations. Its objects were:—

- (1) To bring about the effective organization of the working men and women of America, regardless of race, creed, colour or nationality, and to unite them for common action into labour unions for their mutual aid and protection;
- (2) To extend the benefits of collective bargaining and to secure for the workers means to establish peaceful relations with their employers, by forming labour unions capable of dealing with modern aggregate of industry and finance;
- (3) To maintain determined adherence to obligations and responsibilities under collective bargaining and wage agreements;

¹ The Industrial Union of Marine and Shipbuilding Workers and the United Electrical and Radio Workers.

- (4) To secure legislation safeguarding the economic security and social welfare of the workers of America, to protect and extend our democratic institutions and cherished traditions of our democracy.

The officers were to be a President, six Vice-Presidents, a Secretary and an Executive Board, all elected annually. None but the Secretary is paid. The Board consists of a member from each affiliated union, and voting is by majority vote, except that any member can demand a roll call vote under which each member of the Executive Board can cast as many votes as there are members in his organization.

In the meantime, though great strides were made in unionization, bitter and unfortunate struggles took place between the two, which resounded to Labour's ultimate discredit and retarded its fight for improved standards. The split was probably unavoidable because of the influences which had previously governed the growth of American trade unions. Subsequent events do not change happenings of this period. Whatever course has been pursued by the leaders of the C.I.O. since, the fact remains that the break came only after they had pressed their case before the Federation conventions and suffered defeat. The organization of the C.I.O. was a modern development pursued by the best union leaders of the time and inspired by no political party, Communist or other. If the test of the rightness of the action is success, it is only necessary to point to the fully organized steel, automobile and other industries, unorganized at the time, and to the C.I.O.'s present strength. How this success was attained is an interesting section in the history of American trade unionism, but here the story must be confined to two examples which illustrate the methods employed: the automobile and steel industries.

CHAPTER VII

UNIONIZATION OF MASS PRODUCTION

So extensive a system of espionage had been built up in the chief automobile factories in Detroit that the Chrysler and General Motors Corporations had converted their own detective agencies into subsidiary corporations; but so distrustful and suspicious an atmosphere pervaded the plants that the companies even employed outside detectives to spy on their own inside detectives. Company unions were the rule, with, more often than not, spies as branch officers. Where other unions were formed, spies would worm their way in and often attain official positions. This was so widely known that cases arose where locals existed officered entirely by spies and without membership. With such elaborate spy systems and armed for combat, the automobile companies were prepared to fight unionization to the death when the C.I.O. invaded Detroit, a city which was, according to the car magnates, the automobile city, because it was an open shop town. Dissatisfaction among the workers did not arise over hourly or piece-rate wages as such, but over the insecurity of the industry which meant low annual wages, inequitable hiring and rehiring methods, espionage, speed-up and displacement of the workers at an early age.

Interpreting the New Deal as an invitation to labour to demand its rights to organize for collective bargaining, and finding the company unions of no avail in major matters, the workers soon flocked into independent unions. Following strikes in Toledo, the A.F. of L. in 1934 chartered the United Automobile Workers of America, whose first success was an exclusive bargaining agreement

with the Packard Company. In July 1936, to escape disintegration into craft unions which threatened it, the U.A.W. affiliated to the C.I.O. Six months later war broke out. It came first to the General Motors Corporation because of its refusal to negotiate with the U.A.W. Sheer disgust led to a series of sitdown strikes which developed into a full-blown test of union strength, and was to determine whether the industry was to be unionized or not. Sitdown strikes became widespread at this time, as they forestalled strike breaking by importation of blackleg labour and the removal of machinery to other plants, which automobile companies, with their scattered plants, could otherwise do. General Motors having declined a conference prior to the strike, refused to negotiate as long as the workers remained in possession of the plants. Injunctions to remove the strikers could not be carried out without use of force, which the Governor of Michigan, Frank Murphy, refused to employ. Fights, nevertheless, developed between the city police and the strikers, who refused to evacuate the plants, which was the condition of the company's willingness to negotiate, a condition qualified by unequivocal refusal to recognize the union as the sole bargaining agency. The strike ended after forty odd days, and General Motors signed an agreement with the union which it did not recognize as possessing sole rights of representing the workers, but as bargaining representative for its members only; the company, all the same, undertook not to deal with any other group before consulting Governor Murphy. It was a strikers' victory because the first of the three major motor-car manufacturing companies had, through strike action, been compelled to come to terms with the union with which it had previously refused to negotiate. Among the reasons for victory were the fine qualities as negotiator

displayed by the unprejudiced Governor Murphy whose refusal to use force assured the workers of fair play, previously a rare occurrence in labour disputes, especially in unorganized industries. President Roosevelt, reminded by John L. Lewis of his debt to the unions for their support against the "economic royalists," as the union leader called the automobile manufacturers, also helped to force, on one occasion, the hand of General Motors by expressing disgust at their withdrawal from the negotiations. Murphy was later appointed to the Supreme Court.

The country was perturbed by sitdown strikes which were something new in American labour disputes, and, because they interfered with property rights, were regarded as un-American. When this victory was followed up with similar tactics at the Chrysler works, popular opinion turned against the strikers. Chrysler refused to negotiate until the workers evacuated, and Lewis had the good sense to order their withdrawal and then negotiated—again with Governor Murphy's help—an agreement which did not constitute the U.A.W. as sole bargaining authority, but was near enough to assure that it would play that role.

The Ford works proved a harder nut to crack, in view of Henry Ford's unalloyed hatred of unions and the ruthless espionage system maintained by him under the ex-pugilist Harry Bennett. It was not until June 1941 that Ford signed an agreement with the U.A.W. and then characteristically granted the union a contract which incorporated everything it wished, since it provided: (a) A union shop for all Ford plants in the United States, covering some 120,000 employees. (A "union shop" agreement permits the hiring of non-union men but requires them to join afterwards.) (b) The "check-off" system (by which the company deducts union dues from

wages and hands the dues over to the union treasury). (c) A wage scale equal to any in the industry. (d) A grievance system, under shop stewards and grievance committees without appeal board, on which company and union have equal representation. Ford Motor Company also promised to wipe out the strong-arm Ford service squad used in the past to enforce discipline and break union assaults on Ford's anti-union citadel. Finally Ford cars were to have the right to carry the union label.

The C.I.O. success in organizing the automobile industry and gaining a substantial measure of recognition resulted in a flood of affiliations, and encouraged it to seek fresh fields to organize. Already victory had been gained in the steel industry, a proposed organizing campaign for which had been one of the immediate causes of the suspension of the C.I.O. unions from the A.F. of L. An agreement was obtained with the U.S. Steel Corporation without a strike after six months of high pressure organizing and secret negotiation. In June 1936 the C.I.O. Steel Workers' Organizing Committee, under Philip Murray, took over the former A.F. of L. amalgamated union which had failed to organize the industry. Symbolically headquarters was set up in Homestead, scene of famous but violent episodes in the 1892 steel strike. There the steel workers proclaimed their declaration of independence. "The lords of steel," the manifesto said in part, "have set up company unions. They have sent among us swarms of stool-pigeons. They have kept among us armies of company gunmen. To-day we do solemnly declare our independence. We shall exercise our inalienable rights to organize into a great industrial union, banded together with all our fellow steel workers. In support of this declaration, we mutually pledge to each

our steadfast purposes as union men, our honour and our very lives.”

At the end of December 1936, Lewis entered into secret negotiations with Myron Taylor, Chairman of U.S. Steel and in March an agreement was signed recognizing the Steel Workers' Organizing Committee as the bargaining agency for its members. As in the case of Ford, reasons for this reversal of policy are more speculative than known, but undoubtedly Big Steel did not want labour disputes just when rearmament in Europe was bringing orders to U.S.A., nor did U.S. Steel want to fight once more the anti-union battle on behalf of the whole industry. Myron Taylor may also have given thought to the credit that might revert to him if he took a forward labour policy at this time. Or it may be Taylor was sufficiently forward-looking to take the point of view attributed to Ford, five years later, by *Time*¹: “Why in the hell don't we give it (the union shop and check-off) to them now and save all that trouble? We've got to get ahead with some work around here.” Be that as it may, by the spring of 1937 the C.I.O. had two major victories to its credit: it had organized and won recognition with the largest part of two previously bitterly anti-union industries—the automobile and steel.

Its fiercest fight was to come with “Little Steel.” This group, comprising the four large companies outside the U.S. Steel Corporation, angry at Taylor's treachery, refused recognition, and the strike which resulted was accompanied by all the traditional paraphernalia of fights to a finish in company-owned towns. Homestead was relived in a score of townships. The companies recruited the church, the law, the police, the press and the business community on their side, and tear gas was sprayed

¹ March 23, 1942.

around. The most bitter fighting was instigated by the Republic Steel Corporation, of which Girdler, blatant foe of the unions, was chairman. The union was defeated for the time being, but subsequent hearings before the National Labour Relations Board justified the unions and discredited the companies found guilty of various acts committed against the workers. It ordered reinstatement with back pay of all involved in the strike.

While the C.I.O. reaped so rich a harvest from virgin soil it should not be imagined that elsewhere all was well. So sudden a growth revealed deficiencies in personnel, especially in local leadership, while constituent unions were difficult to control from the centre. Initial success was thus often followed by unrestrained and undisciplined use of the new-found power of the strike weapon. Isolated wildcat strikes, particularly in the automobile industry, tended to bring discredit on the C.I.O., which, because it attracted the advanced and left wing elements of the American workers, was, by its enemies, linked with Communism. But the C.I.O. was never Communist, and, as already mentioned, John L. Lewis, politically a Republican, did not support the Democrats until the 1936 Presidential election. This did not deter the anti-labour press alleging Communist association and playing on the prevailing anti-Communist sentiment by accusing the C.I.O. of Communist leadership. Later the Communists, because of their greater political consciousness and training, and, by using the infiltration methods in which they were so expert, officered many of the unions. The Communists deliberately supported the C.I.O. against the A.F. of L., and their declared policy was to associate themselves with it. Lewis could not help the growth of the communist influence and their capture of office. As yet the relation was not as close as it was to become

when the Russian-German pact threw the Isolationists and Communists together in opposition to the war.

More important than this Communist association, in discrediting the American trade-union movement, was the continued struggle between the A.F. of L. and C.I.O. for membership. The former was also growing steadily, and despite the loss of a million members to the C.I.O. in 1935-36, had risen to four million members by 1937. Rivalry led to numerous strikes, partly because the militant C.I.O. relied in part on successful strikes for its growth, and partly because jurisdictional strikes arose when the two federations disagreed over territorial rights. Employers were not slow to take advantage of union rivalry, and the National Labour Relations Board frequently had to intervene to determine which of the rival claimants had the right to represent the workers. The N.L.R.B. was faced with the invidious task of compelling recalcitrant employers on the one hand to carry out the Wagner Act by permitting collective bargaining, and on the other to make it possible by settling inter-union disputes. But the N.L.R.B. did so good a job that, in its turn, it had accusations levelled against it of a pro-labour and anti-capital bias from the press, employers and anti-labour politicians, and by each of the federations, who accused it of favouritism towards the other.

The net result of these events was that while trade-union membership grew, with the C.I.O. catching up the A.F. of L., internal rows and the large number of irrational strikes discredited labour in the public eye.

CHAPTER VIII

THE BEHAVIOUR OF JOHN L. LEWIS

LABOUR had supported Roosevelt for President in 1936 and in that year Lewis threw in the full weight of the C.I.O., which contributed \$500,000 to his campaign funds. The investment paid good dividends, as, during his second term, Roosevelt continued his programme of labour legislation, the most important result of which was the 1938 Wages and Hours Bill. Its enactment represents the final victory of the Executive over the judiciary in establishing the legislature's right to control working conditions. The Wages and Hours Act established the normal number of working hours per week with payment of time-and-half overtime for all in excess and double pay on holidays and Sundays and fixed minimum wages. Standard hours of work and hourly wage rates were to be brought about by short stages, and the 40-hour week was established by 1940. The Bill was vigorously opposed by the anti-labour bloc in Congress and particularly by the Democratic Senators and Congressmen from the South because it eliminated the difference between labour costs on either side of the Mason-Dixon line.

During Roosevelt's second term, Lewis became estranged from the President, and in 1940, for personal reasons, he withdrew his support from Roosevelt and gave it to Wendell Willkie, hardly a fit subject for trade-union backing in view of his previous record as a corporation lawyer and association with the great power corporations which had attempted to obstruct the government's great power project, the Tennessee Valley Authority.

Divers reasons have been put forward for Lewis' change

of front, varying from his failure to be appointed by President Roosevelt to high office in the defence administration, to frustration of his wish to name the appointees to other labour jobs. A main cause was Roosevelt's refusal to reward Lewis' electoral support by unqualifiedly supporting him during the General Motors strike mentioned above. Whatever the reason, the underlying cause of the estrangement, which was most unfortunate for the future of the American trade-union movement, was the clash of two powerful personalities, neither of whom was willing to surrender to the other. When in October 1940 Lewis commanded C.I.O. members to vote for Wendell Willkie as President, he set himself against majority opinion. So strong was the C.I.O. at this time, and so closely divided was the country between Willkie and Roosevelt, that the result could have been determined by the C.I.O. vote if solidly cast. Lewis was so confident that the C.I.O. membership would follow his lead that he announced rejection of his advice would be considered as a vote of no confidence. The rank and file ignored his instructions and the vote for Roosevelt in industrial areas declined less than in the country as a whole. Lewis resigned and Philip Murray, a loyal supporter of Lewis, organizer of the steel workers and vice-president of Lewis' United Mine Workers, replaced him as President of the C.I.O.

Following the 1940 election, Lewis became increasingly active in his opposition to the administration's foreign policy, and he was more than ever dependent upon the Communists who were on occasion instrumental in organizing subversive strikes to hamper defence production. When Germany invaded Russia and the Communist party reversed its policy, the Communist union leaders were in a dilemma: they had to choose between the party line and Lewis, to whom they originally owed

their jobs: they chose the former. Majority rank and file opinion, unlike that of some of the leaders, was strongly on the side of all aid to all enemies of Nazi Germany, but Lewis aligned himself unequivocally with the isolationists. Philip Murray did not. The A.F. of L. had given unanimous support to Roosevelt's foreign policy at its 1940 convention. In 1940 the C.I.O. had confined its interest in defence to protecting labour's rights and improving its position.

With the C.I.O. holding its annual convention in November 1941, Lewis needed a spectacular victory to regain the leadership. Arguing logically as an isolationist that America was not endangered, and that labour was therefore justified in seizing the opportunity of the defence boom to improve its position, he challenged the great steel interests. Earlier in the year he had achieved an important labour victory by obtaining a closed shop agreement for the Appalachian coal-fields: this he now hoped to extend to cover the "captive" mines owned by the steel industry. Had he succeeded in time, his prestige would have risen to such an extent that he might well have recaptured the presidency of the C.I.O. But, as in the case of the election of 1940, he failed to gauge majority opinion, which was already intolerant of defence strikes and impatient with the administration for failing to curb them. When Lewis called the strike, he was sure of support on the issue involved, and Murray, to retain the leadership, had to back him. This he was able to do publicly by resigning, with Thomas Kennedy, the other C.I.O. representative, from the National Defence Mediation Board when it ruled against the closed shop. Any difference between the rank and file and Lewis' policy was not on the issue involved but on the wisdom of refusing mediation in face of a hostile public opinion,

which he at first did. When the Convention met, the strike was in progress and only following pressure from the President was arbitration agreed to. The arbitrators were appointed by the President, and included Lewis, and this superseding of the National Defence Mediation Board put an end to its work. The award was favourable to Lewis' demands, and a closed shop was granted. Victory had come too late for Lewis, who, having failed to win his closed shop prior to the C.I.O. Convention, did not appear there, and Murray was re-elected President by acclaim. This was a triumph for labour's support for the war and Roosevelt's foreign policy, but not a censure on Lewis. All the same, it meant the eclipse of Lewis and the final emergence of Phil Murray as the real leader of the C.I.O., no longer tied to Lewis' apron strings. The final break could not be long delayed, and it came in January 1942, when the United Mine Workers' Policy Committee, controlled by Lewis, expelled Murray from the Vice-Presidency of that union which he still retained, and Murray charged Lewis before a meeting of the C.I.O. Executive Board with "creating national disunity and discontent." Murray told how Lewis' agents had tried to undermine him from the moment that he assumed leadership, and how he had begged and bullied him in an effort to persuade him to join the fight against Roosevelt's foreign policy. Lewis, on his side, accused Murray, a Catholic, of casting his lot with Communists, and declared that the issue was "United Mine Workers of America versus Communism." The wheel had turned full circle.

This showdown cleared the air, but Lewis is still a power in the U.S. trade-union movement. He dominates a powerful union, has close relations with high A.F. of L. leaders, notably William Hutcheson, President of the

United Brotherhood of Carpenters and Joiners of America, who shared his Republican and isolationist views. Since the beginning of 1942, Lewis' tactic has been to gain membership for his unions by organizing those whose connection with the mining industry could be seen by none but Lewis himself. He claimed the right to organize any employed in industries in any way dependent upon the mining industry. He thus stretched his tentacles to include those engaged in such differing occupations as farming, dairying and perfume manufacture—all using by-products from the mines—and District 50 with his daughter Kathryn as organizer became the recipient of these diverse elements. At the union's convention at Cincinnati in October 1942 this policy was carried a stage further with the amendment of the union's constitution to permit women and persons from industries other than coal-mining to become members of the organization. The union's potential strength is thus limited only by the number of organizable workers. Lewis' object is the organization of a general union through encroachment on other unions and the building up of a mass movement behind him so that he is once again a force that has to be reckoned with. By withdrawing his miners from the C.I.O. he is in a position to wield his power independently, and at the same convention the union confirmed this action, which had already been taken through withholding affiliation fees from the C.I.O. A final and irrevocable break was made. The excuse was that the C.I.O. was indebted to the miners for loans made at the time of its inception; the C.I.O. claims they were a gift. These latest moves put Lewis in a strong position. In the first place he weakens the C.I.O. by reducing its strength by about half a million, and deprives it of a substantial annual income and a valuable war

chest. Secondly, he threatens both the A.F. of L. and C.I.O. with a drain on their membership and the building up of a third rival federation. Thirdly, he puts himself in a position to influence the relations of the A.F. of L. and C.I.O. by weakening the latter's bargaining power to the former and makes it more probable that any merger of the two would be on A.F. of L. rather than C.I.O. terms. Finally, he threatens the leadership of the A.F. of L. as, should he offer to lead his miners back into that Federation, he could demand his own terms. Lewis is eight years Green's junior and has powerful friends at court. Should he return, the C.I.O. would be further weakened, in relation to the A.F. of L. As long as Lewis remains on the side lines building up his strength, he can conduct a war of nerves against the rest of American labour, and will remain a cause of labour dissension and an obstacle to a united American trade-union movement. On the other hand, should either Federation take a false step which antagonized its membership, or Lewis organize opposition to government wage policy, there might be a flow of disgruntled workers into his union. He thus stands to gain from any surrender to Washington's demands against the wishes of the rank and file. Lewis is in the enviable position of wielding power without responsibility. Should Lewis re-enter the A.F. of L. he would almost certainly become the boss of American labour which, in view of Lewis' more recent record and his personal hatred of Roosevelt, would have an unfortunate influence on labour's role in the post-war world.

CHAPTER IX

LABOUR AND DEFENCE AND THE WAR

By following through Lewis' latest moves, the story has jumped ahead and it is necessary to return to the aftermath of the coal strike of November 1941. Public opinion, favourable to Roosevelt's policy of granting all aid short of war to those fighting the Axis, became incensed at labour because its quarrels were hampering the war effort. Congress took advantage of this mood and situation to press once more for anti-labour legislation. Against this Roosevelt fought hard as he was anxious to retain labour co-operation for the defence programme and to keep intact the labour legislation which was one of the main achievements of the New Deal. Relying on mediation—the National Defence Mediation Board without compulsory powers had been appointed in 1941—Roosevelt acted only when it failed, and then strove to be impartial as between labour and employer. Thus, when the army seized the North American aviation plant, it ended an unofficial strike supported by neither the A.F. of L. nor the C.I.O.; when the Navy took over the Kearney shipyards, owned by a subsidiary of the U.S. Steel Corporation, Roosevelt was able to blame the company because it challenged collective bargaining as guaranteed by the New Deal. Murray was opposed to the use of force in any circumstances to end strikes. The public, while approving action, disapproved the situation which required it, and was impatient at the President for being, as it considered, weak in his dealings with labour. Following these disputes, Congress attempted to legislate to prevent disputes; the A.F. of L. and the C.I.O. lobbied

vigorously and Roosevelt was against the proposed Bill which would, in effect, have forbidden strikes.¹ The President's policy at that time was to prevent subversive and jurisdictional but not legitimate strikes.

Following the coal strike, Roosevelt could no longer restrain Congress, and, although he was willing to support moderate legislation, aimed at settlement of defence strikes through compulsory mediation, the House of Representatives ran away and by a two to one majority voted drastic and unworkable legislation. The Republicans and reactionary Democrats from the industrial constituencies voted solidly against the Bill. At this juncture war came and the Senate was saved from taking action on the Bill.

Before America was at war labour and the administration had fallen out regarding the former's share in defence. The C.I.O.'s bold schemes for increasing production were turned down, notably the Reuther plan for intensified defence production in the automobile industry, and Murray's plan for the steel industry. An additional cause for disagreement was that both the A.F. of L. and the C.I.O. demanded a greater share in management, while Philip Murray and Sidney Hillman of the Amalgamated Clothing Workers, at this time Labour Director of the Office of Production Management at Washington, disagreed over labour representation on defence bodies. Hillman proposed labour advisory committees with personnel named by himself, but Murray dissented and suggested industrial councils with equal management and labour representation. In contrast, the A.F. of L. was on good terms with the administration so far as prevention

¹ The Smith Bill, which undermined the Wagner Act, and was carried in the House of Representatives by a vote of 252 to 136, on December 3rd, 1941.

of strikes was concerned. It sponsored agreements between the O.P.M. and its own affiliated unions, banning strikes and lockouts in certain defence industries. This friendly relation caused friction with the C.I.O., who accused the administration of favouring the A.F. of L. and of granting it a monopoly in, for example, the construction trades. The latter point arose over the refusal of a contract to a Detroit company for prefabricated construction, although its tender was the lowest by a considerable margin. The A.F. of L., with its monopoly of construction unions, was opposed to prefabrication, and the union of the company concerned had been organized by the C.I.O. Hillman came under fire and a Washington investigation was called. This revealed a most complicated situation in which Lewis' brother Denny was involved.

Soon after Pearl Harbour a conference between labour and the automobile leaders was called at Washington to consider the conversion of the industry to war production. Labour's plan, however, was again rejected because, in effect, it entailed a pooling within the industry and the industrialists were fearful that, once effected, unscrambling after the war would be impossible, and individual units would be permanently abolished. Employers were equally fearful of socialization. A joint board was set up for the auto industry, whose structure was unaltered as the board was advisory only. Labour-employer co-operation has since been encouraged by Donald Nelson, Director of the War Production Board, and a large number of labour-management committees have been set up in individual industries and plants. Such committees are generally regarded more as an outlet for workers' suggestions to improve output than joint controls, so are very limited in scope. Labour has consequently demanded and been promised a greater measure of consultation in the plan-

ning and administration of the war effort, which as yet remains substantially less than in Britain.

As soon as Japan's treacherous attack was launched at Pearl Harbour on December 7th, labour closed its ranks, strikes and threatened strikes were called off and there was a determined move to maintain labour peace for the duration. The public, basking in the sun of a new-found national unity, temporarily forgot its anti-labour mood and Congress had other things than anti-labour legislation to occupy its attention. The Smith Bill was, on the President's request, not proceeded with.

Labour's respite from attack following Pearl Harbour was short-lived and soon the anti-labour forces sought fresh grounds on which to attack labour. The campaign was launched against the 40-hour week and was as much an attack on the New Deal as on labour, though the trade unions were the declared object of attack. The story was bruited around that labour was refusing to work for more than the 40 hours a week provided for in the Hours and Wages Act. Intentionally this was misinterpreted in the press and on the radio as preventing longer hours of work, although in effect it did not limit hours but required payment of time and a half for work in excess of 40 hours and double payment for Sundays and public holidays. It was simple for labour's enemies to create the impression that labour was hindering the war effort by refusing to work long hours or by demanding excess payments for them. Fresh anti-labour legislation was threatened and legal extension of the hours of work without overtime to 48. This was a deliberate attack on Roosevelt's labour legislation, and both the President and Donald Nelson, Director of the War Production Board, opposed any legislative change. Later realization dawned of the true meaning of the Wages and Hours Act and of

the extent to which labour was working long hours in the defence industries.¹

Labour was also helped by Thurman Arnold's revelations of the pre-war relationship of certain companies, including Standard Oil, with enemy firms, and big business also came under attack.

In the meantime attempts had been made to assure industrial peace for the duration. Labour was as anxious as the administration to avoid strikes, but could only do so if it were sure of protection against the industrialists using the war situation to attack working conditions and its recently won rights. The unions were in a more favourable position to bargain than in 1917, although then, as now, the administration was relatively well disposed towards labour. At the outbreak of the last war collective bargaining was not legally established and insistence on its recognition by employers was labour's bargaining counter. This time the closed shop was the major issue in dispute. On December 17, 1941, the President called a conference of twelve labour leaders and twelve heads of industries to work out a no-strike policy. It threatened to break down over the closed shop, which issue the employers wished to shelve for the duration. Labour was opposed to this, as a forcing of the open shop would threaten collective bargaining. In typical Rooseveltian style, the President ended the conference without its having resolved this issue, by accepting the measure of agreement reached: (a) no strikes for the duration; (b) settlement of all disputes by peaceful means; and (c) appointment by the President of a war labour board to handle all disputes. The President accordingly set up

¹ In a pamphlet issued in September 1942 the War Production Board stated that seven out of ten workers in war industry were working 50 to 70 hours a week.

a National War Labour Board under the chairmanship of William H. Davis, former chairman of the National Defence Mediation Board, consisting of four representatives of labour, four of employers, and four impartial members representing the public. Contrary to the wishes of the employers, no issue was excluded from its deliberations—not even the closed shop—but its jurisdiction was limited to “Labour disputes which might interrupt work which contributes to the effective prosecution of the war.” The Board’s powers were greater than the old Defence Mediation Board, inasmuch as it could consider threatened disputes without waiting for their certification from the Department of Labour’s Conciliation Service, as was previously the case. It differed also in its power to make decisions, as it has the implicit right to impose compulsory arbitration on the contending parties. It could direct that its decisions be enforced, but could not enforce them. Refusal to accept its decisions could be followed by the President ordering the taking over by the government of plants affected. For this reason the Board has proved reasonably effective in preventing disputes resulting in work stoppages.

On the issue of the closed shop, the Board evolved a compromise in “union maintenance” which was consistent with the President’s statement that the government would not force compulsory unionization and which has proved acceptable to both labour and many employers. “Union maintenance” requires that the union currently accepted for bargaining purposes shall so remain and that it shall be a condition of employment that all present and future members of the recognized union must remain members in good standing. Existing members are, however, given fifteen days before the agreement becomes effective, during which they can resign from the union if they so wish. In

practice, few have done so. The advantage of this compromise is that it not only protects the freedom of the individual employee to join or not to join the union with foreknowledge of the agreement, but it also gives him two weeks in which to choose whether or not to stay in the union and to be bound by the maintenance of membership provisions. By this decision, no worker is required to join a union as a condition of employment, and has a period of grace in which to withdraw from his union and yet keep his job. Where such agreements are entered into, the American system of the "check off" is followed. "Union maintenance" is acceptable to labour as it assures retention of union membership which might otherwise be difficult under wage stabilization and with benefits to be obtained from trade union membership diminished. The award of union security is thus designed to protect a union from deterioration during a war effort in which the strike weapon is waived and full co-operation is given to the employer. It prevents encroachment by company-inspired or rival unions and so ends jurisdictional disputes, but only in industries or plants where collective bargaining is already the rule. The War Labour Board's view of "union maintenance" was given under a decision in an aeronautical case in June, 1942, as follows: "Finally, this maintenance of membership provides three basic guarantees: first, it guarantees democracy in America against the tragedy both of the disintegration of responsible unions during the war and against the defencelessness of industrial workers after the war; second, it guarantees, through responsible union leadership and stable union membership in the crucial transition from war to peace, against a violent revolution and the rise in America of a fascist, communist or imperialistic dictatorship; and third, it affords one of our chief hopes that the all-out production

for winning the peace and for organizing plenty for America and for the stricken and hungry peoples still hopeful for freedom, justice and peace all over the world." These advantages of union security are only granted by the board to deserving unions. That is to say, where strikes involve a breach of contract or behaviour is irresponsible, the board, in effect, administers a rebuke by refusing union security.

In these circumstances the War Labour Board came under fire for its failure to establish a labour policy. But after an uncertain start it finally did so as the result of a threatened dispute over wages in "little steel." The steel workers had asked for increased wages, and a smaller increase than demanded was granted, commensurate with the rise in the cost of living. The board accepted the principle that wages which had not risen by 15 per cent since January 1941 could be adjusted up to that level and where they had, no further increase could be given unless wages were sub-standard. This policy was immediately attacked as contrary to the anti-inflation programme outlined by the President. It roused fears of widespread demands for wage adjustments, brought the inflation bogey to the fore, revised the accusation that the President was favouring labour and the demand that wages be stabilized. Up to this time, labour was strongly opposed to wage stabilization, giving as its reason distrust in the ability of the administration to stabilize prices, especially farm prices, the controlling of which gives the administration as many headaches as does the wage and labour policy. Both interests are well represented in the Congressional lobbies and the support of both is essential to the war effort. But labour's reason for opposing wage stabilization was not only as stated. American unions are less mutual-aid associations than fighting units, and their *raison d'être*

would be threatened if wages and working conditions could not be altered. Many an American worker would cease to pay his membership dues once his union was prevented from seeking wage increases. The formula of the union maintenance contract gets over this difficulty to some extent, inasmuch as it stabilizes membership but only where a union is already recognized for collective bargaining. As labour attacked the farmers for refusing price stabilization below high levels, so did the farmers accuse labour of causing prices to rise by demanding higher wages. Farm prices are related to a parity which is fixed, partly in accordance with the cost to the farmer of manufactured goods. If wages rise and, with them, the cost of the farmers' purchases, then parity rises, and, with it, the farm price ceiling, which was originally fixed at 110 per cent of parity. It is understandable that those responsible for controlling prices, and those most fearful of inflation, should press for wage stabilization. As it was, the farmers and the unions, with some justice on both sides, demanded that the other be controlled first. The problem was to control both together and to convince each that it was real control, that it would be realistic and not mythical. The wage problem is further complicated by the gross inequalities which exist as between one industry and another, and also often within an industry, because of the absence of national wage agreements in all but a very few industries. The only possible solution to the problem of price and wage control was the placing of final responsibility to control both in the Chief Executive. This Congress finally agreed to in October 1942 after the President had delivered an ultimatum demanding that the necessary powers be granted him.

As far as labour is concerned, the President must pursue a policy which will satisfy the unions, keep disputes at a

minimum, and assure labour's full co-operation in the war effort. At the same time, the country must be assured that labour is not specially favoured by a partial administration and the employer must be satisfied that the unions are prevented from utilizing the war situation to entrench themselves more firmly for the anti-union fight they hope to resume when war ends. To retain the confidence of all warring parties is Roosevelt's unenviable task. It necessitates his personal control of labour policy, especially as he, as much as labour, is open to attack for using the war situation to further New Deal policies. Early in 1942 he appointed a joint committee of both organizations, including Green and Murray, to meet with him. This "Labour Cabinet" meets frequently to discuss labour policy, and is reported to exert a strong influence. Roosevelt aims to prevent Lewis obtaining greater power over labour and to prevent a flare up of the A.F. of L. and C.I.O. feud, for the old rivalry smoulders under cover of an outward show of increased co-operation and amicable relations. In the week following Pearl Harbour, Phil Murray and Bill Green, wreathed in smiles, drove together to the White House, and they and other leaders of both federations have frequently appeared on the same platform to contribute their quota of oratory to the war effort. In January 1942 Lewis himself tried to exploit this situation by launching a move for unity; but he did so in league with William Hutcheson and without consulting Green or Murray. It was quickly realized that the scheme was designed to give Lewis control of the whole American trade-union movement, and his guns were quickly spiked by the President.

Although willingness to end the feud has been expressed on both sides, there is a wide gap between each federation's ideas of the possible basis of amalgamation. The

A.F. of L. favours a single all-inclusive federation, but the C.I.O. fears this would result in a return to the chartered unions with their respective jurisdictions clearly defined and a split up of the industrial unions among them. A situation would then arise similar to the one which led to the C.I.O.'s formation and break away in 1936. The C.I.O. has gone no further than to suggest a joint policy committee with over-all powers over the whole movement. This the A.F. of L. does not favour.¹ The cleavage in principle is too great and the vested interests of the respective unions too deeply rooted to permit a sanguine view to be taken that a united trade union movement will be brought about by war conditions. The A.F. of L. and C.I.O. are likely to retain their individual identities for some time to come, unless Lewis' recent moves cause the latter's disintegration. Lewis stands aside ready to re-enter the fray when the opportunity occurs. If the unions were driven to accept a labour policy which went further in the surrender of their rights than that for which their members were prepared, Lewis would be that much more successful in attracting workers into his independent union. In framing his labour policy, Roosevelt is fully aware of this danger and so must resist anti-labour legislation and fend off the pressure from those who would rush him into formulating a labour policy which would antagonize the unions and so play into the hands of Lewis. As already stated, an assertion of Lewis' strength threatens to weaken labour and to cause it to emerge from the war in poor condition to meet any attack on its rights when peace returns.

¹ In December 1942, it was announced that Green and Murray had agreed on a joint committee of the two organisations which would consider all jurisdictional disputes. This is a step forward but amalgamation is still far off.

CHAPTER X

WHY THERE IS NO AMERICAN LABOUR PARTY

THE outlook for American labour would be clearer were there a political labour movement in the United States, but as yet American trade unions have failed to organize a nation-wide political party such as the Labour Party in Britain. There are several reasons. One is the concentration of the workers on the fight for the right to organize; another the limiting nature of the American constitution, which has conditioned labour and social legislation; a third the nature of American politics, particularly the party machine and election machinery; and finally the nature of trade union organization and the workers' political outlook. As has already been seen, the struggle of the American trade union movement from the formation of the A.F. of L. towards the end of the last century up to the New Deal has been a fight for the right to bargain collectively, and to use the strike weapon free from legal restraint. This occupied its full attention. As long as the worker was uncertain of his powers to organize industrially, and when he attempted to do so was met by violence on the part of the employer backed by the state and punishment from the law, he was understandably reluctant to combine for political purposes. After all, in Britain, it was only after the trade unions had obtained full recognition that political organization developed.

Of greater importance was the interpretation of the American constitution as restricting the benefits labour could expect from government and, thereby, limit was set to the gains to be won from political organization. The existence of forty-eight separate states each with its own

constitution, and of the federal government with its limited and defined powers, circumscribed expectancy of results from political organization and certainly restrained any attempt at national organization. Both federal and state constitutions incorporate bills of rights which are based on economic individualism, and it was common to interpret any attempt to regulate terms of employment such as the definition of working conditions as an interference with these rights. Interpretation of the constitution falls to the federal and state courts which can declare unenforceable, that is, unconstitutional, any legislation which is found to exceed the powers granted under the constitution. The overriding power used throughout American history to overcome the restriction of the constitution had been the police power, in the case of the states, and the taxation and commerce power in the case of the federal government. To all intents and purposes the latter can be considered as similar to the police power. The police power is the authority of the state to make and enforce laws for the protection and promotion of the health, morals, welfare and convenience of its inhabitants. It is the justification by which the state restricts liberty of an individual without compensation, when it considers it necessary to do so, for the benefit of the community, or to protect one section against another. But it would not be justified where it conferred special benefit on one class of the community at the expense of another. That would be considered class legislation and therefore unconstitutional. It was on such grounds that much labour legislation has been declared unconstitutional. Where it could be shown that the welfare of the nation required regulation of the conditions under which its citizens were employed, the police power would justify the restriction of the employers' freedom through labour

legislation. The history of social and labour legislation in the United States is, consequently, largely a struggle to gain acceptance of its constitutionality by the judiciary. This required the education of public opinion to a point where it influenced the judiciary. The latter was conservative, and lagged behind public opinion, but its decisions have generally ultimately been influenced by changing conditions and public attitudes. Since judges change and opinions too, the case history of American law on the matter of social and labour legislation is one of evolutionary progress from complete *laissez-faire* to the final acceptance of the federal and state right to interfere with the employer's freedom of control over those he employs.

As long as the courts could obstruct labour legislation, the main useful purpose that a political labour party would serve was absent. There would be little object in the workers combining to press for a political programme of social reform which would have been ruled out of court by a conservative judiciary. Rather had it to wait on the development of public opinion which would ultimately lead to a fresh interpretation of the constitution in accordance with the ideas and conditions of the time. This could not occur as long as public opinion was mainly anti-labour and accepted American individualism as traditional and any interference with the employer's freedom as un-American. Only when the depression of the 1930's had taught its lessons did opinion change and, combined with political pressure, compel a lagging and obstructionist supreme court to reverse earlier decisions and finally to establish the federal and state right to enact social and labour legislation in the interests of the vast mass of the American public.

The rigidity of the American constitution with its division of powers between state and federal governments

and amongst legislative, executive and judiciary branches contributes to the difficulty of creating a new political movement strong enough to challenge the existing parties. Faced with these difficulties, a third party would be unable to deliver the goods fast enough to compete with the older parties who make promises to labour and redeem them to the extent necessary to retain its support. A third party, even if it won a mandate from the electorate to carry out a political programme of social reform, could be so obstructed by the system of checks and balances of the American form of government and hampered by the courts in such a way that faith in the party would probably be lost long before its programme could be carried out. Awareness of this is no doubt a contributory factor to the failure of a labour party to become powerful enough to compete for national political power.

An even more important reason for the lack of an American labour party is the strength of the two-party system in the United States which makes the interpolation of a new party difficult in the extreme. The Republican and Democratic parties, possessed of great political machines, are vested interests powerful enough to prevent encroachment on their territory. Not only are both parties able to attract wealth as required for financial interests, which may, on occasion, contribute impartially to both parties, but they possess power to distribute largesse in the way of profitable appointments, thanks to the spoils system. A new party has no prospect of rewarding its supporters with political office. Interested parties, therefore, have a monopoly of the politically ambitious and are in a position to entice or embrace those who flirt with the idea of a third party. The political power and wealth of the two parties has led to the development of elaborate political machinery controlled by professional politicians,

interested chiefly in politics for what they can get out of it. The machinery of election itself is enough to discourage the most persistent and high-minded revolutionary. In many states the machinery of elections has been built round the two-party system, and for a third party even to obtain a place on the ballot paper requires certain qualifications which are sometimes wellnigh impossible to obtain.

Finally there is the attitude of the trade unions which has previously been an obstacle to political organization. Chief responsibility for this rests with Samuel Gompers who during his long term of office upheld a non-partisan policy. He originated and pursued the policy of supporting candidates, irrespective of party, from whom the unions could expect to obtain support for their policy. So successful was Gompers in planting this policy on the unions that the belief in the futility of independent political action has become traditional of orthodox trade unionism in America. It has lasted so long that a great number of industrial workers have developed traditional party loyalties which have increased resistance to the attractions of any other political organization. Nor should it be imagined that the American trade-union movement was in the past a supporter of social and labour legislation. The A.F. of L., again thanks to Gompers' tutelage, stormed against state paternalism and thus opposed state legislation. It was distrustful of the state and frequently opposed legislation which would confer social insurance or other benefits upon the mass of American workers. But while it shunned state paternalism, it accepted industrial paternalism without question. At the same time the A.F. of L. pursued a selfish policy designed to protect the skilled American worker. It favoured restriction of immigration and high tariffs. Nor was its internal organization

any more progressive since many unions were closed to negro workers. Undoubtedly, one of the chief reasons why there is no national labour party in the United States is the conservative policy of the American Federation of Labour.

This conservative policy has had its influence on the attitude of the workers and is, no doubt, partly responsible for the absence of class consciousness on the part of the vast majority of American workers, and their acceptance of American capitalist economy as permanent. Many an American trade unionist is as anti-Communist and as opposed to any form of radicalism as is his boss and is a believer in the tradition of American individualism. The last thing he wishes is a change in the American industrial system which would deprive him of the possibility of becoming as successful a capitalist as his employer. To some extent the growth of mass industry in the United States and the events of the last decade have modified this attitude, and contributed to the emergence of industrial unionism and the C.I.O.

If a political movement is to emerge, and the C.I.O. survives Lewis' disintegrating influence, it will almost certainly be through the C.I.O.; but labour does not organize on a national scale, partly because President Roosevelt resides at the White House. During his eight years of office, in his first two terms, President Roosevelt achieved more for labour than the sum-total of its gains prior to his inauguration. As long as the chief executive is labour's friend, the unions will see little reason to organize a political party in opposition, but in view of the recent growth of American unionism, if the policies of Roosevelt be reversed and anti-labour elements gain control, political action would be necessary and a labour party might emerge.

Despite the conservative nature of its trade unions, America has neither stayed aloof from the development of political ideas in Europe nor failed to make its own lasting contribution. Henry George had great and permanent influence on the land question with his *Progress and Poverty*, and Thorstein Veblen on social theory with his *Theory of the Leisure Class*; and one of the most widely read Utopias of the last fifty years has been Edward Bellamy's *Looking Backwards*. Spasmodic but isolated revolutionary outbursts have been characteristic of America and not the least notorious were the violent struggles around the Chicago anarchists. Since the early days of socialist thinking there has never been a period without one or more socialist party preaching the gospel, but all efforts to organize the workers politically, alone or in alliance with farmers, have met with no lasting success. One of the most revolutionary organisations, the I.W.W., as described above, collapsed during World War I and the socialist party of America has rarely gone through long periods without internal dissensions followed by disintegration into rival groups. The Communist party has never become an important factor, and has also often been split with internal dissensions. More successful have been progressive movements such as that associated with Senator La Follette in Wisconsin, which met with the greatest success. La Follette's 4,822,850 votes in the 1924 Presidential election, when he had the combined Socialist-Progressive endorsement, remain the high mark for a third party, but La Follette carried only his own state, Wisconsin. The Socialist vote reached a peak of 919,799 in a total poll of 26,500,000 in 1920 when Debs, the Presidential nominee, was in Atlanta federal prison for opposing the war. It approached a million again in 1932 with Norman Thomas, then melted away as most of its

following—which probably included more intellectuals than working men—deserted to Roosevelt's New Deal.

Labour has been more successful in state and municipal politics. The La Follette dynasty's farmer-labour coalition continued to rule Wisconsin until it was unseated by the Republicans in 1938. The same year ended the farmer-labour party's eight-year reign in Minnesota, where Governor Floyd B. Olson used the militia on behalf of strikers instead of against them.

In New York the C.I.O. branched out into politics by forming the American Labour Party which held for a time the balance of power in state and city elections.

CHAPTER XI

CONCLUSION: AFTER THE WAR

At present it is uncertain whether after the war the United States will revert to its former isolation, and it is equally doubtful to what extent it will share in the post-war reconstruction and in the building of a security system to maintain world peace. America will emerge from the war as economically the strongest of the great powers and can not only be the dominant figure in any alliance of the United Nations which survives the present conflict, but also the dominant voice at the peace conference. What sort of peace is written may well depend on what America is thinking and planning to-day. In view of the great part that American labour is playing in the war, it will demand no less a voice in the framing of the peace than will British labour in the counsels of Britain. To the extent that British and American labour are able to speak with one voice, the greater will be their influence. The lines on which America is already thinking indicate the importance of achieving the maximum possible co-operation between British and American labour, so that they can exercise an influence in creating the new world for which they are fighting. The Four Freedoms of President Roosevelt and the post-war declarations of the administration spokesmen, from Vice-President Henry Wallace to the Under Secretary of State, Sumner Welles, have caught the imagination of the British as well as the American peoples. Through those declarations, America has already bid for a position as a leader in planning the post-war world. With the idealism that underlies the demand of Henry Wallace for a century of the common man,

Milo Perkins' demand for the matching of mass consumption with mass production, and Cordell Hull's desire to reduce tariffs, labour should have no quarrel. With plans for feeding and reconstructing Europe all will be in agreement; but it is important not to confuse the humanitarianism of the one or the sound economic planning of the other with the socialist democracy which is the objective of the British labour movement. Sight should not be lost of the fact that views so far aired stop short, when to go further would entail changes in the present economic system and interference with the rights of property and private enterprise. The Wallace-Welles school is far preferable to the American imperialism advocated by the American publications, *Time*, *Life* and *Fortune*, whose proprietor, Henry C. Luce, would have America use the war to establish American civilization operating under the aegis of American big business, but though preferable, it is no substitute for that for which labour is fighting. For American labour to realize this, co-operation now in the planning of joint action is essential.

After the last war, America experienced a violent reaction, not only against interference in European affairs but also against radicalism. For a decade, with America ruled by big business, trade unionism had to fight for survival. Depression in the 1930's brought revolt against the machinations of big business, and the New Deal did much to alleviate the evils of American industrialism. But further than this it has not gone. The Franklin D. Roosevelt era in economic and domestic affairs corresponds to the liberalism of an earlier British period. It has seen hostility develop to the abuse of economic power by monopoly, but it has done nothing to shake the foundations of the American belief in American individualism as

expressed in the freedom of private enterprise. Wall Street, operating through the holding company, came under fire, but not legitimate business whose success is still so much admired. In this situation labour has not advanced in the realm of political ideas. The growth in American unionism has been for industrial and not political purposes: it has advanced because it has embraced the state paternalism of Roosevelt and with that it is well satisfied.

Roosevelt's third term of office will end in 1944 and in view of the 1942 election results it is problematic whether one who shares his political philosophy will succeed him. After the last war, the Republicans replaced the Democrats, and there are indications that this may occur again. Labour in the United States would then be faced with a violently reactionary government supporting the employers in their fight to destroy the labour inheritance from the New Deal: hatred of Roosevelt and all he stands for is still harboured by the great majority of American industrialists. In view of the economic dislocation which would follow the war were reactionary governments in power, labour in America will then be faced with the choice of fighting what may well be a losing battle on the industrial front, or with organizing itself politically. Should reaction set in, repercussions on this side of the Atlantic would be felt. Nothing would suit the British Tory reactionaries better than for an economically powerful America to have an equally reactionary government after the war.

Unfortunately in Britain, as the war has proceeded, the reactionary forces have more firmly entrenched themselves. There have been occasions during the war when it looked as though permanent changes in the economic system of this country would be accepted as necessary. As the war has proceeded, however, and the Government

has governed increasingly with an eye to the interests of the present economic system, it has become more certain that when the war ends there will be a reversion to the *status quo*. The national capitalism which underlaid the policy of successive governments of this country from 1931 to the outbreak of the war is still in the saddle.¹ Despite labour's share in the government and the close consultation with the T.U.C. on industrial matters, war production has been organized to interfere as little as possible with the capitalist system and to facilitate return to pre-war conditions when war ends. Labour and the trade unions have failed to shake the foundations of financial and industrial power. Both British and American labour may, therefore, be faced with the same situation; a counter-attack from the reactionaries. British as compared with American labour is the better organized through the Labour Party, and the trade unions the more united in the T.U.C. The combination of the united and well organized British labour movement with the American unions would make a powerful force to fight the battle against reaction. But recent attempts to achieve co-operation between British and American labour have failed. The *sine qua non* of co-operation is the meting out of equality of treatment to the varying sections of American trade unionism. The A.F. of L., because it was the older organization and the one with which the T.U.C. had dealt, and because it was previously affiliated to the International Federation of Trade Unions, has been taken by the T.U.C. as the official American trade-union movement. The story of American trade unionism sketched above shows the A.F. of L. to be conservative and non-political, and to represent no more than half of the American workers. The C.I.O. represents the other half.

¹ *National Capitalism*, by Ernest Davies (Gollancz, 1939).

except for Lewis' miners and the strong and important railway brotherhoods and some independent unions. The C.I.O. has within its ranks that vast mass of unskilled workers who serve the machine of mass production. Here political consciousness is awakening among unions organized industrially and free from the traditional and orthodox ideas of the old-established A.F. of L. It is significant that the only American labour organization possessed of political power to-day is the American Labour Party of New York State which has firmly established itself. If, therefore, the British trade-union movement is to seek co-operation with the American to combat those forces of reaction which may well emerge when war ends, and if the two movements together are to struggle for the establishment of that democratic post-war world for which they are fighting, it cannot enter into an agreement with one federation which rules out the other. To do so is to destroy any hope of post-war co-operation. In the international co-operation of the trade-union movement, not only of Britain and America, but also Russia and other countries, as the workers become free, lies the hope of the future. On Britain, with the most powerful trade union movement outside of Soviet Russia, lies the responsibility of striving for its achievement.

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