

AMERICAN
LABOR UNIONS

MAROT



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AMERICAN LABOR UNIONS

BY A MEMBER

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Handbook of Labor Literature"



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PREFACE

FOR several years economists, social workers, and magazine writers have done their part to bring the labor problem, in many of its aspects, before the public for impartial consideration.

I find that the cumulative force of recent labor events has influenced some of these people to discourage the presentation of a point of view which is characterized as distinctly labor. It is not that they fail to recognize that there is a labor point of view, but that militant tendencies within the labor movement have alarmed them.

A one time friend of the labor unions, whose good services had been frequently invoked when an intermediary was needed for the settlement of a dispute between capital and labor, told me it was his opinion that the time had gone by for setting forth the labor point of view. As a friend of labor he intended, he said, to exert his energies in putting a stop to the warfare which had developed. It was not, he said, an understanding of the warfare that was needed, but a suppression.

About the same time I learned from an economist, who had given much time to the study of labor conditions, and had formerly welcomed a full presenta-

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tion of both sides, that it was a mistake to lay before the people the labor controversy as interpreted or viewed by organized labor. He took the position that there is no labor side apart from the public side, and, therefore, that there is no basis for a labor controversy. He had decided that the time had come when social reform would and should take the place of the labor movement.

This man, I realized, had become partizan,—partizan to a program,—and in his partizanship he saw no room for the presentation of other programs than those of a nature similar to his own. It happened that I, too, was partizan, but, unlike my friend, I had been partizan for many years, and I have found that clearly formulated programs presented by any large section of the community, throw light on other programs and clarify issues.

But from another point of view the partizan position my friend had taken was important. It typified the intensity of feeling which has centered around the labor movement, and was another evidence of the need of presenting the movement, in its several aspects, from the point of view of those most directly concerned.

Any one who has followed the course of the labor movement during the past five years, must realize that it is the cumulative force of recent labor events which is responsible for the intensity of outside interest. The labor problem remained academic for

those outside until the movement itself took on a more determined and militant aspect. But advocacy of pacific reform measures will not minimize interest in what the organized workers are proposing as long as the daily press reports the dramatic labor struggles which follow each other in rapid succession.

Newspaper accounts, while stimulating public curiosity, do not give an idea of the movement as a whole; the relation of its parts; the controlling thoughts back of the general movement, and the variations in principles and methods. Neither do the valuable studies of single phases of the movement, the studies which make up the literature of our labor movement in America, give a picture of the movement as a whole and the contrasting philosophies, methods, and forms of organization.

This book undertakes to give the labor union point of view of labor union policies and methods which characterize the labor organizations of national reputation. These policies and methods, even the forms of organization adopted and advocated by each, are based on certain "rights." To the workers these rights are as real and as inevitable as any of the political or religious rights claimed and secured in earlier times.

I have not tried to give the "impartial" view of these rights, as presented at times by individual workers, employers, or representatives of a general public. I have tried, rather, to express the views of each or-

ganization and their own reasons for their line of action.

In this book the labor use of terms has been followed, as well as the labor point of view. I have not, for instance, recognized the classroom distinction between the terms *capitalist* and *employer*. To labor, these terms are interchangeable. They are not so used in error or illiteracy, as it is often supposed. Like most labor terms, they are true expressions of the movements which they represent. The use of the terms "capitalist" and "employer" follows the classification in labor union policy of excluding employers from membership in the unions. ^{see 195} With a few exceptions this distinction is made by all labor unions whether radical or conservative. From the labor union point of view it is not important that employers, through direction and management, increase production. The important point is that all employers are representatives of capital and work in its interest; their allegiance is, of necessity, to capital and not to labor. This very difference in the phraseology of labor and of the student of labor indicates an important departure in point of view.

I have used the term *labor union* not to indicate, as it often does, a mixed union, but to cover at once the industrial and trade union.

Although every subject treated in this book has been approached from the standpoint of organized labor, I have not spoken for any one of the several

groups of labor which hold opposing views as to rights and methods. I hold no special brief for the left or the right wing of the American Federation of Labor, nor for the American Federation itself as opposed to the Industrial Workers of the World, nor for the Railroad Brotherhoods, independent of the one or opposed to the other.

My object has been to interpret each one of these organizations as it interprets itself, with this difference: I have noted the criticisms made by the different groups within the labor movement of each of the others, when these criticisms deal with fundamental things. I have disregarded the differences based on personal rivalry. The criticisms made by one group of another are as much a part of the labor movement to-day as are the established principles of any one section. It is the disposition of all leaders of all organized movements to regard divisions within a movement as a sign of weakness. This is particularly true of the labor movement, whose universal aim is unity. But there are members of organized labor throughout the country who look on the criticisms and even the divisions as signs of new life and strength. They regard each group as an experiment or trial in theories and methods for the overcoming of labor's deadliest foe,—the apathy of labor itself. Viewed in this light, the factions may be a promise of approach toward an eventual unity of like interests if not a solidarity of all labor.

The total number of men, women, and children employed in gainful occupations, according to the United States census of 1909, was 29,073,233. The number of workers in each occupational group was as follows:

Agriculture	10,381,765
Professional Service	1,258,538
Domestic or Personal Service	5,580,657
Trade and Transportation	4,766,964
Manufacturing and Mechanical Pursuits	7,085,309

The President of the American Federation of Labor, before a recent hearing of the Judiciary Committee of the United States Senate, pointed out that the field in which the labor organizations operate is confined to the last two groups, that is, *Trade and Transportation*, and *Manufacturing and Mechanical Pursuits*, which together numbered 11,852,273 workers.

Taking no note of the members and adherents of the Industrial Workers of the World and other independent groups, he stated that the membership of the American Federation of Labor and the Railway Brotherhoods together was about 2,500,000, or 18 per cent. of the workers eligible to membership in labor organizations. If some 50,000 were added, to include the members or adherents of all other labor unions, there would still be left a large field for experimentation in the theories and methods of working class action.

The membership alone is no indication of the actual power of existing organization or of group action. The simple facts that organizations do exist, and that new ones may form at any moment, for purposes either temporary or permanent, create a potential force equal in ultimate results to the recognized accomplishments of the labor unions. The very rapidity with which one labor event has followed another is a measure of the potential power of organized labor. While the rapid succession of events is making history old before the events can be recorded, the comparative values of the principles and methods preached and practised, can be gaged as never before on account of their diversity and extended appeal.

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AMERICAN LABOR UNIONS

CHAPTER I

PHILANTHROPY AND LABOR UNIONS

Philanthropic movement—Difference between the two movements, in aim and methods—No question of rivalry—Difference between benevolent and self-imposed measures—Reform movements not co-extensive with democracy but with bureaucracy.

It is a policy on the part of the most liberal of social reformers to include labor unions as far as possible in their many schemes for general social uplift. They regard the movements which they initiate for labor and labor's own movements as common agencies for improving the material conditions surrounding industry as well as the lives of the workers themselves. The effort of the many agencies and the improved conditions constitute the forces of a "New Democracy" or are, rather, the new democracy itself.¹ These agencies are, indeed, not confined to any class; they include employers, and they draw their moral and financial support from large and small capitalists.

There are employers who are building sanitary workshops and developing elaborate schemes of welfare work; women's clubs and consumers' leagues are

¹ For Notes, see end of volume.

actively engaged in regulating the working hours of women and children by legislative enactments; associations for labor legislation are helping to secure compensation for injured workmen and state regulation of dangerous trades; safety committees have forced the enactment of fire protection laws. The churches, social settlements, Christian and Hebrew associations, clubs for working women, and clubs for working men offer nation-wide opportunities to men and women of leisure, of professional and technical training, of wealth, of social position, and political influence to share some of their good fortune and to help in the general effort to better the lives of the men, women, and children who are without the assets of an enriched existence.

Social service has become a profession. Experts in service are developed through schools of philanthropy and special university courses. The movement has passed, indeed, through stages of organized giving of the rich to the poor to extensive surveys and investigations into the condition of the poor for the enlightenment of those who help in the administration of their lives and conditions of work. We seem to be on the eve of witnessing the inauguration and administration of such service by capital and by the state.

The whole movement received an epoch-making impulse in 1912 and became a national issue in politics. Theodore Roosevelt, twice President of the

United States and candidate for a third term at a convention of a new party of his making, received from Jane Addams, the most eminent prophet of the new social spirit, the armor of its aspirations. His cry at the convention, "We stand at Armageddon and battle for the Lord," was a promise to thousands of hard working reformers that their dreary years of effort were to be crowned with victory.

Theories underlying the movements for labor reform were well developed before they became a national political issue. For many, the movements were the expression of pure benevolence. Others discounted the philanthropic impulse or spirit as a basis for extensive reform and approached the problem of devastation wrought by tuberculosis, industrial fatigue, poison, accident, and death of workers less from a sense of pity than from a sense of the economic and social waste. And as social waste and bad business it has been recognized at last by the philanthropist as well as the statesman. Efforts had been made for many years to persuade capital that industrial fatigue and disease did not pay, even in terms of profit. Capital in various quarters recognized the point before industrial betterment became a political issue. Leading economists had successfully inculcated the theory among their followers that every industrial advance of labor is bound up with a continued and a progressive prosperity on the capital side. Every concession to labor involved an equivalent return to capital.

There are leaders of trade unions who seem to support this theory; but, leaving the leaders out of account for the present, the theory or the position is either instinctively or consciously opposed by the rank and file. Boldly stated, the position of the labor unionist is *less work and more pay*. Whether labor does or does not make an equivalent return for what capital concedes in wages; whether it pays or does not pay disastrous prices for the gains it calls its own, are questions of first importance, but they have nothing to do with the difference between the attitude of the labor unionist and the reformer. This difference in attitude is the first point of estrangement between them. The unionist knows that *less work and more pay* sounds like robbery to the reformer, as it does to the capitalist and the politician. The reformer's formulation of the case is more pay, more work, and better returns to capital. It may work out that way, but it does not sound straight as a union proposition. The unionist knows that he does not expect to give more or as much; that the very essence of his fight is that he gives too much. If the economist can prove to the satisfaction of every one that the capitalist will get more out of labor by giving more, well and good; but the unionist is not comfortable in alliance with those who talk that way.

The reformer or the statesman, moreover, lays emphasis on reforms which to labor are secondary in

importance. Sanitary factories, fire-drills, safety devices, healthful processes of manufacturing, are reforms of obvious benefit to the workman; they are amendments to industrial conditions which capital, with sufficient persuasion, can be induced to make. But the dangers from bad sanitation, from fire and special diseases of occupation are, to the working man, only a few of the countless forces against which he is struggling.

In comparison with the under-feeding, insufficient clothing, and housing of his family, which are pressing and immediate necessities, the other dangers which occupy the thoughts of reformers are to the union man merely speculative. He is too absorbed in keeping up living standards at home to be seriously concerned with the reforms of the workshop. Moreover, the average workman has no very lively expectation of the benefits received through state action; they are to him in the nature of vague promises. It is his experience that the adjustment of his vital interests depends on his own efforts. The labor unionist realizes this more fully than the common run of workers. He realizes that the shorter hours and higher wages which he has enjoyed have come through the direct and collective efforts of himself and his fellow workers. As labor union records show, the unions are responsible for a mass of legislation, but the hopes and the efforts of two and a half million organized workers center rather around the regulation which they are

able to impose on industry through their various methods of direct action.

But on other grounds the labor unionist, if he is just a union member and not a well-seasoned official, is not at home with the industrial reformer. Unionists have joined with their fellow workers to gain not only better terms of work and existence: their union is their declaration of independence. It bears the same relation to industrial life that other declarations of independence have borne to political life. Workingmen who do not join unions, consciously or tacitly, accept a position of inferiority; they virtually acknowledge their unfitness to direct or take part in matters of vital concern to them, their incapacity for judgment in what affects most directly their life of work and life of leisure. The labor unionist resents this position of fellow wage-earners. The men who join unions have a developed consciousness of their own manhood, and their membership in a union is a sign to the community at large, no less than it is to the employers, that they consider themselves capable of directing their affairs and determining their interests.

Moreover, when labor men join with reformers in a common effort to change this or that condition, it is their invariable experience that, even though the reformers' methods of attack do not differ from their own, the reformers dominate and the labor men are in the position, anomalous to them, of being auxiliaries

to others concerned with the administration of labor affairs. Labor unionists instinctively resist the domination of the reformer as they have deliberately resisted the domination of the employer. They are embarrassed by the good intentions of the new domination but unable to meet it. They accept positions of vice-presidents while the reformers assume, quite naturally, the positions of presidents. The reformer is equipped for the campaign with a sort of training and experience which is not labor's and with which labor is unfamiliar. The reformers formulate their theories and observations of labor conditions with a marvelous precision which they can execute precisely because they are impersonal. They can formulate and execute their propositions without any of the inhibiting influences which enter into affairs of personal concern.

But for the unionist who is invited to coöperate in the execution, the propositions are filled with personal import; there is something strange and unreal about the precision with which they are handled by the expert reformer. The unionist has his inhibitions. He has not the habit of formulation. He is not practised in directing others. Cases may be cited where labor leaders have dominated a common movement made up of all sorts of citizens, but they are exceptions. The common relation and the common attitude is as I have described it. Reformers recognize their advantageous position, and they make strenuous effort to cover up inherent differences, but labor

is more sensitive to the differences than the reformer, and the efforts to make labor comfortable under such circumstances are not strikingly successful. It is unfair to cite cases where labor representatives dominate a movement of citizens, if it is intended to blind others to the usual position in which labor finds itself either when it enters movements initiated by reformers or where reformers enter the labor movement.

But this being the case, the reformer asks what difference does it make? Is not the elimination of industrial evils the all-important point? The families of wage-earners are suffering from illness, unemployment, under-feeding, and bad housing. What difference is there between one agency and another, except their ability to combat these evils? What difference does it make who secures compensation for the family of a workman injured while at work, if it is secured? What difference is there between the protection of factory workers against fire whether secured by a safety committee of citizens or by a union? Does not a pension for the sick, the aged, or the unemployed buy food or pay rent, whether secured by sociologists or by labor unionists? Does not an eight-hour day give a woman worker the same leisure if it is granted at the instigation of a woman's club or a woman's union?

There is no question of rivalry between the reform movements and the labor unions. Industrial devastation is wide and deep. Many movements of

national scope operate without crossing. But the difference between labor's activity in its own behalf and the activity of others in labor's interest is not only a matter of results. Immediate results may be served in either case, but whenever labor attacks the evils which beset it, *new power is created*. Labor reforms initiated outside of labor unions are, in their administration, left to state agents or experts. State administration is conspicuously inadequate, incapable, and indifferent. Experts can successfully handle inanimate things, but the fundamental interests of men are neither successfully nor finally directed from above. A successful administration of labor measures requires labor's own constant, determined interest and attention. No one can fail to realize the truth of this who compares the efficiency of administration of labor union measures within a trade or industry and state labor measures depending on the inspection of state officials. Benevolently imposed measures are weak substitutes for those which are self-imposed and administered.

No one doubts that measures for industrial betterment, as they are initiated by philanthropists or by capital, and administered by experts or state officials, will make large contributions toward minimizing physical waste and disease in modern industry. It is, indeed, a movement for sanitation and conservation. Its full realization would give clean homes, healthy children, and efficient workers. But class-conscious

labor wants much more. It wants citizenship in industry. It is no more willing to submit to the rule of the beneficent and efficient than were the American colonists willing to submit to the rule of the British Parliament. Labor would rather be free than clean.

The reform movement is not co-extensive with democracy but with bureaucracy. The labor unions are group efforts in the direction of democracy. Like the political efforts in the same direction, they become many times stultified and lead up blind alleys. But the *effort* creates power. While the economic gains are themselves important and are measures of strength, the significance of the labor union is its assertion of the manhood of labor. The labor unionist, who has no theory in regard to the class struggle, is often the most class-conscious of workingmen. His class-consciousness is his innate self-respect extended to his class and intensified in his resentment against the position which society assigns the worker.

CHAPTER II

AMERICAN FEDERATION OF LABOR

Effort to establish its theory of partnership relations with capital—Variations in purpose and methods within the Federation—Minority sentiment—Methods of organization—Federal character—Conventions—International unions—Variations in policies and government, autonomy, disciplinary powers—Local unions—Departments—Executive councils—State and city branches.

THE theory of the American Federation of Labor, upheld by its national representatives and a majority of its local officers, is that the inevitable dependence of capital on labor and labor on capital creates a moral obligation of partnership relations.

The American Federation of Labor was organized thirty-three years ago to secure, through the method of collective bargaining, a "fair share" in the partnership—a share which capital had failed to grant the workers as individuals.

The Federation claimed that labor's share in a partnership of natural or mutual interests gives it a "right to a voice" in determining what is a "fair share" or dividend. As organized groups of workers have demanded a voice in the fixing of their share in the wealth produced, they have been met with the invariable answer from capital, "It is none of your

business," or "I shall run my business to suit myself."

The preamble to the Constitution of the American Federation of Labor reads:

A struggle is going on in all the nations of the civilized world between the oppressors and the oppressed of all countries, a struggle between the capitalist and the laborer, which grows in intensity from year to year, and will work disastrous results to the toiling millions if they are not combined for mutual protection and benefit.¹

For thirty-three years the Federation has worked persistently to realize the partnership relations. It has made every friendly and peaceful alliance which has opened to it, notably its alliance with the National Civic Federation, which is made up of representatives of labor and capital. Such coercive action as strikes and boycotts the American Federation justifies on the ground that war is better than oppression and that oppression is as much a part of autocracy in the industrial world as it is, or ever was, in the political. It is quite impossible to follow or understand the methods of the American Federation without keeping in mind that every coercive act is performed in the hope of establishing a permanent and peaceful partnership.

The national representatives of the Federation have adhered to this clear-cut policy.* As there is, however, a large provision for home rule within the international organizations of the Federation, the theory and policy of the parent organization varies in application.

* See note at end of chapter, p. 28.

It is important, therefore, to discover the tendencies of each affiliated organization.

In many of the local and national unions, modifications are evident in the attitude of the members toward the basic theory of partnership relations between capital and labor.

A vote, which may be considered as a test, taken at the 1912 convention of the American Federation, fixed the Socialist sentiment as one-third of the delegation. The vote was on the election of a president.

The minority vote was cast by the delegates from the Western Federation of Miners, the majority of the delegates from the United Mine Workers, and the Machinists, from the Brewery Workers, and the Journeymen Tailors, together with votes of single delegates from other organizations. The delegates from the Western Federation of Miners were emphatic in their position. They explained that they had no choice in the matter, that their members approved of a continued affiliation with the Federation for just so long a time as they could successfully make headway against the conservative or "capitalistic" policies of the American Federation.

But the strongest contrasts between unions within the Federation do not follow nominal Socialist lines. The sharpest divisions, those which are most persistent and clear cut, are between unionists who stand for uncompromising class action, and those who ad-

vocate propitiatory measures in the relation between capital and labor. There are delegates, non-Socialists, as well as Socialists, who take opposing positions on class action in all the conventions,—the conventions of the American Federation, of the international unions and the state federations, and in the weekly meetings of the city central organizations.

The strongest trade union non-Socialist representatives of San Francisco, those who have the most influence in labor councils, declare with pride that in San Francisco they are for labor, right or wrong. They recognize no trade or industrial obligation above their allegiance to fellow unionists or to labor. They consider that their contract to stand by labor comes first and takes precedence over all contracts made with capital.

At the Rochester convention of 1912, Max Hayes, one of the Socialist leaders, and a member of the Typographical Union, declared that he stood by the policy of his union which upheld its contracts with employers at any cost. He was speaking to the question of the price of a lost strike which the Pressmen had been forced to pay for the good faith which the Typographical Union had maintained with the Newspaper Association of Employers. The Chicago Federation of Labor, representing the American Federation unions of Chicago, stood by the Pressmen and condemned the Typographical Union. There are other

city central organizations besides those of Chicago and San Francisco which have made such decisions when the obligations to fellow unionists and contracts with employers were in conflict.

The usual method of organization of the Federation is along craft or trade lines. It undertakes to meet the inter-dependence or overlapping of one craft on another through its scheme of federation. But its federation plan makes no special provision for simultaneous or sympathetic action between the unions of related trades, as in times of strikes. The solidarity it realizes through federation serves disciplinary and organization purposes within the membership. Its purpose is to force concessions from the employers of separate trades, not to make war on capital as a whole.

This federal organization of labor has located its headquarters in the nation's capital, with a President, Vice-President, National Executive Council, and Departments. There are forty-two state organizations chartered by the Federation, and six hundred and twenty-three city organizations. But it is not the state or city organizations which form the basis of the Federation. The Federation centers round the one hundred and eleven national and international unions which it charters for the purpose of organizing the workers of the country, not geographically, but by trades, throughout the United States and Canada. These national or international unions are supple-

mented by six hundred and forty-two local trade and federal labor unions chartered directly by the National Executive Council of the Federation.

A convention of the American Federation of Labor is held annually. It is made up of delegates from all the chartered unions, who pass on business of interest to the Federation as a whole and to the affiliated organizations. At these conventions the officers and Executive Council are elected for the following year. The Federation is supported by a per capita tax levied on all the chartered unions.

The one hundred and ten national, or, as they are usually called, international unions, chartered by the Federation, are given jurisdiction over organization within prescribed trade or industrial lines.

These international unions in turn issue charters to local unions, giving them the right to organize the workers within a prescribed locality, coming under the jurisdictional provisions of the international charter. There are 20,046 local unions chartered by the internationals. A local union is known by a number, as Local Union 25 of the International Ladies' Garment Workers. The local unions pay a per capita tax in support of the international unions.

The laws governing the election of officers, the duties of officers, the holding of conventions, the fixing of dues and initiation fees, the terms of contracting or bargaining with employers, as well as organization actually accomplished, are determined by each

international union. Once in possession of the charter the autonomy of an international union is complete, so long as it does not encroach on territory assigned another international.

Within its assigned field it may organize every worker or it may lie down on its job. The Federation, by its own laws, may grant no other group of workers a charter in the same field so long as the original organization observes the requirements of its charter, and pays its per capita tax. It considers any other group which operates in the same field, a "dual," that is, a rival organization, and inimical to the interests of unity.

The international unions, on the other hand, allow their local unions a minimum of home rule, and are directly responsible for the failure or success of a local, as well as for the extent of the organization of the trade within a locality.

The character of the internationals varies as to method and forms, as well as to principles of action. The Typographical Union, for instance, is a genuine craft organization, after the general policy of the American Federation of Labor, while the United Mine Workers' Union, the largest of all the unions of the American Federation, is industrially organized, including every worker in or around the mines in one union.

The label method of organization, explained in another chapter, is used exclusively by some unions,—

it is discarded or deprecated by others, although the Federation urges all of its allied unions to adopt it.

Again, on the question of political action, the internationals take opposing positions. Some of the unions support the policy recommended by the Federation,—that the unions enter into an active, non-partizan, pro-trade union campaign, supporting that one of the dominant parties which stands for trade union measures. Other unions oppose this policy and take no part in politics. Still others work for the election of candidates on a Socialist ticket, and urge the Federation to support exclusively Socialist Party candidates.

While it is the invariable policy of the international unions to establish if possible partnership relations with employers, they vary in their expressions of confidence in the mutuality of interests. The Boot and Shoe Workers' Union, for instance, look to the boot and shoe manufacturers to employ trade union members as agents to advertise their label and their label goods; they request the manufacturers to support a trade union member as joint agent for the union and manufacturers at Washington to insure the passage of tariff legislation which they consider of like importance to capital and labor. The Leather Workers, on the other hand, refuse to coöperate with the manufacturers in securing tariff legislation. They say that the tariff is of no interest to labor, and that all benefit from a protective tariff goes to capital. In

support of their position they quote the manufacturers themselves, who stated before Congress that tariff on leather is for the protection of capital, and that it has nothing to do with wages; that "they (labor) have gone through blood to get their increase in wages."²

While this allowance for differences in policy gives each international organization full opportunity for individual expression, the American Federation, according to its own constitution, has no power to check the domination of the international unions over their own local unions. That is, the actual membership of the Federation is not protected from the evils of centralized power. The international organizations undertake to make and keep the policy of their locals uniform. With a few exceptions they have been successful in this. Although this adds to the difficulty of reshaping policies, the changes which do occur, invariably originate within local unions. The local unions, with a keen and active membership, have reversed the traditions and practices of their internationals. But it is not always within the power of a rebellious membership to affect the character of their organization. The large amount of autocratic power reserved by the internationals makes membership rule difficult, and, at times, impossible. At any time the international may withdraw the charter of a rebellious local and form a new local, leaving the old to operate as a dual organization. Locals find their wings effectually clipped under such circumstances. The whole

of the American Federation of Labor is against them. There is a provision in the Constitution of the Federation which reads :

No Central Labor Union, or any other central body of delegates, shall admit to or retain in their councils delegates from any local organization that owes its allegiance to any other body, National or International, hostile to any affiliated organization, or that has been suspended or expelled by, or not connected with, a National or International organization of their trade hereinafter affiliated, under penalty of having their charter revoked for violation of their charter, subject to appeal to the next convention.³

This means to a local union that the displeasure of the parent organization, and the withdrawal of local charters, place it outside the pale. In times of strike such locals are refused their only means of support, the backing of organized labor. Their strikes are not recognized as strikes, and the places of strikers may be filled by members of the American Federation of Labor. Within this provision lies the disciplinary power of the Federation of Labor, which is seldom broken except by city central bodies like the Chicago Federation of Labor and San Francisco Labor Council, which are stronger at times in their influence than an international organization.

As has been explained, the national unions of the Federation are divided into what are called local unions. There are also local unions affiliated directly

with the Federation without allegiance to an international union. In trades where no internationals exist, the Federation grants charters to organizations of eleven or more workers of a trade in one locality. These are also called local unions. When seven or more of these locals desire consolidation, they make application to the Federation, which withdraws the individual charters and issues a charter to an international union, which re-issues individual charters to the locals which formed it.

In localities where there are not enough wage-earners in any one trade to organize as a local trade union, or where there are not enough who desire organization, workers of miscellaneous trades are grouped together in what the Federation calls Federal Labor Unions. There are six hundred and forty-two of these Local Trade and Federal Labor Unions.

For many years the strength of the American Federation has been sapped by what are commonly known as jurisdiction fights. The international unions are still appealing to the Federation, which prescribes the boundaries of each, to decide on the question of disputed territory. These disputes have consumed a large part of the time of the national conventions, the time of the national officers, they have at times seriously interfered with the progress of organization of workers, and they have developed an attitude of hostility between union and union which has affected the solidarity of the movement.

It was for the purpose of unity that the departments were created. These departments are made up of representatives from national unions which are closely allied by the nature of the trades they represent. It is intended that the disputes which arise between the unions of related trades shall be taken up and disposed of, so far as possible, by the department in which they are represented. The departments represent only those national unions which care to affiliate with them and which are chartered by the Federation.

The Building Trades Department includes:

Asbestos Workers	Machinists
Bridge and Structural Iron	Marble Workers
Carpenters	Sheet Metal Workers
Cement Workers	Painters
Electrical Workers	Plasterers
Elevator Constructors	Plumbers
Steam Engineers	Roofers
Granite Cutters	Slate and Tile Workers
Hod Carriers	Stone Cutters
Wood Wire Weavers	Tile Layers, etc.

The Metal Trades Department includes:

Sheet Metal Workers	Molders
Blacksmiths	Metal Polishers, Buffers, and
Boiler Makers and Iron Ship-	Platers
builders	Pattern Makers
Electrical Workers	Plumbers and Gasfitters
Engineers	Stove Mounters
Machinists	

The Railroad Employees' Department includes:

Machinists	Blacksmiths
Boilermakers and Iron Ship-	Sheet Metal Workers
builders	Railway Carmen

Plumbers, Gasfitters, and Steamfitters	Railway Clerks Steam Shovelmen
Electrical Workers	Switchmen

The Mining Department includes :

The Western Federation of Miners	The United Mine Workers Steam Shovelmen
Iron, Tin and Steel Workers	

The Union Label Trades Department proposes to unify and extend the union label method of organization. The following unions use a label or card which stands for a particular trade and is granted to the manufacturers of the trade, who observe the conditions required by the union. Thirty-eight of the following fifty-seven international unions, using a label or card, are represented in the Union Label Trades Department :

American Federation of Labor	Glass Workers
Bakers and Confectioners	Glove Workers
Barbers	Grinders and Finishers
Bill Posters and Billers	Hatters
Boilermakers	Horseshoers
Blacksmiths	Hotel Workers
Bookbinders	Jewelry Workers
Boot and Shoe Workers	Lathers
Brewery Workmen	Laundry Workers
Brickmakers	Leather Workers
Broom-makers	Lithographers
Brushmakers	Machine Printers
Carpenters and Joiners	Machinists
Carriage and Wagon Workers	Marble Workers
Cigarmakers	Metal Polishers
Cloth Hat and Capmakers	Metal Workers
Coopers	Molders
Garment Workers (men's)	Painters
Garment Workers (women's)	Papermakers

Photo Engravers	Tailors
Piano and Organ Workers	Textile Workers
Plate Printers	Tip Printers
Powder Workers	Tobacco Workers
Printing Pressmen	Travelers' Goods and Leather
Print Cutters	Novelty Workers
Sawsmiths	Typographical Union
Shingle Weavers	Upholsterers
Slate Workers	Wire Weavers
Stove Mounters	Wood Carvers

The officers and the Executive Council conduct all business between the sessions of the annual conventions which does not belong to any one affiliated organization, and execute the instructions of the conventions.

They have given an increasing amount of time and attention to federal legislation, and, since 1906, to national politics. The character of this legislation indicates the position taken by the Federation on questions relating to labor as well as on questions of general interest. (See Chapter on Legislation.)

The routine work of the Council covers a multitude of matters of importance to the organization; the granting of charters to new unions, the settlement of innumerable jurisdictional disputes, general organization work in unorganized districts and trades, and support of special union interests through the levying of assessments. It also makes connections with groups of people other than unionists who are interested in problems of interest to the Federation, and publishes a monthly magazine, *The American Federationist*, and a weekly "News Letter."

Every local union affiliated directly or indirectly with an international union is expected and entitled to affiliate with the Central Labor Union, chartered by the American Federation, in the city in which it is located. These city organizations exist to look after matters of local concern to all the local unions affiliated with them.

The city organization is not supposed to interfere in a trade situation where local trade organization exists, except at the invitation of the local union of the trade, and it is not expected to organize in a trade locally unorganized, except under the direction or in coöperation with the national union which holds jurisdictional rights over the trade. A city central may not coöperate with a local union if the national union offers objections. If it does so, it may suffer the penalty of losing its own A. F. of L. charter. As was noted above, certain city central unions have defied the international unions in backing up a rebellious local without losing their connection with the Federation, but such defiance is based on exceptional strength and unusual local vitality.

Many city central unions have taken part in local politics, usually unofficially, and have given important support to a political measure or political candidate for office. They undertake to secure the employment of union labor in city contracts and the passage of city ordinances of interest to organized labor.

The thirty-two State Branches are chartered by

the Federation, primarily to secure the enactment of laws for the protection and advancement of labor in the state through the state legislatures.

These branches are made up from the local unions and the city central organizations within the state, chartered by the Federation. The branches usually hold annual or biennial conventions, when legislative programs are drawn up, and a campaign is organized for the coming session of the state legislature. The bulk of the laws for the protection of labor have been secured through these agencies. (See Chapter on Legislation.)

There is no means of measuring the value or the extent of the educational work of the American Federation. For thirty-three years it has been teaching the lessons of collective action and organization to labor in every state in the country. The 2,000,000 men and women who are members are only a small fraction of the workers who have learned through the Federation the futility of competing against others for a wage. The membership represents workers who have gained a sufficient foothold in a trade or industry to make it possible for them to declare their allegiance to their union without paying the penalty of losing their jobs.

Through association, the union men and women have learned to guard jealously respect for workers as a class; they resent the position of ignominy and degradation to which their class is assigned.

It would be difficult to measure the economic gains which the trade organizations have secured, or realize what labor's position would be to-day without them. If each union reported the wage gains directly conceded the union, the real gain could not be determined without fixing in terms equally exact the proportional increase in cost of living which fell to organized workers, if not to labor in general. Even were such computations possible, a still more important factor would need to be determined, namely, the effect on the general wage rate in the whole labor market which the potentiality of labor organization exerts.

The report of the Secretary of the Federation for 1913 showed that forty-five international unions had made 3,190 settlements for improved conditions without striking. These figures give no idea of existing agreements, as unions in several cases reported that "a great number" or "many" settlements were made during the year, and no union reported the still greater number of contracts or agreements which were operative either through an unexpired term, or which were indeterminate, or the still greater gains which thousands of union workers were enjoying by tacit understanding without resorting to formal contract.

The same report shows that 974 strikes in 67 international unions occurred during the year. This report, together with the foregoing, gives some idea of the policy of the Federation, and its determination to

establish by methods of peace, rather than war, labor's part in fixing conditions of work.

If the Federation is tenacious in relation to methods; if it hesitates to change old forms for new, it is because its unions have made present and heavy sacrifices for future gains. When revolutionary unionists demand that trade unions withdraw all restrictions it is in many cases equivalent to a demand on men who own more tangible forms of private property that they surrender the keys. It is important to keep clearly in mind the purposes of conservative and revolutionary unionism to realize the integrity of each.

NOTE.—Before a recent hearing of the Commission on Industrial Relations, the President of the A. F. of L. seemed to deny the Socialist position that the A. F. of L. acknowledged the mutual obligations and interests of capital and labor. But his statement that he did not consider the interests of the two classes "harmonious" was not a refutation of the Socialist criticism nor an endorsement of the Socialist position that there is no basis for agreement. (See p. 12.)

CHAPTER III

THE RAILROAD BROTHERHOODS

Conservatism—Common characteristics of the four organizations—Mutual insurance associations—"Protective policy"—Arbitration as a substitute for strikes—The Erdman Act—Development of "protective policy"—Territorial divisions and concerted movements—Standardization—Federation—Repudiation of coercive methods.

THERE are unions of railroad workers which are a part of the American Federation of Labor, such as the car builders, shop and road builders and repairers, telegraphers, machinists, and, in a limited district, switchmen. But the most important unions of railroad workers are independent of the American Federation, and represent a distinct type of labor organization. These unions are: The Brotherhood of Locomotive Engineers, the Brotherhood of Locomotive Firemen and Enginemen, the Brotherhood of Railway Trainmen, which includes conductors, baggagemen, brakemen, flagmen, switchmen in yard and train service, and the Order of Railway Conductors.

These four organizations with their common characteristics and their independence of the general union movement, are often briefly characterized as conservative by labor union men whose own organizations are as conservative in purpose and in administration as

are the brotherhoods of railroad workers. But conservative unions of the American Federation recognize a common labor movement by becoming a part of it and this the brotherhoods have refused to do. While many of the unions of the American Federation give only a nominal or official recognition to the idea of labor unity, the position taken by the brotherhoods frankly and squarely places the emphasis on unity of interests between limited groups of workers and their employers. Although some of the unions of the Federation are intent on the limited unity, they have not sufficient confidence in their own strength to take a position of independence.

The brotherhoods have depended on their conservatism for their growth. Their tenets as well as their history are testimonials to their faith in established institutions. They lay stress on the personal conduct of their members, and make no complaints against the exploitation of a class. The cardinal principles of the Brotherhood of Locomotive Engineers are "sobriety, truth, justice, and morality." A brother may be expelled from membership for intoxication, the keeping of a saloon or attending a bar, for habitual gambling or for making money through a gambling house. The preamble includes a statement recognizing the need for coördination of capital and labor, and the cultivation of amicable relations with employers. The motto of the Firemen is "protection, charity, sobriety, and industry." They also declare their belief in the

identity of interests between worker and employer, the necessity of coöperation and the cultivation of harmony. The Brotherhood of Trainmen affirms its intention of establishing mutual confidence and harmonious relations; and its rules of conduct, as well as the rules of the Conductors' Order, are emphatic and strenuous mandates which members disobey at risk of membership.

The editor of the *Railroad Trainman* writes:

The Brotherhood has tried to be fair to the public, the employer, and itself. It has accepted its responsibilities and consistently stood by what it has agreed to do, although there have been times when taking that position brought upon it the most bitter censure from those who have as yet to learn that a labor organization, to be successful, must be a business organization that holds its word as sacred as its bond. . . . Our educational work has been of a practical nature calculated to have the men understand their side of every question and at the same time realize that the industrial question is not one-sided by any means, but that the rights and privileges of the employer are as equally entitled to consideration as are the rights and privileges of themselves. In a word, the Brotherhood has attempted to bring about a fair understanding as to the rights between the employer and the employee.¹

The editor is fully justified in saying that the efforts of the Trainmen (and he might have added that the efforts of the other brotherhoods) to become a business organization have brought upon it bitter criticism. Some radical labor unions object strenu-

ously to business organizations and their methods; they consider that the first lesson in labor organization is class opposition to the whole business institution. But the brotherhoods have no intention of changing the industrial system. They have no desire to disturb the relation of master and servant. They are conscientious upholders of the existing social order. It is their concern to maintain a standing in the community which will conform to what is expected of skilled workmen. In their advancement and in their growth in membership they have given signal evidence of their loyalty to the laws and the customs of the country. It is, indeed, due to the efforts of the brotherhoods, and not to the railroad managements, that peace and continuous service on the roads are preserved.

The history of railroad systems in America is replete with tales of recklessness in the management of finances. But as conservers of social institutions the sins of financial manipulation are trifling in comparison with the failures of directors to deal generously with the brotherhoods. In one case they speculated with the savings of stockholders and the survival of their own particular administration. In the other case they speculated with the contentment and the faith of the workers in the established social order. They do, it is true, treat with the brotherhoods, and on some systems they are to-day meeting them half-way; but the brotherhoods have worked unceasingly

for "fair conditions" and have sacrificed the hopes of thousands of men in their efforts to gain them.

The brotherhoods were organized originally, not as labor unions, but as mutual insurance societies. Railroad employment is listed as extra hazardous by some of the insurance companies. None of the companies issue policies which meet the needs of the men in the service. It does not pay to meet the needs of men, who, as a class, are killed at the rate of nine a day, or three thousand a year. No profit-making business involving life and death chances can afford to hold out inducements to men who in seventeen years will all be dead or totally disabled. It has been estimated that the cost of insurance of railroad workers charged by the ordinary insurance companies is more than thirty per cent. above that charged by the brotherhoods. This estimate would be much higher than it is had the difference between the rates which the regular insurance companies would charge for insurance against disability been taken into consideration. Disability even more than death brings disaster to the homes of men in railroad service.

Railroad workers are probably endowed with the usual amount of fatalism that goes with meeting constant danger. However that may be, it was with the inertia of fatalists that they set to work to patch up their tragedies instead of preventing the wholesale slaughter which has characterized their employment. The brotherhoods have managed their insurance busi-

ness with great skill. Many millions of dollars have been paid out from their insurance funds, and life in times of greatest stress has been made more endurable for thousands of men and their families.

The large membership of the brotherhoods is unquestionably due to the insurance features of the organization, rather than to the collective bargaining, or the "protective features," as they call their trade agreements, which were introduced in the early years of organization. The membership statistics are remarkable. Seventy-two thousand locomotive engineers, or ninety per cent. of the locomotive engineers of the country, are members of the Brotherhood of Locomotive Engineers. The Order of Railway Conductors, covering also ninety per cent. of the conductors, has a membership of 49,000. The membership of the Brotherhood of Locomotive Firemen and Enginemen, including both firemen and engineers, is 90,000. And the Brotherhood of Railway Trainmen, including conductors, baggagemen, brakemen, flagmen, and switchmen in yard and train service, has a membership of 135,000.

Their first efforts to change their wage conditions through their organizations were met with bitter and unrelenting opposition by the management of the roads. The Firemen, for example, adopted the "protective policy" in 1879, two years after the organization of their insurance business. They were forced to abandon it after a brief experience on account of the

opposition of the railroad management. In 1885 they reintroduced the policy of collective bargaining, and have continued ever since to develop it.

While the insurance features of the brotherhoods have protected members, they are also responsible for the unfailing conservatism of the organizations. A member who has invested in a policy and has carried that policy for several years and is counting on its protection is wary of strikes or other experiments involving risk. It is well recognized that trade union officials who are the trustees of large benefit funds or insurance features of unions are more sensitive to a disturbance of the treasury than to the economic position of their members or their relation to their employers.

The insurance features are used as disciplinary weapons by the organization. Men who strike without the sanction of the organization in which they are insured and hold membership are expelled from the Brotherhoods of Trainmen and Firemen. On the other hand, in no one of the organizations can a man retain membership who has scabbed in an authorized strike.

The avoidance of strikes is a business principle of the brotherhoods. It has also become a virtue and a social responsibility assumed by the officers. The taking of a strike vote is a part of the required preparation for arbitration proceedings, as explained elsewhere.

During arbitration proceedings it is usual for the managers of the companies to point to the extension of organization among the railroad workers and the movements for concerted action over extended territories and between the brotherhoods, and to interpret the extension as a preparation for a general strike. Mr. Morrissy, representing the engineers on the arbitration board of 1912, in signing the minority report of the board, expressed the attitude of the brotherhoods on the question of the general strike. He did not consider that the majority report had reason for referring to the railroad strike in France in 1910 in comparing the situation in the United States.

The comparison fails to note the difference between the general strike of engineers and that of all the railway employees, which was the case or at least attempted in France. Another phase with which there can be no comparison of an assumed situation in this country is that the French strike was a part of a program of European syndicalism. The general strike is no part of the American railway employees' program. In brief, the analogy which the majority report attempts to make, would require all the men in all the railways to quit work at the same time, a condition so improbable as to question the propriety of any recommendation based upon it.²

In place of strikes the brotherhoods have given their full indorsement to arbitration of disputes. The managers and the unions in the latter years have made,

as well, numerous wage agreements without resort to the court of arbitration or to strikes.

The Erdman Act, the federal statute which provided for voluntary arbitration or mediation in disputes between railroad managers and their employees until 1913, was enacted in 1898. During the eight years that followed, the law was invoked in one dispute only. From 1908 until 1912 it was appealed to sixty times. Within a period of five years application was made according to the provisions of the law under federal arbitration or mediation, by the railroads nineteen times, by the unions thirteen times, and sixteen times joint application was made by managers and union officers.

In 1912 it was officially reported:

During the period covered by the practical operation of this law there have been hundreds of cases in which either new agreements have been negotiated or existing agreements reopened and wage scales and working conditions readjusted through conferences between the particular road involved and one or another of the classes of employees covered by the provisions of the Erdman Act. On the average it is probable that hardly a week goes by in which some one of these classes of employees is not engaged in negotiations with some railroad in some part of the United States concerning changes in their existing agreements. A large number of these are settled directly without the intervention of any of the national officials of the organization concerned. . . .³

The Erdman Act provided that its machinery should not be set in motion until a strike had occurred, or

the stoppage of work was seriously threatened. It was for the purpose of proving that the stoppage of work was seriously threatened, or, rather, to start up arbitration proceedings, that the strike vote was taken. The fact that the men voted to strike placed the officers in a better position during arbitration proceedings. There was throughout the proceedings the possibility of a strike in case of failure to agree. On the other hand, the well-known conservatism of the organizations, and the well-known objection of the officers to calling the men out on strike, together with the precedent against striking which has been established, gave the managers of the roads a sense of security when withholding the concessions demanded by the union.*

For many years each one of the brotherhoods made wage agreements with single systems or divisions of a system or even with a single superintendent. Gradually the brotherhoods formed local and joint protective boards, made up of representatives of their local lodges and divisions. Later, these protective boards included the lodges of a brotherhood throughout a system or related systems. At last, these joint protective boards were federated, and jointly worked out uniform wage scales and conditions for the class of workers which came under their jurisdiction within their own territory. Up to this point collective bargaining had developed from agreements with single

* For fuller information on the Erdman Act and its amendment in 1913, see Chapter on Arbitration.

superintendents of road divisions for one class of servants, like the engineers, to bargaining for the same class within a territory which covered a third of the country and the roads operating within it. The three territorial divisions are the Western, the Eastern, and the Southern. The Western Territory includes the Illinois Central and all lines lying west of that road and of the western shore of Lake Michigan. The Eastern Territory includes the roads north of the Chesapeake and Ohio Railway and east of the Illinois Central and Lake Michigan. The Southern Territory covers the roads south of the Chesapeake and Ohio and east of the Illinois Central.

The Western Territory was organized in 1901, and the first concerted movement was made by the Conductors and Trainmen jointly in 1902. Four years later the second territorial movement was made by the Engineers, and the following year the third movement was made by the Firemen, all in the Western Territory.

Concerted movements were opposed in the Eastern Territory long after they were accepted by the managers of systems in the Western. It was not until 1910 that the Eastern managers would consent to a joint consideration of wage conditions. The Conductors, again jointly with the Trainmen, made the first successful attempt to secure concerted action in the Eastern Territory. And, as in the Western, the Engineers followed the movement two years later of the Con-

ductors and Trainmen, and the Firemen, the succeeding year, followed the movement of the Engineers.

These movements of the brotherhoods for concerted action within a territory are still resisted by the managers of the Eastern and Southern roads. But in the Western Territory a single movement settles wage conditions as they are initiated singly or jointly by the brotherhoods.

The chief purpose of the territorial movement is to standardize wage rates and all other wage conditions. Warren S. Stone, during the session of the arbitration court in the case of the Eastern firemen, in 1913, declared that the Western managers like many associations of employers preferred conferring with their men jointly for the fixing of uniform wage conditions. The recommendations of the Engineers' arbitration board the year previous, it will be remembered, was an indorsement of Mr. Stone's position in its recommendations for uniformity in wage rates for railroad employees. But the majority report, made by the representatives of the roads and the representatives of the public, objected to the fixing of those rates by collective bargaining. If wages were to be fixed they proposed that they should be fixed by a Federal board, as railroad rates are fixed by a Federal commission. As this proposition excluded the voice of the workers from the settlement of their terms of work, the representative of the Engineers filed his minority report.

The merging of railroads and railroad systems has made uniformity of wage rates inevitable over large systems. It was impossible for the brotherhoods to standardize wages over a territory or territories and to increase rates without concerted action within their organizations. There is a change in public opinion, moreover, in regard to unrestricted competition in railroad affairs. The Engineers' arbitration court of 1912 gave as its opinion that in fixing wage rates the wages paid by meanly-managed roads should not be considered, but the prevailing wage rate of a locality or of the most successfully managed roads should determine decisions. The same court discovered that in the Eastern Territory six systems owned or controlled seventy-nine per cent. of the fifty-two systems in the territory.

How the organization of railroad management is conducive to standardization of working conditions has been well stated by John R. Commons. He says that the railroad brotherhoods

deal with corporations conducted like governments. Their scale of wages is like a legislative enactment fixing a uniform rate of pay for government employees over a vast area. The scale is issued as a general order from the highest authority to all subordinates who hire and discharge these classes of employees. The positions themselves are well defined, there is but one man, and no chance to divide up his work among a set of helpers. The superintendent is not expected to pay less or to pay more, nor to change his force in order to get cheaper

help. Years of experience have shown the railway brotherhoods that they can rely upon a promise so far removed as this one is from the ordinary treatment of labor as a commodity fluctuating upon demand and supply.⁴

While the concerted action of local lodges of each of the brotherhoods was developing the standardization of wage conditions, another movement of greater significance from the point of view of labor organization was being advanced. This was the federation of the brotherhoods for purposes of further developing collective bargaining.

With scrupulous care the brotherhoods had made it clear, so far as action was concerned, that they were not in sympathy with the labor movement as such, and that class action was not a part of their program. They not only refrained from alliances with the unions of the American Federation, but they carried on their bargaining with their superior officers independently of each other. They forbade their members to strike in sympathy with the members of the other brotherhoods.

In 1903 a "Plan of System Federation" was adopted and the position of complete craft independence was officially compromised by the brotherhoods of railroad workers. In spite of the well-defined policy of the organizations, sympathetic or joint strikes of the members of the different railroad crafts had occurred, but with the growth and discipline of

the organizations they had become less and less frequent.

The Brotherhoods of Trainmen and Conductors were the first to break away from the position of complete independence and work together in the making and adjusting of contracts. But the Engineers and Firemen continued the original policy of independence until 1913, or ten years after the plan of federation had been formulated. There has been inevitable friction between two organizations representing men so closely related as the firemen and the engineers, between the man who runs the engine and the one who fires it. A fireman from the day he starts firing is in the process of becoming an engineer, for without his experience of firing he may not qualify for engineering. When he does qualify he may have to continue as fireman until a position of engineer is opened to him. In consequence, many engineers are members of the Brotherhoods of Firemen. Before the federation agreement between the Firemen and Engineers was adopted the Brotherhood of Engineers negotiated new wage conditions for all engineers irrespective of their union affiliation. Each of the organizations enforced the terms of the wage contracts for their own members. Under the new arrangement either organization may negotiate new schedules or they may be negotiated jointly. The new agreement recommends the making of joint schedules and joint negotiation whenever possible.

The "Plan of System Federation," as amended in 1910, provides that any of the four brotherhoods "may federate for the purpose of adjusting any complaint which may be presented in accordance with the laws of the organization aggrieved." It permits the federated organizations to coöperate but not federate with any other organization of railway employees. Under safeguards a vote of the federated organization to support a grievance of one of the organizations may be taken and a strike inaugurated. If any one of the federated organizations votes not to strike the other organizations may proceed without it.

The more recent agreement between the Engineers and Firemen specifies:

In case either organization shall make an issue and declare a strike independent of the other organization, whether there is a joint working agreement or not between the committees, the organization making the issue will not order a strike of its members who are working under an agreement made by the other organization, and it shall be understood that should the Brotherhood of Locomotive Engineers order a strike, it will not require its members who are firing to quit their positions as firemen, and if the Brotherhood of Locomotive Firemen and Enginemen shall order a strike it will not require its members who are running engines to quit their positions as engineers.⁵

It further provides on the question of strikes that:

When a strike is called by one organization the members of the other organization shall not perform any

service that was being performed before the strike was called by the members of the organization who are on strike.⁵

In other words, this agreement makes it clear that while no member of one organization may take the place of a member of another which is on strike, a fireman shall fire an engine if the Firemen are not striking on their own account even if the Engineers are on strike and the engine is being run by a non-union and strike-breaking engineer. In the same way an engineer shall not regard the fact that a strike-breaking fireman is firing his engine.

The contract between the Engineers and the Firemen, the plan for the federation of the four crafts, and the concerted action within the three territories are all for the single purpose of perfecting contractual relations between the management of the roads and the men. They do not indicate a development of class-conscious action as understood by the radical labor unions. But they are a recognition, born of experience, of the interdependence of related crafts. The brotherhoods have not adopted any of the usual labor union methods which are particularly condemned by the employing class. They have not stood for the union shop, or the boycott, of the American Federation. The value of the insurance features of the brotherhoods to all railroad men, and the fact that the methods of road manage-

ments secure for all the employees universal conditions, make the union shop regulation unnecessary.

On the question of picketing, the president of the Brotherhood of Trainmen instructed the members of the union that the order to strike according to the rules of the Order, means that members "will be expected to cease work at a given time and to peacefully and quietly depart from the company's property, and remain away from such property until the strike is settled or until you receive instructions from your general committee to return to service . . . if the railroad companies are able to secure the service of a sufficient number of men to operate their property we must concede they have a right to do so." 6

With the features which are particularly irritating to employers removed, with the concerted movement well developed in three territories covering the railroad systems of the country, with arbitration well established, the brotherhoods are fully prepared on their part to test out collective bargaining on a peace basis. The fact that railroad management is highly centralized is an important element in the scheme of the brotherhoods for the peaceful settlements of wage conditions through trade agreements made and administered on terms of business consolidation. There are no present indications that the brotherhoods

have other intentions or are to be counted on for sympathetic action in the general labor movement.*

* Since the above was written officers of the brotherhoods sustained members in their refusal to transport the militia into the strike zone of the coal miners of Colorado.

CHAPTER IV

INDUSTRIAL WORKERS OF THE WORLD

Its inception—Preamble—Relation to Socialism, to Syndicalism—Criticism of trade unions—No contract with capital—Direct action *vs.* political—War on the trade unions—Organization features realized and planned for—Centralization of power—Membership—Its present position.

INTEREST in a well-established organization centers around what it is doing and what it has accomplished. Interest in a new organization centers chiefly around what it is doing, in the light of what it proposes to do; and how it differs from other organizations in the same field, and its relation to them.

The Industrial Workers of the World proclaimed that its coming was due to the failure of existing labor unions—the failure in the methods adopted, as well as failure in conception of the ultimate purpose of the labor movement.

The new organization was called into existence by a manifesto issued in January, 1905, which concluded its survey of an outworn industrial system with a statement of the failure of trade unionism, and the task which a new organization must accomplish:

The employers' line of battle and methods of warfare correspond to the solidarity of the mechanical and industrial concentration, while laborers still form their fighting organizations on lines of long-gone trade divisions. The battles of the past emphasize this lesson. The textile workers of Lowell, Philadelphia and Fall River; the butchers of Chicago, weakened by the disintegrating effects of trade divisions; the machinists on the Santa Fé, unsupported by their fellow workers subject to the same masters; the long-struggling miners of Colorado hampered by lack of unity and solidarity upon the industrial battlefield, all bear witness to the helplessness and impotency of labor as at present organized. This worn-out and corrupt system offers no promise of improvement and adaptation. There is no silver lining to the clouds of darkness and despair settling down upon the world of labor. This system offers only a perpetual struggle for slight relief from wage slavery. It is blind to the possibility of establishing an industrial democracy, wherein there shall be no wage slavery, but where the workers will own the tools which they operate and the product of which they alone should enjoy.¹

The last sentence marks off the ultimate purpose of the Industrial Workers of the World from the American Federation of Labor and the Railway Brotherhoods, which are not concerned with the dispossessing of capital, but with maintaining contracts advantageous to labor.

The preamble to the constitution further elucidates the revolutionary purposes which characterize and distinguish the Industrial Workers of the World among the labor organizations of America:

The working class and the employing class have nothing in common. There can be no peace so long as hunger and want are found among millions of the working people, and the few, who make up the employing class, have all the good things of life. Between these two classes a struggle must go on until the workers of the world organize as a class, take possession of the earth and the machinery of production, and abolish the wage system. We find that the centering of the management of industries into fewer and fewer hands makes the trade unions unable to cope with the ever-growing power of the employing class. The trade unions foster a state of affairs which allows one set of workers to be pitted against another set of workers in the same industry, thereby helping to defeat one another in wage wars. Moreover, the trade unions aid the employing class to mislead the workers into the belief that the working class have interests in common with their employers.

These conditions can be changed and the interest of the working class upheld only by an organization formed in such a way that all its members in any one industry, or in all industries if necessary, cease work whenever a strike or lockout is on in any department thereof, thus making an injury to one an injury to all.

Instead of the conservative motto, "a fair day's wage for a fair day's work," we must inscribe on our banner the revolutionary watchword, "abolition of the wage system."

It is the historic mission of the working class to do away with capitalism. The army of production must be organized, not only for the every-day struggle with capitalists, but also to carry on production when capitalism shall have been overthrown. By organizing industrially we are forming the structure of the new society within the shell of the old. ²

There is nothing in the preamble or manifesto which does not conform to Socialist doctrines, or to which the International Socialist movement might not subscribe. It is the interpretation of the preamble by individual members of the organization which has attached the Industrial Workers of the World to the Syndicalist rather than to the Socialist movement.

The declaration in the manifesto that the workers should own and operate their own tools, and that they alone should enjoy the fruits of their labor, would mean, according to American Socialists, that all workers, through a political state, or regulated by it, would operate, own, and enjoy collectively all tools and the product of industry.

Moreover, Socialists who are not bureaucrats see in the labor unions the future administrative units of industrial democracy. With this point of view, they can subscribe to the section of the preamble which reads, "by organizing industrially we are forming the structure of the new society within the shell of the old." But this sentence, interpreted by the leaders of the Industrial Workers, is directly opposed to the political Socialism of America. It is the declaration of the Syndicalists that the new social order will not be dependent on political action or a political state, but it will be an industrial commonwealth in which all governmental functions as we know them to-day will have ceased to exist, and in which each

industry will be controlled by the workers in it without external interference.

But whether the workers are Syndicalists or Socialists is less important to the Industrial Workers of the World than is usually supposed. What the workers actually believe in regard to the future, the Industrial Workers of the World considers of less importance than what they accept as true or reject as false in their own present relations to their work and fellow workers. The Syndicalist theory that each group of workers shall control the industry in which they work, is simpler in form and easier to grasp than the idea of social ownership of all production politically managed. The point the Industrial Workers is keen about making is that wealth belongs to labor.

To organized labor it is also unimportant whether the Industrial Workers' philosophy is Syndicalist or Socialist, or even whether it is sound or unsound in its details of a future state. It is unimportant except as it serves agitation purposes. Whatever weakness or strength is inherent in the philosophy is for the time being of interest to theorists rather than to labor organizations in active operation from day to day.

The use of the Syndicalist theory is part of the avowed purpose of the Industrial Workers to force the labor movement to accept the doctrine of the class struggle—to acknowledge the irreconcilable conflict between capital and labor. The organization pro-

poses to carry these doctrines through an aggressive and militant campaign into the ranks of the workers without property and without skill. Of the forms of organization chosen by the Industrial Workers for accomplishing its purpose and waging its warfare, the first in importance is the substitution of industrial for craft unionism. An official statement from the secretary of the organization says:

The craft plan of organization is a relic of an obsolete stage in the evolution of capitalist production. At the time of its inception it corresponded to the development of the period; the productive worker in a given industry took the new raw material, and with the tools of the trade or craft, completed the product of that industry, performing every necessary operation himself. As a result the workers combined in organizations the lines of which were governed by the tools that they used. At that period this was organization. To-day, in view of the specialization of the processes of production, the invention of machinery, and the concentration of ownership, it is no longer organization but division. And division on the economic field for the worker spells defeat and degradation.³

The Industrial Workers set itself the task of gathering together the workers of the separate trades of an industry, the workers of the branches of an industry, and at last all the workers of all branches of all the industries into what it calls "One Big Union."

For the purpose of sympathetic action, the Industrial Workers proposes to abolish all forms of labor

union contract with capital, to introduce low dues and low initiation fees in place of the high dues and initiation fees of certain trade unions; the short strike followed by the use of sabotage on the return to work after a lost strike, and the education of the workers to reliance on direct action rather than political or delegated action.

The opposition of the Industrial Workers to the contract between labor unions and capital follows the dogma of the irreconcilable interests of the contracting parties. But contracts are opposed on practical grounds as well. The Industrial Workers points out that it is a cut-throat policy, disastrous to labor as a whole, to permit one group of workers to tie themselves to capital in a determinate or indeterminate contract, and because of the contract to remain at work if another group in a related trade strikes and needs the help of the tied-up group to win its fight. The Industrial Workers states that there is only one contract that workers in all honesty can make,—the contract to stand by a fellow worker.

The Industrial Workers opposes the limitation to union membership which is created by the trade unions through their practice of imposing high dues and initiation fees. It opposes it on the ground that it creates an aristocracy of labor and is in its essence the denial of fraternity; that the gains of the few are bought at the sacrifice of the many; that it destroys the spirit of unification of all labor and

defeats the ultimate purpose of the revolutionary labor movement. The low dues offer no opportunity for the development of a war treasury and the Industrial Workers has no substitute plan for financing strikes. The supposition is that strikes will be short and the revolutionary spirit of the workers will carry them through the privations of strike periods. As a matter of fact, up to date, the revolutionary spirit of the strikers has called forth large financial contributions from Socialists, labor unions, and other sympathizers. But these sources of help are uncertain and cannot be depended on for long or frequent periods.

While the Industrial Workers in theory stands for the short strike, the leaders have not found themselves able to accomplish it. They have found, what all labor leaders know, that when workers strike, it is not for revolutionary reasons, but against some definite imposition, or for some gain, some specific gain, intensely desired. Strikers are out to win their particular point. The men or women who are ready for a quick termination of the strike, are the most conservative, those who most fear the power of capital, those with the least rebellion in their hearts. The braver spirits on whom the leaders count to support their revolutionary program, are those who will not surrender, even for the sake of the future, their particular fight with their particular boss. The workers have not adopted the short strike program of the

Industrial Workers or the suggestion that they carry their fight back into the shop by the use of sabotage methods. The leaders look forward to a gradual realization among the workers of the advantage of the short strike and its adoption as its value is understood.

The Industrial Workers, concerned primarily with the organization of the unskilled worker, claims that direct action, that is, labor union action, is superior to political action, in the war against capital. Its reasons are that many thousands of workers are foreign born; that many more are in migratory occupations, and cannot use the ballot; that the political state is owned by capital and the strongest position for labor is to attack, not the owned or controlled state, but the "ascendent" state, which is industry. Direct action, or labor union action, gives the individual worker greater opportunities for initiative, for it is more possible for the individual worker to follow and to understand, and therefore control, the action of the officers of a union than of a state. The members of the Industrial Workers differ in their attitude toward political action. Some reject it entirely, and some give it second place to labor union action. At a meeting in New York City of a branch of the Socialist Party, held in October, 1913, William D. Haywood said, "I advocate the industrial ballot alone when I address the workers in the textile industries of the East where a great majority are

foreigners without political representation. But when I speak to American workingmen in the West I advocate both the industrial and the political ballot."

It is only necessary to read the official literature of the Industrial Workers to realize that its advent was as much a declaration of war on the existing labor unions as a signal to capital. The avowed purpose was to supersede all other labor unions with their "out-of-date methods." Much of the early work was carried on in trades and territories where organization existed to some extent and was under the control of the American Federation of Labor. In declaring war on the trade unions, it created for itself a position in the labor movement which the Syndicalists of England and France had avoided. The Industrial Workers defends its position of attack on the ground that the American Federation has committed its organizations "to safeguarding the employers' interests as well as the interests of their membership, a program of harmonizing that which cannot be harmonized. . . . Such a program betrays them into the hands of their opponents, for it sets the seal of their own organization's approval upon their condition of servitude." ⁴

The Industrial Workers considers that the efforts of labor union officials to deal with capital are inevitably stultifying; that the spirit of compromise, an intrinsic part of bargaining, gradually modifies

their point of view; that as they surrender their uncompromising labor position, they become blocks in the way of advance.

There are probably many thousands of members of the American Federation who indorse the tenets of the Industrial Workers, but believe that the American Federation can be made to change its program, and that the workers who wish to make war on capital cannot afford to waste their strength in forming an opposition organization. They believe the same results can be accomplished by "permeating" existing organizations with the revolutionary spirit. There are also active American Federation men who think the Industrial Workers as a separate organization will be of value in the class struggle if it confines itself to fields in which the Federation has failed or has not attempted organization. The very existence of the Industrial Workers makes it less difficult for conservative unions to contract with employers, who fear the possibility of falling into the hands of an unmerciful organization.

In working out the plans for a new organization, the Industrial Workers was partially guided by a desire to avoid what it considered the weaknesses in structure of the American Federation. It was particularly bent on avoiding the autonomy of a division. The local industrial union corresponds to the local trade union but has more freedom. The local in-

dustrial union includes in its membership all the workers in an industry in one locality.

The Industrial Workers in circumscribing the power of the national union pointed out the restrictions and evils which result from the autonomous rule of the international trade unions; the suppression of membership interest and control. The national industrial unions are given control over the local unions in matters of common interest to the workers in the industries they represent. In matters of general interest and welfare to workers of all industries the General Executive Board of the Industrial Workers directs the membership. It also provides that the executive board shall have the power to call strikes in any division of the organization if in the opinion of the board any subordinate union on strike needs the help of any other. This centralization of power is the organization's effort to bring about solidarity in the whole labor group.

The national industrial unions are organized when there exists in an industry the required number of local industrial unions, with the required minimum of membership. In 1913 the existing national unions with their locals were reported as follows: The national Industrial Union of Textile Workers, with 37 local unions; the Forest and Lumber Workers, with 48 local unions; the Marine and Transport Workers, with 12 local unions. There were also 95 local unions for which there are no corresponding national unions.

The plan of the Industrial Workers includes the formation of industrial departments in which shall be affiliated all national industrial unions of kindred industries. No departments at the present time exist. This department plan provides for: (1) A Department of Agriculture, Land, Fishery, and Water Products; (2) a Department of Mining; (3) a Department of Transportation and Communication; (4) a Department of Manufacturing and General Production; (5) a Department of Construction; (6) a Department of Public Service.

The Industrial District Councils, which correspond to the city central unions of the American Federation, are given a more important place in the scheme of the organization than they are in the Federation. In the latter, affiliation is optional with local unions. The local industrial unions are required to join the District Councils of the Industrial Workers. The District Councils, moreover, are given supervision over the work of organization in their district. They are expected to employ organizers and push forward the unionizing of workers in their district as far as it is possible to do.

The division of power between the General Executive Board, the National Industrial Unions, and the District Councils is regarded as an important departure from the American Federation scheme, which places absolute power in the hands of the international unions.

The question of "centralization or decentralization" has been, and still is, a burning issue among the leaders of the Industrial Workers. A delegate to the second convention of the Industrial Workers, who was largely responsible for the policy of limiting the power of the national unions, and giving the general executive a controlling hand over the organization as a whole, explained his position at that time. He said:

The issue is not to build up a czar, but the issue is to prevent the establishment of petty independencies of petty czars. The issue that presents itself before us is the issue that the government of these United States was confronted with in the matter of states' rights, when every state presumed to go it independent of the central administration. . . .

Quoting from the constitution of the Industrial Workers, he said: . . .

The subdivision national and international unions shall have autonomy in their respective internal affairs, provided the general executive board shall have power to control these industrial unions in matters concerning the interest of the general welfare. . . . He continued: You will find the repeated statement . . . of William D. Haywood that this is to be a government, not of departments, but of the rank and file. . . . He joined in the view which I have stated, that the departments, so-called, must be in the nature of the states of the United States, and that there should be no less and no more autonomy . . . this government of the United States is not a government of states, but a government of the people. For the same reason, the government of

this Industrial Workers of the World is not a government of departments, it is a government of the rank and file. Moreover, if you turn over to the manifesto, along the lines of which we hewed so close, and allowed neither extremists nor reactionists to cause us to swerve, that manifesto clearly speaks about the autonomy that should prevail, namely, in internal matters that do not concern others, and it refers to working class unity. A working class unity cannot be maintained in the I. W. W. if the head of any department has it in his power to exclude from the rank and file the actions of the General Executive Board of the whole body. If the governor of a state or the legislature of a state had power to keep information away from the rank and file of the state as to what occurs, you can imagine what would be the result. And that was just what was wanted by . . . the element that wanted that no law passed by the Congress should reach the rank and file, unless it went through the state authorities. . . . We had the nullification turmoil, we had Aaron Burr, who attempted rebellion, and we finally had the conflict that put an end to it. Now I maintain that this bourgeois history is the pedestal on which we stand. Revolution does not mean to break off with the past; we are children of the past, and what we are laboring for here upon the industrial field, the bourgeois capitalists have established before us upon the political field, the political field dividing us into states, the industrial field proposing to remove state distinctions and establishing the industries on a newer basis. . . . The actions of the General Executive Board shall be brought before the rank and file of each organization, and while the industrial unions must have autonomy in their private affairs, in affairs such as are properly private they are to have autonomy, the autonomy is destroyed absolutely upon matters of general concern. . . .⁵

The General Executive Board has wielded, in the last few years, greater power than was originally intended. This is probably due to outside causes. The Industrial Workers, instead of mapping out organization and following well-laid-out plans, has been plunged into convulsive and sudden strikes in industries and districts where no organization existed.

The membership, based on cards issued, is 120,000. The paid-up membership in 1913 was 30,347. The Secretary reports that

the membership to-day consists almost wholly of unskilled workers. The bulk of the present membership is in the following industries: Textile, steel, lumber, mining, farming, and railroad construction. The majority of the workers in these industries, except the textile, travel from place to place following the different seasons of work. They are therefore out of touch with the organization for months at a period.⁶

To-day the Industrial Workers of the World holds the uncontested place of friend of the industrial outcast, the unemployed, and the unemployable. The Socialist Party at one time claimed that place, and held that a tramp was not a person to be despised because he was a tramp; that a man who refused to slave under capitalist exploitation deserves respect. It is now common to hear the Socialist Party members, with malice of thought, interpret the initials I. W. W. as "I won't work."

It is not surprising that the Industrial Workers of

the World, at the end of its eighth year, does not report a highly developed organization. It chose as its field the hitherto least organizable element in industry. It made its appeal and its plans to meet those workers who were the least able to give it permanent support, or even substantial temporary support. Its revolutionary program was met by capital and the courts with unrelenting opposition. Its attacks on the trade union movement developed factional disputes among the workers. Its agitation aroused workers to sudden and unexpected revolt in various parts of the country. Its free speech fights brought it into conflicts which had to do with the question of individual freedom rather than with labor organization, although they were the preliminaries of labor organization. It is impossible to predict whether it will be able to develop its organization, or realize the outline of organization it has before it. Its record of the past three years, 1912 to 1914, is a record of a national force rather than one of an organization.

CHAPTER V

ORGANIZATION OF WOMEN

No evidence of policy of union discrimination—Lack of confidence in her executive ability—Problem is not discrimination but the position of woman and attitude toward her—Relation between unskilled and women workers—Her domestic and industrial position related—Women not interested in permanent organization—Women good strikers—Women's Trade Union League.

FOR several reasons the organization of women wage-earners is a subject apart from the organization of workers as a whole. ^{4/24/18}

There are no figures separating the membership of unions according to sex; all alike are wage-earners in statistical reports. Although there are unquestionably more men organized than women, there are also more men than women in the more organizable trades. The question of proportional membership of men and women is an open one. It is hypothetical to state that there is a policy of discrimination against the unionizing of women. The American Federation of Labor in its pledge of membership requires that no discrimination shall be made on account of sex, creed, or color in the local or federal unions directly dependent on the National Executive Council. Moreover, wherever there is a demand on the Council for

the organization of these unions there is no lack of interest or effort on account of sex. It will be remembered that the home rule policy of the Federation leaves its international unions free to organize as they elect within their jurisdiction. At the 1913 convention of the Federation a per capita tax of one per cent. was levied as a special assessment to defray a campaign for the organization of women.

The national unions of the American Federation differ in their attitude toward women, but it is practically impossible to fasten on any what could be considered sex discrimination in admittance to membership. In exceptional instances are men and women engaged in doing the same kind of work. As the national unions of the American Federation organize by crafts and by division of crafts, and as these crafts and divisions represent a branch of an industry in which either men or women are at work, proof of discrimination could be deduced in the exceptional cases only where men and women are doing the same kind of work in one locality, and the men are organized and the women are not. There are probably several exceptional instances, like the organization of cigar packers. Both men and women pack cigars. The men cigar packers who are organized in New York opposed attempts to include the women in their local union. They claimed that the women did inferior work and that their scale could not be raised to meet union requirements, but they did not

prove their claims to the satisfaction of the women.

It is not unusual to find that a national union has organized one craft and not another, although it has been given jurisdiction over both. As an example: The Hotel and Restaurant Employees' International Alliance holds, for the American Federation, jurisdiction over cooks, waiters, bartenders, and chambermaids in hotels, restaurants, and saloons. The bartenders of the country are organized out of all proportion to the waiters. The bartenders are men, and the waiters are men and women. It is not clear whether this is due to neglect of the waiters, or to the fact that the officers of the union are more interested in bartenders, or whether they have found bartenders less difficult to organize.

But discrimination against women as members of a union is negligible. Where women are eager to organize they usually find it possible to secure the coöperation of the union representing their trade.

The discrimination against women is within rather than without the membership. Women are discouraged from taking an active part in the executive affairs of organization. There are no women among the national officers or the national executive of the American Federation. In the 111 national unions there is but one woman president. It would be rare to find women presiding over a city or state organization.

While the leaders of the Industrial Workers of the World show confidence in the part women have taken and will take in the industrial struggle, the women of Lawrence, Mass., observed that the officers of the local organization in that city have given them no better opportunity for taking part in the administration of union affairs than have the men of the American Federation.

Labor union men are like other men: they are not eager to trust office-holding to women. Labor union women are like other women; they lack the courage and determination to overcome the prevailing attitude that women are unfit to assume executive responsibility. It is the lack of the executive representation of women rather than lack of membership in the unions that endows the labor movement with a masculine point of view and limits it to masculine ability.

The real problem of the organization of women in labor unions is not discrimination, but the position of women in their domestic relations and industry. This is complicated by a special attitude assumed toward women, of which their attitude toward themselves is a part.

The mass of wage-earning women are in trades which yield the lowest scale of wages, where little skill is required, and where a worker can be quickly replaced by other workers. The manufacturing industries in which women work are subject to constant change, to change in seasons of work, to change

in new methods of work, to change through the introduction of machinery, to change in nationality and sudden influxes of workers from other countries.

For obvious reasons, men as well as women working under conditions as unstable as they are unprofitable are far less interested in building up permanent organizations than are workers in the more permanent trades; in the trades which require experience and training, and which pay the highest wages.

A worker with training or skill is eager to protect his special kind of property. The American Federation form of organization and its methods have an obvious value to such a worker. It offers him a defense against attack on his special property. It is plainly worth the while of such a worker to invest in the union of his trade or industry and to make immediate sacrifices for the protection and for the rewards for which the permanent form of organization stands. It is also possible for him to pay union dues out of his comparatively high rate of wages in amounts sufficiently large to insure the financing of an organization.

On the other hand, it is extremely difficult to persuade workers who are not receiving a living wage, or who are casually employed, to join an organization which will require time, money, energy, and many serious sacrifices for a reward in the future which for them is certain only in its uncertainties. Unlike the skilled worker, they have neither the mar-

gin out of which to pay dues nor the faith in the future. To the workers without a trade future the investment in a union is a speculative proposition.

This is the problem of unionizing the unskilled worker, and, as the mass of women are unskilled, it is in part the problem of the organization of women.

While the methods of the American Federation appeal to the skilled worker, the Industrial Workers propose to offer special inducements to the unskilled worker by limiting dues and initiation fees. But placing even a minimum tax on the unskilled worker does not meet the uncertainties of casual employment. The Industrial Workers have not yet shown, it may be that they do not expect to show, that the lowest paid workers can be interested in a permanent organization. Their provision for the transfer of a worker from one trade or one industry to another is a recognition of the uncertainties of the casually employed. But it is too early in its history to judge whether it can or cannot meet organization needs on a treasury built up on contributions of the casual workers. Its large strikes have been largely contributed to by other labor and by Socialist organizations.

One important phase of industrial unionism, which includes the lowest paid worker and the highest paid in one union, is this question of financing the organization of the former. The higher dues of the better paid workers might keep up a treasury without unduly depending upon the workers who are unable to sup-

port organization. But the unions of the Industrial Workers have given no extended proof of the willingness of skilled workers to financially back the unskilled.

But the problem of organizing women is only in part the problem of organizing the unskilled worker. The question of why more women are not members of unions is only partially answered with the reasons for lack of organization among the unskilled. There is another phase of the problem which applies to all wage-earning women, skilled and unskilled. It is the woman's problem, and is a more distinctive part of what is known as the women's movement than it is a fully recognized part of the labor movement. But it is a part of the latter, and affects wages as well as the organization of all labor.

Men's domestic duties coincide with the performance of a day's work. Their day's work, moreover, fulfils all domestic obligations. When men have completed a day's work for the boss, they have earned a day's wage for the family, and have discharged their obligation to both.

Wage-earning women give their time and strength to industry as men give theirs, but women, unlike men, are not relieved from home duties in consequence. They are ^{not} ~~not~~ expected to settle home problems and make home adjustments as they did before industry was transferred from homes to factories. They perform their day's work in the factory in addi-

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tion to their obligation at home. They go into industry, in short, not as competent wage-earners, with the common needs of individual human beings, but as helpers-out at home. They have little conception of their place in industry and their relation to other wage-earners, but they have a very present realization of how they can help out at home. With this attitude toward their work they readily accept a wage which is an auxiliary wage, that is, a wage which supplements the wages of others: a wage which does not pay, but helps to pay, the rent; a wage which does not cover, but helps to cover, the cost of the family clothing.

This is not only a woman's attitude toward her wage. It is the general attitude. The woman who is thrown entirely on her own resources, who has no one to help out, and no one to help her, is subject to the same depressing influence of the prevailing attitude toward women as is her sister who pools her earnings with the members of her family.

No one expects a woman to take her wage-earning seriously, or to consider it as a future occupation. She is invited to indulge in the glittering generality that marriage will relieve her of all financial burdens. If she is a wage-earning wife or daughter, she is expected to change her work to suit home conditions and demands, which are seldom changed to suit her work.

This attitude toward women wage earners is more serious in its effect on wages and her interest in the

problem of her fellow workers than is the actual bearing of children. The eternal emphasis on a woman's response to the demands of her family makes it difficult for her to realize the effect of her underbidding her fellow workers in search of jobs, or her responsibility to them.

The appeal to her to help build up an organization for permanent protection is not met with the ready response it might if she were master of her own time and if the future were as clear for her as for her brothers. Even as she answers the appeal to organize, she finds that it is difficult to attend union meetings in addition to her household duties, which must be done before or after the day's work in the store or factory.

Many labor men are men first and unionists second. Such men are often too annoyed at the thought of women out of the home to face the danger which threatens organization by leaving her free to shift for herself and to meet organization of labor as she meets capital, as best she can and in her own way.

The attitude toward the organization of women is dependent upon the prevailing attitude of a locality. The attitude of the union men of a locality is the attitude of the other men toward women. The trade union men of California, for instance, take the organization of women for granted, and welcome them in administration affairs, while the trade union men of New York are, at best, politely skeptical.

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In spite of the difficulties in the way of building up permanent organizations in the trades where women work, it is now a generally accepted fact among all unionists that women make the best strikers. They have answered the strike calls in all the recent great strikes where women were involved, and in these large strikes and in all others they are invariably opposed to compromise in the settlement of the dispute, and show a characteristic feminine tenacity which is the most valuable asset in a striker. During the silk workers' strike in Paterson, N. J., William D. Haywood said: "It was the women of Lawrence who won the Lawrence strike, and if the Paterson strike is won, it will be the women who win it." The quality of the revolutionist shows up in women on strike, and this is as true of women of long union experience as it is of the woman in her first rebellion against some industrial oppression. On the contrary, the conservatism of union men is supposed to increase with experience. There may be several reasons for this: women usually feel less responsibility about the future of a union; they are not keen about a career and do not care to hold office. A woman now and then who makes the union her career develops, as the men do, an official attitude toward the movement. But there are other women who have served their unions for a decade or more who never lose the militant spirit which characterizes them as strikers.

The strike of Shirt Waist Makers in 1909 in New

York City was the first demonstration in the labor movement of the possibility of organizing all the women of a trade by calling a strike of the whole trade in one locality. It was the strike of the Shirt Waist Makers which gave the first great impetus to the organization of the workers making women's clothing and which placed at last the International Ladies' Garment Workers' Union in its present position,—the third largest union affiliated with the American Federation. This union has jurisdiction over one of the largest fields in which women work. It is officered by men who believe that women make good strikers, but who have no confidence in their ability to handle union affairs. They have gone further than any other union in building up organization by protocol agreements with manufacturers without a conscious sentiment or understanding among the workers. They claim that the workers as a whole have no real conception of organization.

It is difficult to say how great a part of the increase in organization of women is due to the Women's Trade Union League. The League was organized in recognition of the fact that woman's part in the labor movement needed undivided attention. Its purpose was to emphasize that need. In the ten years of its existence the League has functioned as a woman's as well as a labor organization. Its executive councils are made up of a majority of

trade union women who are members of the American Federation of Labor, but it has been materially assisted in its work by women who have no trade affiliations.

The League was tolerated in its early years, and many trade union officers regarded it indulgently as a passing whim. It is not so regarded to-day.

The League has been persistent, strenuous, militant. It has kept its single purpose in mind, "the organization of women into trade unions," until it has at last convinced the most skeptical of its integrity.

Its work in the great Shirt Waist Strike in New York, the Garment Workers in Chicago, and the Telephone Operators in Boston, has given it a national reputation, and has advertised, as no other single force has advertised, the idea of organization for women workers.

In the face of all difficulties the organization of women in the last five years has advanced at an unprecedented rate. The New York Labor Department reports an increase in that state for 1913 of 111 per cent. It is interesting to observe in connection with the increase the changes in the general attitude toward women.

The President of the American Federation thus writes in a confident tone of the woman's movement, the organization of working women, and the superior advantages of labor unions over other efforts to improve the condition of women workers:

. . . the forces that have contributed to the woman movement have been increasing in scope and intensity. Women's education is no longer inferior to that of men . . . the popular attitude toward women's work has changed completely. . . . This woman movement is a movement for liberty, freedom of action and thought, tending toward a condition when women shall be accorded equal independence and responsibility with men, equal freedom of work and self-expression, equal legal protection and rights.

. . . we should view with apprehension present sentiment in favor of setting up public and political agencies for securing industrial benefits for wage-earning women. These agencies would constitute a restriction upon freedom of action capable of serious abuses. Instead of aiding women in the struggle for industrial betterment and freedom, we should be foisting upon them fetters from which they would have to free themselves in addition to the problems that now confront them, and we should still leave unsolved the problem essential to real freedom—self-discipline, development of individual responsibility and initiative. The industrial problems of women are not isolated, but are inextricably associated with those of men. . . . We cannot encourage too enthusiastically or too fully efforts of women to help themselves, to secure for themselves needed reforms, and to associate themselves in trade unions which protect individual freedom and promote the general well-being.¹

CHAPTER VI

INDUSTRIAL AND TRADE ORGANIZATION

Forces which make for trade and for industrial organization—Counter criticisms—Past efforts to form industrial unions—Opportunity for choice of form of International A. F. of L. unions—"Autonomy Declaration" of A. F. of L.—Jurisdiction disputes—Building Trades Department: industry divided into trades on the capital side; changes in processes; reduction of sympathetic movements—Metal Trades Department: efforts to amalgamate; substitution of local industrial agreements for trade—Railway Employees Department: the "Federation of Federations"—Department of Mines: sentiment against trade autonomy within the A. F. of L.—Chicago Pressmen's strike—Strike of the Light, Heat, and Power Council of California—A. F. of L. industrial unions: United Mine Workers; Western Federation; Brewery Workers—Industrial contract with capital—Industrial unionism of I. W. W.—Where an industrial and where a trade union functions.

WHEN a wage earner discovers that, as an individual, he is at a disadvantage in selling his labor; and that this disadvantage is the outcome of his own competition with fellow workers for the same jobs, the discovery places him in possession of the remedy, which is combination. The sort of combination which logically follows his discovery is not combination with all wage earners, but with those who are after the same jobs. Such combinations are the trade unions, and such unions are simple business propositions,

especially for those workers who pursue trades or crafts which require some degree of experience and training.

It was in the nature of the situation that the workers who followed a trade which required skill and training would be interested in propositions for the preservation of trade standards, and that workers without special skill would show less concern. As skilled workers can earn more at their own trade than at any other kind of labor, the keeping up of the wage level is to them a matter of life interest. It is true, as a general proposition, that organization by trade, and permanent organization of any sort, has appealed to workers according as they have little or much to gain in the trade they follow.

Trade union combination is so obviously superior to the competition of individuals looking for work that workers, under stress of intense competition, would have combined almost instinctively if their combinations had not met the drastic opposition of those who controlled the distribution of the jobs.

The trade form of organization not only follows the impulse for combination under stress of competition, but it follows individual preferences in the association of men of similar equipment and social standing. All other things being equal, machinists as a group would be more harmonious than a mixed group of machinists and shoe operators: or carpenters would appreciate association with other carpenters more than

association with the various sorts of employees in a department store. The trade union is in this sense an instinctive form of organization, and, as it follows individual preferences, it is the primitive form of the existing labor combinations. Herein lies the strength and the weakness of "pure and simple" trade unionism.

The industrial union is based on the labor groupings which capital creates for the manufacture and distribution of a commodity or of commodities of a similar character in competition or use. The industrial unionists not only disregard the personal preferences for association, but they set themselves the task of overcoming those preferences and creating in their place new desires for association based on class interests which develop in the struggle for control of industry; for industrial freedom. In this sense the industrial union is the sophisticated form of organization.

The industrial union may provide for the subsidiary association of craft workers who are in direct competition, but these trade groups are auxiliary and incidental to the industrial group of which the trade is a part. While the trade unionist conceives of a job as a thing in itself, the industrial unionist realizes that it is a part of a process. In other words, the unit of organization for labor, as it is for capital, is the industry in which workers, representing possibly several trades, are associated for the manufacture of a product. Some industries are comparatively

simple in their processes, and the membership of an industrial union is therefore not necessarily complex or inclusive of several trades.

Whether an industry is complex or simple in its working force, whatever may be the divisions of the processes, it is capital and not labor which determines and directs it. Capital decides what kind of workers are to be employed and employs them. As capital sees fit it discharges them. It changes the processes and the kinds of workers. As capital regards the whole group with a single eye so would the industrial unionist regard capital. From an organization point of view, labor is weak or strong, in agreement with capital, or in rebellion against it, as it includes every worker which capital has considered of sufficient importance to employ.

The industrial unionist lays stress on the importance of change in the form of organization so that it will correspond to the changes in modern industry. He is apt to assume that an age has arrived in which all industrial processes have reached a maximum state of concentration and simplicity. While this is far from the truth, concentration is a characteristic of modern industry. It is of the first importance to labor organization that new methods of management, no less than new machinery, are creating new trades, and that they are re-creating and destroying old ones. The creation of a new trade or the destruction of an old trade was at one time an event of historic importance;

to-day it receives not much more than passing comment in newspaper notice. The industrial unionist charges that the trade form of organization is as ill equipped to fight present-day battles as were the guilds to represent the interests of the journeymen a hundred and fifty years ago. The industrial unionist thus challenges the trade unionist, placing him on the defensive.

The trade unionist takes up the challenge. The defense is the accomplishments and growth of the trade unions, particularly during the last quarter of a century. In the face of powerful opposition, it is the trade union that has shortened hours of labor and increased and maintained wage rates, if not real wages, for unnumbered workers. It has kept before the workers of the country the principle of combination, and has fought incessantly to establish and hold the right. It denies that industrial organization will successfully coördinate all groups of workers. It claims that trade autonomy with federation of trade unions is meeting the modern conditions imposed on labor.

The Railroad Brotherhoods and the controlling faction of the American Federation of Labor represent these claims. The latter organization can point to the trials which it has made in the past in industrial organization, which were relinquished for the pure trade form, as in the case of the printing trade. In 1873 the pressmen separated from the compositors

and formed a craft union, on the ground that their interests were overlooked and outvoted. Twelve years later the stereotypers also withdrew and formed their own independent union. The year following the bookbinders set up for themselves. They all are to-day allied through printing trades councils, but their bargaining is conducted independently, and their alliance precludes sympathetic strike action.

It is often not realized that a large number of international unions of the American Federation have jurisdiction over several related trades of an industry and even of related industries. For instance, the longshoremen control about forty different and distinct trades in the general business of transportation. While these are included under one charter, issued by the American Federation, they are distinct trade or craft groups of the International Longshoremen, Marine and Transport Workers' Association. The Hotel and Restaurant Employees' International Alliance and Bartenders' International League is one organization, including not all but several groups of workers employed in hotels and restaurants. The cooks, the waiters, the bartenders, all members of the organization, in making agreement or in strike act independently of each other. But the independence of trades within this or the other international trades union is a policy determined by each national union within its limits of jurisdiction.

It is important to understand the changes and transi-

tions which are taking place within the American Federation which, it is claimed, meet the objections of industrial unionists to the general trade union policy.

The officers of the Federation repeatedly assert that there is nothing in the construction of the American Federation which prevents each international union from adopting industrial organization within its own province, or amalgamating with other international unions, so long as it does not challenge the jurisdiction of another international. This is the crux of the dispute between the industrial and trade union advocates within the membership of the Federation. The administration cherishes the trade form and tolerates the industrial form only when those most concerned resolutely stand for the latter. The effort of industrial unionist members is to reverse this position, or even to force the trade unionists to relinquish their position, however much they may be concerned to hold it. In 1901 the American Federation of Labor issued what it calls its "Autonomy Declaration," as follows:

As the magnificent growth of the American Federation of Labor is conceded by all students of economic thought to be the result of organization on trade lines, and believing it neither necessary nor expedient to make any radical departure from this fundamental principle, we declare that as a general proposition the interests of the workers will be best conserved by adhering as closely to that doctrine as the recent great changes in methods of production and employment make practicable.

However, owing to the isolation of some few industries from thickly populated centers where the overflowing number follow one branch thereof, and owing to the fact in some industries comparatively few workers are engaged over whom separate organizations claim jurisdiction, we believe that jurisdiction in such industries by the paramount organization would yield the best results to the workers therein, at least until the development of organization of each branch has reached a stage wherein these may be placed without material injury to all parties in interest in affiliation with their national trade unions. . . . We hold that the interests of the trade-union movement will be promoted by closely allied and subdivided crafts giving consideration to amalgamation, and to the organization of District and National Trade Councils to which should be referred questions in dispute, and which should be adjusted within allied crafts' lines.¹

Eleven years later this declaration was reaffirmed, and stands to-day as the official word on the subject of trade and industrial organization. It is evident that the district and national councils or departments referred to were intended as clearing houses for jurisdictional disputes between the national unions. However, these trade departments which have been created are commonly regarded by the membership as the substitute for proposed schemes of industrial organization. The functioning of these departments is for that reason important.

The four trade departments are the building, metal, mining, and railroad. Before the proposition was made to create a National Building Trades Depart-

ment, local building trades councils, made up of union representatives of all the trades employed in the building industry, had had years of experience in dealing with disputes of related unions. The building industry in all large centers of important building operation has furnished fertile soil for disputes between craftsmen over their respective rights to a job and between unions claiming their trade rights. The introduction of new methods of construction, new tools, new materials for old purposes and new uses for materials is the normal condition of the industry. As the overlapping and shifting of trade lines vary in almost every building operation, the union conflicts have been local. The changes which architects introduce in their specification for practically every operation of importance cut across the trade lines marked out by trade union organization, split up organization divisions, and even create new trades over which no one local more than another can claim jurisdiction.

In disputes over the disposition of a job the members of a union look to their officers to see that their claims are won. Carpenters who have been in the habit of hanging doors expect their officers to see to it that the job is not given to metal workers because the doors required in the specifications happen to be metal. But the metal workers claim that all work done in metal belongs to them and that carpenters are workers in wood. Such disputes may seem trivial, but it is a matter of bread and butter to the carpenters and the

metal workers concerned. It is a matter of importance to the unions, marked out as they are on trade lines. Whichever union fails to win out finds that its standing is so much the weaker with its members. As there is no satisfactory basis for the settlement of disputes over arbitrary divisions, many of the local councils have resorted to arbitration, or even have inserted provisions in trade agreements that no strike shall occur because of jurisdictional disputes. While arbitration reduces friction between workers and employers, and prevents the interruption of building operations, it has not settled the problem for the unions; that is, it has not disposed of the friction within the unions as well as between them. The industrial union not recognizing trade divisions, but regarding each operation as a whole, would leave the burden of dividing up the work to the architects or contractors and avoid internal union dissension.

The proposition of industrial unionists to include all the workers in an industry under one contract would not apply to the building industry, where capital is disorganized and represented by trade divisions. There are in the industry contractors for electrical work, for masonry, for plumbing, for painting and so on. Each contractor employs tradesmen, and it is with these trade contractors that unionists must deal separately, however much they might prefer to make one industrial contract covering all artizans.

These divisions on the employing side of the indus-

try have made difficulties for the trade unions in the enforcement, as well as in the making, of contracts. Such difficulties have been met at different periods in the way that an industrial union, not bent on the making of contracts, would have met them; that is, by sympathetic strike action. The local councils at times were the means of making sympathetic strikes effective. The points at issue were frequently won by the men, often enough, at least, to make the sympathetic strike from time to time a feature of building operations. But sympathetic strikes are not conducive to a policy of trade, or, for that matter, a policy of industrial agreements between labor and capital. The building trades unions were eager to establish contractual relations with employers. A reaction against the sympathetic strike method was inevitable.

The Building Trades Department of the American Federation considers that its most important function is to accomplish the peaceful settlement of all disputes and so increase opportunities for trade bargaining. It reported in 1912 that it has been successful in promoting a higher type of contractual relations between the contractors in the building trades and the international unions than has ever been known. "That we have been in large measure successful in this direction is amply illustrated in the admittedly noticeable reduction of sympathetic movements during the year just closed. We are, so to speak, occupying a position in a new era, one in which questions of

gravity still confront us, of sufficient force and complexity to almost warrant radical action, and surely would have so resulted a few years ago. Happily now, however, through the medium of the Department, the contestants in overlapping trade disputes meet in conference and reach either a mutually agreeable understanding or a postponement of contemplated action until a more appropriate opportunity, indulging the hope meanwhile that the mellowing influences of time and reason will work out a solution of the issues that temporarily estrange them . . . we have . . . more nearly approached an equilibrium in the maintenance of contract or agreement relations with the builders and contractors of the country than has been known since the introduction of machinery and machinery made products.”²

It is evident that strikes had become a serious issue to the Department, more serious than the friction between the craft unions. When we leave a problem to “the mellowing influences of time” it would seem that we are weary of it rather than attacking it, especially when it is a “question of gravity” which “almost warrants radical action.”

There is a movement within the Metal Trades Union against the policy of trade autonomy in matters of collective bargaining; another movement is toward amalgamation of trade organizations. Still another movement contemplated sympathetic action between the several unions represented in an industry. These

movements are expressed in resolutions presented by delegates from all parts of the country to the 1913 convention of the Metal Trades Department. The president of the Department in making his report told the delegates, "There seems to be a general impression among the local unions of our affiliated internationals, and particularly in the minds of a great number of the delegates of the local Metal Trades Councils, that the Metal Trades Department is empowered with authority to order strikes and to involve our affiliated unions in trade movements looking toward, first, a reduction in the hours of labor; second, an increase in wages; third, uniform conditions of employment; and fourth, sympathetic strikes."³

The resolutions presented by the delegates at the same convention show less a misconception of the purposes of the Department than a desire to change them. It is evident that the president realized that the resolutions were evidence of dissatisfaction with trade divisions and autonomy of international trade unions. In place of the radical propositions of the delegates, the president recommended an extension of friendly relations and greater coöperation between the international unions and the trades councils and the Department. In continuing he recommended the following plan for consideration: "In localities where there is a desire to inaugurate a general movement affecting hours, wages, or conditions of employment that this

Department be authorized to make a thorough investigation of the conditions prevailing in the city or locality where the movement is started. The Department to submit its findings, with such recommendation as it desires to make, to the international organizations, and if the internationals agree with the recommendations of the Department, a movement shall then be inaugurated under the advice and jurisdiction of the Department." ⁴

There was nothing in the recommendation of the president which suggests a curtailment of the power or control of the international unions over their local unions. The president's proposition leaves trade jurisdiction and trade autonomy unimpaired. It is the characteristic position taken by the national officers of the American Federation.

The intention of the delegates who offered resolutions on the question of inter-union relations was clearly opposed to the regular policy. They left no doubt that they were standing for a new order, and that they looked to their national Metal Trades Department, representing the metal trades industries as a whole, to take the lead. These resolutions are important, as they are the clearest recorded expressions from the membership of the craft unions of the American Federation in favor of radical changes in forms of organization.

In criticising the movement for change among the members, the president said:

At meetings of district organizations composed of local metal trades councils and local lodges of international organizations, located in the Detroit-Toledo territory and the Pittsburgh territory, resolutions have been introduced looking toward an amalgamation of all the international metal trades organizations. In some instances they have been adopted, in others rejected. Similar resolutions have been introduced in several of our international organizations' conventions, one of which is here quoted . . . : "Realizing the inadequacy of the present system of craft organization to protect the interests of the members of the various metal trades unions against the constant encroachment of the capital class, and whereas the Metal Trades Councils and local unions in the several states have moved the amalgamation of the metal trades unions in one compact body to enable them to better resist the unfair demands upon labor by organized capital; therefore, be it resolved, That this international union in convention assembled endorse the move to amalgamate all metal trades unions into one compact body. . . ." ⁵

The Metal Trades Council of Boston sent a resolution demanding that greater power be given local trades councils and that laws be enacted compelling all crafts to support a strike where one has been endorsed by a majority of the metal trades involved and sanctioned by their national unions, and local trades council and Department.

The Metal Polishers' Union sent a resolution demanding that when the members of one trade union are on strike that all who are members of other unions and at work in the same shop be compelled to with-

draw from the shop during the strike of the aggrieved union.

The resolutions sent to the convention by the Metal Trades Council of Newark proposed changes in the constitution of the Metal Trades Department which: (1) would require all affiliated unions to quit work in shops where strikes or lockouts affecting any one union are in progress; (2) where two-thirds of the unions in one territory vote to inaugurate a movement to advance the interest of the trades, and where they have secured the sanction of their national unions, all other unions involved in the industries affected shall be directed by the Metal Trades Department to take part; (3) no union shall sign agreements governing shops until all affiliated unions of the Department represented in the shops have come to an agreement. These proposed changes were prefaced by a statement which might have come from the most radical exponents of industrial unionism:

The chief aim of a Metal Trades Council, as our delegates see it, is the assistance and support, moral and financial, they can render to each other in case of emergency, where an injury to one shall become the just injury of all. In this city, some three years ago, in one of our largest factories, over five hundred union men were employed at good wages under strictly union conditions. The management decided to introduce the open shop propaganda. They first started on the members of the Iron Molders' Union, introduced machines with handy men, placed unskilled labor on duplex machines, laid off

the prominent union men, and finally made matters so unpleasant that a strike was inaugurated; the battle waged, but other trades looked on; claimed that they were treated all right by the firm. They had no grievance. When the Molders were practically beaten they then laid off the Pattern Makers, over eighty in number. This fight of the Pattern Makers is on for over two years with no prospect of a settlement. Within the past year the other trades in the plant (who had no grievance) have been effectually squashed and the firm now claims that they have won a *glorious open-shop victory*, while we see good union men walking the streets with scabs working in their places. Our Council feels that the weapons used at present are antiquated, for if firms can lick one trade after the other until we are wiped off, where does our unity of action come in? We must in future emergencies fight unitedly; fight all at once if the one great fundamental principle of organized labor is to be maintained. . . .⁶

The resolution which the convention finally adopted, and which stands as law, provides that seventy-five per cent. of the international organizations represented by local unions in a district must sanction a strike or a movement for improved conditions of the local unions involved before action can be taken. The international organizations which refuse to comply with a strike order will be suspended from membership in the Department of Metal Trades. No strikes over jurisdiction will be permitted. No union will sign an agreement governing shops where members of affiliated unions are involved in a strike without the consent of the Department. The revised law requires

a concession of power from the internationals, but leaves them still in the lead. The clause providing against jurisdictional strikes is a step toward unity of action between the craft organizations. Where local district councils are sufficiently strong the interpretation of the new law will probably result in industrial rather than independent trade action; that is, there will be joint action of all the trades involved in a local industry or all the trades in a single establishment for improved conditions or in times of strike for whatever cause. This action of the Department has not satisfied the rank and file. A convention of the Metal Trades was held a year later, 1914, which considered the formation of machinists in departments allied with the industry in which they worked. The point was made that the machinists could, by striking in sympathy, tie up an industry in times of dispute between the workers of the industry and their employers. Also, plans for the amalgamation of all the metal trades were formally received.

A reorganization of the Railroad Employees' Department of the American Federation of Labor followed a convention called in 1912 for federation of all railroad workers. This Federation of Federations, as the movement was called, was precipitated by the sympathetic strike action of related crafts working in the railroad shops of the Harriman and Illinois Central lines. The international officers were forced to endorse the strike of their local unions in-

volving 31,000 shopmen and to adopt a policy for concerted action between the workers on the system irrespective of their craft divisions. After the convention the Railroad Employees' Department reorganized and adopted a constitution which was substantially the same as the one endorsed at the convention. It recites that

We, the members of the various labor organizations, engaged in the railway industry, recognize the necessity of establishing closer affiliations . . . that our individual craft efforts are no longer sufficient to afford us the protection necessary. . . . The Railroad Employees' Department aims to bring within this organization all railway employees; to shorten the hours of labor to eight hours per day; to establish a minimum wage scale for all employees in all branches of railway service; to bring about a national agreement. . . . The operation of railways coming more and more under the supervision of the government, the standardization of freight and passenger rates makes for the standardization of pay for employees on all roads. Hence the necessity of a national agreement which may if necessary be divided into sections; to prevent strikes and lockouts whenever possible.⁷

It was hoped that the Railroad Brotherhoods, which are independent of the unions of the American Federation, would surrender their independence and join the movement for federation of all railroad workers. The hope has not been realized, and the movement for federation and concerted action among the railroad shopmen, and the same movement of the men

employed in train service, are as distinct as they have always been. The movement among the shop workers has not become national except in name and intention. The secretary of the Department under date of February 16, 1914, writes:

At the present time there are a large number of system federations not affiliated with the Department, each system making their own agreements with the management through their Advisory Board members not to exceed five members from each craft. In our present somewhat scattered condition we are prevented from promoting the functions of the Department and putting into effect the full measure of beneficial results that would obtain from a unity of interests with all federations. These conditions are being gradually overcome and I look for rapid strides in that direction at the coming convention, when the laws will no doubt be so amended to overcome any objections and to meet the requirements of a formidable organization.⁸

In September, 1913, there were thirty-five federated agreements with single railroad systems covering usually five crafts: the machinists, the boiler-makers, blacksmiths, sheet-metal workers, and carmen.

The movement of the railroad shopmen for joint action between craft unions is local and from the membership, as is the same movement among the metal workers. It is not an official, but a rank and file inspiration, and is sufficiently strong to modify official policy.

The creation of a Department of Mines is not particularly significant as an industrial movement within the Federation, as the two most important national unions in the Department are themselves industrial unions. Moreover, the mining of coal and metals has no industrial connection. Metal miners do become coal miners and coal miners metal miners, but the products of the different mines are not commutable and the capitalization of the industries vary. While the affiliation of the coal miners' union and the metal miners' is not an industrial move, the proposed amalgamation of the two organizations may have an important bearing on the industrial movement within the American Federation.

The creation of the national trades departments in the Federation is significant, but does not indicate an effort on the part of the administration to modify trade lines and trade autonomy. The departments represent the effort of national officers to curb and control the local movements, which disregard or attempt to break down trade divisions.

The official sentiment in favor of trade autonomy was registered at the last two conventions of the American Federation. At the 1912 convention the issue appeared when the Printing Pressmen laid the story of their Chicago strike before the delegates. The Chicago Pressmen had struck, the printers and stereotypers had struck in sympathy. The respective international unions of the latter ordered the printers

and stereotypers back to work on the ground that they had struck without the sanction of their national unions and had broken their contracts with their employers. Those two craft organizations had made, as was their custom, separate and independent contracts with the Newspaper Publishers' Association. These contracts, according to the policy of their international union, they were bound to respect regardless of the interests of the Pressmen. The Pressmen were also severely criticised for striking, but whether they had or had not observed the ethics of contracting was quite another matter. The issue was clearly between those who rated the importance of a trade agreement between a union and the employers above the solidarity of labor in times of strife. The Pressmen introduced a resolution, which was lost, providing for joint action of all unions represented in a single industry. It was rejected on the ground that it did not conform to the "Autonomy Declaration" given above.

When the issue came up at the 1913 convention it was over the strike against the Pacific Gas and Electric Company of California. The strike was inaugurated by the Light, Heat, and Power Council of California, which includes the members of local trade unions working together in the industry. The trade unions with a single exception were affiliated with the international unions of the American Federation. The exception was the union of electrical workers, which was the rival of the Brotherhood of Electrical

Workers of the American Federation. During the strike the Federation's Electrical organization furnished the company with workers from its own organization to take the place of the electrical workers on strike. Scabbing is usually considered the sin of sins by labor unions, and this was official scabbing, one degree worse in the mind of the California men than the scabbing of an individual worker. The representatives of the Light, Heat, and Power Council asked the Federation to condemn the action of the Brotherhood of Electrical Workers in furnishing strike-breakers, and to endorse the strike. But the convention, composed principally of international officers, refused. Official scabbing in a strike was not as great a crime as was the official support of a rival or dual organization. But local sentiment was too strong for the issue to drop in convention. The president of the Federation in a later conference with all the organizations concerned, effected a significant compromise. It appeared that the Brotherhood of Electrical Workers was opposed to the policy of joint action of local unions such as had been taken by the unions of the crafts composing the Light, Heat, and Power Council. The Brotherhood was forced to retract its position, and the rival union of electrical workers agreed to become a part of the Brotherhood of Electrical Workers. This was a signal victory for industrial solidarity.

The above illustrations show that the movement

within the American Federation for closer association of craft workers comes from the membership, which in some cases has forced official recognition and adoption.

The official movement for industrial organization is the movement led by the three unions of the Federation which are recognized as industrial: the United Mine Workers (coal miners), the Western Federation of Miners (metal miners), and the Brewery Workers' Union.

Attention was called to the fact that the Federation has given jurisdictional rights to several international unions over a whole industry; that so far as the Federation is concerned these international unions may organize on industrial lines or may break up into trade divisions, *provided they do not encroach on the territory of another international union chartered by the Federation.* This provision against encroachment on assigned territory makes industrial organization impossible except in industries where similar processes complete the product, or where skilled craftsmen are not required or are unimportant. Jurisdictional lines are carefully guarded for such important craftsmen as engineers, electricians, carpenters, plumbers, and other workers whose artizanship has been well established, and whose unions are strong. The recognized industrial unions of the Federation are those whose claim to jurisdiction over all the various artizans, skilled and unskilled, working in the industry, has been con-

ceded, and which include the whole group of workers irrespective of their trade divisions.

The United Mine Workers were granted jurisdiction over all workers of whatever crafts who were employed in or around the mines. The explanation for this departure is that the mines are isolated; that the men mining the coal are the dominating labor element; that the miners could do more for the organization of the scattered workers of other crafts than their own craft union could accomplish.

The charter was granted to the Western Federation of Miners on the same basis, and it was only on that basis that the Western Federation consented, after years of opposition, to re-affiliate with the American Federation of Labor and its policy of craft unions and trade agreements. One of the arguments used to induce the Western Federation to vote for affiliation was that as members they could do more to change the policy of the American Federation from a trade to an industrial policy than they could by outside opposition.

The Brewery Workers, in the early period of its affiliation with the American Federation, outlined for itself an industrial form of organization. As it was one of the first unions chartered by the Federation there were in the early years no claims of other unions for jurisdiction over any artisans working in and around the breweries. As early as 1887 the secretary said:

“ Experience in our struggles has taught us what solidarity means. If the drivers, the coopers, the engineers, the firemen, the maltsters had helped us, our victory would have been assured within twenty-four hours . . . not only are the brewers dependent upon these branches, no—each is dependent upon the others. Solidarity, man for man from roof to cellar, all for each and each for all, this alone can secure our future.”⁹ The position of the secretary was endorsed, and the regulation adopted which gave the various crafts involved in the manufacture of beer representation on the Executive Council. The employers realized, also, that the inclusion of all their workers “ from roof to cellar ” placed the union in a position of advantage. When the American Federation granted charters to craft unions which included the crafts working around the breweries and in conjunction with the brewers, the brewery owners did their part to encourage the dispute over jurisdictional rights. These disputes have never been completely disposed of. The fights have been carried back and forth through the conventions of the Brewery Workers, through the unions of the other crafts involved, and the conventions and executive councils of the Federation. The latter in 1900 endorsed the general principle of industrial organization for the brewers. It later, under pressure of the other national craft unions, decided that the brewers were not entitled to their industrial claims. The Brewery Workers

refused to recognize this decision and were expelled. But many firemen, engineers, and other artisans refused to join their craft unions and insisted on their membership in the Brewery Workers. Many local city organizations of the American Federation sided with the brewers and the charter was at last returned. Before this reversal, the Brewery Workers issued a statement, of which the following is a part: "The Brewery Workers have not demanded anything more than was conceded to the organizations of coal miners, longshoremen, seamen, and other organizations; the unions named demand for their membership the engineers and firemen employed in the mines, on the docks and on the ships on rivers, lakes, and ocean."¹⁰

The Brewery Workers' historian writes "Thus the jurisdiction question was settled in principle, but this was far from ending the actual strife. On the contrary, the trade unions concerned continued to do all in their power to injure the brewers' organization."¹¹ Strikes of Brewery Workers were precipitated and the opposing craft unions furnished strike breakers at lower wages. Conventions are still recording these craft disputes. The 1913 convention of the American Federation was endeavoring to adjust the difficulties between the Brewery Workers' Union and the Teamsters. This special dispute illustrated the conflict which follows the extension of an adversary. The Teamsters had been forced to relinquish the men who drove beer wagons, but now

they complained that men who hauled soft drinks were members of the Brewery Workers' Union, and they demanded that their claim to the latter be endorsed and the Brewery Workers be forbidden the invasion of another industry. The latter admitted that it was an invasion, but not theirs; it was the brewing industry that had invaded the manufacture of soft drinks. The drivers were drivers for breweries and they had nothing to do with what was loaded on their particular wagon; it might be beer or it might be ginger ale. All they knew was that they were employed by the brewery owners and were engaged to do the driving. The convention decided to make no distinction between drivers who delivered mineral water and those who delivered beer, so long as they were both the product of a brewery. The drivers of mineral water establishments, it was decided, should be members of the Teamsters' Union. It was not decided at what particular time a brewery ceases to be a brewery and becomes a manufactory of mineral water, and the dispute, it is safe to assume, is still unsettled.

The whole story of the Brewery Workers in relation to industrial unionism is of peculiar importance. It throws light on the relation between the form of a labor union and the development of an industry which has evolved from home manufacture to a high state of capitalization and concentration and at last to the inclusion of related products. The story is important, as the Brewery Workers have met a greater and more

persistent opposition from the craft unions than have the miners. A reason for this is that their industry is located in urban centers where craft unions are in active operation.

The lines of organization of the three recognized industrial unions of the American Federation, the United Mine Workers of America, the Western Federation of Miners, and the Brewery Workers, as well as of some of the local industrial councils, have followed the lines marked out by capital in its development of an industry. One company or one corporation employs all the workers engaged around a coal mine or mines of one or many districts. So does one organization seek to control all the men working for the company or corporation and to deal with them as parts of a whole just as the corporation deals with them. The national union, representing all the men working in and around the coal mines, seeks to include all the coal miners of the country, and to deal with associations of mine owners instead of with single corporations. But it is not the effort to extend the territory or to centralize the bargaining which distinguishes the Miners' Unions and the Brewery Workers as industrial: the industrial feature is the inclusion of every worker employed in the industry in the making of the agreements with the employers. In the same way the district councils are industrial when their agreements or their disagreements include each and every worker employed in the industry.

These organizations are examples of what may be called the pure and simple industrial union, including as they do all the workers employed in a single industry. The purpose of the pure and simple industrial union of the American Federation is the same as the purpose of the pure and simple trade unions; the making of agreements with capital for conditions of employment. These unions regard the treaties with capital and each economic gain for the workers as important ends in themselves. Their effort is to make treaties and avoid war whenever a labor gain can be secured through peaceful bargaining or when a treaty brings some token of gain to the industrial group.

The foregoing is a review of departures within the Federation of Labor from the theory of one union for every trade. It is found (1) that a number of chartered national unions have been given jurisdiction over all workers in one or even related industries providing that they do not include workers who belong to another chartered union; (2) that local trade unions through local district councils are making joint industrial agreements and are taking other joint action which disregard the interest of the trade group where it conflicts with the industrial group; (3) that there are three pure and simple industrial unions which have retained in their membership workers whose trade is represented in chartered trade unions. It is also found that the first and third were advised, or official movements, and the second a movement which

was forced by the rank and file; that the Trade Departments of building, metal, and railroads are reflections of the district or rank and file movements and attempts to regulate them and reconcile them with the principles of trade autonomy and trade jurisdiction.

Having reviewed the movement for industrial organization within the American Federation, it remains to turn again to the organization which has recently popularized the idea of the industrial union, which is the industrial unionism known to the public generally outside of union circles. It is, indeed, the claim of the I. W. W. that there is no industrial unionism except its own; that the "so-called industrial union" of the American Federation differs in important respect from the pure and simple trade union. This, as has been shown, is not the case. Moreover, a comparison of the industrial union described in this chapter with the industrial union of the Industrial Workers described in the chapter dealing with that organization will show that in form, or contemplated form of organization, the industrial unions of the Industrial Workers of the World and the American Federation of Labor are not radically different. The similarity, however, ends with the form.

The purpose of the industrial unions of the American Federation is to contract with employers for conditions of work, just as is the purpose of the trade union. The industrial union to the Industrial Work-

ers is not a treaty-making instrument, but an instrument of war. In organizing its army on industrial instead of craft lines, the purpose of the Industrial Workers is to place class interests and revolutionary intent above the personal and present interests of individual workers. Each strike is a skirmish in preparation for the final conquest of industry. While the Industrial Workers recognize a truce, figuratively speaking it refuses to lay down its arms. The return of men to work after a strike it regards as a truce, never a treaty. The gains in conquest are not measured by increases in wages but by the army's spiritual strength: in other words, the growth of the class spirit, tested by its quickening response to the call for action. *

As it happens there is a strong Socialist bias among the members of the two miners' unions and the union of the brewery workers. Some of them look to the ballot rather than to the union for the final overthrow of the capitalist system. The Western Federation of Miners, until recently, held the position now advocated by the Industrial Workers. They are reversing their policy of no contracts with employers on the ground that without contracts, or at least without union recognition, they are powerless to prevent discrimination against active members and a consequent disintegration in organization.

* For fuller criticism and for scheme of industrial unionism of I. W. W., see Chapter IV.

The intention of industrial unionism may be either to secure inter-union action between groups of related workers of an industry for the purpose of strengthening the power of the group in the making of agreements with capital, or to unite the related groups of an industry for the purpose of developing class action, and to depend solely on this development to force concessions from capital without entering into contract with it.

Where capital is organized throughout an industry, as in mining and railroading, the organization of the workers along industrial lines offers obviously the best opportunity for collective bargaining. But in such industries as building, where capital is divided by trades, there is no such obvious advantage in the industrial organization of the workers, as their bargaining must follow trade lines.

Where, however, the object of industrial organization is class action without intention or desire to contract with capital, it is not important whether capital is organized on trade or industrial lines. The important consideration is the elimination of lines which divide labor interests.

The allegiance of the more highly skilled artisans to the trade form of organization is weakened as their position as craftsmen is weakened, that is, as machinery and management reduce the craft to a lower level of skill and artizanship. The trade unionist delays the transformation. A craftsman quite natu-

rally resists changes which accelerate the leveling of his trade to semi-skilled or common labor.

The question which agitates unionists is how to keep up the trade form of organization, to maintain wage standards, and to accomplish the purpose of the industrial organization, which is the amalgamation of industrial interests. The pure and simple industrial union does not answer the question fully. Its answer involves the whole proposition of sympathetic action between all groups of workers, whether they be trade or industrial in form of organization.

CHAPTER VII

SYMPATHETIC STRIKE ACTION

What sympathetic action means—Stumbling blocks—Indeterminate contracts—Amalgamation—Industrialism—Position of the “labor aristocracy”—Forces which make for and against—Machinists’ present position—Industrial unionism not necessarily sympathetic action.

INDUSTRIAL unionism is closely allied to movements for “sympathetic action” between groups. Industrial unionism, in fact, is sympathetic action so far as it goes; but it is not necessarily committed to sympathetic action as a policy any more than is a pure and simple trade union. A policy of sympathetic action between trade unions or industrial unions demands that related groups shall strike in sympathy with other groups as their struggles with capital may require. Obviously an unrestricted pursuit of this policy would mean a general and continuous warfare. Unions which advocate sympathetic strike action advocate the elimination of all union regulations which place obstructions in the way of such action.

The first business of a union, given jurisdiction over a trade or an industry, is to organize the workers within its own territory. It may or it may not act in conjunction with other unions. As a matter of

history, autonomous unions with a prescribed territory have found it necessary to rivet their attention on their own affairs which have met the constant opposition of employers. The American Federation looks to its National Council and the city central bodies to develop fraternal relations between unions along moral and financial lines, but guards against sympathetic strikes through national trade autonomy and jurisdictional provisions.

Besides autonomy and jurisdictional provisions, the relations which collective bargaining develops become stumbling blocks to sympathetic strike action. It is the universal experience of all labor unions that successful contracting with capital precludes sympathy strikes. Successful contracts, like other business relations, demand that each party to the contract hold the interests involved in mutual esteem. The failure of either party to do so jeopardizes future as well as present relations. As has been said before, the national building trades movement, having experienced the inconsistency, is now working for the elimination of the sympathy strike, and the realization of permanent bargaining relations with capital.

It is often suggested that indeterminate contracts would make sympathy strikes possible; that a union not under contract for a fixed period would be in a position to strike in sympathy with another union without breaking its agreement with an employer. But the fixing of a time limit has very little to do with

the strained relations which immediately develop between an employer and his workers who go on strike. Under any condition, there are slim chances of successfully maintaining business relations with employers and *active* sympathy with all sister unions at one and the same time.

The industrial unions of the American Federation propose to reconcile sympathetic action and contracting with capital by the amalgamation of related groups of an industry and the extending of the contract over the whole group. Amalgamation for contracting purposes is effective only where capital is concentrated or well organized in an industry; it does not serve the purpose of collective bargaining where it is divided, as in the building trades. Moreover, the amalgamation of the trades of an industry does not eliminate the demand for sympathetic action between related industries. This was realized by the coal miners during their strike in the northern coal fields of Colorado. While every man who worked in and around the mines, when the strike was ordered, went out and remained out, they complained that the operators were aided in their efforts to break the strike by men who were members of other unions. Union carpenters from Denver, working under an agreement with Denver contractors, built the pens for the protection of strike-breakers. Also, union men working on the railroads hauled the coal mined by the strike-breakers. The miners observed that their union was industrially

organized; that every man employed by the mining company had struck; but that their strike needed as well the co-operation of other unions; that sympathetic strike action is as important to an industrial union as it is to a trade union. It was also observed that an industrial union like the coal miners was in no better position to strike in sympathy with other unions than is a trade union. During the strike in the Illinois Central railroad shops, union miners supplied the road with coal.

The demand for sympathetic action comes invariably from groups of workers who find themselves in a weak position either permanently or temporarily as in time of strikes. It comes from workers who are conscious of their inability to meet alone the exigencies of organization. It is common to hear highly skilled craftsmen, or the members of well established unions, called the "aristocracy of labor." It is an accurate description of the alienation between organized groups where interests divide and opposing lines of action develop.

There is actually more sympathy between a well established labor union and a corporation entering into contract with it than there is between the same union and groups of casually organized migratory workers or unemployed men demanding work in mass action. It is common to find that such unionists are as scornful of the efforts of these men as is the United States Steel Corporation scornful of efforts

among their employees at organization or even the efforts of the American Federation to organize them. This attitude of superiority of union men and their alienation is bitterly criticised by the less fortunately placed workers. It is to them a clear failure to live up to professions of fraternity; to the injunction, "The interest of one is the interest of all."

It is not always realized that this demand for unlimited sympathy means a complete sacrifice of the few privileges and decencies which restricted union action has secured. Union men have the human limitations of other men. Men and women, not of the wage-earning class, who enjoy positions of greater opportunity than the labor aristocracy, often add their criticism of the latter for its refusal to risk its privileges for the sake of the weaker brother. Under the circumstances, their criticism sounds a little cheap to the labor aristocracy.

When a group of workers has secured through its union a position superior to other groups its sympathy is generally expressed through financial donations. Its refusal to go farther, to jeopardize its own position, is not difficult to understand. Having fought for its own position against fearful odds it becomes tenacious of its gains. At best its position is precarious, and, like other groups or individuals in precarious positions, it doubts its ability to share its foothold. It knows the difficulties of organization, and, if it is a union of

skilled artizans, it has little confidence that unskilled workers can weather the storms of organization.

Against these class divisions within the whole group, which stultify and pervert the idea of a labor democracy, there are leveling forces which are breaking down the lines of division. When a craft is reduced either by machinery or shop management to a lower level of skill or artizanship, the workers affected find that their position in the trade union world is weakened and their economic gains secured by organization are in peril. These men, for the first time possibly, realize the need of coöperation with other labor groups; they realize that labor unity must extend across trade lines as well as within them; that this unity, indeed, is as important as trade unity. Men reduced in their position are the best possible recruits to the movement for sympathetic action. It is a truism in labor union circles that men fight harder against reductions than for advance.

The metal workers at present are the most important acquisition to the democratic movement. They have by shop management and machinery been reduced in large numbers from artizans to the ranks of the semi-skilled. Their recent change in policy, described in the preceding chapter, proposes to turn their losses into gains for the whole labor account and to endow that account with new strength and leadership. (See Chapter VI.)

While the lack of sympathy between the casual

laborer and the well established trade unionist is a constant reminder that the spirit of labor solidarity is lacking when a sympathetic movement, like the machinists, is started, or when a sympathetic strike occurs (an insufferable conspiracy in the eyes of employers), every union man is conscious, whether his judgment sanctions the action or not, that the act itself is the supreme expression of the union movement; that it is the final test of a worker's loyalty to his fellow workers.

There is a common impression among the radical labor people that the trade union men are wanting or quite lost where questions depending on class action arise. The Colorado miners' war against the attacks of a corporation-owned state militia and their efforts to break the miners' strike, brought out evidences of deep and substantial sympathy which trade union men were ready and eager to give. It was enough for many old-line trade unionists to know that their brothers of another union had taken up arms in self-defense, for them to throw themselves into the fight. Such conservative unions as the Cigar Makers, the Typographical, and the Building Trades Council of Denver, voted money to purchase arms and ammunition for the miners' war. The Machinists and the Trades and Labor Assembly of Colorado recruited regiments from their memberships. The president of the State Federation of Labor transported arms from one miners' camp to another. Members of the Rail-

road Brotherhood refused to carry the militia into the strike district.

The Colorado strike proved what all members of unions know, that labor men with a strong sense of their labor affiliations, whether they are conservative or radical in the every-day methods and aims of organization, will answer the call for solidarity when a rebellious union takes up arms against a state militia. Throughout the country there were hundreds of union men ready to fall in at the miners' call. They did not question whether the miners would win or lose, whether the strike was justified or judicious. Rash they might be, but the miners were desperate and fighting against entrenched interests and were risking their lives and all they valued. It was a signal which few labor union men failed to recognize and which many were ready to answer if called.

Sympathetic action is something apart from the form of organization. Industrial councils of trade unions and industrial unions are recognitions of the need of closer association and common action; they are steps toward sympathetic action but not substitutes for it. The realization of sympathetic action among all workers is dependent on spirit, experience and understanding as it grows out of experience. While the form of an organization may be an expression of its growth, it may perish under the one form as well as the other.

CHAPTER VIII

UNION RECOGNITION AND THE UNION SHOP

Consistent with the partnership theory—"The free American workman" the anarchist in industry—The "scab" a grafter—An A. F. of L. weapon—Position of different internationals—Preferential shop.

A UNION shop, called outside of union circles a "closed shop," that is, a shop where the owner has agreed to employ only members of a union, and union recognition, or the agreement by the employer to deal with representatives of the union, instead of with his employees individually as to this or that condition of employment, are both demands that follow logically the program of the American Federation of Labor.

These demands are inherent parts of the theory of the partnership relation between capital and labor. They are usually considered strategic measures, but they are more than that. They are acknowledgments of the principle of a partnership relation between capital and labor, and they give all subsequent acts their sanction.

To a disciple of the partnership theory, it is as consistent to claim that a man enlisted in the service of a state is "free" in his American citizenship to

serve special interests, not sanctioned by the state, as it is to claim that an individual worker or individual employer, enlisted in the service of industry, is free either to accept conditions of employment, or to impose them before they are agreed to by the industry as a whole, or in the interests of all. A worker who insists on his personal rights, irrespective of the rights of others, to work for whom he pleases and on terms which please him, is the anarchist of industry, as are also those who praise and protect him in his assumed right. On grounds, then, of ethical implication, and in the interest of justice and industrial peace, the "free American workingman" and the non-union employer become fit subjects for coercion.

The demand for a union shop is closely associated with the attitude of unionists toward non-unionists. The non-unionist, or scab, is a grafter to all union men. He enjoys the rewards of improved conditions which have resulted from sacrifices of labor unionists without himself having shared or suffered in their sacrifices. In other words, all labor unionists recognize through their bitter experience that one of the results of the partial organization of the trade or industry, of a successful or partially successful strike, is the victimization of the men and women who have borne the brunt and burden of the strike; that the reaping of whatever rewards or benefits result from organized action are enjoyed by the strike-breaker as well as by the striker. They are enjoyed by the

man who fought against the award, and against the men who made the struggle, who paid the price, and who won the fight for all.

Approaching the question of the union shop from opposite positions, the Railway Brotherhoods and Industrial Workers of the World oppose the position of the American Federation. The Brotherhoods in theory stand with those who preach the rights of the "free American workmen." As a matter of fact, the insurance features of the Brotherhoods have brought the bulk of railroad workers into membership, and for membership purposes the union shop regulation is unnecessary. But on other grounds the union shop is not necessary to railroad organization. The uniform regulations of a railroad extend over whole classes of workers. Men are not bargained with individually. A fixed rate is decided on or other conditions are arranged for, and a blanket order is carried out without variation over a system. As has been observed, the regulations and order of a railroad and of a state are applied with the same mechanical regularity to all the servants of each.

The Industrial Workers does not ask for union recognition or the union shop, not because it believes in the "free American workman," but because it wants no recognition from employers whose rights it refuses to recognize in the ownership or administration of wealth and its production.

Practically all the unions of the Federation demand

union recognition, but this question, as well as the question of the union shop, is settled by the individual union. Unions of such strength as the Typographical make union shop contracts, while the Iron Molders make few closed shop agreements. As one of its officers expresses it . . . "it is the duty of the union alone to make unionists of the workers."

Some of the unions adopt an opportunistic attitude; that is, they graduate their demands. They include, for instance, the union shop in their demands only after the trade is well organized. It comes after demands for the adjustment of conditions of employment, as it is, in the experience of unions, the most difficult demand to secure. Other unions make the union shop their first demand, on the ground that in their weakness they need the assurance that members will not be discharged on account of their membership. If a shop strikes in rush season, a newly organized trade can frequently gain a union shop contract. The fight to hold the gain comes later. They realize this when they make the original demand, but they claim that the securing of that demand advertises the advantages and strength of organization among other workers of the trade, that it gives the workers courage, and is good propaganda tactics. This is the well-known position taken by the young Jewish women in sewing trades, in their first attempt at organization.

It was the wholesale discrimination against union members, and the use of the blacklist by the employers,

which led the Bridge and Structural Iron Workers to make the union-shop contract the issue in the trade.

The strike of miners in the southern coal fields of Colorado, called in September, 1913, and resulting in a war between the miners and the operators of the entire state before May of the following year, startled the general public into an understanding of the difference between union recognition and the union shop and disclosed, also, the reasons why opponents of unions treat both as an abridgement of personal freedom.

The strike followed the refusal of the mine operators to grant the miners certain minima, one of which was recognition of the union; that is, that the operators would consent to deal with representatives of their men, who chose to delegate their dealings with the coal companies to officers of the United Mine Workers. The union made no demand on the mine operators to employ union men, but there was a law on the statute books of Colorado which prohibited employers from discharging men because of their membership in a union. This law, like all other laws for the protection of Colorado miners, was deliberately ignored. The operators knew that the observance of the law or the recognition of the union would result automatically in the complete unionization of the mines. They claimed that only ten per cent of the men belonged to the union, leaving it, as usual, to be inferred that the other ninety per cent.

had freely chosen to stay outside the union. They failed to explain that every man working in the mines of the large corporations knew that if he made union connections he did so at the risk of his job. They did not explain how it happened that when the strike was called ninety-five per cent. of the men struck in spite of the protection which the state of Colorado was ready to afford all men who helped to break the strike.

The mine owners, it was apparent, had good ground for insisting that union recognition and the union shop were in Colorado virtually one and the same thing; they knew that *if the men were free* they would seek the protection of the union against the exploitation of the company and the anarchy of state officials; they knew that there was not a miner in Colorado who would not prefer to work under the regulations which the United Mine Workers had established in other coal-producing states rather than under the conditions imposed by the coal corporations of Colorado. As the strike advanced it became rather difficult for the operators to convince the public that miners who were free would prefer to work ten hours instead of eight; that they would prefer to accept the report of an operators' representative to one of their own as to the amount of coal they mined per day; that they chose to work ten per cent. below the scale of wages fixed by the union; that they welcomed restrictions as to where they should or should not

make personal purchases; that it was their pleasure to erect timbers, and hew out unmarketable material for the corporations without pay. A representative of the corporations, testifying before a Congressional Commission, assured that commission that the Colorado Fuel & Iron Company would spend millions of dollars to protect the miners of Colorado and other American workingmen in their freedom to follow their preference for the conditions enumerated. For reasons which did not seem strange, not one miner out of the thousands of "loyal" and "faithful" servants raised a voice of gratitude for the proposed protection.

Before the strike was over it was possible for everyone in the United States to realize once and forever that the operators of Colorado fought union recognition because they knew that that would open the door to the miners to choose freely, and they knew what their choice would be. They also knew that, where the miners had freed themselves from the domination of the corporations, safety in mining increased; that higher wages were paid; that hours of work were shortened.

During the strike, Professor E. R. A. Seligman asked why Colorado mining should be exempt from the generally accepted practice of determining the working conditions of miners through union conference with operators. He called attention to the development of the practice of such conferences in other states. He stated that during the sixties, the sev-

enties, and the eighties there were local organizations and local strikes in the bituminous coal fields of Illinois, Indiana, Ohio, and Pennsylvania; that the demands during that period were recognition of the union, increase in wages, decrease in hours, abolition of company stores, right of unions to supervise the weighing of the coal mined. These demands, the same as those the miners were making in Colorado in 1914, were finally secured, and collective bargaining was established. In 1894 a general business depression interrupted contractual relations between miners and operators, and in the first general strike occurring at that time the miners lost ground. In the second general strike, in 1897, interstate joint conferences with the operators were secured, together with the eight-hour day, an increase in wages, and a system for settling disputes over interpretations of contracts. In 1899-1900, in the coal fields of Missouri, Kansas, Arkansas, Oklahoma, and Texas, a strike resulted in the recognition of the union, the establishment of a scale of wages, the inauguration of another interstate joint conference. Between 1899-1914 systems of joint agreements extended to Kentucky, Tennessee, West Virginia, Michigan, Iowa, Wyoming, Montana, Washington, and British Columbia. It is against a union with such a regard for establishing collective bargaining that the coal operators of Colorado have waged their war and for the extinction of the union have defied the laws of the state.

The strike of the cloak makers in New York in 1910 resulted in popularizing a modification of the idea of the union shop. As a compromise proposition an agreement based on a preferential shop was adopted. In a preferential shop an employer agrees to give preference to union members. As a matter of fact, the preferential shop is the union shop where a union is strong and it is an open shop where the union is weak.

CHAPTER IX

THE UNION LABEL

Purpose of the A. F. of L. label—Ground of employers' acceptance—Claims for the label as a method of organization—As used by the Boot and Shoe Workers' Union—Why it is successful in some trades and not in others—Not a business proposition, but a moral obligation—Inter-union label difficulties—Ethical and educational proposition.

THE use of a label as a union emblem is advocated by both the American Federation and the Industrial Workers. It has not been developed by the latter organization, but it has been put to the test as a method of organization by the Federation.

Its purpose in the hands of the Federation is to give an opportunity to every man and woman as a consumer to uphold the organizations of the Federation by demanding union-label goods.

The label is a guarantee to the interested consumer that the goods he purchases are made under union conditions, mutually agreed to by the employer and the union. In exchange for these concessions to the workers, the union promises the employer to encourage the patronage of union members and friends.

The label agreement may follow or precede the organization of workers in a shop. That is, an em-

ployer may find himself with his shop full of union workers and not in a position to get non-union members. Under such circumstances he may then consider that he cannot afford to refuse the workers the conditions demanded by the union, and he may accept the use of the proffered label if it seems to him an advantage to do so. Or, where there is an organization, a union official may be successful in convincing an employer that the use of the label will increase his trade. In such cases an employer will notify his workers that in the future he will employ only union members, and if any wish to work for him, they must join the union whose label he desires. In the first instance, the workers created their own organization. In the second instance, organization came from without.

Workers who have become union members through their employers' agreement to employ only union men rather than through their own initiative, may become strong unionists provided their union gives them in future full opportunity to take part in the collective bargaining which fixes their conditions of employment.

The advocates of the label method declare its superiority on the ground that when the representatives of the trade union seek an alliance with an employer without first approaching the workers and subjecting them to the risks of labor union agitation and union membership, the hardships of strikes and the blacklist

are avoided, as well as the development of class feeling.

It is the tendency of some "label unions" of the Federation to push the pure and simple label method until it supersedes all other methods. The label method of organization has taken precedence over other methods in the Cigar Makers' Union, the Boot and Shoe Workers' Union and the Overall Workers' locals of the United Garment Workers.

Certain boot and shoe manufacturers have adopted the label proposition with such enthusiasm and conviction of self-interest that they employ members of the Boot and Shoe Workers' Union in the capacity of agents to advertise their special brand of label goods. It is usually understood in union label agreements that the union will carry the advertising end of the contract. But these label agents are sent by the manufacturer throughout the country to preach the label method to union men, and to advertise, incidentally, the goods of the manufacturers who employ them. These joint emissaries of the manufacturers and the union are exhorted to approach capital in the spirit of friendship. With the Boot and Shoe Workers, the label contract is the emblem of peace.

One of the officers of an international union declares that they found the label method of organization barren of results in their particular line of production. He claims that the label cannot be successfully operated where its demand depends upon pur-

chasers accustomed to a wide choice in a particular line of merchandise. To illustrate, women are inspired to purchase clothes quite as much on account of the wide choice in style, color, or quality, as in answer to the social requirement that they cover their bodies or their own need of warmth. The officer of the union laid down the general proposition that where habits of purchase have developed a large market for choice, the chance of the label method of organization is weakened, if not lost. His position is backed up by the experience of certain other unions. In men's clothing the label has succeeded on overalls better than on coats, on electricians' gloves and not on ordinary gloves. It has succeeded on men's hats and not on women's. It has succeeded in printing where the bulk of orders is not dependent on the variety or style of type a firm has to offer.

But such a test as to the practical aspect of the label would not be accepted by the label advocates. It would not be considered a good and sufficient reason for rejecting the label method. No reasons could be successfully urged. All arguments or business considerations are turned down with the answer: "It is the *duty* of all union men and women to purchase goods bearing the label and to forego their own individual preference."

The label, for many label advocates, is as significant as a card of union membership, and the man or woman who purchases a non-union label article when

he could purchase an article bearing the label is a near relative to a scab.

Some of the difficulties in the way of a universal adoption of this attitude within union circles is well illustrated by the position taken by the Musicians' Union. The musicians insist that the trade unions, as patrons of instrumental music, shall employ union musicians only, but that musicians as patrons of musical instruments shall be left free to purchase the instruments which are sound in tone rather than in trade union production. The musician's first object is to secure his place in his profession; his place in the labor movement comes later. The metal polishers retort: "On what grounds does the union musician demand the patronage of labor unions? A trade union that employs a union musician using a non-union label instrument is virtually employing a non-union metal polisher, thus violating trade union rules."

The label method encounters many practical difficulties as organization is extended into different trades. Is a trade union man observing trade union regulations when he uses in his work tools or raw products of a firm refusing to employ trade unionists? The difficulties still further develop. Is a trade union man observing trade union regulations when he purchases an article bearing the label, but parts of the article were manufactured by non-union houses? Is a man, for instance, observing label regulations when

he purchases a union label shoe with a silk trade label bearing the name of the shoe, if this label was made in a non-union silk factory?

It is usual in meetings of trade union delegates to hear the ethical rather than the business side of the label proposition. A union man knows that he cannot put forth, at least, not in a union meeting, the excuse for smoking non-union cigars or cigars without the label, that he does not like the label brands of cigars. He cannot excuse his non-union label shoes on the ground that his feet are sensitive and that the union shoes cripple him. Nor is he free to choose, according to union ethics, the bread he eats. If he does any of these things, the cold shoulder of his union label brother is turned toward him, and he is reminded in unvarnished ways that he can eat the bread he prefers and enjoy his special brand of tobacco and wear the shoes which give him comfort, when he and his fellow unionists, through strenuous advertising and purchasing of the undesirable label product, prove to the manufacturer of the goods he prefers that it is to his advantage to adopt the label and settle with the union.

And finally it is claimed that agitation for the purchase of union label goods educates the public in the beneficence of labor and capital co-partnership. It is hoped to reform the public as well as the members of labor organizations in their capacity as consumers; to transform them from irresponsible to altruistic

purchasers. With the realization of this hope, the interests of workers and of employers themselves will have become one, and peace instead of war will characterize the labor movement.

CHAPTER X

THE BOYCOTT

Use of boycott and blacklist—An A. F. of L. weapon—Buck Stove and Range boycott—United Hatters—Legal opinions, decisions—A. F. of L. action—Legal status in states.

As employers use a blacklist to rid an industry of workers who stand for the organization of labor, so does labor use a boycott to rid an industry of employers who are antagonistic to it. Both are war measures and retaliatory. The difference is in the use of the weapons. Employers use the blacklist secretly and never admit they use it. Workers use the boycott openly and through it make a public appeal for coöperation in a just cause.

The boycott is an American Federation of Labor weapon. It is not used by the other labor organizations. The Federation acts upon the assumption that its cause is a just cause, representing in the last analysis the interests of society. It expects, therefore, the support of society. It bases its claim for this support on the proposition that the interests of labor and capital are identical. It is only after the unions have appealed in vain to an employer to recognize the natural alliance existing between them, that they turn to the public and demand that it with-

draw its support from an employer who refuses, first, either to recognize labor in its organized capacity, or in the capacity in which it can function as a partner; and second, to allow labor its rightful share in partnership.

The boycott naturally finds the strongest response within the ranks of organized labor. The great part of the general public either directly sides with the employer and denounces those who victimize him, or indirectly supports the employer by holding aloof.

The power of the boycott can be judged by the energy which capital has dedicated to its defeat.

The National Association of Manufacturers stood back of the Buck Stove and Range Company in its determination to kill the operation of the boycott, not only against that company, but in all industries and whenever found in operation within the United States. It was the intention of the Association to test the case of the Buck Stove and Range Company by carrying it to the United States Supreme Court, and there having the boycott declared once and for all illegal throughout the country. The case became side-tracked in a contempt of court proceeding and was withdrawn as a boycott case on the settlement of the dispute between the Buck Stove and Range Company and the union.

Justice Van Orsdel, in speaking of the boycott, says in his decision modifying the Buck Stove and

Range Company's injunction against the officers of the American Federation of Labor :

Again, we do not assume that it will be contended that a citizen has not perfect freedom to deal with whom he pleases and withhold his patronage for any reason that he may deem proper, whether the reason be one originating in his own conscience, or through the advice of a neighbor, or through the reading of an article in a paper. Neither would it be unlawful for such citizen to advise another not to deal with a person with whom he has concluded not to continue his patronage. If this advice may extend to one, it may to a hundred; and the thing done will not be actionable so long as it is an expression of honest opinion and not slanderous, however much the intercourse between this citizen and his neighbor may operate to injure the person against whom the advice is directed. As long as confined to a mere expression of opinion as to the fairness or unfairness of a business transaction, it is not actionable. ¹

The Boycott Committee of the Federation at the annual convention of 1909 opened its report by quoting the opinion of the Federation's president, Samuel Gompers :

It will be remembered that the injunction was sought primarily to restrain the people in their right to quit buying Buck's stoves and ranges. It over-reached itself so far that the right to freedom of speech and press became involved. However, no consideration of the injunction has been possible by the courts without taking up the principle involved in the boycott. We have always held, and we still hold, that the workers or any of the people have the right to withhold or to bestow

their patronage as they choose, that they have the right to advise their friends and sympathizers of this action and of the reasons therefor. It is hardly necessary to state that in the case of the workers the unfair attitude of the dealer in question has always been the reason for withdrawal of patronage. It has been made clear that he refused to pay the standard rate of wages, and to agree to other equitable conditions which the workers seek through their organizations, and hence the withdrawal of patronage. The boycotts declared by other citizens have sometimes been placed for other reasons, and they can safely be left to a defense of their own actions. I only wish to point out in passing, that the boycott is by no means a weapon used by the workers alone. It is one of those inalienable rights which are at times used by all people. The right to withhold or bestow patronage is one of those things which can neither be enjoined, forbidden, nor punished.

The report of the Boycott Committee continued :

The wares of the labor-boycotted enterprise, to the eye, are made up of the products of nature, fashioned by the hands of more or less skilled workers; but to the individual with the capacity for analysis there is visible the blood and innocence of the child, the health and virtue of the woman and the disputed and denied right of the toiler to collectively bargain for the sale of labor. It impresses your committee that the opposition to the boycott, when it takes its legal form, is really intended to cover the economic iniquities of affected capital; to withdraw the attention of the public from the labor exploitation, and center it on the ethics of the boycott, as wrongfully expounded, to becloud and befog the real issue so that the unfair producer, the enemy of his own class as well as of the wage-earner, may be free to continue his

industrial piracy while the consumer is sent chasing false gods and exploded economic theories. The protection of the law is sought by skilful pleaders for special privileges in order that the rottenness, the tyranny and the horrible working conditions associated with the boycotted manufacturing plant, may be obscured to the public gaze. If in instances where the boycott is now necessary, the right kind of publicity could be had, the boycott would be unnecessary, for an aroused public conscience would speedily compel the manufacturing and the selling malefactor to put his establishment in industrial order or to go out of business. . . . If an individual has the right to enlist the sympathies of his fellow men, and it follows that if the two have the right to refuse to patronize, then labor in combination has the right to refuse to patronize. We say that when your cause is just and every other remedy has been employed without result, boycott. We say that when the employer has determined to exploit not only adult male labor, but our women and our children; and our reasoning and our appeal to his fairness and his conscience will not sway him, boycott. We say that when labor has been oppressed, browbeaten and tyrannized, boycott. We say when social and political conditions have become so bad that ordinary remedial measures are fruitless, boycott. And finally we say that we have the right to boycott and we propose to exercise that right.²

Another case as famous as the Buck Stove and Range Company is the case of the Danbury hatters, or *Loewe v. Lawlor*. The prosecution invoked the Sherman Anti-Trust law to aid in establishing the boycott as a national conspiracy in restraint of interstate commerce. Judgment was finally entered against the defendants in November, 1912, amounting

to \$240,000. The attorney for the Executive Council of the Federation appealed from this decision, and under the instruction of the National Convention will carry the case through the highest courts. The attorney retained by the Federation of Labor in the hatters' case, in addressing the convention of the Federation held in Rochester in 1912, brought out the significance to organized labor of treating labor-union activity as conspiracy in restraint of trade. This phase of the problem is more important than are decisions against the boycott alone, as all labor-union action is conspiracy if conspiracy is to cover all collective action of labor which interferes with an employer's interstate trade, for there are few manufacturers whose sale of goods does not cross state lines. If the reasoning of the plaintiffs in the case against the hatters is eventually sustained, practically every union activity could be declared illegal as a conspiracy in restraint of trade. The attorney in addressing the convention said:

You possibly know that over in Danbury, Connecticut, there has been a firm known as D. E. Loewe and Company, engaged in the manufacture of hats. Along in the fall and winter of 1901, and during the spring of 1902, an effort was made to unionize the factory of D. E. Loewe and Company. Various conferences were held with committees and an effort was made to reach an amicable adjustment. Failing in this effort, on the 25th day of July, 1902, the union men employed in that factory quit work. The next day the non-union men em-

ployed in that factory quit work, so that by the night of the 26th of July, 1902, that factory was cleaned out and only six or seven men remained. The matter ran along until August. Then the agents of the United Hatters on the road began to effectively advertise the union label. They called upon the trade wherever the hats of D. E. Loewe and Company were sold and asked the dealers to transfer their patronage to firms using the union label. This condition continued until the summer of 1903, and then Mr. Daniel Davenport, the attorney of the American Anti-Boycott Association, began two pieces of litigation. First he filed in the courts of Connecticut an action against the officers of the American Federation of Labor and a number of individuals of the United Hatters' organization. At the same time he filed in the Federal Court at Hartford an action brought under the provisions of the Sherman Anti-Trust Act, naming as defendants some 255 members of the Hatters' Union and drawing his complaint so broad as to include each and every one of the then 1,400,000 members of the organized labor movement of this country. . . . in that complaint you are charged with being parties to a conspiracy carried on contrary to the provisions of the Sherman Anti-Trust Act. . . .

The complaint charged, and had to charge in order to give the Federal Court jurisdiction, that for years there had been a conspiracy among the members of the United Hatters of North America and members of the American Federation of Labor, the purpose of which conspiracy was to destroy interstate commerce, to destroy the interstate commerce of any employer who failed to agree with the labor movement of this country in the policies it was at that time advocating. I take it that most of you understand that if you live in New York and I live in New York and you want to bring an action of law against me you must bring that action

in the State of New York. The defendants resided in Connecticut and the complainants resided in Connecticut. The great damage sustained by Mr. Loewe was not because of boycotting proceedings but the damage he suffered by reason of the loss of his employees. Under ordinary circumstances that loss, if recoverable, would be in the state courts of Connecticut. In order to bring that element of damages within the purview of the Sherman Anti-Trust law, Mr. Davenport had to allege that the strike, the calling out of the men, was a part of the carrying out of the conspiracy to destroy Mr. Loewe's interstate commerce. So you want to understand that everything done in connection with that strike is alleged to have been done for the sole and only purpose of destroying interstate commerce.

Now you have a strike in California where they are engaged in the manufacturing of products that are manufactured to be shipped into Nevada. What is the result? You haven't a right to withdraw your labor from that employer, because if you do you are preventing the manufacture of goods which, if manufactured, will become a part of the interstate commerce of this country. So I say this is important because there is a next step. It has been declared that hatters scattered throughout the jurisdiction of our Federal government may not collectively refuse to buy non-union hats, may not collectively ask their friends not to buy non-union hats, may not ask their friends collectively to not buy the hats of Loewe and Company, because if Mr. Loewe was finding a market for his hats in California or Michigan the hats when shipped would be a part of the interstate commerce of this country. So I say the next step is to prevent men collectively to withdraw their services because they are withdrawing their services from the employment of the men engaged in the manufacture of a product that will become part of the interstate commerce of this country. . . .

Now, what does it mean to my organization or to your organization? It means that if any officers or group of agents of your international do anything that brings it within the scope of the Sherman Anti-Trust law your property can be taken away, your wages garnisheed, your bank account attached. It is the most important question you have before you for consideration, because it is an attempt, as this report says, to say to organized labor, "You cannot afford to affiliate with your union, because if you do you become individually responsible to answer in damages for what that union or the members, officers, or agents of that union may do."

It is a great question. It is the first time in the history of jurisprudence in this country that a man could be made a party to a conspiracy without his knowledge, that a man could be charged as being a party to carrying on a conspiracy against the law without his knowing he was participating in such a conspiracy.³

While the appeal of this case is being taken, the Federation decided to work as usual for the amendment of the Federal law so that trade unions would not be classed with trusts as combinations in restraint of trade.* The law was not so amended in the 1913 session of Congress, but no provision was made in the supplementary appropriation bill for the prosecution of labor unions under the act.† The President of the United States in signing the appropriation act stated that this exemption would not protect the

* See Chapter XII, pp. 148-149.

† In September, 1914, Congress enacted a law exempting the unions. (See text of section of new law at end of chapter, p. 147.)

unions from prosecution under the Sherman Law, as other funds were available for the purpose.

In most of the states the boycott is declared a conspiracy. Missouri and California have upheld the important decision handed down in Montana, that labor has a right to combine for the purpose of persuading others to refrain from doing what it decides is to its advantage not to do.

Some time in 1907, Lindsay and Company, wholesale fruit dealers, had been declared unfair by the Miners' Union and Trades Assembly of Helena, Montana. This action had been endorsed by the Montana Federation of Labor. Circulars announcing the fact were sent out to the labor organizations of the State. The Yellowstone Trade and Labor Assembly referred the matter to its grievance committee, which issued a circular calling on organized labor and all in sympathy with it not to patronize Lindsay and Company. As a result the firm's business was destroyed in Billings, Montana.

A sweeping injunction was issued and made permanent against the Montana Federation of Labor, and the Yellowstone Trade and Labor Assembly for boycotting. From an order refusing to dissolve the injunction an appeal was taken. The Montana Supreme Court reversed the decision of the lower court and dissolved the injunction. The opinion declares the boycott to be legal. Justice Holloway, writing the opinion, says:

But what is there unlawful in the act of the union workingmen of Billings in withdrawing their patronage from the plaintiff? Certainly it cannot be said that Lindsay and Company had a property right in the trade of any particular person. In this country patronage depends upon good will, and we do not think that it will be contended by any one that it was wrongful or unlawful, or violated any right of the plaintiff company, for any particular individual in Billings to withdraw his patronage from Lindsay and Company, or from any other concern which might be doing business with that company, and that, too, without regard to his reason for doing so. But there can be found running through our legal literature many remarkable statements that an act perfectly lawful when done by one person becomes by some sort of legerdemain criminal when done by two or more persons acting in concert, and this upon the theory that the concerted action amounts to a conspiracy. But with this doctrine we do not agree. If an individual is clothed with a right when acting alone, he does not lose such right merely by acting with others, each of whom is clothed with the same right. If the act done is lawful, the combination of several persons to commit it does not render it unlawful. In other words, the mere combination of action is not an element which gives character to the act. It is the illegality of the purpose to be accomplished, or the illegal means used in furtherance of the purpose, which makes the act illegal. (Ency. Law, (2nd Ed.) Bohn Mfg. Co. v. Hollis, 54 Minn. 223, 55 N. W. 119.) "A conspiracy is a combination of two or more persons by some concerted action to accomplish a criminal or unlawful purpose or to accomplish a purpose, not in itself criminal or unlawful, by criminal or unlawful means. . . ." We hold, then, that a labor organization may employ the boycott as herein defined in furtherance of the object of its existence.⁴

This doctrine has been upheld by the courts of Missouri and California and at one time in New York. With these exceptions the boycott is declared a conspiracy in other states. While the courts distinguish between primary and secondary boycotts the unions recognize no difference between concerted voluntary acts of men within one group and the concerted acts of men of several groups.

NOTE.—(See p. 144.) The section of the federal statute exempting unions is as follows:

“The labor of a human being is not a commodity or article of commerce, and nothing contained in the anti-trust laws shall be construed to forbid the existence and operation of labor, agricultural, or horticultural organizations, instituted for the purposes of mutual help and not having capital stock or conducted for profit, or to forbid or restrain individual members of such organization from lawfully carrying out the legitimate objects thereof; nor shall such organization, or the members thereof, be held or construed to be illegal combinations or conspiracies in restraint of trade, under the anti-trust laws.”

CHAPTER XI

ARBITRATION

Voluntary and compulsory—Opposing position of labor and capital—Erdman Act—Engineers' arbitration board, its recommendation of wage board, minority opinion—Amendment of Erdman Act—Canadian Disputes Act—Compulsory arbitration in Australia and New Zealand—Right to strike.

THE opposing positions of labor and capital on the question of arbitration is but another illustration of differences in objective points.

The trade unions have universally welcomed propositions for voluntary arbitration when a strike is on or declared, and capital has opposed it with an answer, which became classic some time back, "There is nothing to arbitrate."

Capital has welcomed compulsory arbitration under certain conditions, which labor in the United States has universally opposed.

The employer who declares there is nothing to arbitrate is the same employer who dismisses also the claim of organized labor to a voice in fixing conditions of work with the curt reply, "I can run my business to suit myself."

The trade unions welcome voluntary arbitration because, first, it secures a hearing for demands;

second, it forces the employer, in the presence of a third party, to assume a more judicial attitude; it forces him to explain his position, to discuss terms of employment, and his right to sole management of his business is opened to question.

Voluntary arbitration may or may not carry with it compulsion to abide by an award. It may be that workers or employers agree to submit a question to arbitration, and to refer the award back to the workers for acceptance or rejection. This is the usual form of arbitration approved by the unions of the American Federation. Or voluntary arbitration may mean that workers and employers voluntarily submit questions in dispute to arbitration, and agree, in advance, to be bound by the decision of the arbitrators. The four railroad brotherhoods advocate the latter method, and have adopted it as their exclusive method of adjusting wage scales and working conditions.

The Erdman Act, which reflected the attitude of the railroad brotherhoods on the question of arbitration, provided that either the railroad managers or the unions of the employees may invoke an arbitration proceeding. But recourse to the act was optional; that is, managers were free to lock out the workers, or the workers were free to strike without resorting to arbitration. If the parties in a controversy requested arbitration under the Act, they are legally bound to abide by the decisions of the arbitration board.

From 1907 to 1912, sixty cases of wage controversies between railroad managers and railroad employees were settled under the terms of the Act. But when the Brotherhood of Locomotive Engineers in 1912 made an appeal to the Boards of Directors of fifty-two Eastern railroads for increase and standardization of wage rates over all the roads, the managers representing the different boards separately refused the demands, and refused, also, to submit to arbitration under the federal law. They claimed that the three arbitrators, provided by the Erdman Act, were not sufficient to settle so important a question. They proposed as an alternative an arbitration board made up of one representative to each of the parties of the controversy, and five others to be appointed by the Chief Justice of the United States Supreme Court, who would represent public interest. The Engineers resisted the proposition for a time in the fear that the majority on a Board so appointed would fail inevitably to appreciate the position of the workers. Their fears were fully justified. The Engineers were not granted the standardization or any increase in wages. Instead, they were granted a minimum rate.

The important outcome of the arbitration was the nature of the majority recommendation made by the managers' representative and the five men who represented the public. It supplemented the beggarly award with the recommendation in the interest of the public that the majority were appointed to represent.

It discarded the idea that engineers were free men, and proposed that they should in the future be treated as servants of the public, surrendering personal desires and points of view regarding their own conditions of work to the desires and interests of the public. The Board recommended a compulsory settlement of wages by wage boards, and, with the creation of such boards, that the men engaged in railroad service be denied the right to strike.

It was not surprising that the five men who controlled the Board, together with the managers of the railroads, would regard the possibility of a railroad strike as an incomparable calamity, and would fail to realize that the compulsory terms of service they proposed would not be endured by men enjoying even a pretense of freedom.

In connection with its recommendations for the establishment of wage boards in place of free and collective bargaining, the Board observed:

If, notwithstanding the existence of a wage commission, the men engaged in train service struck, the question would arise regarding the legal authority of the government to compel employees to remain at work. Is it unreasonable to ask that men in the service of public utilities shall partially surrender their liberty in the matter of quitting employment so that the nation as a whole may not suffer disproportionately? . . . It is the belief of the Board that, in the last analysis, the only solution, unless we are to rely solely upon the restraining power of public opinion, is to qualify the principle of free contract in the railroad service. A strike in the army

or navy is mutiny, and universally punished as such. The same principle is applied to seamen because of the public necessity involved. A strike among postal clerks, as among the teachers of our public schools, would be unthinkable. . . .¹

The attitude back of the recommendations of the Board is typical of arbitration boards created in the interests of the public. It keeps before it a sense of the service to be rendered, and loses sight of the fact that service depends on the willingness of human beings to render it. If there had been a possibility that any of the five men who represented the public on the Board would in the course of time become railroad employees themselves, it is doubtful if the minority report would have been signed only by the one man who represented the workers. The reply of the workers' representative in his minority report was:

When it is contemplated that such wage commissions would have all the powers of a Court in determining a labor controversy, at least equal power with the Interstate Commerce Commission in the determination of transportation rates, with which it is here compared, we strike at a vital and fundamental principle affecting the legal and economic rights of railway employees. No fault can be found with the public's interest in keeping open the arteries of commerce; indeed, the railway is an essential part of our modern civilization. It is dedicated to the public use, and the laws regulating it in the public interest are now an established policy. But with all this railways are privately owned, and the relation

of the railway employee to his employer is private and not public. Whatever relation the railway employee may have to the public is secondary and through his employer. . . .

The fact that the railway employee is engaged in an employment affected with public use confers upon him no benefits or advantages compared with employees engaged in the private industries; on the contrary, he suffers the disadvantages on account of the character of the service he performs with its hazards, great responsibilities, and many other exactions, such as age limits, physical examination, severity of discipline, and so on.

These conditions make necessary the organization of railway employees for their own protection and advancement just as if they were engaged in any other industry. To take away from them their present industrial defenses because of their relation to the public service, simply with the promise that they would be treated fairly by a wage commission or other tribunal, created for the purpose, is wholly inadvisable. . . . There can be no comparison between the fixing of a rate by a commission with a view of determining a fair measure of justice between a railway and the public and the fixing of a wage rate between the railway and its employees. . . .²

In making the recommendation for compulsory terms of service, the arbitration board cited as a precedent the regulation surrounding the service of seamen. At the 1913 convention of the Locomotive Firemen, the president of the Seamen's Union said: "We have, since 1904, been earnestly and persistently engaged in wiping off the statute books the last re-

maintaining involuntary servitude under the flag of Uncle Sam. Once take it off our backs, and it will never be placed upon anybody else's back in this country." ³

The demands of the other Railway Brotherhoods which followed in the succeeding months for new wage agreements were met by the managers with the answer that they would not arbitrate as formerly under the Erdman Act, but would refer the demands to a Board similar in personnel to the Board which had decided the case of the Engineers.

The other Brotherhoods, profiting by the fate of the Engineers, refused. But they consented to the Newlands amendment of the Erdman Act, in July, 1913, which provides for a possible increase in the number of arbitrators; that is, two railroad managers in place of one, two union representatives in place of one, and two representing the public. With two men instead of one representing the public, the chances of subserving the public interest are more than doubled. With two, there is opportunity for concerted action in pushing the claims of a great public against the interests of a group of workers. This is especially true in railroad service. Concession to the demands of railroad workers for decent conditions would involve the roads in a colossal expenditure inconsistent with all precedent for railroad financing. The chances, therefore, of the managers for a settlement favorable to them are increased with

the increased representation of the public on arbitration boards.

The Newlands Amendment creates a Commissioner of Mediation who is the chairman of a newly created Board of Mediation. The chairman and two federal officials, appointed by the President of the United States, make up the Board. The Board may act on its own volition. If it fails to bring the contending factions to an agreement the latter decide whether they will submit the matter to arbitration under the Act and whether the Arbitration Board shall be composed of three or six members. It was on account of the refusal of the roads to arbitrate the demands of the trainmen and conductors under the provisions of the old act requiring only three arbitrators that the law was amended and the possibility of increasing the number of arbitrators, particularly the number representing the public, was provided for.

The result of increasing public representation on arbitration boards and emphasizing the public interest is understood in countries where compulsory arbitration is in practice. The public is interested in the prevention of strikes and the prevention of strikes is the purpose of compulsory arbitration.

In Canada the effort to prevent strikes through compulsory arbitration is being tried out in a new form. The Canadian Disputes Act does not make strikes illegal; it makes it illegal to strike successfully. The Act provides that workers before striking must

submit their demands to a government board for investigation and report; that they must submit the demands thirty days in advance of the day they propose to call the strike; and that the workers must continue at work during the investigation. Any strike, called before the Board makes its report, is illegal. This means, to every one who knows anything about the calling of a strike, that the provision serves the excellent purpose from the employer's point of view of allowing him ample time to prepare for a strike, to stock up, to engage strike-breakers, and arrange his business affairs for a comfortable and possibly a profitable shut-down. In short, the loss of the strike, from the worker's point of view, is fully assured.

The irony of the Act is reserved for the last provision. After the Board has made its investigation, has made its report and its recommendation, after it has used all the influence it can summon to induce the workers to accept the award, then the workers may, if they choose, go out on strike. The workers are between the devil and the deep sea by that time. The wind has been taken out of their strike; any revolt at so late a day is doomed to failure. If in desperation they accept the award, they are legally bound to observe the terms laid down. However unjust the terms may be, they cannot change them by striking, which is equivalent to saying that they cannot change them.

But there is in the Act still another piece of hypocrisy. It not only permits strikes which are foredoomed to failure, but it speciously provides that employers may not lock out workers until the employers have submitted their grievances in the same way and under the same conditions as are required of workers. No employers are seriously incommoded by restrictions on lockouts. They can effect a lockout as they can blacklist and no one is the wiser. They can discharge for apparent good and sufficient cause, they can harass the men until they give up their work voluntarily, or they can close down for business reasons and take men back as it suits their convenience. The conditions surrounding a lockout and a strike are not parallel, and the provision assuming that they are is false on the face of it.

The Canadian Trades and Labor Assembly unwittingly endorsed the Act when it was passed, but at the end of three years' trial they are agitating for its repeal.

Compulsory terms of service, that is, compulsory arbitration, has been tried in Australia and in New Zealand. In the opinion of many labor unionists, it has failed. It was found in those countries that it was impossible to punish men for failure to abide by compulsory awards. Jailing several hundred or thousands of men was quite out of the question. It was found that fines could not be collected from men without property; also, men in sympathy with con-

victed men could not be prevented from buying up the convicted men's property and returning it to them. Many labor unionists in New Zealand and Australia are making a stand on the right of all men to work when and where they choose, and to cease work individually or collectively as they see fit. It does not appear that the government of New South Wales is satisfied with its resorts to legal pains and penalties in the experience of the industrial arbitration laws.

The editor of the *American Federationist* writes:

The Arbitration Act is nominally voluntary. An organization consisting of at least fifteen members may by a majority vote adopt a resolution to register under the provisions of the act and thus secure "governmental protection" for trade agreements. The quality of the voluntary element appears when it is observed that organizations not registered are practically outlaw organizations whose members may be bound by any agreement brought into existence by a registered organization within their industry or district. Here lies the militant employers' opportunity to exploit the workers—for militant employers flourish even in the Australasian Utopia.

They have developed a series of "arbitration unions." Many spurious trade organizations have registered and secured contracts, which, protected and enforced by governmental agencies, bind the bona fide organized workers to conditions to which they do not consent. Employers have found little difficulty in "inducing" fifteen workers to form an "arbitration union." Nor have they always troubled themselves to secure the fifteen required by law—the Australian papers state that six men organized an arbitration union for the coal miners at Huntley. The miners, following the advice of their national

labor organization, did not strike but joined the organization. Although some of the most reliable miners who had homes and families in the locality were persecuted for taking part in the affairs of the union, the bona fide unionists persisted until they got control of the organization and put the employers' agents out of office. Immediately the new officers were discharged. Thus employers work under and by means of "ideal" legislation. So it has come about that the workers of "a Country Without Strikes" are divided into two factions—the "lawful" workers who abide by peaceful agreements even when manipulated and perverted to promote self-interest of employers, and those who are seeking a new freedom unrestricted by legalism and fines and imprisonment for quitting work. "Lawful" workers are given the support and protection of constables and militia. Legalism has created impatience if not contempt for law. It makes easy the way for radical leaders and revolutionary theories. . . .

Opinions expressed in a recent Australasian meeting are of particular interest to those who have carefully considered the merits of the compulsory arbitration theory. In Adelaide, November 11th, 1913, was held a conference of the representatives of the industrial governing bodies of the commonwealth. Seven hundred thousand workers were represented. One of the matters considered was the formation of a Federal Grand Council, consisting of representatives of the labor councils of the Commonwealth. The delegate from Western Australia, Mr. McCallum, objected to this proposal on the ground that his state would not agree to giving members of Parliament more extended powers in industrial matters.

In considering industrial legislation, the right to strike was recognized as a fundamental issue. . . .

Mr. Middleborough moved that the conference enter

its protest against legislation prohibiting workers the use of the strike, and affirm its repudiation of legislation involving the imprisonment of workers participating in industrial disputes.⁴

The purpose of compulsory arbitration is the prevention of strikes. Its advocates assume that the public is more seriously concerned in the consumption of wealth than are the workers in its creation; that the interruption of industry through strikes is more disastrous to the public than is continuous, indefinite labor under compulsory conditions to the workers.

There are, indeed, any number of things which we discover in our lifetime that other people consider we are in duty bound to do, but we do not on that account necessarily do them. Whether or not a man will perform some particular task must be in the nature of things left to his decision.

The public may have a bad time of it if steamers do not sail, or trains do not run, or if telephones fail to connect, because dockers have refused to load the steamers, firemen have refused to stoke the engines, and telephone girls have refused to attend the switchboard. But no one of these workers, nor all of them together, can be forced, successfully forced, to serve the public on the terms it dictates, as vital as the going and coming of the public may be.

Every proposition to make strikes illegal or ineffective is fought by organized labor more stren-

uously than are all other measures for labor regulation. The most conservative, as well as the most revolutionary labor union man, believes that the only defense of free labor against slave labor is the unimpaired right to strike.

CHAPTER XII

LEGISLATION AND THE UNIONS *

Auxiliary to direct action—Dangers of state action—Warning from Australia—A. F. of L. and anti-trust law—Bartlett-Bacon bill—Restriction of immigration—Seamen's bill—Democratic political measures—Congressional measures advocated during four Congressional sessions—A. F. of L. state legislative measures summarized.

THE distinctive characteristic of labor unions is voluntary association; the voluntary association of workers among themselves and in all of their industrial relations. When unions turn in the pursuit of their ends from voluntary association to state protection they are usually prompted by some event or series of events which have thwarted their voluntary efforts. Their legislative activities are the by-products of direct action, that is, of collective bargaining, trade agreements, boycotts, strikes.

As the courts render adverse decisions to labor union efforts, the unions turn to the legislatures to secure state endorsement of their position or needs. In spite of the mass of legislation instigated by them, they are keenly alive to the dangers of state action. In commenting editorially on compulsory arbitration, Samuel Gompers observes that "strike after strike

* See also Chapters on Boycott and Arbitration.

occurs in New Zealand, and the Australian Commonwealth under laws providing for both compulsory arbitration and wages boards. Experience of the workers in their efforts to abolish industrial injustice has demonstrated that this legislation is ineffective for that purpose, but is destructive of liberty and progress. The important element in securing results is the spirit, the resourcefulness, and the initiative of the people themselves. Nothing is a substitute for intelligent initiative. Time after time men have put their faith in theories, methods, and legislative devices. They have found all agencies impotent to secure the welfare of the people unless under the control of a people able and alert in their own interests. They have found theoretically imperfect machinery producing most gratifying results if only permitted the development and exercise of initiative.

“South Australian industrial legislation is based upon the principle that the government should take over the responsibility of securing industrial justice and peace. But the government has been most sensitive and responsive to the employers’ interests. Employers have found the Arbitration Act a legal and effective method of weakening unions.”¹

This attitude toward state control of labor conditions and labor unions the Executive Council of the American Federation expressed in reporting its conclusions and recommendations on a minimum wage for women.

If it were proposed in this country to vest authority in any tribunal to fix by law wages for men, labor would protest by every means in its power. Through organization the wages of men can and will be maintained at a higher minimum than they would be if fixed by legal enactment.

But there is a far more significant ground for opposing the establishment by law of a minimum wage for men. The principle that organization is the most potent means for a shorter work day and for a higher standard of wages applies to women workers equally as to men. But the fact must be recognized that the organization of women workers constitutes a separate and more difficult problem. Women do not organize as readily or as stably as men. They are, therefore, more easily exploited . . . an industry which denies to all its workers and particularly denies to its women and minors who are toilers a living wage is unfit and should not be permitted to exist . . . legislation of this character is experimental and sufficient experience with it has not been had to enable us to secure . . . information as to its tendency and its effect upon wages and industrial conditions. . . .²

When Theodore Roosevelt was president, he denied the postal-clerks, as government employees, the right of petition as well as organization. It was an object lesson to labor unions suggesting what they might expect from government ownership or control.

The most important legislative measures advanced by the Executive Council of the American Federation and its state organizations apply to the defense of labor organization and labor union tactics.

During 1913-14 the National Executive Council was largely occupied in an effort to secure a federal statute which would exempt unions from classification under the Sherman Anti-trust law as combinations in restraint of trade. The courts had so interpreted the law in the case against the United Hatters and the suppression of their boycott; in the injunction against officers of the American Federation for the publication of the Buck Stove and Range Company in their "We Don't Patronize" list. Under the same interpretation officers of the United Mine Workers and of the Western Federation of Miners had been indicted during their West Virginia, Colorado, and Michigan strikes.

These efforts of the courts to so construe the law signified to labor the dissolution of its unions. The opposition fight which the American Federation waged against such construction was long and costly to organized labor. The position of the Federation is quoted at length on account of the importance of the issue.

Without further delay, the citizens of the United States must decide whether they wish to outlaw organized labor. Only a few months ago the officials of the United Mine Workers were indicted under the Sherman Anti-Trust law because they helped the miners of West Virginia to break the shackles by which the mining companies held them helpless objects of exploitation. The mine operators forced the constituted authorities of the state to do their bidding. The miners could ap-

peal to no one for justice. Their only defense lay in their ability to enforce their rights through their united, organized power. To strip them of that defense is the purpose of the litigation begun by the indictment charging that organization with restraint of trade. These same officers of the United Mine Workers have again been indicted under the same "anti-trust" law because they are helping the miners of Colorado to resist the tyranny of the Standard Oil Company, which seeks to evade compliance with labor laws of the state. The "indicted" officers of the miners are (call it "conspiring," if you please) engaged in an effort to rid the state of Colorado of government by mine guards in order to reestablish civil government, government by law.

The Federal grand jury's indictment charges the officers of the miners' organization with establishing a monopoly of mine labor in the United States and Canada and with organizing a conspiracy to restrain interstate commerce.

The law of the land assures to workers the right to organize. All who have any knowledge of the world of industry concede that without organization the wage-workers are helpless victims of the industrial forces that are seeking their own self-interest. Practical men of business refuse to deal with a weak union, for its agreements would have neither advantage nor force; but as a matter of course they recognize and deal with strong unions, and adjust their business to conform to the new situation. It follows, then, that control of all the workers in a trade increases the success and the efficiency of the organization in securing better terms for a greater number of workers, and in turn protects the fair employer from competition with producers who care not how they grind their employees so long as they also grind out profits.

The right to organize is a sham, a trick, a deceit,

unless it carries with it the right to organize effectively and the right to use that organized power to further the interests of the workers. This implied right must be assured. If it is alleged that acts in themselves criminal or unlawful are committed in endeavors to effect organization or to secure the benefits of organization, let those acts be dealt with under due process of law. But in the name of free labor, in the name of free government and free society, let the right to organize never for one instant be menaced or withheld. That right is the foundation upon which all else is builded. . . .

Union men of America, do you realize that at any time your home, your savings, may be levied upon if your organization has attained any degree of success? Do you realize that you and the officers of your organization may be imprisoned for daring to defend and to promote your welfare and for the exercise of normal activities to increase the power and efficiency of your union? Have you compared your condition with that of the unorganized so that you realize what will be the effect of depriving you of the right to organize?

When you have seriously considered these questions you will realize the imperative necessity that devolves upon all men and women who labor—the necessity of securing amendment to the Sherman Anti-Trust law that clearly and specifically prevents the application of that law to the voluntary organization of the workers—the unions.

That law, as now interpreted and applied, constitutes the most serious menace to the labor movement. That law, which was intended to benefit human beings, to prevent or check monopoly and absolute control over the products of labor and of the soil, to assure to the people the necessities of life at reasonable prices, has proved useless in establishing control or regulation over the trusts and monopolies. In a spirit of ironic glee these

same monopolies, trusts, and corporations, unharmed by the law which was to have regulated them, now turn this law against the human beings who were to have been protected.

Is the conscience of the American people so dead, is their sense of justice so dormant, that they will tolerate that horses, wheat, hay, sugar, hogs, shall be placed on equality before the law with human beings? . . .³

The bill introduced in Congress, known as the Bartlett-Bacon Bill, reflected the attitude of the unions and their demand for a recognition that property rights and labor rights were not the same. It provided:

Sec. 1. That it shall not be unlawful for persons employed or seeking employment to enter any arrangements, agreements, or combinations with the view of lessening the hours of labor or of increasing their wages or of bettering their condition; nor shall any arrangements, agreements, or combinations be unlawful among persons engaged in horticulture or agriculture when made with a view of enhancing the price of agricultural or horticultural products; and no restraining order or injunction shall be granted by any court of the United States, or by any judge thereof, in any case between an employer and employee, or between employers and employees, or between persons employed and persons seeking employment, or involving or growing out of a dispute concerning terms or conditions of employment in any case, or concerning any agreement, arrangement, or combination of persons engaged in horticulture or agriculture with the view of enhancing prices as aforesaid, or any act or acts done in pursuance thereof, unless in either case said injunction be necessary to prevent irreparable

injury to property or to a property right of the party making the application, for which there is no adequate remedy at law; and such property or property right must be particularly described in the application, which must be sworn to by the applicant or by his agent or attorney.

In construing this Act the right to enter into the relation of employer and employee, to change that relation and to assume and create a new relation of employer and employee, and to perform and carry on business in such relation with any person in any place or do work and labor as an employee shall be held and construed to be a personal and not a property right. In all cases involving the violation of the contract of employment by either the employee or employer, where no irreparable damage is about to be committed upon the property or property right of either, no injunction shall be granted, but the parties shall be left to their remedy at law.

Sec. 2. That no person or persons who are employed or seeking employment or other labor shall be indicted, prosecuted, or tried in any court of the United States for entering into any arrangements, agreements, or combinations between themselves as such employees or laborers, made with a view of lessening the number of hours of labor or increasing their wages or bettering their condition, or for any act done in pursuance thereof, unless said act is in itself unlawful; nor shall any person or persons who may enter into any arrangements or agreements or combinations among themselves for the purpose of engaging in horticulture or agriculture with a view of enhancing the price of agricultural or horticultural products be indicted, prosecuted, or tried in any court of the United States on account of making or entering into such arrangements, agreements, or combinations, or any act done in pursuance thereof, unless said act in itself is unlawful.

People may differ as to whether it is logical or illogical to distinguish between associations of capital and of labor but no one who understands the operations of unions can doubt that their classification under this law would result in harassing and constant litigation if not in their actual dissolution.

From the experience of the unions in the courts it is clear to them that successful coercions of capital would be met with summary orders of restraint from the courts. Practically all advances won by labor in every new field coerce capital and directly and indirectly restrain interstate commerce. Under such circumstances labor union measures become conspiracies.

The American Federation of Labor has recently taken the position that federal restriction of immigration is an important adjunct to labor organization. Anti-Asiatic sentiment of labor union men in California has contributed in a large measure to the change of attitude.

The American Federation has also included in its legislative program measures affecting the interests of certain classes of workers. One of the most important recent measures of this kind was the Seamen's Bill, which provided for greater safety at sea, against involuntary servitude, the increase of a ship's crew, and a standard of seamanship.

Still another class of legislation promoted by the Federation relates directly to increasing the democratic control of the government; direct legislation

through popular initiative and referendum, the recall of officials, the popular election of judges, the elimination of difficulties in the amendment of the federal constitution.

Legislative measures to improve directly the economic conditions of labor (excepting government employees) have not been of such vital concern as have measures affecting organization. For the improvement of those conditions the unions rely principally on their voluntary and collective efforts.

The Legislative Committee of the Federation reported the federal legislation which it had instigated since 1906, as well as legislation it had endorsed at the suggestion of others. The appended list illustrates a progressive interest in legislation and the character of the state protection it is now demanding. It will be noted that it was instrumental in securing enactments in its behalf on seven counts in the Fifty-ninth Congress; on eleven in the Sixtieth Congress, on sixteen in the Sixty-First Congress, and on thirty in the Sixty-Second.⁴

RECORD OF FIFTY-NINTH CONGRESS

Employers' liability act secured. Immigration laws amended and strengthened. Law limiting railroad men's hours of labor to sixteen in any one day enacted. Federal investigation of industrial conditions among working women and children ordered. Amend-

ments to Chinese Exclusion law defeated. Ship subsidy and conscription defeated. Anti-compulsory pilotage proposition defeated.

RECORD OF SIXTIETH CONGRESS

Employers' liability law passed substituting the act passed by the Fifty-ninth Congress which was annulled by the United States Supreme Court. Compensation for injuries to government employees' act passed. Child labor law for the District of Columbia enacted. Proposed reduction of wages of employees of Panama Canal Railroad defeated. Proposal to waive contract labor provision of immigration laws in Hawaii defeated. Efforts to establish censor of publications in Post Office Department defeated. First federal appropriation for investigation of accidents in coal mines secured. Self-emptying ash pan law for locomotives enacted. Law enacted disapproving unfair personal injury act of territory of New Mexico. Compulsory investigation of labor disputes bill defeated (a mischievous proposition intended as a forerunner for compulsory arbitration). Ship subsidy and conscription bill again defeated.

RECORD OF SIXTY-FIRST CONGRESS

Employers' liability act amended and strengthened. Federal employees' compensation for injuries act extended. Law passed requiring railroads to re-

port all accidents. Standard equipment act for railroads passed (a valuable safety appliance measure). Federal locomotive boiler inspection law enacted. Immigration law amended and strengthened, relating to deportation, also prohibiting interstate transportation of so-called "white slaves." Eight-hour provision included in act authorizing construction of revenue cutters and in naval appropriation acts. Postal Savings Bank law enacted. Bureau of Mines established. Federal Commission appointed on Workmen's Compensation and Employers' Liability. Porto Rican legislation enacted providing for an eight-hour day on public works, a law prohibiting employment of children under fourteen years of age, and an employers' liability law. Amendment to Constitution providing for income tax passed. Law enacted compelling publicity of political campaign contributions. Child labor law for the District of Columbia amended and strengthened. Rules of House of Representatives amended hindering the practice of smothering legislation in committee.

RECORD OF SIXTY-SECOND CONGRESS

"Gag" rule abolished; rights of hearing, petition, and association restored to post-office and other civil service employees. United States constitutional amendment providing for popular election of Senators passed. General eight-hour day bill

on contracts for public work enacted; eight hours in the contracts of fortification bill provided; eight hours in the contracts of naval bill provided; eight hours for letter carriers and clerks in post-offices made operative. Anti-Phosphorus Match Bill enacted. Children's Bureau established. Extension of Federal Compensation for Injuries Act to Bureau of Mines employees. Industrial Relations Commission provided. Second-class postage rate assured for trade union and fraternal publications. Eight-hour law of 1892 amended by extending it to dredgmen. Law enacted providing for a Department of Labor, the Secretary of same to be a member of the President's cabinet. Bureau of Mines Act amended and strengthened. Seamen's bill passed Congress, vetoed by President Taft. Immigration bill passed Congress, vetoed by President Taft. Anti-Trust proviso passed Congress exempting organizations of labor from prosecution under Sherman law, vetoed by President Taft. Free Smoker bill passed (in interest of cigarmakers). Physical valuation law for railroads and express companies passed. Parcel Post law passed. Law passed establishing the three-watch system in the merchant marine, for masters, mates, and pilots. Federal investigation ordered of the industrial conditions prevailing in the iron and steel industry, also a congressional investigation ordered of the United States Steel Corporation. Increased appropriations obtained for rescue work in Bureau of Mines. Public construction in Govern-

ment navy yards of naval vessels and colliers secured. Secured five cents an hour advance for pressmen in Government Printing Office. Secured 10 per cent. increase in wages for employees of Naval Gun Factory. Trade unionist appointed first Secretary of the Department of Labor. Federal investigation of textile strike at Lawrence, Mass. Congressional investigation Taylor "stop watch" system. The amendment to the Federal Constitution providing for an income tax has been ratified by three-fourths of the States and is now effective.

The legislative program of the state branches representing one year's work, 1912-13, gives an idea of the extent of the legislation and the demands which the Federation is making in different states of the country. The laws supported by the state federations were reported to *The American Federationist* and summarized:

Workingmen's Compensation Laws were enacted in Iowa, Minnesota, West Virginia, Texas, Montana, Ohio, and Oregon; Illinois redrafted a Compensation Law, Kansas amended its law. In California a comprehensive Workingmen's Compensation Insurance and Safety Act will supersede the enactments which were in force. Vermont created a commission to investigate the subject and legalized compensation acts.

Employers' Liability. Liability laws were passed in Florida and Arkansas. In Maine it was provided that when contributory negligence is pleaded in case of fatal accidents, the burden of proof shall rest upon the defendant.

Health and Sanitary Laws were enacted in several states. In Iowa frost glasses for locomotives were made a legal requirement. In Montana the heating of vestibules of street cars was provided for. Legislation requiring reports on industrial diseases was enacted in Ohio, Maine, and Minnesota. Laws for the prevention and treatment of tuberculosis were adopted by Minnesota and California. Furnishing of seats in certain industries was required in Arkansas. New York established as a division of the Department of Labor a department of industrial hygiene. Measures to prevent occupational diseases in mines, machine shops, paint shops, and foundries were adopted in Missouri, Illinois, and Pennsylvania. Sanitary conditions in bakeshops were regulated in New York and Minnesota. California provided for the sanitation and inspection of labor camps. A New Hampshire law was enacted fixing the standard for sanitary management of barber shops.

Safety devices for the protection of workers and consumers were passed in several states, such as the Full Crew Laws of California, New York, and Arkansas. Regulations in bricklaying in New York; fire escape provisions in Iowa and New Hampshire; provisions for headlights on locomotives in Iowa, Minnesota, Colorado, Florida, and Illinois. Minnesota made it compulsory to report accidents in certain industries and the use of certain safety appliances; it increased the width of the clearing required on either side of railway tracks. Pennsylvania made it compulsory to use blowers on metal polishing machinery and to establish regulations for plastering. California prescribed the use of scaffolds for painters, telephones in mines, signals, hatchways, and headlights. Kansas regulated the use of switch lights controlling the movement of trains. Massachusetts required safety devices on street cars.

Convict labor legislation was enacted at the instigation of four state federations. Illinois provided for the use

of convict labor on roads. Texas adopted a law requiring the use of the label "convict made" upon all convict goods made or offered for sale. Virginia abolished the contract convict labor system. Ohio also prohibited the contract convict labor system and provided for the prison made label on goods from other states.

Loan shark evils were minimized by the passage of laws in Minnesota, Colorado, and Missouri.

Mining legislation was enacted in eight states. In Pennsylvania provisions were made for hospitals, a checking system, and the abolition of dockage. Iowa extended the protection of the Board of Health to cover mining camps and provided for the examination of gypsum in mines. Illinois passed a nine-hour law for miners. Kansas required bath-houses and regulated the delivery of powder in mines. Colorado made eight hours the legal workday for miners. Missouri compelled the posting of notices describing the conditions in inspected mines. Ohio regulated the right of action in case of death in mines.

Eight-hour day legislation was reported from five states. Colorado established it for miners, Missouri for glass factories and silica mines, Ohio, Massachusetts, and Oregon for public works.

Hours for Women were regulated in several states. In Montana, Massachusetts, and Minnesota nine hours is the legal workday. New York extended its nine-hour law to include women in mercantile establishments. In California the application of the eight-hour law was extended. In Texas, Pennsylvania, Vermont, and Rhode Island the week's work for women was limited to 54 hours and in New Hampshire to 55 hours. Missouri extended its nine-hour law. Colorado ratified an eight-hour law by referendum. Oregon will submit an eight-hour measure to the people for ratification.

Mothers' Pension Laws were adopted in Massachu-

setts, Minnesota, Pennsylvania, California, New Hampshire, and Ohio.

Minimum Wage Laws for women were enacted in Minnesota, Utah, Colorado, Washington, and California.

Child Labor Legislation was reported from six states. New Hampshire fixed the employment age at fourteen years. Florida limited the age for office workers to twelve years, and factory workers to fourteen. It raised the ages in certain occupations dangerous to health and morals. Maine prohibited the employment of children between the ages of fourteen and sixteen for those not meeting educational tests. Minnesota limited the age of employment to sixteen years for occupations physically or morally dangerous. The employment of children on the stage under sixteen without notification of guardians was forbidden and the employment of all children on the stage under ten. California established an eight-hour day for miners under eighteen employed in certain industries.

Semi-monthly Payment of Wages laws were enacted in Illinois, Pennsylvania, and Ohio. New Hampshire adopted a bi-monthly regulation. California regulated payment of wages in seasonal industries. Texas regulated the bonding of stevedores to ensure the wages of dock laborers, provided for liens to secure the wages of timber workers and levee workers. Ohio enacted a mechanic's alien law.

Private Employment Bureaus were regulated by laws enacted in California and Minnesota.

Trades Disputes Acts were enacted in five states. Peaceful persuasion law was passed in New Hampshire. California, Minnesota, Maine, and New Hampshire made it obligatory upon those advertising for labor during a strike to state the existence of a strike.

Conciliation and Arbitration Boards were established in New Hampshire and Vermont. Laws were passed

providing for the constitution of arbitration and conciliation boards, when needed, in Iowa.

State Bureaus of Labor were organized in Kansas and reorganized in New York and Minnesota. Montana created a Commissioner of Labor as distinct from the office of Commissioner of Agriculture. Ohio provided for a state industrial commission which will consolidate six state departments and have power of inspection, administration, and regulation.

An *Anti-injunction Law* was adopted in Montana which provided that injunctions cannot be issued in labor dispute cases when they would not apply under other conditions. Massachusetts enacted two laws defining the rights of striking workers and restricting the issuance of injunctions in labor disputes.

Direct Legislation was reported by four states. Minnesota, Washington, and Texas adopted the Initiative and Referendum. Washington established the recall except for judges. Minnesota limited the power of the courts to declare laws unconstitutional.⁵

CHAPTER XIII

THE CONFLICT BETWEEN LABOR AND THE COURTS *

Court precedent—Creation of new relations and institutions by labor—Refusal of courts to take motives into consideration—Defendant, labor's rôle—Position of unemployed men and the court position—Trial of Bridge and Structural Iron Workers—Provocative acts of Erectors' Association—State disregard of Iron Workers' interests—A judge the natural protector of vested rights—Courts of law do not claim to be courts of justice—Analogy between political offenders and condemned labor unionists.

AT one time such submission to authority as was expressed recently by a negro woman brought before the New York night court was expected of the common run of men. The woman had been arrested by an officer in citizen's clothes. Without explaining to her that he was a policeman he removed her by force from the street-car where she had resented the insults of a white woman. Naturally she fought against her forceful expulsion and for her freedom. Some hours later before the magistrate in abject apology for her resistance she said: "I didn't know, judge, that he was an offica of the law with more rights than me ner anybody." She had braved the club of the man but she bowed reverently before the officer of the law.

* See also Chapters: Violence, Strikes and Violence, Legislation and the Unions.

Such expressions carry with them comfort and reassurance to authorities although less is required in the interest of public safety.

All that law and order demand to-day is that dissatisfaction with institutions and particularly with court decrees and administration be expressed through the courts and legislatures as constitutions provide. This requirement presupposes that the courts and the legislatures are susceptible to new impressions. The purpose and efforts of the labor unions are to introduce new relations between men and to establish new institutions and new codes. The courts rest on old codes and old relations and base their decrees on the precedents established by previous decisions.

At the instigation of the unions, the legislatures have enacted new laws to further the union purpose and to protect the organizations. But the laws which have been passed by the legislatures are subject to annulment or the value of the law if upheld may be lost to labor through the particular interpretation given it by the judge who has no understanding or sympathy with labor unions. Even court precedent does not establish for practical use the legality of boycotts, picketing, or trade agreements. Picketing may be legal but a picket in active operation is disturbing the peace. Boycotts are being outlawed by court interpretations and a union as such may at any time be dissolved.

But labor's particular quarrel with the courts is that

they refuse to take motives into account or provocations for coercion; that courts are incompetent to distinguish between acts which are inspired by selfish interests and acts which result from efforts to settle issues of social significance; that new issues involved in labor disputes cannot intelligently be decided on precedents which were not concerned with the labor issue, particularly when a court fails to distinguish between working men as human beings and workingmen as commodities.

As labor unions now and then secure a footing or recognition in the community they have presumed on their new position and in the character of an accepted institution turned to the courts in the rôle of plaintiff. But it is significant that labor's usual rôle is that of defendant. Labor knows that the courts are not an agency for the setting up of new conceptions and new relations. But when a labor unionist finds himself in the court as defendant of his own movement, invariably the limitations of the court are forgotten. The propaganda nature of the defendant rises to the occasion. He thinks of the court as laymen are taught to think of it, not as a court of law but as a house of justice. The opportunity is seized to establish the great truth to which the truth of the minor act for which he was indicted is an unimportant incident. He is obsessed by the thought of a new opportunity to pursue his mission and he loses sight of court procedure, and if he is reminded of it, believes that

legal practice will give way before the presentation of motives and provocations.

During a period of unemployment in New York City, when according to official estimates from 100,000 to 300,000 men and women were out of work, a movement was started by some unemployed men to demand and if necessary to take food and shelter wherever it might be had. Some of the men belonged to the trade unions, others to industrial unions and some to no unions at all. They all accepted the union proposition that it was harmful to labor as a whole for individual men to work below union rates to bridge over temporary periods of unemployment; they refused to regard labor as a drug on the market and sell out at bargain rates; they declared that they were not responsible for the shortage in employment but that society was; they demanded that the community regard them and that the men regard themselves with the consideration which men deserved who were the victims of industrial fluctuations created by society; on account of certain regulations connected with the city's provision for lodging as well as inadequate accommodation they demanded shelter and food from churches and other institutions.

Their unbidden entrance into a church brought them before the court. Their counsel undertook to explain the situation and the position of the men. The magistrate tried to make clear that the court had nothing to do with the fact that the men could not get work,

that the court was most assuredly not the place to thrash out the remarkable conceptions of these men as to their rights; the business of the court was to uphold the law. He gave out the following statement to the press:

The repeated attempts of counsel to befog the issues here and create a prejudice in the name of hunger for these defendents is inexcusable and not in keeping with the high standards of practice. The only issue involved here is one of law and order.¹

If such irrelevant issues as conceived by these unemployed men were admitted, legal practice and regular procedure would surely lose something of its practice and its regularity. It is difficult to realize what would be the development of a court of law which admitted evidence so far afield of the mere charge of "disorderly conduct" and "unlawful assembly" with which it was in the present case alone concerned. The purpose of the men and the ideas they represented were relegated to other meeting places. As the friends of the men left the court at the close of the trial they were saying on the court house steps, "What a farce." It is a common comment heard on the steps when a case against labor is lost and closed.

When thirty-eight union men were tried in Indianapolis on the charge of conspiring in the transportation of dynamite, all evidence was admitted which would tend to show that the men on trial favored destructive

or illegal practices. Such evidence it was supposed would throw light on the character of the men and the plausibility of the charge against them. From the point of view of union men no fair judgment could be rendered which left out of account the aggressions of the Erectors' Association. The Association had driven the union to a fight for its life. But all material concerning provocation, all evidence offered by the defence which would throw light on the practices of the Association were ruled out. In the opinion of labor unionists the provocation warranted at least an extenuation of sentence. But provocation was immaterial to a court of law which was concerned merely with the fact that the men had or had not transported dynamite and on the proof of that isolated fact they would be acquitted or sentenced; sentenced as criminals bent on malicious destruction.

If the provocative acts of the Erectors' Association and its character had been admitted, it would have been shown that the Association in its efforts to strangle the union was robbing the men working in the industry of their only protection against a wanton disregard for their life and safety exhibited daily by the corporations represented in the Erectors' Association. But according to court practice such evidence is immaterial.

The disregard or disrespect for the union opposition and for its grievance against the Erectors' Association was carried far beyond the refusal to admit evi-

dence. The state as prosecutor had seized all the books and correspondence of the union and gave the Association free access to them in spite of the fact that they furnished the Association with material of inestimable value in their work of crushing the union. The reasons for the action of the men were not only immaterial to the court but the interests of the union were insulted and abused in the progress of the case.

The question of prejudice of judges and juries is not strictly a court question. It is a part of the eternal struggle to change or modify public opinion and create new social values. Labor's serious effort in that direction is made through its own self-created channels and its own public forums. But a judge of a court in the position of conservator of established opinions and customs is in the nature of the case the least susceptible of men to the labor appeal. He is the natural protector of vested interests and is so recognized by capital. If a dispute reaches the stage where arbitration is demanded, capital is usually well satisfied to accept judges as the arbitrators. Labor invariably objects. It is discounting imposed limitations of judges, charged as they are with maintaining the old order, to expect them to render labor decisions, charge juries or inflict sentences with sympathy or even with understanding of the new assumptions which the labor movement represents. The free use of court injunctions is due to an ancient conception of property and property rights.

If labor unions should come to the point of regarding courts as courts of law instead of courts of justice (which is indeed a layman's term) considerable confusion and litigation would be avoided. With that conception well established the unions would cease to harass the courts with their own peculiar ideas and inadmissible briefs. The courts might contribute toward a clearer understanding of their own limitations if they refused to interfere with labor opinions and expressions made in labor's own meeting places. If the courts liberally interpreted the well-established precedents for free speech instead of reversing its own rulings where labor is concerned, labor would learn to confine its defence of its position to more fitting places than courts of law.

The position of the condemned labor unionist and the political offender are analogous. The offense of the labor unionist is in the interest of a cause, it is not personal. Its convicted members are martyrs. The deep resentment of the unionists against the courts is largely due to the failure of judges to apprehend this fact.

CHAPTER XIV

VIOLENCE

A national interest in labor violence—Revolutionary I. W. W. program—Lawrence strike—The McNamara plea of guilty—Effort to involve union labor—Union position—Dynamite conspiracy, union position—Violence in industry and of capital—State violence.

THE violence of labor unions became a topic of national interest in 1911 and 1912. It was no new thing for the enemies of labor unions to accuse the unions of violence and no new thing for the unions to repudiate it. But the violence used against labor unions befogged the effort to make it appear that violence was a distinguishing trait of labor unions. The labor disputes of a year including thousands of workers were themselves important testimonials to the restraint and discipline among union men.

It was the sudden emergence of the Industrial Workers of the World into a position of importance and the confession of the McNamara brothers that turned the charge of violence both of labor and capital into a national issue.

Until the mill workers of Lawrence struck, the Industrial Workers with their revolutionary program had not been seriously regarded by the country at

large. The success of the strike; the consequent increase in wage rates in the textile mills throughout New England; the effect of the strike on tariff discussions; its disclosure to the world that the woolen industry was parasitic, thriving on the degradation of immigrant families, shocked the community into a consciousness not of the degradation only but the power, the force, the violence of the ideas of a dauntless and revolutionary union.

The effort was made during the strike to create the impression that the strikers were intent on murder and destruction. What else could the intention be of leaders who told the strikers that the mills and all they produced in the mills belonged to them? that the owners of the mills were exploiters? Reports of an industrial rebellion in Lawrence drew spectators and representatives of the press from all parts of the country. These interested citizens heard the speeches violent in ideas, but reported back to their editors or friends that the violence in Lawrence, the physical violence, was the violence of industrial conditions and the violence of municipal and state officials. They reported that the beating, the clubbing, and the shooting of private citizens was not done by the strikers but by the militia. It was the militia who brutally interfered with parents who chose to send their children out of Lawrence to be cared for by comrades during the strike.

In other strikes of the Industrial Workers it was

the authorized representatives of law and order who were convicted of violence by disinterested citizens, not the strikers or their leaders. And still the impression persists that the Industrial Workers is a violent organization. Its violence consists in shocking a community into a consciousness of industrial conditions and workers into a conscious need of rebellion against exploitation. As it teaches the workers to regard all the wealth they create as their own, it reminds them that physical force represented by the police and the army is the monopoly of capital and that labor cannot win out in a contest of force against that array; that labor's power to win lies in its ability to stand together and withhold service.

The other event which brought the question of violence before the country involved the American Federation. The McNamara brothers, officers of the Bridge and Structural Iron Workers' Union, affiliated with the American Federation of Labor, pleaded guilty to the charge of dynamiting the *Times* Building in Los Angeles and the Llewellyn Iron Works, which resulted in the former case in the death of twenty-one men.

So implicitly, with rare exceptions, had union men believed in the innocence of the brothers, so enthusiastically had they contributed thousands of dollars to their defence and conducted at great personal sacrifice a long campaign in behalf of their trial, that the confession fell with the stunning force of a well-directed

blow. The enemies of the unions, mounting to victory sent their challenge to the unions through the press. In substance they said: The confession of these men whom you call brothers discredits your movement and involves your officials in a general suspicion that they stand for violence, a charge they have been in the habit of repudiating; continue at your peril your refusal to join with law abiding citizens (including the representatives of the National Erectors' Association, the National Manufacturers' Association) to drag-net the unions and clean out the criminals!

The challenge was ruthlessly pressed on individual labor men by enterprising reporters before they had recovered from the shock of the disclosure that the men were guilty. Individual union men answered variously, depending on their temper and strength of their convictions. But two official statements issued by the American Federation were representative of the attitude of the membership. The one from the headquarters in Washington was in part as follows:

Organized labor of America has no desire to condone the crimes of the McNamaras . . . and yet it is an awful commentary upon existing conditions when any one man, among all the millions of workers, can bring himself to the frame of mind that the only means to secure justice for labor is in violence, outrage, and murder. It is cruelly unjust to hold the men of the labor movement either legally or morally responsible for the crime of an individual member. No such moral code or legal responsibility is placed upon any other association of men in our country . . .¹

Another statement repudiating the effort to saddle the acts of individuals on the whole body of organized labor was issued from a conference of officers of international unions whose headquarters were situated in Indianapolis, the home also of the Bridge and Structural Iron Workers. "The conference . . . takes this opportunity to express its condemnation of crime and violence whether developing in trade unions, in commercial enterprises or in the conduct of daily newspapers. There can be no distinction as to quality of participants in crime, no palliation for crime, no excuse for crime; and the present enlargement on a particular crime, committed by a member of a trade union, one among millions of organized wage earners, or by an officer of a trade union, one among thousands of such officers, smacks much of an attempt to cover up crime in other quarters and to enlarge the opportunity for criminals in high places. . . . Every hostile newspaper, and that means every newspaper controlled by the interests, and there are many of them, every officer of the hostile associations, every opponent of trade unions has gone into ecstasy of enthusiasm in denunciation of trade unions. Not because of the crime to which the McNamaras pleaded guilty but because opportunity has been afforded to strike another blow at the organized wage earners; another avenue has been presented through which to arouse suspicion and dissension in their ranks. . . . From the standpoint of law and hu-

manity the McNamaras are guilty of a terrible and revolting crime . . . and from a moral standpoint the proprietor of the Los Angeles *Times* is just as guilty as the McNamaras, and in his guilt he is joined by those representatives of the anti-union associations who inflame the minds of the wage earners, who force on them the one idea of the hopelessness of their struggle and who indulge in legalized crimes in order that profit may thrive and greed may be nurtured. . . .” The Los Angeles *Times* is described as an “engine of destruction more powerful when damnably used than dynamite bombs or nitro-glycerine.”²

The unions were pursued with ill-concealed glee by attorneys, detectives, and the hostile press. The effect of the pursuit was to throw the unions back on contrasts between the movement under their direction and the management of industry. Under the latter all-pervading influence, the killing of the 21 men in The *Times* explosion is called murder, although it was clear that the intention of the perpetrator was to destroy the building and not the men. It was not called murder when 147 girls were burned to death because the proprietors of the factory in which they were burned had their intention fixed on profits and disregarded on that account the ordinary precautions against the destruction of life. The killing of 21 men is called the “crime of the century” and the killing each year of 20,000 workers in industry is called a “deplorable loss of life.”

The National Erectors' Association had waged a relentless war against the Bridge and Structural Iron Workers' Union, which existed for the purpose of making life more bearable in an industry where the life of the workers on an average does not extend over thirty-five years; where men are killed at the rate of twenty a week; and where six times as many are injured. For the labor which the men gave and the risks which they took they were paid \$2.40 for ten hours' work before the union gained its control and reduced the hours to eight and increased the wage in districts to \$4.50. Shorter hours and better wages are themselves protection against the dangers which beset the erection of steel buildings and bridges. Men who are not over-exhausted from long hours and enjoy good living conditions are better prepared than others to meet the dangers. There are no records kept of men killed on non-union as compared with union jobs, but one investigation was made by John Mitchell which the unions cite as a fair illustration of union protection. Out of the three bridges built across the East River from Manhattan to Brooklyn and Queens two were built under union regulations and one without union interference. In the building of the two union bridges six men only lost their lives while fifty-five men were killed in the building of the non-union bridge.

But the sort of protection which the iron workers demanded threatened dividends. To protect themselves

against coercion the steel constructing companies organized the National Erectors' Association, pledged to destroy that "un-American" institution, the union shop. This association in course of time drove the union officers to despair in their effort to establish or to hold the union shop and its regulations. The deeds to which the McNamaras confessed were born of their desperation. Having driven the union to desperation the association of erectors used the confession to create a public impression that the violence of these men and the union was typical of the policy of the union movement generally. It was with consummate effrontery that they turned to the public and to union men requesting their help in clearing the country of the violence perpetrated by union officers. They did not lessen the insult by explaining that they proposed this campaign against the union for their own good. If to accomplish their end it became necessary to wreck the whole union movement (and detectives and sections of the press intimated that it would be) they were prepared to help all good unionists to make that sacrifice.

When the McNamaras were arrested evidence of complicity of other union officials was in the hands of the Erectors' Association. During the trial of these other officials, thirty-eight altogether, it developed that detectives for the Association had been employed for six years in gathering evidence before making an arrest. They left no doubt in the mind of any one that

they had expected to indict officials of the American Federation and involve other unions besides the Structural Iron Workers. They expected to dissolve not one union of a few thousand workers but to disorganize a movement including two million workers.

As the union men came to believe that the hunt was less for the suppression of violence than for the suppression of the union movement the note of hesitancy and apology expressed by many union men turned to resentment. They had been convinced before the confession of the McNamaras that their arrest was "a frame-up"; they now understood for the first time the ground for their suspicion.

In the *Amalgamated Journal of Iron, Steel and Tin Workers* Judson O'Neil remarked, "The labor movement has nothing to apologize for in this case. Under like circumstances we shall in all probability do the same thing . . . when the workers realize that violence is also a monopoly of big business . . . there will be a different tale to tell."³

Anton Johannsen, representing the Building Trades Council of California, speaking in behalf of the officials on trial said:

They found that in that industry (steel) every single labor union had been completely destroyed and annihilated with but one exception, the Bridge and Structural Iron Workers' Union. You can draw your own inference, but every union was destroyed by the steel trust and all those men who had lost their organization worked twelve

hours a day for \$409 a year as the average wage. We have a Congressional report to back us up as to the facts. What are the facts in connection with the Iron Workers' International Union? In seven years during the administration of John J. McNamara the union increased its membership from 5,000 to nearly 14,000 members. They established an eight-hour day from the Atlantic to the Pacific, from Texas to the Canadian line, and they established a wage scale of \$4.30 as compared with \$2.20 I do not know, but I suppose that the McNamaras became convinced that no amount of pleading, no amount of argument, no amount of logic, no amount of Christianity, no amount of politics, would convince the steel trust that they could give eight hours and give them living wages. Labor would have to organize. The steel trust had what they called the National Erectors' Association, one of the tributaries of the steel trust, and the National Erectors' Association had what they called the American Bridge Company, another tributary of the steel trust. . . . How long do they expect those 260,000 men and boys to work in the steel industry for \$409 a year, twelve hours a day, without becoming imbued with animosity and despair? How do they expect it? If a man says to me McNamara should be condemned my reply is: All right, we will condemn the McNamaras; we will also condemn the Carnegies. If a man says to me that the Iron Workers' Union should be condemned I say, All right; we will also condemn the steel trust. If they say, We want light, we want justice; all right, light up the iron workers, light up the steel trust, light up labor and light up capital. Put on the searchlight for both parties and we are willing that our sins shall be compared with their sins. ⁴

Any one who interprets these answers of labor as arguments in favor of violence fails to understand

the force of the reason or impulse which binds men together in unions. The conviction of union men is that violence does not meet the occasion, not that the occasion does not justify it. The occasion develops violence and unions stand by members who have been goaded by conditions to commit violence in protection of their purpose which is opposition to violence in industry. Violence is inconsistent with organization; it is its antithesis, and no people know this so well as those whose lives are spent in attaining organization.

The McNamara incident failed to convict the labor movement of violence. It served rather to bring out in relief the effort of the unions to protect life against the wanton disregard for life which characterizes the promoters of American industry.

In the chapter on "Strikes and Violence" it is shown that the violence of unarmed strikers pales into sickly effort before the authorized brutality of a well-armed police force or militia. While society condones violence in industry and meets opposition to that violence with armed interference it will inevitably reap an occasional harvest of labor violence. As it undertakes to quell the opposition with its official force it places the labor unions in the lead in the fight against violence. The violence of the police in the Shirt Waist Strike in New York City advertised the thought of organization of women workers throughout the country and even in Europe, as the peaceful efforts of union officials had failed to do. And in the same

way the violence of the militia in the Lawrence strike carried the suggestion of rebellion to many thousand unskilled and apathetic workers. The violence of state officers quickens public interest and stimulates imagination. The community lines up and rebellious labor makes new friends and new recruits. While individuals surrender reason to the consuming forces of passion their militant acts in defence of a human cause kindle thought among the masses of men.

CHAPTER XV

STRIKES AND VIOLENCE

Value of legal rights to picket—Union position in regard to violence in strikes—Authorized methods—Conflicting elements on picket field—Paterson strike—Mass picketing—Lawrence strike—Outside testimony in regard to violence—Failure of law to protect picketing in New York—Order to regard pickets as vagrants—Story of Calumet strike—Strike of Colorado Miners—Citizens' alliances.

THE state laws generally recognize that strikers have a right to approach fellow workers and to peacefully persuade them to refrain from working. But the right vouchsafed a picket to walk up and down in front of a work-shop where the strike occurred, to speak to men and women on their way to work in the shop and to dissuade them if possible from entering, is not a particular right of a picket but of any man or woman. The withholding of such a right would be a clear case of discrimination against strikers.

The value of the right as a practical concession is constantly in review. The question centers around whether the speaking of a picket to others or his presence in the vicinity causes disturbance. Also questions of disturbance are questions of degree. And as an actual fact the simplest form of picketing is a disturbance. A striker, by speaking to a man whose in-

tention is fixed on working, about the desire of others that he should discontinue his intention, disturbs the man and his would-be-employer. The purposes of the picket and of the other two are opposed. If the picket is effective, if he actually pickets, he must persist in spite of the annoyance. A vigilant police officer or a soldier, stationed in the strike field to maintain order and interpreting the order literally and in the interest of the struck plant, will arrest any active picket on the ground of annoyance. On the same ground he will be sentenced by a magistrate or held by military command for disorderly conduct. Such are the common interpretations of peaceful picketing. Innumerable records of such rulings may be found in magistrates' courts.

Labor unions do not claim that strikers are never disturbers of the peace. But unions of all affiliations insist that: (1) rioting and violence are good for the cause of the employer and bad for the cause of the strikers directly concerned except in certain aggravated cases; (2) that the importation of thugs and professional strike-breakers into strike zones precipitates riots; (3) that the presence of militia is not conducive to order but to violence; (4) that "striker" and "rioter" are synonymous terms to the average judge.

The usual instructions given by union officers to strikers is to picket with hands in pockets, to walk singly or in twos, to watch closely for every possible strike-breaker, and to persuade, to persist in persuad-

ing them by all peaceful means, that is, by means of speech only, to forego their intention of taking strikers' jobs.

If the strike occurs in the city, the pickets on reaching their field of activity find applicants for the struck jobs who had not known that a strike was on; they find others who are not unionists but as scornful of scabbing as they are; they find others who are curious to hear the pickets' story; then they find the other sort who resent the attitude of all strikers and are interested only in their personal relation with the employer and the opportunity which he holds out for work. In all strikes the applicants for the struck job vary from those who are sympathetic with strikers and susceptible to persuasion to those who are antagonistic.

It is the object of the pickets to reach all of these men before they are reached by the employer. It is the object of the employer to reach all of the men before they are reached by the pickets. If the field is clear between the applicants for work and the pickets no question of peaceful picketing arises. There is no one there to draw the fine distinctions as to what constitutes disturbance in picketing; and a strike-breaker, if alone with a picket, while he may have no ground for fear of physical harm, will not have the moral courage to face alone the odium of scabbing.

But picketing under such circumstances seldom happens or when it does is of short duration. The moment a strike occurs and before picketing actually begins

employers usually inform the police that a strike is on, that trouble is expected and that their protection is needed. The police department answers the call on the assumption that strikers are rioters. Or if a strike is in a rural district, the smallest disturbance is used as an excuse for calling in the militia, who like the police answer the call with a well-settled understanding that it is the strikers who need to be suppressed. To keep up an official guard it is important that the public be reassured that violence is active or imminent. It is important that applicants for work be reassured that the pickets are their enemies lying in wait to attack and that the employers are their protectors and friends. The employers' private detectives and guards, who are usually professional strike-breakers, intensify the situation as they aggravate the pickets and induce riots and disorder.

These private guards, together with the police or the militia, are on hand ostensibly to keep order. But they line up together on the assumption that the pickets are disturbers of law and order and the employer is the law-abiding factor in the situation. The picket field thus divided seethes with suggestion of violence, with official and unofficial provocation.

A strike occurred in the silk mills of Paterson, New Jersey, where picketing is legal. The *New York Globe* in an editorial pointed out that local newspapers, although bitterly opposed to the strike, were brought to comment: "The strike has had one remarkable

feature which the people of Paterson will never forget. It is that although many thousand strikers stayed away from the mill for five months, not only was there practically no violence but the rank and file of the strikers behaved themselves during a trying time in a manner that entitled them to admiration." The *Press* believes that "this phase of the great strike of 1913 stands without a parallel in this or any other country." Together with this testimony of a paper unfriendly to the strikers it is enlightening to remember that 1,200 pickets were arrested and 300 fined or sentenced. The *Globe* in the same editorial explained why well-behaved strikers were arrested by the wholesale.

Paterson is afflicted with anarchistic administration officers and with a judge and a public prosecutor who recall Jeffreys and his hanging assistant. These stupid and wicked persons when the strike began thought to suppress it by breaking up peaceable meetings and preventing free speech and making arbitrary arrests. The result has been the struggle has lasted five months and the estimated cost to the city is \$5,000,000. As often as it was about to collapse the public authorities started it up again. . . . Is it strange that the workers of Paterson are bitter at heart? Lawlessness does not pay. It does not pay labor organizations as they have discovered and hence the advice of Haywood to his pickets, "Keep your hands in your pockets." . . .¹

The popular belief is that the Industrial Workers incite pickets to commit violence. The opposite is true. The mass picketing introduced and advocated by them

requires that the strikers keep up a continuous line of march around the struck plant and make their good spirits, their songs and faith in each other an irresistible appeal to all workers. Mass picketing as it was conducted in the memorable strikes of the Industrial Workers of 1912 and 1913 were demonstrations which served as contrasts; contrasts between the strength of workers joined together in their common purpose and the helplessness of capital without labor or the helplessness of an employer in efforts to coerce workers into terms of work dictated by him.

The first popular appreciation of mass picketing under the direction of the Industrial Workers occurred in the strike of the mill workers in Lawrence, Massachusetts. The strike tied up the mills completely. The cheerful, gay line of pickets around the mills gave certain promise of a continued shut down, a more certain promise than violence or bad spirit could have done. It was clear if the strike was to be broken that spirits must be dampened. A fire hose was used for the purpose. A great stream of cold water on a day in January was poured on a mass of pickets, drenching their clothes and chilling their bodies. The purpose was attained. The pickets angrily resented the attack and stoned the factory. Here was the excuse needed for calling in the militia and swearing in special detectives, *for the protection of the property of the mill owners* which they could prove had been attacked. On their arrival the insults offered the

pickets increased. Every known method used to annoy pickets was adopted. The aggressors were not arrested but the strikers and their friends were arrested, beaten, and shot.

Picketing is legal in New York, but the law has failed to protect countless numbers of law-abiding pickets. The women's strikes in the clothing trades offer abundant evidence. If a woman picket is seen by a representative of a struck factory or by a representative of the police court to speak to another woman on her way to or from the factory and if she is successful in dissuading the woman from working, the picket is spotted. If she continues her effective work she finds herself the center of a disturbance worked up by the thugs hanging around the factory doors or she is crowded on the sidewalk and told to her surprise that she is blocking the traffic or she is insulted by the police. When she resists these aggressions she is arrested. In court, the word of the police officer is invariably taken against her word and she is fined or given a workhouse sentence.

During the clothing strike of 1913, the Mayor of New York City issued an order on the request of clothing manufacturers and certain disgruntled union officials, to regard pickets on duty around the factories as vagrants. This order was issued in the first instance to apply to the clothing strikers only, but it happened that there was another strike in progress of straw-hat makers in the same neighborhood. At

the instigation of the manufacturers the Mayor extended the order to apply to all pickets of all trades in the vicinity. The Mayor took the position that the interests of the manufacturers and the public were of primary importance. The legal rights of the workers were relegated to protest meetings while the decision broke the strikes.

While labor unions of whatever affiliation declare that violence on the part of pickets is bad strike tactics there is not an officer who does not realize that men will not long submit to insults and other provocations planned by the opposition without retaliation. All strikers, in time, refuse to submit to the degrading insults of government officials or agents of employers. The miners in the strike in West Virginia met the violence of the operators' agents and the agents of the state with armed resistance. The war advertised the strike, the causes which led up to the strike, and the official disregard of constitutional rights. The story was laid before Congress and a congressional investigation placed the responsibility on the mine owners and the state officials. The West Virginia miners believe to-day that violence in return for violence paid.

There was no effort to conceal the partiality of state officers of Michigan for mine owners during the strike of the Calumet miners. Before the strike reached the tense period which followed a Christmas eve celebration and before the deportation and shooting of the president of the miners' union the story of the strike

was told as follows by John Walker of the United Mine Workers' Union :

Some time before coming out on strike, these men had organized and became members of the Western Federation of Miners. They had been working a so-called ten-hour day. They were more than an average of eleven hours per day underground. Their wages would not average \$2.20 per day. I have seen their statements and made a personal investigation of the matter. As low as 27 cents per shift has been paid for nine shifts work; another got \$1.61 per shift for nineteen shifts work. Some received as high as \$3.00 per day.

And to cap it all, the companies decided to make the miners handle the drilling machine single (they weigh over 200 pounds) which had formerly been handled double. When a person knows what it means drilling hard rock, with a machine of that type, operated by compressed air, sometimes on a staging up in a slope amid dangerous roof and hanging rock, with not one breath of air except the exhausts from the machine, the light just a small flicker in the dark, you can understand why they revolt.

The men held meetings, decided to request recognition of their union, an eight-hour working day, a minimum wage of \$3.00 for underground men, and a proportionate increase for those working above ground and that two men be allowed to work on the machines as formerly.

They requested a joint conference with representatives of the company to try to come to an agreement on these questions. Their requests were met with scorn and contempt, and a decision to strike followed. At first the company refused to take the situation seriously, stating that the strike would collapse before the end of a week; that they had ruled those men for fifty years and had never recognized a union or treated with their men in that

way; that they had always done what pleased them and that they proposed to continue to do so.

Since the companies have realized that the men are in earnest they have tried every means known to the most vicious, heartless, and conscienceless slave-driving corporation to break the strike, but so far have failed utterly. The Governor sent in the militia. The Sheriff gave his office to the Waddell-Mahon strong-arm gunmen, imported from the slum districts of New York and other large cities.

The press has maliciously slandered and deliberately lied about the miners' cause, the miners, and their representatives. The militiamen have driven their horses on top of peaceful citizens on the sidewalks, beaten up and intimidated the miners in every way known to a professional strike-breaker in an effort to discourage or scare them into going back to work as slaves to the copper mine owners. In fact, Gen. Abbey, in command of the troops, only differs from Chief Strike-Breaker Farley in that his work is done in a government uniform, in the name of the state, and he is paid direct out of the people's money for his service. He is even more able, in my judgment, in using the militia as scab herders, strike-breakers, and black-leg protectors . . .

They have shot people in the back, browbeaten men and boys, insulted women and girls, and, after filling up on beer and whiskey sent them by the mine owners, swaggered up and down the streets with their big guns and sabres, a disgrace to the rottenest government on earth, let alone ours; a standing menace to peace and decency. The imported Waddell-Mahon man-killers have murdered two men in cold blood, the most cowardly and wantonly brutal and utterly unwarranted butchery I ever had any knowledge of. They seriously wounded two others, powder-burnt the face of a baby and shot a bullet through its clothes, while it was being held in

the arms of its terror-stricken mother, while three other little tots were crouched around her knees. These people were in their own home, engaged in taking their evening meal, when the outrages were committed. Hundreds of others have been insulted and beaten up by these gutter ruffians and the militia has always been on the scene to encourage them in their devilish work. Notwithstanding all these things, the men are standing as firm as the day they came out, as solid as a stone wall, determined to win, no matter how long it takes or at what cost. They are making a wonderful fight. The copper barons have heretofore succeeded in keeping practically all other organizations from being established here. ³

When miners go on strike they know that the state militia will be used against them. Their choice in West Virginia, Michigan, and Colorado in 1913 and 1914 was between unconditional surrender or resisting with arms. In West Virginia they used arms and made substantial gains in union recognition. In Michigan, unarmed, they surrendered. In Colorado they used arms. At the time of writing there is a truce. There was no chance for a judicious consideration as to whether or not violence would pay in the strike of the Colorado miners, called in September, 1913. The national union, the United Mine Workers, had tried out all legal and peaceful methods which had been followed in other coal fields for settling terms of work. But Colorado miners who attempted to bring organization into their industry were rewarded with discharge or discrimination.

The efforts of the miners to secure state protection against some of the most flagrant abuses were equally impotent. Five of the demands out of the seven which they made before they struck were embodied in state laws. But those laws like all others which were contrary to the interest of the coal corporations were still-born. It was the law of the corporations which prevailed in Colorado coal fields, and the administrators of that law were state officials and mine superintendents. Such charges against the state and the corporations the miners had been reiterating for years to no purpose.

The officials of the United Mine Workers knew the bitterness and the resentment which existed among the miners in Colorado. They knew that the men had lost faith in petitions and peaceful persuasion. They knew that the miners in the northern and southern coal fields would rather fight and face death than live longer enduring the arrogance, insults, and successive defeats meted out to them by the state and private representatives of the corporations owning the mines. Knowing the temper of the Colorado men, the national union hesitated before calling a strike, but having exhausted all its resources for obtaining a peaceful settlement, it was forced to yield to the demand of the men that a strike be called, as it was the men and not the officers who were the victims of conditions which the operators imposed.

There was occasional violence in the early months

of the strike; notably the deportation of the miners' Mother Jones and her detention without civil authority, without permitting habeas corpus proceedings. But such incidents were becoming a commonplace in times of strikes and it failed to arouse the country. It was not until April when the miners opened war against the anarchy of the state officials and the violence of private guards that the attention of the country became fixed on Colorado, its miners, its operators, and its state officials.

In West Virginia, a Congressional Commission inquired into the abuse of constitutional rights after the crisis in the strike had been reached. In Colorado, a Congressional Commission discovered before warfare commenced that the miners' charges of oppression as well as of anarchy were true. But the light gained by the Commission reached only those already interested in the struggle. The testimony before that commission received national attention only after the miners assumed their position of aggression. Everything that had happened as well as what was happening in Colorado became important from that time. It at last became clear to the reading public that the state had deputized mine guards in the hire of the operators to act as part of the state militia in defending the mine owners, their strike breakers, and their property, and had treated the miners, their children, and their friends with wanton cruelty. It became known generally that these mine guards had been recruited from

criminal gangs who hired out to do murder for the coal operators in West Virginia and the owners of the copper fields in Michigan. A roster of one of the troops used in Colorado showed that 126 of the 168 militiamen were in the employ of the coal companies. It was the superior resistance which the miners of Colorado were able to show to the resistance of the miners in the other coal fields which aroused the country and advertised the methods which are used by the mining companies in their opposition to the organization of the workers. It was not until the miners changed their tactics from asking to fighting and successfully fighting the militia of Colorado that the country understood. Although the Federal troops have forced a truce at the time of writing it is clear to every one that peace will not return to Colorado until the miners are free to organize and the control of the state has passed from the hands of coal operators.

The formation of citizens' alliances in times of strikes is a certain promise of lawlessness and outrage. In the name of citizenship these alliances deport strikers, and enter homes of strikers without a warrant. They have beaten, clubbed, shot strikers in the same spirit that other alliances of the same sort have burnt negroes.

A suggestion of the *Los Angeles Times*, the paper dedicated to the task of ridding the country of "unsirable" labor unions, was reported as follows to a

convention of the American Federation: "And soon, it has begun to happen already, the plain citizens of every country will form a combine. Its object will be the suppression of sedition and anarchy in the persons of the professional agitators. Theirs will be a big, powerful, effective but very unostentatious revolt. It will work quickly, surely, silently. The first thing the Plain Citizen Combine will accomplish is the quiet removal of these gentlemen. They won't be blown up; they will just quietly disappear from human ken. There will be a little inquiry at first but it will die down ever so quickly, for of all people in the world the professional agitator depends entirely upon his presence and his glib tongue to maintain any sort of interest or influence in his followers. His impassioned rhetoric is his only asset." * These "Plain Citizen Combines" do not always work so silently as the *Times* contemplated. In Calumet they did not have to; the controlling sentiment of Calumet stood back of the patriotic citizens who assaulted, shot, and deported the president of the miners' union on strike when he refused to do their bidding.

CHAPTER XVI

SABOTAGE

Definitions—Not new idea—Not confined to strikes or labor union action—In stage of advocacy—Defense of revolutionists—Destruction stupid.

IN the introduction to a little book by Emile Pouget on "Sabotage" Arturo Giovannitti, a leading spokesman of the Industrial Workers, defines sabotage as: (1) "Any conscious and willful act on the part of one or more workers intended to slacken and reduce the output of production in the industrial field, or to restrict trade and reduce the profits in the commercial field, in order to secure from their employers better conditions or to enforce those promised or maintain those already prevailing, when no other way of redress is open; (2) Any skillful operation on the machinery of production intended not to destroy it or permanently render it defective but only to temporarily disable it and to put it out of running condition in order to make impossible the work of scabs and thus to secure the complete and real stoppage of work during a strike." ¹

The qualifying statements in regard to destruction are not essential parts of the definition of the word, but they are essential to an understanding of the

policy of the organization which advocates the use of sabotage as a method. Those qualifying statements are insisted upon in every case and by all the leaders. Doctor James Warbasse, who is empowered to speak for the Industrial Workers, in his definition recognizes that the qualifications have to do with the practice rather than the definition. In a pamphlet reprinted from the New York *Call* his definition includes a statement of the theoretical basis for its use:

Sabotage in its broad sense as understood and applied in the modern industrial movement is the coöperative application by workers of measures for the retardation of the profit-making business of employers, having as its objects the securing of concessions from the latter in the interests of the former as a class; the demonstration of the power and the indispensability of the workers and the bringing about ultimately of a better society. There exists in the public mind an erroneous notion that sabotage means the destruction of property by violence practised by striking workers with no further object than that of coercing employers into granting workers certain immediate demands. While the violent destruction of property is sometimes a feature of sabotage, it is exceptional but by no means characteristic. The term is applied also to any form of curtailment of output or destruction of property in the interest of business, provided it is practised by one class at the expense of a second class. The workers thus speak of the depredations of capital as sabotage. Literally the term means to move slowly with heavy feet. Destruction of property or reduction of output practised by an individual for his personal ends is not to be dignified by being called sabotage. It is possible that industrial

terminology will not long sanction the use of the word when applied to the petty interests of craft unions. Sabotage is a war measure. In so far as war is unethical sabotage is unethical. It presupposes the existence of a conflict between the capitalist class and the working class.⁹

Sabotage itself is no new thing. What is new is the proposition to develop the spontaneous acts of individual workers in time of labor disputes into a policy of action, under the direction of labor organizations. A striking white-goods worker won the applause of her sister strikers when she announced that she had spent the day in a struck factory sewing the left legs of underdrawers to left legs and right legs to right. She had not been directed to do this by her union and she would have been surprised to hear that her action had a name and back of its name was a philosophy. She did spontaneously what many strikers before her had done and on their own impulse. Her act was in its nature a prank which "served the boss right." As he had said he liked the work of unskilled girls she declared it was well to give him a little more of it. The very nature of strikes invites such action. If such unofficial acts had been recorded there would doubtless be ample opportunity for judgment as to their value as a labor measure.

The spirit of sabotage is not confined to the present, or to times of strike, nor to labor union action, as has been pointed out. When an individual worker is aggrieved over the lack of relation between the

remuneration for a job and the amount or kind of labor it requires of him, it is not uncommon for him to skimp his service as far as possible. This is the spirit of sabotage disconnected with the labor union and without revolutionary intent. Giovannitti says: "A certain simple thing which is more or less generally practised and thought very plain and natural, as, for instance, a negro picking less cotton when receiving less grub, becomes a monstrous thing, a crime and a blasphemy when it is openly advocated and advised."³ When workers came to generalize about conditions of employment and decided or rather realized that speeding up resulted in wage reductions and when they tacitly agreed among themselves without organization to "go slow" they were practising sabotage even if it did not deserve the name of a revolutionary measure.

Pouget points out that "ca cannie" was preached to workers through a pamphlet issued in 1895 which declared that if labor was to be treated like a commodity in the market, labor like other commodities would give poor service for poor prices.

Sabotage is no new thing. It is probably as old as labor performed for others. Why is it considered a menace? Giovannitti answers: "It is simply because there is no danger in any act in itself when it is determined by natural instinctive impulse and is quite unconscious and unpremeditated, it only becomes dangerous when it becomes the translated practical ex-

pression of an idea even through or rather because this idea has originated from the act itself.”⁴

Sabotage as an organized method in the United States is in an early stage of advocacy. Its actual use according to those preaching it is negligible. A speaker for the Industrial Workers “told the striking silk workers in Paterson that if starvation forced them back to the slavery and growing degradation from which they had revolted, if their strike were lost, if the hunger of their children broke their power of resistance, they should use sabotage in the mills and in the dye shops.”⁵ No workers were arrested for committing sabotage nor was it known that any sabotage was committed in Paterson, but the advocate was arrested, sentenced to hard labor in prison and fined under what is known as the “Anarchy Statutes.” No act resulted from his speech but he was sentenced for advocating destruction. He did not advocate destruction but injury. The court made no distinction. The sabotage issue before the law is at present an issue of free speech.

But should sabotage extend to destruction as a revolutionary measure it has its defence: “If the instruments of production rightfully belong to the workers, it means that they have been pilfered from them and that the capitalist class detains them in an immoral way. It is legal for the bourgeois to keep them in accordance to its own laws, but surely it is not

'ethically justifiable' from the point of view of our aforesaid comrades (the Socialists). If these instruments of production are ours they are so as much now as they will be a hundred years hence. Also being our property we can do with it whatever we best please, we can run them for our own good as we surely will; but if we so choose we can also smash them to pieces. It may be stupid but it is not dishonest. The fact that the burglars have them in their temporary possession does not in the least impeach our clear title of ownership. We are not strong enough to get them back just now but we cannot forego any chances of getting something out of them." 6

But the Industrial Workers consider destruction "stupid" and it is the intention to direct its use, as the French syndicates have directed it through the aid of the skilled workers. Their purpose is to put a machine "out of commission" temporarily, to delay production as a strike delays it; they propose to injure the profits in materials by lowering the quality of workmanship for the time being or until such time as an employer will concede demands. There is no ground for the assumption that the carefully planned injury would have destructive effects on the worker's character. His injurious or destructive act is committed to prevent other injury or destruction which is to him far more injurious and destructive. He destroys or injures a machine as an owner would

destroy it if its continued operation was destructive.

The Industrial Workers are less concerned at present with the practice than they are with inculcating their conception of it. They recognize it as the refinement of industrial warfare and believe that its clumsy or unintelligent use would do more harm to their cause than a postponement of the use until the workers understand it as a weapon as they now understand a strike.

CHAPTER XVII

LIMITATION OF OUTPUT

Restriction of production by capital, by labor—Labor restrictions a defense against wage reductions—Speeding up and cutting wage rates—Experience of Bricklayers—Turning the saving from machine production to labor's account—Restrictions on entrance to trades—I. W. W. opposition to restrictions on labor.

WHATEVER may be the social results of production, the original object of the promoters as well as the workers is self interest. Capital withdraws from wealth-creating enterprises or extends them, depending solely on the comparative ability of the industry to create profits. When labor undertakes to regulate production in the interest of wages, it is often assumed that production is not a matter of individual enterprise, but of social concern.

Capital undertakes to create, determine, and supply the market for the consumption of goods on terms advantageous to itself. One of its methods of increasing the market is to decrease the cost of production. The largest item in that cost is labor. The greater the number of workers who compete for a job, the lower will be the wage rate or the labor cost. Capital restricts production and the amount of labor it will buy.

Labor finds itself at the mercy of organized capital in possession of an industry, as in the manufacture of steel and its products; or at the mercy of competing capital, as in the sewing trades. Through the manipulations of capital, new and changing groups of workers with different standards and nationalities are kept competing against each other, as in the textile trade. For several generations labor has struggled against underemployment caused by the sudden introduction of new machinery or methods of manufacture. The workers have undertaken to protect their opportunity to earn a living by limiting or restricting the schemes of production. Critics of labor-union restriction of output, point out that every yard of silk unwoven which might have been woven, and every ton of coal unmined, leaves the world poorer. To those who do not mine coal or weave silk, this observation seems self-evident.

The silk weavers or the miners have discovered through experience that they are actually poorer if they reach or sustain a maximum in the weaving of silk or mining coal. They do not measure their loss in terms of physical exhaustion, which a maximum output might well demand. They measure their loss just as their employers measure theirs, in dollars and cents. When labor unions limit speed or maintain an average, they are acting on the common experience of labor that piece rates, which are left to the manipulation of capital, are invariably cut.

Every well developed industry offers illustrations of this practice. In the silk and cotton mills in the unorganized textile centers of the country, the workers have found it unsafe to hand in on pay day receipt checks for more than a certain number of pounds, or yards, of goods produced during the week. In other words, if the total number of a worker's receipt checks represents more than the prevailing wage paid the class to which he belongs, he finds that in the end it is to his advantage and to the advantage of all the other workers to take actually less than the wage he has earned. Wage earners have discovered that capital will continue to pay, not a prevailing or established *rate*, but the prevailing weekly *wage* at which labor can be bought in the market. When it is discovered that the best workers can make more per week than the prevailing market price, the rate for all is cut and the less skilled are driven to keep the pace of the highest skilled.

The constant introduction of new methods as well as fresh supplies of labor, give employers renewed opportunities to establish ever increasing standards of speed. The latest groups of workers, whose endurance is unimpaired and who still hold illusions as to piece rate possibilities, are used to reset the speed.

The practise of cutting piece rates to the market rate of wages is responsible for the union limitations on speed. To meet competition capital introduced methods for increasing output which, unchecked, re-

duced classes of workers to the lowest standards of living. Where competition was unchecked parasitic trades resulted in which the workers of the trades were dependent on workers in other trades to eke out their insufficient wages; children were forced into factories to produce, with the aid of a machine and for a pittance, what their fathers had produced for a competent wage. An over-full labor market in certain industries was kept up by stimulating emigration from the cheapest labor centers of the world. With this fresh supply of labor it has been possible to fill rush orders, and in many trades it has done away with stock work which was more conducive to steady seasons of work. Thus unemployment was increased and competition among the workers was intensified.

The trade union limitation of apprentices in many trades has regulated the periods of employment for union members and protected them from the extreme hardships of an unlimited supply of labor. The trade union restriction on speed has held a standard for union members in wages and hours. The fate of unorganized labor in the steel mills is a very present reminder to labor of what it may expect if it leaves the management of the labor market to free competition. The success of many of the unions of the American Federation of Labor is due to their adoption of measures regulating production. It would not have been possible for many of the others to have held

their organization in the field without resorting to the same protection.

While conditions in industry to-day are making it increasingly difficult for labor to protect itself through limitations on entrance to a trade, the strength of labor organizations in certain trades has made it possible for some of the unions to increase their wages and shorten their hours without directly limiting output. The Bricklayers are successful in holding their high wage rate and their short hour day while the employers are enjoying the freedom of introducing new and highly developed efficiency schemes for speeding up the worker and increasing the output, but it is a question among the men whether the present arrangement can hold indefinitely.

The experience of the Bricklayers is unusual. Most of the unions enforce restrictions as far as possible, and have found that with the weakening of the restrictions there followed a loss in organization power. Also, with few exceptions, the unions have learned that the introduction of machinery is inevitable. They recognize that they can make better use of their strength in concentrating efforts on turning some of the saving to their advantage, than in opposing its introduction. But it requires unusual strength to meet the introduction of labor-saving devices and the disorganization of the industry which follows.

A new machine was introduced into a branch of the sewing trades where ninety per cent. of the

workers are organized. Before it was put into operation, the union workers insisted that a rate of pay be agreed on between the employer and the operators. Neither the union nor the employer could decide in advance what an operator could turn out after skill had been gained in running the machine. But the employer fixed a rate which he decided would yield a satisfactory return, and the workers agreed that this price would not decrease the general wage rate. To the surprise of both, the operators on the machine in a short time earned from *sixty* to *seventy-five* per cent. more than the hand workers. The employer at the same time realized a greater profit on the output of the machine workers than on the output of the hand workers. In an unorganized trade, an employer would have appropriated the increase or applied it to a reduction in the price of the commodity, for competitive purposes, and would have paid the workers the market rate of wages. But in this organized trade the union (which included ninety per cent. of the workers in the trade) controlled the situation and the wage rate, by restricting the entrance of new workers to the trade. The success of the Typographical Union in saving some of the advantages of labor saving machinery for the worker is a too familiar story to need repetition. It indicates what labor union regulation can accomplish without limiting output if labor organization is sufficiently strong, but it was necessary with the printers as with

the union above mentioned that the number of workers who entered the trade should be restricted.

The labor unions which maintain a limited apprenticeship and impose restrictions on the entrance of workers to a trade, recognize an unlimited labor supply as an evil for the same reason that capital recognizes it as desirable. If an unlimited number of workers enter a trade, the seasons of work are shortened and the wages are cut by competing workers. Every one suffers and standards of life disappear; they eventually fall to the standard of cotton mill communities where whole families must work to secure the wages formerly paid to one worker.

However, the regulation of entrance to a trade, or the limitation of apprentices, is not a universal labor measure. The Industrial Workers of the World in particular, and some locals of the American Federation of Labor, declare that the trade unions which are restricting entrance to a trade are opposing in practice as well as in theory the object of organization—the unity of all labor. These unions admit the effect of an over-full labor market on this trade and on that, but they contend that it is the business of labor to disregard trade lines; that labor only deceives itself when it closes the door to a fellow worker and bids him work elsewhere; that the standard it secures for one group by these restrictions is bought at the sacrifice of larger groups; that the real significance of the labor movement is lost, and a limited aris-

ocracy of labor is established rather than the solidarity which the labor movement demands. In place of all restrictions and limitations for purposes of exclusive trade bargaining, they appeal to the whole mass to recognize the interdependence of all industries, and to adopt inclusive methods of organization to meet the conditions of industrial life.

In direct opposition to all methods by labor to regulate output, there comes from capital the proposition to realize through labor a productive efficiency hitherto unknown. The promoters of the movement give to their proposition the name "scientific management."

CHAPTER XVIII

SCIENTIFIC MANAGEMENT

Object—Labor prefers to manage itself—The four great principles explained by F. W. Taylor—All familiar to labor—Proposition to transfer labor knowledge to management side—A scavenger—Studies workmen as machines are studied—Inspiring workmen to work—Bonus and task—Ethical requirements—New Capitalism—Disregard of wages law—Union experience with bonus and stop watch—Rest and fatigue schemes regarded with suspicion—New definition of initiative—Medical condemnation of rest schemes—Ability of American capital to increase output—Aim of scientific management is goods, aim of unions is men.

SCIENTIFIC management is advocated by representatives of capital. It proposes to increase industrial output by managing labor scientifically.

But organized labor does not want to be scientifically managed. It is not keen about being managed at all. It exists, in fact, to manage itself.

Labor controversies, as carried on by the American Federation of Labor, are demands for a "voice" in the settlement of conditions of work. But this demand is not recognized by capital as a principle. It is only recognized as a necessity when labor, through superior strength, secures its demands in this trade and that. The concession to labor of a voice in determining conditions of work means by implication to capital that management as a whole is still in its

own hands; it also means that its actual title to superior, or ownership rights, is not in question.

The Industrial Workers of the World leaves no doubt in the mind of capital that it claims only a voice in the management of industry. It makes its fight on the grounds of labor's sole ownership, as well as right, to sole management in all that labor produces. Every strike, every difference between organized labor and capital, is an attempt of the former to wrest management, or some degree of management, from the latter. Whether it is an A. F. of L. or an I. W. W. fight, there is in each and every one this issue of management. The question of management is, in fact, the labor movement.

If production is to be scientifically managed, organized labor insists that it shall have a hand in the management, or it shall do the managing. It refuses to grow enthusiastic over propositions which are worked out for it, or without its coöperation, by others who claim to know better than labor knows what is for its good.

It was with something like pained surprise that the advocates of scientific management discovered that their propositions to manage labor more efficiently, and to lighten its burdens, met a cold reception at the hands of the conservative, as well as the radical, labor unions. It is conceivable that the efficiency systems of scientific management might admit the labor unions in conference in the settlement of

conditions; but it is evident that nothing is further from the intention of the promoters of the science, and that such a proposition would quite seriously impair its purpose.

Mr. Frederick W. Taylor, the leader of the movement, states: "The greater advantage comes from the new and unheard-of burdens which are assumed by the men in the management, duties which have never been performed by the men or the management side."¹ These new duties Mr. Taylor divides into four large classes, calling them "The Four Principles of Scientific Management," all of which, he says, are necessary to secure its object, which is "the increased output per unit of human effort."

The first of these four great duties (as he also names them) which are undertaken by the management is to deliberately gather in all the rule of thumb knowledge which is possessed by all the twenty different kinds of tradesmen who are at work in the establishment. Knowledge which has never been recorded is in the heads, hands and bodies, in the knack, skill and dexterity which these men possess. . . .

The second of the new duties assumed by the management is the scientific selection and then the progressive development of the workmen. The workmen are studied; it may seem preposterous, but they are studied just as machines have been studied. . . .

The third duty is to bring the scientifically selected workmen and the science together. They must *be brought* together; they will not come together without it. I do not wish for an instant to have any one think I have a poor opinion of a workman; far from it. I merely

state a fact when I say that you may put your scientific methods before a workman all you are a mind to, and nine times out of ten he will do the same old way . . . when I say, make the workman do his work in accordance with the laws of science I do not say *make* in an arbitrary sense . . . I want to qualify the word *make*, it has rather a hard sound. Some one must *inspire* the man to make the change. . . .

The fourth principle is a deliberate division of the work which was formerly done by the workman into two sections, one of which is handed over to the management. An immense mass of new duties is thrown on the management, which formerly belonged to the workmen . . . requiring coöperation between the management and the workmen, which accounts more than anything else for the fact that there has never been a strike under scientific management. . . . In one of our machine shops, for instance, where we do miscellaneous work . . . there will be at least one man on the management side for every three workmen. . . .²

Each one of these "scientific" propositions is perfectly familiar to the workman in spite of the rather naïve assurance of the efficiency engineers that they are new. He has known them in slightly different guise for a century past. The new thing is the proposition to develop what has been in the past the tricks of the trade into a principle of production. Scientific management logically follows and completes the factory process.

The first and fourth of Mr. Taylor's great duties or principles is to deliberately gather in all the rule of thumb knowledge of all workmen, and transfer

this knowledge to the management. That is exactly what machinery did and is still doing to craft workers. It usurped the knowledge of the worker and transferred that knowledge to the management. The great discovery of scientific management is that machinery is not absorbing completely, or as completely as it should, a workman's trade knowledge.

Mr. Taylor says: "This knowledge is the greatest asset that a workman possesses. It is his capital."³ The task which efficiency engineers have set themselves is to gather up the last vestiges of capital possessed by the workingman, and place it for safe keeping and efficiency under The Management.

There is an impression that all efficiency methods originate in the brains of efficiency engineers, or with the management. Mr. Taylor is not alone in assuring us that the methods are discovered in the heads and in the hands of the workers, that they are the result of the worker's experience in very great degree.

The following story was told by a manufacturer as an illustration:

A shoe manufacturer told one girl that he wanted to see how much she could do. . . . She said: "Well, there is a certain kind of a filler that I used in another factory. If you will use that kind of a filler I can do my work so much more quickly. Another thing, the paper you are using on that tip is too coarse. If you will use a finer paper I won't have to use so much filler." The story concluded: "So that girl and this manufacturer

worked out a condition that made it easier for her to perform more work.”⁴

Scientific management is a good scavenger. It is out for every scrap of trade knowledge. Following the machine, it proposes to clean up the last vestige of craftsmanship and to put the shipshape touches to modern industry. There are to be no chance bits of capital lying around loose in the hands of this man and that when the efficiency engineers have finished their job.

The second and third of the Four Principles show how this is done. Mr. Taylor says: “The workmen are ‘studied’ just as machines have been studied.” And, finally, it is necessary “to bring the scientifically selected workman and the science together” by “inspiring” the workman.

The workman is to be scientifically selected by a teacher instead of by a foreman; he is to be “studied” by this teacher, as well as taught, and the “unit of human effort” is to be squeezed out of him by observing the law of rest and fatigue.

He is to be inspired by the same old bonus of the same old task system in which he has served his time. But the bonus or rate, according to efficiency engineers, is never to be cut, as it has been cut in the past by employers who speeded up their workers. If the old-time employer ever made so gentlemanly a promise regarding the continuous payment of a bonus, he knew he could not keep it. He knew that

even out of the goodness of his heart he could not indefinitely continue a bonus or a rate which his competitors did not pay.

But apparently scientific management requires of industry certain ethical standards. Mr. Taylor says that scientific management involves a complete revolution, both on the part of the management and of the men; a complete change in the mental attitude on both sides. Labor would agree with Mr. Taylor, and add that it would require as well a mental revolution in Wall Street. Apparently this is what the "New Capitalism," of which scientific management is a part, does require.

"New Capitalism" proposes to disregard the law of wages, and to substitute a beneficent law which pays better wages, also better profits. But the results have not as yet justified the workers in surrendering their own agencies for self-protection. As yet labor is unconscious of any sloughing off in hardships under the law of supply and demand. It is not conscious that the introduction of methods which have for their object the "increased output of human effort" has had any appreciable connection with wages or wage rates.

Union men cite numberless cases where efficiency methods have been introduced, like the task and bonus systems, the stop watch, the observation of the laws of rest and fatigue, and yet wage rates were not increased, but were, in the course of time, reduced.

The efficiency engineer answers: "Ah, then that is not scientific management!" But he will state in conventions to other efficiency engineers that he has great trouble in getting the management to carry out the end of their program which will insure the worker the receipt of his bonus. An efficiency promoter observed on one of these occasions: "I have had so many letters from people who look on scientific management as a new instrument by which they could squeeze a little more out of the workman and give him no return. I do not want to have anything to do with them. We must share what we get." ⁵

Organized labor appreciates the wish, but recognizes the difficulty for an efficiency engineer to be an engineer and a financier in action at one and the same time. It is not the efficiency engineer who can fulfill his own promise. He must leave it to the capitalists to "share what they get" of the new capital which the engineer has collected out of the hands or brains of the workers.

In scientifically managed plants there is no change whatever in the status of capital and labor, except the extended enslavement of the latter. Efficiency engineers might successfully promote scientific management by advertising their hope that the management will "share what it gets" if the factory system had been a less efficient teacher. But the factory system has taught the workers by a series of object lessons. Labor unions represent those workers who

have learned that they must rely on schemes for relief which they themselves initiate or control.

The rest and fatigue schemes of scientific management are especially worthy of suspicion. These schemes propose to finish the job of reducing the laborer to a machine attachment, to rob him of what little initiative may be left him in a certain freedom of motion. Mr. Taylor defines his idea of initiative. He says: "The manufacturer who has any intelligence must realize that his first duty should be to obtain the initiative of all these tradesmen who are working under him; to obtain their hard work, their good will, their ingenuity, their determination to treat the employer's business as if it were their own. And in this connection I wish to strain the meaning of the word 'initiative' to indicate all of these good qualities." ⁶ Mr. Taylor is very much in earnest in this. His rather violent use of the word "initiative" suggests the possibility that efficiency engineers are rather given to doing violence to other terms, such as rest and fatigue.

But to return to initiative. One of the advocates of scientific management considers it an error to suppose that where efficiency methods have not been introduced there is any initiative left the worker, and says there is nothing intellectually stimulating in leaving a worker free to go after and select his own tools. This trifling idea of freedom, the last left the worker, is foolishly guarded. He says the machine

does not waste time in planning; it proceeds at once to performance, and that is what the man must be made to do. Contrast the mental state of two carpenters, although neither is worthy of mention or comparison, according to the science of efficiency. One of the carpenters decides on his tools, places them according to his choice, and marks off his work. That is the inefficient carpenter. The efficient carpenter is assigned a place, handed his tools or his hammer and nails, his nail holes are marked out. Under the eye of a teacher he follows instructions for successive hours with intermissions prescribed. This man is not a carpenter. He is not a man. He is the dynamo of the hammer he holds.

American Medicine comments editorially on the result to labor of efficiency schemes to relieve it of "wasted" effort:

Working along with his partner, "the efficiency engineer," the speeder-up, has managed to obtain from the factory worker a larger output in the same period of time. This is done by eliminating the so-called superfluous motions of the arms and fingers, *i.e.*, those which do not contribute directly to the fashioning of the article under process of manufacture. . . . The movements thought to be superfluous simply represent nature's attempt to rest the strained and tired muscles. Whenever the muscles of the arms and fingers, or of any part of the body for that matter, undertake to do a definite piece of work, it is physiologically imperative that they do not accomplish it by the shortest mathematical route. A rigid to and fro movement is possible only to

machinery; muscles necessarily move in curves and that is why grace is characteristic of muscular movement and is absent from a machine. The more finished the technique of a workman and the greater his strength, the more graceful are his movements, and, what is important in this connection, vice versa. A certain flourish, superfluous only to the untrained eye, is absolutely characteristic of the efficient workman's motions.

"Speeding-up" eliminates grace and the curved movement of physiological repose and thus induces an irresistible fatigue, first in the small muscles, second, in the trunk, ultimately in the brain and nervous system. The early result is a fagged and spiritless worker of the very sort that the "speeder-up's" partner, the "efficiency engineer," will be anxious to replace by a younger and fresher candidate, who in his turn will soon follow his predecessor if the same relentless process is enforced.

It will always be necessary to consider workers as human beings, and charity and moderation in the exaction of results will usually be found the part of wisdom, as representing a wise economy of resources. This scientific charity, however, is something quite apart from the moral effect on the personnel of due recognition of their long service and of the loyalty which is likely to accompany it.⁷

All propositions to increase wealth make an appeal to imagination. No one, certainly not organized labor, doubts the ability of American capitalists to discover new schemes for increasing the output, nor of the American workman to produce it. It has been reported that the labor cost of production in England, with its lower wage rates, is higher than the cost in America, because the American workmen, through the

pressure of management, yield an amount per worker unknown to English labor. Scientific management proposes to increase this yield by several hundred per cent.

Workers looking back a generation or two may admit that with the introduction of machine processes they have here and there reaped a harvest of several cotton shirts instead of one woolen, a standing lamp instead of the ancestral candlestick, and, as clear gain, a Victor talking machine. But no one is ever jubilant over luxuries which they have bought with their lives. It is organized labor alone that remembers the ghastly price paid for increased consumption; the generations of men, women, and children who have been maimed and murdered in the process. Greed and desire, not the well-being of labor, are still the motive forces back of increased wealth production. If we are about to enter upon an era of a "New Capitalism" which recognizes that it will pay to increase the number of cotton shirts without exacting so heavy a toll as has been exacted in the past, organized labor still demands that it shall determine, or have a voice in determining, what that toll shall be and what shall be the reward.

Scientific management, the promoters say, recognizes no difference in determining standards of efficiency between management, capital goods and labor. Well and good; labor does.

Organized labor's observations of a worker do not

end with the day's work. They extend over the wear and tear of a lifetime. They take into consideration a worker's ability to react after work, mentally as well as physically. They take into consideration the worker's ability to realize his maximum in his non-laboring hours. And they would also consider his ability to realize his maximum in his laboring hours if labor had an opportunity to fix a maximum consistent with the life interests of labor as a whole. The difference between scientific management and organized labor is that the aim of the latter is to make men, the aim of the former is to make goods.

CHAPTER XIX

LABOR IN POLITICS

Socialist Party efforts to commit labor unions—Original policy of A. F. of L. aloof from all political action—Reversed policy—Entered practical politics, not partizan—Election of union card men—Radical political declaration of Washington State Federation—Opposition of I. W. W. to all political affiliations.

1914

THE American Federation of Labor, as a national organization, refrained from all political activity until recently and still refuses allegiance to any one party.

Socialist Party representatives have worked industriously to secure the indorsement of the Socialist position, as well as of the Socialist Party, on the ground that it was the only political party which stood unequivocally for labor. The Federation has not only resisted the "Socialist element," as it is derisively called; it has attacked it with bitterness, and in much the same spirit as it attacks the sworn enemies of the capitalist class. The National Executive of the Federation, at its convention of 1912, commented on an event of the past year as follows: "What could be expected from the National Manufacturers' Association, their agents and their hirelings? . . . What from the Socialists, except to employ the occasion for vote catching? What from such

reactionary organs as the New York *Sun* but diatribes? So long as these declared enemies of the trade unions are what they are, and unionism is what it is, no help can come from them to the labor movement." ¹

The Federation has borne many undeserved accusations, but it has officially kept itself free from the "Socialist element." While this "element" has increased within the membership of the Federation, and while it polls a one-third vote at the conventions, the Federation has successfully resisted all attempts to commit it to the Socialist Party.

Various organizations affiliated with the American Federation, especially the city organizations, in different parts of the country, have indorsed and worked for the election of candidates to municipal office on the ground that they would favor the interests of organized labor if elected. Local politicians throughout the country have sought and placed high value on the support of the local trade union men and their organizations.

The American Federation of Labor as a national organization withheld its indorsement of candidates for national office, and refrained from active participation in elections. It feared that political activities might divert its energies and divide its ranks; it feared that a political campaign might impair its united front; it feared also political entanglements and attacks on its reputation for single-

ness of purpose, which many of its local organizations had experienced on account of their political alliances.

It was in 1906 that the American Federation of Labor reversed its policy and entered the field of what it calls practical politics in contradistinction to partizan politics. The policy first adopted was to induce one of the regular parties to nominate on a regular party ticket a member of the Federation as a representative to Congress. Efforts were made in every state to secure these nominations. From 1906 to 1910 ten "union card men" were elected, owing political allegiance to either the Democratic or Republican Party as its candidate.

The Federation took the position that the allegiance of these representatives to their political parties would not interfere with their support of measures of interest to the Federation and organized labor generally. This policy was carried against a storm of Socialist opposition. In 1910 the Federation adopted the slogan, "stand faithfully by our friends, oppose and defeat our enemies, whether they be candidates for President, for Congress or for other offices, whether executive, legislative or judicial."

The opponents of such political action, others as well as the Socialists, within the Federation, claimed that the Federation's indorsement of the Presidential candidate for 1908 and its failure to carry the election, weakened the position of the trade unions in

their legitimate field of bargaining for terms of employment.

The President of the Federation, in his message to the convention of 1912, said:

The American Federation of Labor is not partizan to any political party, but it is partizan to a principle—to achieve results in the interests of the great mass of the wage earners of our continent. It resents the attitude of those who seek to force the workers back into the condition and character of serfdom, and with equal insistence it refuses to postpone to the far future the advantages and benefits of a better life which we propose to secure them here and now.

Taking into consideration that which organized labor has already accomplished upon the economic, political, and legislative fields to bring light and life into the homes and workshops of the toiling masses, we are fully confident of greater success in the future. The spirit and humanitarianism cultivated and developed by the organized labor movement will find its full fruition in the material, social, and moral standards of our people, and will be crystallized in the written laws of our land and the unwritten laws of our daily lives. ²

It was in this tone that the President strained every effort to carry the delegates and to secure an enthusiastic support of the political policy and the political action of the officers of the Federation. The policy and the action were indorsed, but not unanimously.

This policy advocated by the Federation was opposed by the Socialist members of the Federation, who

took the position that labor as a class must control its political representatives through a political organization of its own as they controlled their representatives in their trade organizations. The Washington State Federation, chartered by the American Federation, at its convention of 1913, openly refuted the policy of its national organization of supporting candidates pledged to one of the regular parties. It resolved:

Whereas, the political parties now in control of our government are owned and controlled by our industrial masters . . .

Whereas, the masters recognize the value of control of the state, and secure and maintain their control by electing members of their class to office, legislative, executive, and judicial. . . .

Whereas, the statement that the interests of capital and labor are identical is absurdly false, and is intended to blind the workers to their own interests and to mislead them into giving support to interests diametrically opposed to their own;

Therefore be it Resolved, that we recommend to the workers that they vote for members of their own class to fill all legislative, executive, or judicial positions. . . .³

The Washington State Federation stands alone among the state organizations of the Federation in its revolutionary position and opposition to the more conservative and opportunistic policy.

The Industrial Workers of the World opposes all allegiance to political parties or indorsement of polit-

ical action. Its theory of "Direct Action" is not necessarily a substitute for political action, as it is considered by many of its members, but it is the exclusive method of the organization.



CHAPTER XX

DIRECT ACTION

Is the antithesis of political action but not necessarily opposed to it—Comparative value as a labor weapon—Object of direct action—Present advocacy opportune.

DIRECT action is not necessarily opposed to political action, although the term originated in the desire to distinguish between organized labor's efforts to secure its objects by more direct methods than political representation.

It arose out of labor's disappointment in the efforts it had expended politically. Labor had found that its representatives sitting in state councils rife with the doctrines and influences of a capitalist society, gradually lost the point of view of those whom they were there to represent.

It found also that political action, delegating, as it does of necessity, all action to representatives, offered the mass of the workers little if any opportunity for experience or initiative in the solution of their own problems. Direct actionists claim that the object of the labor movement is to minimize the delegation of power and to increase the power of the mass of the workers, individually and collectively. The plaint of labor is, in fact, that one group

of people has assumed the direction and management of affairs of another group, that capital manages and speaks for labor, with a consequent weakness to labor of unused or enslaved powers.

Labor can only learn to do by doing, is the idea back of direct action. Representation gives labor no exercise and no opportunities to develop.

Even should political representatives legislate in the interests of labor, and even were it possible for representatives to hold and keep the labor point of view, they would not meet labor's chief need: the opportunity to exercise its own faculties and to develop initiative. What labor wants above all else is to gain in strength, the strength to do, and this is in itself more important than all the material advantages which might accrue through a Socialist state or a benevolent plutocracy.

This is the gist of the theory of direct action, and, unmodified, is the theory of anarchism, which is opposed in principle to delegated power. But all direct actionists do not oppose political action, and many indorse it. All direct actionists see or feel the necessity of organizations of labor which provide a large measure of latitude for initiative of the workers in their struggle with capital, of organizations which provide for the maximum amount of mass action. But all object to the *tendency* of political action to rob rather than supply the workers with opportunities to test and exercise their own powers.

Direct actionists also claim that political action is an instrument which people with formal education, sophisticated people, can handle more successfully and deftly than people who have never directed others. Moreover, labor's representatives, and those politically active in labor's interests, are invariably men and women who are more or less removed from the intenser forms of industrial employment, and many of them are people whose knowledge of the labor need and the labor movement is theoretical.

It is, moreover, less possible for workers, unaccustomed to initiate or direct, to hold their place in political life by the side of others who are in the habit of ruling or regulating the work and the lives of other people. The latter inevitably in political affairs will take the lead and will have no keen understanding of the ordinary working man, and less sympathy with his vital interests which are opposed to their own.

Specifically, then, direct action means the efforts of labor unions to transfer power in part or in whole from capital to labor without the interference of the political state.

While American trade unions never use the term, it applies, nevertheless, to all efforts of the trade unionist in collective bargaining, boycotts, strikes, limitation of output, and other trade regulations *initiated and enforced by a union*.

In America, the term is used by the Industrial Workers of the World in their appeal to workers to depend

upon themselves, and, through their organizations, secure control of the industry in which they work. The methods advocated are strikes, sabotage, and agitation.

As the Industrial Workers expect direct action on its educational side to develop power through opportunities for doing, it would seem to follow that within the organization there would be less delegation of power and less representation than in other unions. It is true that there is less representation, but it is also true that the plan of the organization is the centralization of large powers in a national executive. There is at present a movement on foot within the organization for decentralization.

If direct action in the hands of the Industrial Workers should fail as a present strategic measure, the organization in advocating it has advertised successfully and at a propitious time that opportunity for initiative is a more fundamental need of workers, whose days are spent in monotonous toil and under machine direction, than are slight increases in wages. The Industrial Workers, in emphasizing the importance of direct action, bring out the point that labor union action, dealing as it does with the direct and immediate interests of the workers, calls for simpler forms of social expression, forms of expression less remote in their functioning and results, than political action. Political action in comparison, they observe, is a more sophisticated expression of more complex relations.

APPENDIX

Directory of the International Unions of the A. F. of L.; together with reports for 1913 on convention vote, showing the comparative strength of the unions; the number of strikes which occurred in 1913; the settlements which were made fixing conditions without resorting to strikes—Distribution by states and towns of local unions of the I. W. W.

APPENDIX

AMERICAN FEDERATION OF LABOR

The membership of the A. F. of L. is 2,000,000 (as reported at convention in 1913 it was 1,996,004). There are 110 National and International unions controlling 22,000 local unions; there are 5 Departments; 42 State Branches; 623 City Central Unions; 642 Local Trade and Federal Labor Unions.

Directory of American Federation of Labor National and International unions. Reports for 1913 on convention vote; number of strikes; settlements without strikes.

Name	Headquarters	Convention Vote	Strikes	Settlements Without Strikes
Asbestos Workers, Inter. Asso. of Heat, Frost, Insulators, and	St. Louis, Mo....	8	7	3
Bakery and Confectionery Workers' Inter. Union.....	Chicago, Ill.	151	12	120
Barbers' International Union, Journeymen	Indianapolis, Ind.	318	7	53
Bill Posters and Billers of America, Inter. Alliance of.	New York, N. Y.	14	..	..
Blacksmiths, Inter. Brotherhood of	Chicago, Ill.	90	3	14
Boilermakers and Iron Shipbuilders of America, Brotherhood of	Kansas City, Kan.	162	85	..
Bookbinders, Inter. Brotherhood of	Indianapolis, Ind.	91	..	..
Boot and Shoe Workers' Union	Boston, Mass. ..	343	14	..
Brewery Workmen, International Union of the United.	Cincinnati, O....	450	32	262
Brick, Tile, and Terra Cotta Workers' Alliance, Inter....	Chicago, Ill.....	39	17	..
Bridge and Structural Iron Workers, Inter. Asso. of...	Indianapolis, Ind.	100	..	..

Name	Headquarters	Convention Vote	Strikes	Settlements Without Strikes
Broom and Whiskmakers' Union, International	Chicago, Ill.	7	..	..
Brushmakers' Inter. Union . . .	Brooklyn, N. Y. . .	2	2	12
Carpenters and Joiners of Am., United Brotherhood of Carriage, Wagon, and Auto Workers of N. A., International Union of	Indianapolis, Ind.	2107	30	125
Cement Workers, American Brotherhood of	Buffalo, N. Y. . . .	29	5	26
Cigarmakers' Inter. Union of America	S. Francisco, Cal.	90	..	..
Cloth, Hat, and Cap Makers of N. A., United	Chicago, Ill.	402	48	21
Commercial Telegraphers' Union of America	New York, N. Y.	38	35	..
Compressed Air and Foundation Workers' Union of the United States and Canada . .	Chicago, Ill.	10	1	1
Coopers' Inter. Union of N. A.	Brooklyn, N. Y. . .	8	..	..
Cutting, Die, and Cutter Makers, Inter. Union of	Kansas City, Kan.	46	21	25
Diamond Workers' Protective Union of America	New York, N. Y.	3	..	..
Electrical Workers of Am., Inter. Brotherhood of	Brooklyn, N. Y. . .	3	..	..
Elevator Constructors, Inter. Union of	Springfield, Ill. . .	227	28	42
Engineers, Inter. Union of Steam and Operating	Philadelphia, Pa.	26	2	..
Firemen, Inter. Brotherhood of Stationary	Chicago, Ill.	200	18	..
Foundry Employees, International Brotherhood of	Omaha, Neb.	160	11	500
Freight Handlers, Brotherhood of Railroad	St. Louis, Mo. . . .	5	1	..
Fur Workers' Union of U. S. and Canada	Chicago, Ill.	10	..	..
Garment Workers of America, United	New York, N. Y. . . .	..	..	..
Garment Workers' Union, International (ladies')	New York, N. Y.	585	5	522
Glass Bottle Blowers' Asso. of the U. S. and Canada	New York, N. Y.	788	10	1
	Philadelphia, Pa.	100	2	..

Name	Headquarters	Convention Vote	Strikes	Settlements Without Strikes
Glass Workers' Inter. Asso., Amalgamated	New York, N. Y.	13	3	7
Glass Workers' Union, Am. Flint	Toledo, O.	91	8	...
Glove Workers' Union of Am., International	Chicago, Ill.	13	6	12
Granite Cutters' Inter. Asso. of America	Quincy, Mass. . .	135	38	...
Grinders' and Finishers' Na- tional Union, Pocketknife Blade	Bridgeport, Conn.	3	..	...
Hatters of N. A., United....	New York, N. Y.	85	2	...
Hod Carriers' Building and Common Laborers' Union of America, International...	Albany, N. Y....	221	24	...
Horseshoers' of U. S. and Canada, Inter. Union of Journeymen	Cincinnati, O. ...	53	4	20
Hotel and Restaurant Em- ployees' Inter. Alliance and Bartenders' Inter. League of America	Cincinnati, O. ...	539	43	...
Iron, Steel, and Tin Workers, Amal. Asso. of.....	Pittsburg, Pa. ...	55	2	...
Lace Operatives of America, Chartered Soc. of Amal....	Philadelphia, Pa..	11	6	...
Lathers', Inter. Union of Wood, Wire, and Metal....	Cleveland, O. ...	50	..	...
Laundry Workers' Interna- tional Union	Troy, N. Y.....	26	2	30
Leather Workers on Horse Goods, United Brother. of..	Kansas City, Mo.	19	..	...
Lithographers, Inter. Protec- tive and Beneficial Asso. of N. A. and Canada.....	New York, N. Y.	26	..	...
Lithographic Press Feeders of U. S. and Canada, Inter. Protective Asso. of.....	New York, N. Y.	10	..	...
Longshoremen's Asso., Inter..	Buffalo, N. Y....	220	7	75
Machine Printers and Color Mixers of the U. S., Nat. Asso. of	Buffalo, N. Y....	5	35	...
Machinists, Inter. Asso. of...	Washington, D.C.	710	96	90

Name	Headquarters	Convention Vote	Strikes	Settlements Without Strikes
Maintenance of Way Em- ployees, Inter. Broth. of....	Detroit, Mich. ...	80	..	...
Marble Workers, Inter. As- sociation of	New York, N. Y.	30	4	...
Meat Cutters and Butcher Workmen of N. A., Amal...	Syracuse, N. Y..	54	12	81
Metal Polishers,' Buffers', Platers', Brass, and Silver Workers' Union of N. A....	Cincinnati, O. ...	100	30	100
Metal Workers' Inter. Alli- ance, Amal. Sheet.....	Kansas City, Mo.	169	23	...
Mine Workers of America, United	Indianapolis, Ind.	3708	..	...
Miners, Western Federation of	Denver, Colo. ...	485	13	...
Molders' Union of N. A., International	Cincinnati, O. ...	500	..	...
Musicians, American Federa- tion of	St. Louis, Mo....	546	..	...
Painters, Decorators, and Pa- perhangers of Am., Broth- erhood of	Lafayette, Ind. ..	709	..	...
Papermakers, Inter. Brother- hood of	Albany, N. Y....	40	8	19
Patternmakers' League of N. A.	Cincinnati, O. ...	65	28	...
Pavers, Rammermen, Flag- layers, Bridge, and Stone Curb Setters, International Union of	New York, N. Y.	15	..	...
Paving Cutters' Union of the U. S. and Canada.....	Albion, N. Y....	35	9	...
Photo-Engravers' Union of N. A., International	Philadelphia, Pa.	44	6	...
Piano and Organ Workers' Union of America, Inter...	Chicago, Ill.	10	5	...
Plasterers' Inter. Asso. of U. S. and Canada, Operative..	Middletown, O... 173	..	69	
Plate Printers' Union of N. A., Inter. Steel and Copper.	Washington, D.C.	13	..	7
Plumbers and Steam Fitters of the U. S. and Canada, United Association of.....	Chicago, Ill.	290	..	...

Name	Headquarters	Convention Vote	Strikes	Settlements Without Strikes
Postoffice Clerks, Nat. Federa- tion of	Washington, D.C.	22	..	...
Potters, Nat. Brotherhood of Operative	East Liverpool, O.	65	..	1
Powder and High Explosive Workers of Am., United...	Columbus, Kan..	2	..	2
Print Cutters' Asso. of Am., National	Jersey City, N. J.	4	4	...
Printing Pressmen's Union, International	Rogersville, Tenn.	190	..	66
Pulp, Sulphite, and Paper Mill Workers of the U. S. and Canada	Ft. Edward, N. Y.	31	6	6
Quarry Workers, Inter. Union of N. A.....	Barre, Vt.	40	5	12
Railroad Telegraphers, Order of	St. Louis, Mo....	250	..	59
Railway Carmen of America, Brotherhood of	Kansas City, Mo.	280	2	50
Railway Clerks, Brother. of..	Kansas City, Mo.	50	..	...
Railway Employees of Am., Amal. Asso. of Street and Electric	Detroit, Mich. ...	457	21	76
Retail Clerks, Inter. Protec- tive Association	Lafayette, Ind. ..	150	1	...
Roofers, Composition, Damp, and Waterproof Workers of the U. S. and Canada, Inter. Brotherhood of	Brooklyn, N. Y..	12	5	4
Sawsmiths' National Union...	Indianapolis, Ind.	1	..	...
Seamen's Union of Am., Inter.	Chicago, Ill.	160	..	...
Shingle Weavers, Sawmill Workers, and Woodsmen, Inter. Union of.....	Seattle, Wash. ..	31	..	...
Slate and Tile Roofers' Union of America, International...	Cleveland, O. ...	6	3	3
Slate Workers, Am. Brother- hood of	Penn Argyle, Pa.	3	..	...
Spinners' International Union	Holyoke, Mass...	22	1	...
Stage Employees of America, Inter. Alliance of Theatrical	New York, N. Y.	132	5	...
Steel Plate Transferrers' Asso. of America	Washington, D.C.	1	..	...

Name	Headquarters	Convention Vote	Strikes	Settlements Without Strikes
Stereotypers' and Electrotypers' Union of N. A., Inter..	Boston, Mass. ...	45	5	37
Stonecutters' Asso. of N. A., Journeyman	Indianapolis, Ind.	66	4	12
Stove Mounters' International Union	Detroit, Mich. ...	11	..	22
Switchmen's Union of N. A..	Buffalo, N. Y... ..	96	..	...
Tailors' Union of Am., Jour- neyman	Bloomington, Ill..	120	28	52
Teamsters, Chauffeurs, Stable- men, and Helpers of Am., Inter. Brotherhood of.....	Indianapolis, Ind.	469	32	247
Textile Workers of America, United	Fall River, Mass.	162	7	...
Tilelayers' and Helpers' Inter. Union, Ceramic, Mosaic, and Encaustic	Pittsburg, Pa....	27	4	12
Tip Printers, Inter. Bro. of...	Newark, N. J....	2	..	...
Tobacco Workers' Inter. Union	Louisville, Ky. ..	36	..	...
Travelers' Goods and Leather Novelty Workers' Inter. Union of America.....	Oshkosh, Wis. ..	9	4	1
Tunnel and Subway Construc- tors' International Union...	New York, N. Y.	19	16	10
Typographical Union, Inter...	Indianapolis, Ind.	564	15	158
Upholsterers' Inter. Union of N. A.	L. I. City, N. Y..	31	3	15
Weavers' Amalgamated Asso., Elastic Goring	Brockton, Mass..	1	..	...
White Rats Actors' Union of America	New York, N. Y.	110	..	...
Wire Weavers' Protective As- sociation, American	Woodhaven, L. I., N. Y.	3	..	...
Wood Carvers' Asso. of N. A., International	Roxbury, Mass ..	10	3	8

INDUSTRIAL WORKERS OF THE WORLD

DISTRIBUTION OF UNIONS BY STATES AND TERRITORIES

State	Town or City	Local Union No.
Alaska	Ketchikan	283
	Juneau	352
Arizona	Lowell	65br2
	Bisbee	65
	Phoenix	272
British Columbia	Victoria	94, 44, 58, 328
	Vancouver	322, 45, 515
	Prince Rupert	326
	Kamloops	327
California	San Diego	13
	Fresno	66
	Sacramento	71, 489
	Stockton	73
	San Francisco	173, 9
	Oakland	174
	Colfax	334
	Point Richmond	355
	Redlands	419
	Brawley	439
	Coalinga	450
	Taft	453
	Vallejo	485
San Pedro	245	
Eureka	431	
<i>Canada</i>		
Manitoba	Winnipeg	47
Alberta	Calgary	79
	Edmonton	82
Colorado	Denver	26, 133
Connecticut	New Britain	29
	Norwich	208
	Moosup	303
	Shelton	528
	Norwalk	535
Florida	Tampa, Ybor City	102

State	Town or City	Local Union No.
Illinois	Chicago	3; 3br2; 21; 85br2, 3, 5; 104; 341; 465; 50obr1, 2; 526; 196
	Peoria	27
	Joliet	142
	Staunton	242
	Caseyville	244
	Rockford	480
Indiana	Shelbyville	483
	Indianapolis	52
	Gary	294
Iowa	Valley Junction	577
Louisiana	Quadrat	208
	Leesville	210
	Merryville	218
	Oakdale	219
	Tioga	228
	Flora	235
	Pollack	254
	Provencal	259
	Osbourn	274
	Hammons	288
	Singer	289
	West Lake	365
	De Ridder	386
	Zwolle	387
	Mystic	388
	De Quincy	390
	Kinder	393
	Starks	394
	Oberlin	395
	Rosepine	396
Derry	402	
Phillips-Bluff	412	
New Orleans	7	
Massachusetts	Boston	190, 34br2, 115, 185,
	“ Brookline	574
	Lawrence	20
	New Bedford	157
	Ware	162
	Webster	166
	Fitchburg	199
	Fall River	204
	Holyoke	205
	Lowell	436
Montello	31	

State	Town or City	Local Union No.
Massachusetts (continued)	Quincy	34
	Milford	55
	Charlestown	96
	Haverhill	169
	Gardner	548
	East Boston	557
	Roxbury	560
Maryland	Baltimore	192
Michigan	Detroit	16br1, 2, 3, 62
	Grand Rapids	202
	Cadillac	407
Minneosta	Minneapolis	221, 263
	Crosby	314
	Duluth	68, 136
Missouri	Kansas City	61
	St. Louis	84, 84br2, 139br2
Montana	Missoula	40
	Great Falls	571
Nebraska	Omaha	384
New Jersey	Jersey City	376, 119
	Newark	90
	Lodi	377
	Hoboken	378
	New Bergen	381
	Paterson	152
	West Hoboken	514
Hackensack	516	
New York	New York	546, 556br2, 558, 1, 189, 9, 95br2, 95, 95br3, 95br4, 105br1, br2, 123, 179, 179br2, 375
	Cohoes	188
	Rochester	191
	Little Falls	207
	Middle Village, L. I.	527
	Buffalo	5
	Brooklyn	121, 122, 220, 374
	Schenectady	81

State	Town or City	Local Union No.
New Hampshire	Manchester	163
North Carolina	Salem-Winston	570
Ohio	Cleveland	33, 33br3
	Elyria	49
	Toledo	86
	Rhodesdale	236
	Dillonvale	240
	Akron	470
	Dayton	573
Oregon	Eugene	88
	Portland	141, 93
	Marshfield	435
Pennsylvania	Allentown	525
	Philadelphia	57, 57br2, 11, 11br3, 125, 126, 137, 547, 553, 425, 3
	Belle Vernon	582
	Wilkinsburg	30
	McKeesport	32
	Old Forge	97, 118, 125, 511
	Scranton	98
	Pittsburg	101, 215
	Kittanning	215br2
	Jessup	238
	New Castle	297
Hazleton	518	
Rhode Island	Woonsocket	99, 513
	Providence	151
	Olneyville	530
South Carolina	Grenville	512
Texas	Votaw	398
	El Paso	572
Utah	Salt Lake City	69
	Helper	237
	Price	256
Virginia	Newport News	5
	Norfolk	4
Washington	Sedro Wooley	318
	Bellingham	337

APPENDIX

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State	Town or City	Local Union No.
Washington <i>(continued)</i>	Price	256
	Seattle	131, 178, 178br2, 382, 252, 432
	Tacoma	380, 338
	Everett	248
	Spokane	315
	Port Angeles	316
	Ballard	317
Wisconsin	Superior	10
West Virginia	Clarksburg	575
	Fairmont	576

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- 2—"The Leather Worker," April, 1913.
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- 2—Arbitration Board Report, "In the matter of the controversy between the B. of L. E. and the Eastern Railroads," 1912, pp. 119-120.
- 3—U. S. Bureau of Labor. Bulletin No. 98, Jan., 1912, pp. 5-6.
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- 6—Eastern Association of General Committees of O. R. C. & B. R. T. Report, 1913, p. 13.

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- 2—A. F. of L. "Buck Stove and Range Company. Injunction suits," pp., pp. 19-20.
- 3—Frank L. Mulholland, in A. F. of L. Convention Report, 1912, pp. 277-279.
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- 3—Samuel Gompers, "News Letter," 10th Jan., 1914.
- 4—A. F. of L., Legislative Committee, Report in "American Federationist," April, 1913, pp. 294-296.
- 5—"American Federationist," Sept., 1913.

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- 1—Magistrate Campbell in Chief Magistrates Court, see "New York Times," 8th March, 1914.

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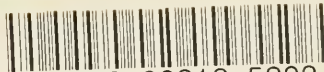
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