



DEVOTED TO THE INTERESTS AND VOICING THE DEMANDS OF THE
TRADE UNION MOVEMENT

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THE CHALLENGE ACCEPTED

Labor Will Not Be Outlawed or Enslaved

Declaration of the Conference of Representatives of National and International Trade Unions
Washington, DC, February 23-24, 1921 __ Excerpts

In late 1920, the American labor movement was at a critical juncture. Having been valued as a partner in achieving victory in World War One, it was now vilified as anti-American, demanding, and guilty of putting its goals ahead of the general welfare. What had caused such a change? As unions found employers unwilling to negotiate for higher wages as postwar prices kept rising, strikes were called by the hundreds in 1919 and 1920. The "general public" condemned the strikes, resenting the cut-off of heating fuel and other necessities, and fearing that foreign-inspired Communists and anarchists were behind the upheavals. The American Federation of Labor, struggling to affirm a moderate stance in the trade union movement, moved to defend itself against mounting charges of disloyalty and radicalism. In late 1920 the president of the American Federation of Labor, Samuel Gompers, called a conference of trade unions to broaden the AFL promotional campaign and portray the labor union as an American institution protecting democracy and freedom for all. The resulting declaration was signed by representatives of 112 trade unions and published in April 1921 in the AFL periodical *The American Federationist*.

We ask the American people to give solemn consideration to this declaration. It is the pronouncement of a movement that is consecrated to the cause of freedom as Americans understand freedom. It is the message of men and women who will not desert the cause of freedom, no matter what the tide of the struggle.

The American labor movement in this crucial hour here lays before the people the full story and asks them to rally with labor to the defense of our imperiled institutions.

Labor speaks from no narrow or selfish point of view. It speaks from the standpoint of American citizenship. And the indictment it lays is an indictment of the enemies of freedom and progress.

American labor battling for the preservation of American democracy and American institutions today stands between two converging destructive forces.

Standing between two opposing forces, uncompromising toward both, the American trade union movement today finds itself and every American institution of freedom assailed and attacked by the conscienceless autocrats of industry and the followers of radical European fanaticism. If either of these wins, the doors of democratic freedom and opportunity can never be reopened in our time.

Though inspired by vastly different motives, these two unrelenting forces work toward the destruction of the same ideals, each using the other as a tool in the struggle to overwhelm democracy and put an end to American progress, politically and industrially.

...

Reaction Casts Off All Pretense

Reactionary employers have joined their might in a campaign which they are pleased to call a campaign for the “open shop,” which they have been waging vigorously since the signing of the armistice [ending World War One]. Compelled by the pressure of public opinion to accept Labor’s cooperation during the war, when the utmost conservation of productive energy was necessary to the life of the nation, they cast off all pretense immediately upon the passing of the emergency.

Reaction/Reactionary employers: i.e., industrial leaders opposed to the trade union movement, especially its demand for the “closed shop,” in which only union members, or those willing to join a union upon hiring, are employed in the workplace

This entire campaign on the part of the combined reactionary employers is in no sense a campaign for the “open shop,” no matter what definition may be given to that term. The campaign is (distinctly and solely) one for a shop that shall be closed against union workmen. It is primarily a campaign disguised under the name of an “open shop” campaign, designed to destroy trade unions and to break down and eliminate the whole principle of collective bargaining which has for years been accepted by the highest industrial authorities and by the American people as a principle based upon justice and established permanently in our industrial life.

...

Curtailing Consuming Power

Due to the maladministration of industry . . . there has come upon us a state of unemployment which is depriving fully three and one-half million working people of the opportunity to earn a living. That there should be this tragic situation at a time when hardly any portion of the world has a sufficient supply of the necessaries of life is a commentary upon the methods of those responsible for the conduct of industry which they cannot justify. . . . The condition of unemployment has been accentuated by keeping open the flood gates of immigration, which has added to the confusion and given employers an additional weapon in their efforts to reduce the American standard of living.

One result is the effort to lower wages. The stupidity of such policies as these, whether or not apparent to employers inspired only by a desire for monetary gain, is a matter which should give the most serious concern to the American people as a whole. Every reduction of wages is a reduction in the consuming power of the wage-earners and a direct blow at the prosperity and well-being of the country.

...

Tragic Penalties of Maladministration

Another manifestation of the unscientific and inhumane policies of industrial autocracy is found in what is commonly known as “labor turnover,” which means the repeated hiring and discharging of individual workers without any opportunity for an expression on the part of those workers in determining the terms or the conditions under which they shall give service.

Industrial autocracy: Gompers’s term for complete control of wages, hours, working conditions, etc., by the industrialist employers, allowing no input from or negotiating with workers

This endless movement of workers from shop to shop, with its inevitable burden of idleness and loss of production, is the individual protest of the unorganized against conditions of employment which they have no power to remedy. Where there is organization of labor and the opportunity for negotiation and agreement, labor turnover is eliminated as a check and drain on industrial life.

...

Injunctions Restore Feudalism

The revival of the unrestrained use of the injunction also imperils the stability of our economic structure. For six years the Clayton [Antitrust] Act, accepted on all sides as the established law of the land, to an appreciable degree checked the abuse of the writ of injunction. A majority of the justices of the Supreme Court

Injunction: court order to stop a specific action or policy, in this case the use of labor union strikes

have swept away this strong barrier against a feudalistic legal concept and labor finds itself again at the mercy of an unlimited use of judge-made law. . . .

The workers maintain that the constitution of the United States is a living document, its provisions and guarantees as applicable today as when they were adopted. The workers maintain that in their everyday life and work rights which the Constitution declares to be inalienable should in practice, as well as in theory, be inalienable. Among these rights is the right to liberty—freedom from involuntary servitude or compulsory labor, except as punishment for crime. This guarantee of the thirteenth amendment lives, and the workers are determined that it shall not be denied them. Nor shall this guarantee of their freedom be so distorted as to compel a group slavery in modern industry as reprehensible as was the individual chattel slavery of old. Slavery, compulsory labor, the tying of men to their jobs, will be no more tolerated now than was chattel slavery then. It has no more right to exist and is just as repugnant under our democratic form of government as it would be under a monarchical, bureaucratic or any form other of government.

. . .

Trade Unions Defend Liberty

The greatest force in American life capable of restraining predatory capital and to that extent capable of maintaining the democratic institutions of the country is the trade union movement. The trade union movement would be false to its trust, false to the ideals of our republic and false to the great public whose confidence it must have, as well as false to its own members, whose interests it is organized to protect, if it neglected any proper effort in behalf of the liberty or well-being of the great masses of our people.

predatory capital: i.e., industrial employers who exploit workers' inability to negotiate for better wages and conditions

To that end this movement of the organized workers sets its face against all forms of compulsion, including such devices as so-called industrial courts, the un-American and repugnant idea of compulsory arbitration and the vicious, tyrannical abuse of the writ of injunction. . . . Through such devices voluntary, democratic and constructive organizations of labor are practically outlawed.

Labor Resists Reaction

However great may be the determination of the institutions of reaction to destroy the organizations of labor by these means, the resistance of labor will be uncompromising and unremitting. The organizations of labor must not and will not be destroyed. Trade unions foster education, uproot ignorance, shorten hours, lengthen life, raise wages, increase independence, develop manhood, balk tyranny, reduce prejudice, protect rights, abolish wrongs, and make the world better.

. . .

Fanatical Propaganda and Intrigue

Converging upon labor from the extreme right is autocratic reaction, while from the opposite extreme is the insidious propaganda of radical European fanaticism,^{*} which is particularly and peculiarly deadly in its hatred of the American labor movement because of its democratic character and its steadfast refusal to adopt revolutionary destructive policies. It is a curious and startling fact that this propaganda of fanaticism has the sympathy and support of many of those in our country who style themselves as liberals, but who do not distinguish between that which is truly liberal and that which is destructive and fraudulent.

Because of its opposition to the American labor movement, this overseas propaganda has even secured in the United States the support, at times secret, of some of the most reactionary American employers because of a common [shared] antagonism to the trade union movement. There is an unscrupulousness and a natural aptitude for intrigue in this fanatical propaganda which makes it a most subtle menace to every democratic ideal and institution in our country.

. . .

^{*} I.e., the labor movement is threatened from both extremes of the political spectrum—on the right (conservative) by industrial leaders striving to maintain unhampered control (“autocratic”) of their businesses with no compromise with labor, and on the left (liberal) from Communists, Bolsheviks, etc., either European immigrants or native-born citizens inspired by the Russian Revolution of 1917 and Communist propaganda.

Labor's Purposeful Determination

In face of the situation here set forth, which is still further embittered by the activities of private detectives and agents provocateur paid by many employers, the American trade union movement . . . declares in measured and emphatic tones its unalterable determination to resist at every point and with its entire strength the encroachments both of industrial tyranny and fanatical revolutionary propaganda. The American labor movement is determined at all costs to maintain that freedom and those liberties which constitute American democracy. . . . The labor movement offers those voluntary and conciliatory methods of negotiation, arbitration and agreement through which it is possible to develop in our industrial life the highest degree of good will and the highest degree of productivity, in order that there may be for all of our people the fullest enjoyment of life and the loftiest standards of life.

Voluntary Principle Is Vital

The effort to crush the voluntary organizations of the workers may be designed by employers as an effort to secure their own immediate enrichment, but no such effort can stop at that point. Whether its sponsors will it or not, it is an effort to bring upon our whole national organization of society unprecedented disaster and retrogression. The principle of voluntary agreement is the kernel from which has grown the success of this country as a democracy. If that is destroyed in our industrial life, it cannot exist in any other phase of our life, and the social organization that has made America must crumble and disappear. Neither the principle of state dictatorship nor the principle of private autocratic dictation in industry can be permitted to gain a foothold in America, for where either of these comes in freedom and democracy must cease to be.

American trade unionists have long since made their choice of principles. Their movement is founded upon the principles laid down in the foundation stones of the republic. It is now for the American people as a people to make a choice. We are confronted with a supreme crisis. Not even in the days when the nation hovered on the brink of war was the situation more critical. The path of progress and constructive peaceful achievement and evolution is laid down by the trade union movement. The road to autocracy, unfreedom and chaos is laid down by its enemies. The choice is now before the country.

The principle of voluntary agreement is the kernel from which has grown the success of this country as a democracy. If that is destroyed in our industrial life, it cannot exist in any other phase of our life, and the social organization that has made America must crumble and disappear.

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This conference calls for public support and recognition of:

The right of the working people of the United States to organize into trade unions for the protection of their rights and interests.

The right to, and practice of, collective bargaining by trade unions through representatives of their own choosing.

The right to work and to cease work collectively.

The right collectively to bestow or withhold patronage [grant resources and positions to members].

The right to the exercise of collective activities in furtherance of the welfare of labor.

This conference proposes and urges public support for:

Enactment by Congress of legislation which shall protect the workers in their organized capacity against the concept that there is a property right in the labor of a human being.*

* I.e., that industrialists and other employers cannot claim complete authority over their workers as a right of owning their businesses.

No application of the use of injunctions in industrial disputes where they would not apply in the absence of such disputes.

Prohibition of immigration for a period of not less than two years.

More general application of the initiative and referendum in the political affairs of the United States and of our several states.

Removal by Congress of the usurped power of courts to declare unconstitutional laws enacted by Congress.

Election of judges.

Immediate restoration of exemption from or the repeal of all anti-combination and so-called conspiracy laws.*

Restoration of an adequate federal employment service.

Administration of [financial] credit as a public trust in the interest of all the people.

Repeal by the states of all industrial court laws and all restrictive and coercive laws, including the so-called open port law of Texas, and freedom from decisions of courts holding trade unions and individual members thereof liable in damages for the unlawful acts of others.

Enactment by Congress of a law declaring that labor organizations are not copartnerships and shall not be so treated in law or in equity.†

Investigation by Congress of the activities of so-called private detective agencies in the field of industrial relations.

We urge upon the unorganized workers the urgent necessity of joining the unions of their trades and callings, their haven of refuge and protection.

We call upon the workers to resist the efforts to destroy trade unions, whether by the false pretense of the “open shop,” the usurped authority of courts through writs of injunction, or otherwise.

We call upon the trade unions for a closer banding together, a greater solidarity and unity of purpose.

We call for united support in the protection of standards of wages and conditions already gained and we summon the workers to continued efforts to increase the consuming power, raise the standards and improve the conditions of life and work.

We call upon the workers and all of our people to give their support, their effort and their combined strength of righteous purpose to this appeal for the preservation of the spirit and the letter of that great declaration which was written to guarantee to all Americans “the right to life, liberty and the pursuit of happiness” and freedom from involuntary servitude.

To the above declaration and appeal we, the officers and other representatives of the national and international trade unions of America, assembled in the Executive Council Chamber of the American Federation of Labor, Washington, D. C, February 23, 1921, pledge ourselves and those whom we represent.

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* *Conspiracy laws*: laws banning or restricting labor union activity, first passed in the late 19th century as a response to violent labor unrest.

† *Co-partnership*: a form of business organization for legal purposes. In some cases, courts had labeled labor unions as co-partnerships and thereby could order members' wages and property to be taken (garnished) toward paying a fine leveled on the union as a whole.

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