

A LOCAL PHASE
OF
LABOR COMBINATION

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CHICAGO LITERARY CLUB

1900



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IT is my purpose, so far as practicable, considering the related aspects of the subject, to confine myself in this paper to a study of a corporate body in the City of Chicago known as the Building Trades Council.

I may say at the outset that I cannot expect to bring to the consideration of this matter at all times the dispassionate judgment of the social economist. I shall not deny that my views will reflect strong prejudices, but they will, I trust, turn out to be not capitalistic prejudices, but will arise rather from my natural and acquired antipathies to everything in human conduct that counters and mocks at organic law and constitutional right.

I shall not even pretend to be able to say the last word upon a topic like the relations of capital and labor, where everything is in the making; but there is something sufficiently permanent in a cor-

poration holding a charter from the State for a long lease of corporate life to take it out of the fluid mass of mere industrial incident whose laws of ebb and flow so often baffle investigation. By reason of permanency it belongs to that class of final achievements to which every large human movement points for justification. It is not pushing the situation too far to demand that the moral forces back of organized labor shall be tested by the ethics of the Building Trades Council. Its political and economic ideals will be the ideals of the men who give it power and support.

The Building Trades Council of Chicago was incorporated under the general incorporation law on March 14, 1892. The objects of the incorporation were, as dryly stated in the application for license, "to promote the interests and welfare of all trade and labor organizations connected therewith, and to extend a helping hand to such other organizations as the said Council may direct."

To be perfectly fair to those who thus formulated the benevolent purposes of the Council, it must be admitted that the statement is rather more frank and ingenuous than most declarations of the sort. Examine it more attentively and it will be seen to contain the selfish principle out of which has naturally developed a rule of tyranny and oppression.

By implication, the forces of this new creation will not be used to promote the interests and welfare of trade and labor organizations not connected therewith; and the helping hand extended to such other organizations as the Council may direct, means a clenched hand when the guiding intelligence determines upon blows and suppression.

Observe again that we are dealing here only with organizations. There is an ominous silence as to the individual laborer and worker who is unconnected with any organization. His interest and welfare have been quite overlooked, and the organic limitations of the new Council make it quite impossible that its helping hand shall ever be extended to him. The scheme does not propose to deal with units; or if it does, the unit has become so large as to make it certain that any further declaration of principles must ignore the individual, and leave out as obsolete the great fundamentals of individual right upon which society in American commonwealths must rest.

Again, the promotion of the interests of affiliated organizations, and the extending of the helping hand to such organizations as the Council may direct, with the implications fairly embraced in such a program, mean what in governmental phrase would be, first, federation and then alliance by treaty; and if these shall be reached in perfection we are

well on the way to monopoly and the suppression of competition. We shall reasonably expect to find the Council standing for both these ends if its development is logical.

Am I forcing my deductions, am I looking forward to what has actually taken place in the development of the powerful central body, and loosely making the charter declaration the slender premise upon which to hang my whole gloomy prophecy? *Post hoc* reasoning is always seductive, and there has been altogether too much of it in the discussion of labor questions by labor leaders to allow me willingly to employ it. I have dwelt somewhat at length upon the purposeful sentences of the Council's charter in order to make plain at the outset what I conceive to be the conscious plan of its original promoters. Let us not forget that we are dealing with men, after all, though their personality is often obscured by the corporation. We are not to think of the charter as given ready-made, and the individuals fitting themselves to it and developing it. The facts are that the incorporators of the Council in 1892 perceived that there was a loss of power in the imperfect federation of building trades unions which had preceded, and that the men who could weld that federation into a more perfect union would have the mastery of the situation, so far as numbers and physical force could give it.

The Council quickly announced its entrance into the labor world by an elaboration of laws and rules, checks, counterchecks, licenses, privileges, punishments, and penalties, which made it quite clear that it contemplated nothing less than a usurpation of the entire field of building activity; that it proposed to legislate, adjudicate, and execute the law governing trade relations in the city of Chicago, and that the community over which it claimed jurisdiction must surrender a large measure of personal liberty if the usurpation was to be tolerated.

It is not my purpose to quote at length from the preamble, constitution, and by-laws of the Council. They are before me as I write, and I have before now carefully read and studied them, not for literary entertainment, but in a purely professional way. I am almost tempted to declare, as did the generals in the Court of Cassation, that upon my honor I have examined the documents and the case is thus and so!

A sentence here and there, however, will suffice: "The object of this Council is to construct a central organization which shall subserve the interests of all the labor organizations engaged in the erection or alteration of buildings, for the purpose of assisting each other when necessary, thereby removing all unjust or injurious competition, and to

secure unity of action for their mutual protection and support."

I have always been amused at the unconscious humor in the turn given to this preamble by that word "thereby." It is a palpable *non sequitur* to the peaceable and benevolent language preceding. To secure the logical connection we must interpret this language precisely as the Council has interpreted it, and so that it will read: "The object of this Council is to perfect the boycott and the sympathetic strike, thereby removing all competition." For, humanly speaking, it is certain that where a monopoly is intended all competition will be deemed unjust and injurious.

The scheme of representation of the several affiliated unions in the Council is appropriately secured upon the basis of numerical strength, and the delegates so returned elect a full complement of corporate officers, whose powers are defined in sufficiently parliamentary language. Their duties are largely routine, the real power being vested in the standing committees and in a somewhat anomalous body called the Board of Business Agents or Board of Walking Delegates.

The standing committees are a Credential Committee, an Organization Committee, a Grievance Committee, and a Legislative Committee.

The important duty of the Organization Com-

mittee is to "seek out every branch of unorganized industry in the building trades, and use every effort to organize them into unions; to instruct and enlighten them on all questions relating to their advancement as workingmen, and render all assistance possible to increase the membership of all the different organizations affiliated."

The Legislative Committee is "to determine what legislation will be best for the interest of the laboring man, draft bills for such legislation, present them to the proper legislators, and report from time to time the best methods of securing the passage of the same, providing that no bill shall be presented to any legislative body without the sanction of this body."

The Board of Business Agents or Walking Delegates is the *imperium in imperio*. It is to consist of all the properly elected walking delegates of the various unions represented in the Council. This board is to have its own president and vice-president, and to adopt such rules for its own guidance as it may see fit. It is to meet three times a week for the purpose of rendering all assistance necessary for the enforcement of the various trade rules and working-cards of this Council.

It is provided that the revenue for the maintenance of the Council shall be derived from the subrenting of halls and the sale of working-cards

issued quarterly by the Council to the trades herein represented. The price of the cards is to be regulated from time to time by the Council. Each trade applying for admission must pay an initiation fee of twenty-five dollars.

It should be said in passing that this simple device for revenue, namely, the sale of the working-card, is really a system of licensing outside the law; for it is either by implication in the printed rules of the Council, or in some of those secret enactments of the Board of Working Delegates, that no man shall work at a building trade in the city of Chicago unless he is in possession of such a card.

Now let us consider a few of the trade rules: "It shall be the special duty of this Council to use the united strength of all the trades represented herein to compel all non-union men to conform to and obey the laws of the trade to which they should properly belong. No member of any trade affiliated with this Council shall be permitted to work on any building or job under police protection, or be permitted to handle any material that is the product of convict labor." The same restriction is extended in practice to material that is the product of non-union labor.

These are startling words, and clear away the bewilderment that attends the perusal of this docu-

ment almost throughout. The familiar jargon about the law, or the laws, and obedience and punishment, begets momentary impressions that the law of the land is meant, and that the Council is in some dubious way enjoining good citizenship. It needs some such bald pronouncement as these trade rules to lay bare the whole deliberate conspiracy against private right and liberty of contract.

Demands for an advance in wages and all trade grievances shall be presented to the Council in writing. "When trouble occurs on any building or job affecting any trade represented in this Council, it shall be the duty of the Business Agent to immediately endeavor to settle the same with contractor or owner in accordance with"—what?—equity, good conscience and fair dealing? Here would have been an opportunity for a little harmless rhetoric; but no, the settlement is to be "in accordance with trade rules and to the satisfaction of the trade involved." Failing in this Pickwickian arbitration, the "Business Agent shall have power to call a general strike, but before doing so he shall lay the matter before the Council or the Board of Business Agents at their next meeting, and be governed by their action or decision, which shall be equally binding on all trades in this Council."

It is needless to say there are fines and punish-

ments for everything that savors of insubordination to the decrees of the Board of Walking Delegates. Another rule provides that the constitution and by-laws of any affiliating body shall not in any way conflict with the constitution and by-laws of the Council. I have examined a number of constitutions and by-laws of the trades affiliated with the Council, and they are formulated substantially upon the same basis. The spirit of collectivism inspires them all, and the working-card and fines and punishments for all independent or individual action are the whips that hold the members in line.

In this connection it should be observed that the Council does not pretend to exercise delegated powers, and is not in that sense the creature of the unions; but having enumerated its own powers, imposes them upon the several unions—a piece of absolutism that ought to rouse every fiber of resistance in freemen. But it may be said that whether the powers are delegated or not, it comes to the same thing, if the organizations that affiliate with the Council do so voluntarily. I think it does not, for the reason that historically, and as a matter of fact, the constitution of the Council was never submitted to constituent bodies for ratification as a scheme of government. But a group of Business Agents, having planned the central body, said to the several unions: "Be with us and you shall

share the monopoly which we propose to achieve for ourselves and our friends, or stand apart and we will crush you."

This notion of voluntary association, whether in the union or in the Council, as these bodies are now constituted and governed, must be accepted with so many important qualifications that it almost disappears. The appeal to selfishness and greed has established the first tyranny, and this tyranny, enforcing with pitiless severity its law of suppression, says to the laborer: "Work under our system or work not at all." An association which is voluntary ought to recognize the validity of resignations by members in good standing, but no resignation from a person affiliated with the Council is ever acted upon as such, and simply subjects the person seeking to resign to fine and punishment for making the attempt. I am aware that this is a ridiculous proposition, and in law an impossibility, but it is a fact of enormous power in holding these voluntary associations together.

In the document before us there is not a whisper of philanthropy, not a sentiment for the brotherhood of man, not one rallying-point for the great mass of citizens, not one sincere attempt to declare the rights of workingmen within the law, not one truly constructive principle of democratic self-government, but throughout inversion of the demo-

cratic idea, subversion of the citizen, the dogmatism of force and lawlessness, and the lure to all these is in the promise of monopoly and the gratification of greed.

The writers on the subject of industrial labor distinguish four stages—serf relation, guild control, state control, and free contract. The evolution is an interesting one to follow, were there but time for it, but the last two concern the thought that I next wish to present.

For some time prior to the year 1348 in England, the relations between employer and employee had been secured and maintained upon a comparatively equitable basis by the trade rules of the mediæval guilds. At that date occurred the great plague commonly called "the black death." The mortality among workingmen at that time removed large numbers of them from natural competition, and there was consequently an enormous increase in the demand for labor, and a resultant large increase in wages.

Parliament, moved by the employer and the land-owning class, at once took the matter in hand and sought to check the working of economic laws by passing certain drastic measures, of which the notorious "statute of laborers" is a type, making labor compulsory at certain maximum prices. Ill-advised as was this sort of legislation, and though a

manifestly pernicious growth among the goodly fruitage of Saxon liberties, nevertheless the British lawgiver clung with characteristic tenacity to his error, and from Elizabeth's time down to the beginning of the present century it was the struggle of organized labor to free the workingman's contract from state control. It is but fair to say that the labor union was the English freeman's protest against this parliamentary invasion of personal liberty. The state returned to the high ideal demanded by the workman, and the era of free contract began.

In memory of those stalwart bodies of English workingmen who fought the struggle of two centuries for freedom of contract, the recession of their modern successors should be, "Lest we forget." But they have forgotten, and so have their brothers on this side. The essence of trades unionism to-day there and here is the destruction of freedom of contract and the establishment of state socialism and special privilege.

In our own state the unions have had no warfare for the emancipation of the labor contract. By the fundamental guarantees of the constitution, affirmed and reaffirmed by the courts of last resort, that contract stands to-day before the law upon the same footing of absolute freedom as all other contracts. This freedom of contract is the very heart of the

principle of natural liberty, and the most important right of private property.

Modern society is industrial, and it embraces all classes of workers, not alone those who do manual labor. All industry rests upon exchange, and in the last analysis exchange of services. This exchange must be free. The individual must be left free to make the best bargain he can, and to do with the fruit of that bargain whatsoever he will. I have risked this statement of a trite theme to clear the view for a juster perception of the position of the trades unions and of the Building Trades Council upon these fundamentals. I have endeavored to make clear the Council's purposes as disclosed in its governing manual, and propose now to test the sincerity of that document by the acts of its members.

It is not of especial importance in what order we develop this branch of our subject. We may start with the assumption that in nearly every trade that enters into the erection of a building there is a trades union, and that every such union is affiliated with the Council. We may further assume that in every building trade in the city of Chicago there are both union and non-union workmen. Even the Walking Delegates concede this. I cannot see that the relative numerical strength of the union and non-union men in the several trades is a

question which can have any bearing upon the ethical and legal nature of any acts done by the Council, but having encountered that attitude in some former discussion of this topic, I may say, again upon the authority of the Walking Delegates, that the non-union workmen constitute an average of twenty per cent of the building trades workmen. We may assume, also, that for skill and efficiency the non-union workmen are fully the equals of the union men. There is abundant credible testimony to the truth of this last statement, although it is one most frequently denied by union men. The unions and the Council set no standard of skill and excellence. No inquiry as to these qualifications in the craft is made of new members. I also assume it to be true and equally admitted on all sides that the non-union man, in declining to join a trades union, is within his legal rights; and further, that it is his legal right to bestow his labor where he will and upon what terms he wishes, and that the employer has a like right under the law to employ union or non-union men as he pleases. I am not aware that either or any of these assumptions is denied by the Council or its officers. I pay the tribute to their intelligence of believing them, if not sound political economists, at least clear-visioned enough to perceive the quality of most of their acts before the law.

The Council, then, finds the non-union laborer in the path of its march to monopoly. He is there by legal right. How to get rid of him is the question. Shall it be by lawful methods, such as competition, by underselling him in the labor market, by cultivating a greater skill, sobriety, and efficiency in its craftsmen? Does it ever occur to the Council that the question is really insoluble; that in a nation of free men there will always be free laborers?

I have sometimes thought that it was the very hopelessness of the struggle which has bred the senseless rage of organized against unorganized labor. But, after all, we are not concerned with the metaphysics of the situation. The fact is plain that the Council resorts to no lawful competition to get rid of the non-union workmen, but has instant recourse to violation of the law.

The Council insists that every employer of labor with whom its affiliated bodies have dealings shall sign the schedule or collective bargain. These schedules are a natural development of the leveling process going on everywhere throughout organized labor. They deal with questions of hours, apprentices, rates of wages, holidays, and now always contain a stipulation that the employer shall hire none but union men. It is very doubtful if a court of last resort would enforce any such stipulation, but it must be admitted that

it is an effective agency in the conspiracy against unorganized labor. It strips the employer of the right of free contract and closes the door to the non-union man. This clause, like every other clause of the contract from the employer's side, is to be enforced by the strike.

The Council has also invaded the floor of the several municipal boards, where public contracts are to be let, and induced or compelled these trustees of public funds, raised from taxes paid by the entire community, union and non-union men, to adopt a labor contract excluding all but union labor from the competition. This shameful betrayal of public trust received its proper rebuke in the highest court of this State, and the Council can no longer connive with public officials to stifle competition upon public contracts.

If the exclusion of the non-union man by stipulation fails, there is always the resort to menace and intimidation, to force and violence. Another method employed by the Council to eliminate non-union men from the competition is to refuse to handle non-union-made material. This is the boycott pure and simple, and is the Council's confession that every appeal to lawful agencies has failed. Sometimes the more summary method of mutilation and destruction is adopted with reference to non-union-made material already in place.

I return now to the Building Trades Council's employment of physical force as its final argument in support of every demand, whether lawful or unlawful, reasonable or unreasonable. I concede too much when I say final. Whenever a strike is declared the appeal to force is instant. The strike is a declaration of war, and the lives and property of every one against whom it is directed are in the hazard. This is not an overstatement of the facts. The material for this indictment is easily accessible. Take the clippings from the daily press for the period of a year at any time since the Council has been organized, and we shall be startled at the grim recital of bloody riot and lawless aggression on the part of organized labor and its agents. It is a dreary page of our civic history, pointing as it does the further lesson that police authority and processes of courts are not, under prevailing conditions, adequate to check these outrages.

It does not cover the case to say that these violations of law are merely casual, and confined to the few intemperate ones whose zeal for union principles betrays them into these excesses. I am convinced, after careful study of the cases, and from my personal experience in strike cases, that the Council encourages, provokes, and compels its members to these acts of violence. The Council has never disciplined a union man for violations of

the law done in support of union principles, and its offices and emoluments have been the reward of those who are the most active as lawbreakers.

Let me not be understood to condemn the mere quitting of work by workmen, singly or in groups, for the purpose of enforcing a lawful demand. Both the courts and public opinion sanction such organized action. That is as far as the pressure may lawfully go. Everything that is superadded, like the boycott, the sympathetic strike, and violence, are outside the law and in violation of it. The boycott includes the sympathetic strike. Both are conspiracies to compel one against his will to yield to the demands of some or all of the conspirators, by combined hostility to the person combined against, or to his business. I will not contend that this definition is exhaustive or legally accurate, but it is near enough for practical purposes.

When we reflect upon it, there is not one of the ordinary activities of the business world that could not be entirely upset by concerted action. Jevons supposes the case of a sympathetic strike which should affect all operators concerned in the production and handling of coal. The industrial world would be at a standstill. The dullest imagination can readily supply parallels. If solidarity is the sole test of lawful combination for the boycott and sympathetic strike, then we have legal

excuse for plotting ruin to a fellow being among as many as shall feel alike ill-disposed to him, or think they have a common interest in crushing him. The safer rule seems to be that any conspiracy to injure should subject the conspirators to a civil liability.

The sympathetic strike is the most effective weapon in the Council's armory, and they wield it upon slight provocation. Here the Walking Delegate displays the full insolence of irresponsible power. It may be a nod or a beck from the close-lipped idler that strolls among the workmen, or it may be the hectoring tactics of common ruffianism. In either case work ceases and the strike is on. Every strike is potentially a sympathetic strike, and it is a recognition of this fact that causes the Council to insert, in every collective bargain, that a quitting of work upon the call of the Council to strike sympathetically shall not be construed as a breach of the contract. That is, a breach of the contract is not a breach of the contract—which is good enough logic for a man with a gun.

We are not here concerned with the questions of shorter hours and increased pay. These are excellent things in their way. Any man or any group of men seeking to secure these economic advantages is pursuing a lawful end. But society is concerned in the methods adopted. I have never

perceived any isolation or separation of the industrial laborer in the state from the great body of citizens. In the larger and catholic sense we are all workers, and I cannot allow to the manual worker any larger privilege of combination to raise his own wages by preventing others from working than to lawyers, doctors, farmers, bookkeepers, or what not. The law must be the same for all, that he who tries to make his own kind of labor scarce attempts to levy compulsory contribution upon his neighbor. This is the taxing power, and under our constitutions can be exercised only by the state. This is the whole argument against monopoly; this is the essence of every sound argument against the trusts, and the one upon which they must, in my judgment, go down to final defeat.

It is obvious that the Council, as an amalgamation of the several unions of building trades, might perform some lawful services for the workman. It is doubtful if it does. A Council which should unite union labor for political action would be unobjectionable from every standpoint. There could be no legal objection to this central body agitating for the accomplishment of the moderate reforms upon which the whole body of citizens can and do unite, or for the whole extravagant propaganda of socialism if it should see fit. It

might, as I understand the Building Trades Council of the city of London does, exist for statistical purposes, as a mere registry of the matters of common interest to union workingmen, with power of recommendation as to political action.

The Council might, with another personnel and by turning its back upon its former declarations, assist in some general scheme of charitable relief, or exercise a general control over the benefit features of the unions. The real fact about these benefit features of trades unions is that they have shrunk to such rudimentary proportions as to be practically of no importance. It almost provokes a smile to contemplate the possibility of these Walking Delegates, veritable sons of the dragon's teeth, discharging such peaceful functions. The Council is a war machine, and in its own vindication and to justify its existence must stir up perpetual strife.

It has always seemed to me to be the public duty of each one of us to speak the truth about the Council and the unions, and their attitude toward the law of the land. It is mischievous to intimate that the intelligence of the manual worker, or his supposed position in the social scale, somehow extenuates his disregard for the law. This position is discreditable alike to the workmen and to their apologist.

In a leading magazine devoted to sociology, and edited in Chicago, I find an article entitled "Trades Unions and Public Duty," written by Miss Jane Addams of Hull House. Miss Addams is one whose position in philanthropic work in this city should entitle her to a respectful hearing upon this topic. The whole argument proceeds upon the assumption that the leading principle in trade unionism is the broadest philanthropy, and that the unions exist for the sole purpose of promoting reforms which the state should undertake. Miss Addams affirms that the unions have agitated for and secured reform legislation affecting factory inspection, child labor, the law abolishing the sweat-shop, and other ameliorative acts, but adduces no testimony in support of this statement. In the nature of things there could be no analysis of first causes in this class of legislation, and, so far as our own state is concerned, these movements could and probably did flow from the mere imitative faculty which modern legislatures have developed. Similar acts existed elsewhere. The legislative committees of trade federations in our own state, including the Council, which we have been studying, waste no time or money on pure philanthropy. Acts conferring special privileges upon workingmen, and acts designed to take away from some classes of employers the right of free contract, may be traced directly to

these committees, and as fast as they come before the courts they disappear from the body of the law. The acts affecting mine owners, and concerning the weighing and screening of coal; the truck-store act, and the Sunday barber-shop act are examples. Others still stand upon the statute books awaiting a similar fate. I have in mind the act allowing workingmen in an action for wages to have a reasonable attorney's fee included in the judgment; an act making it a crime for an employer to prevent, or seek to prevent, an employee from joining a trades union, or to discharge an employee by reason of such employee's membership in a union. If this precious piece of legislation had appended to it "by order of the Building Trades Council," its authorship could not have been more plain. Another vicious piece of legislation, too plainly emanating from union labor sources, is that which makes it a crime for employers to import laborers to the scene of a pending strike, without advising such laborers that there is a strike, and further punishing as a criminal any person who shall hire or assist in hiring persons to guard the property of such misguided person. A recent act which seems to breathe the spirit of philanthropy in its title, "Free Employment Offices," albeit a trifle socialistic in tendency, shows the cloven hoof when it forbids such employment offices to furnish any em-

ployees to employers whose workmen are out on a strike. All or most of this material was accessible to Miss Addams, and the fact that she has ignored it shakes our belief in any optimistic view that labor leaders lie awake nights to formulate legislation that shall benefit the race.

This writer referred to approaches somewhat cautiously the thing which to my mind is the be all and end all of labor unions, namely, monopoly of the labor market, to be achieved by violent suppression of the non-union laborer, destruction of free contract, the boycott, and the sympathetic strike. These, to her, are casual excrescences occasionally marring the sweet image of charity. A non-union workman beaten to insensibility becomes a regrettable instance of harsh treatment necessitated by the union man's environment. It finds its analogy, she says, in the nation's rigorous treatment of a traitor in time of war. As she leaves the matter there, we may conclude that she intends the analogy as a justification. Miss Addams says she declines to pass upon the ethics of the boycott and the sympathetic strike, but virtually proceeds to do so by finding innocent analogies in the conduct of other groups of society and in the national policy. The principle of the sympathetic strike is illustrated by the action of the United States in demanding independence for

Cuba. Of course, if the analogies are real, we are fairly trapped into a support of unionism; but the analogies are mere surface resemblances at most, and Miss Addams has failed to notice that the acts she condones as mere excess of zeal are otherwise defined by public law.

Miss Addams finds the analogy for the walking delegate in the highly trained, well-paid corporation lawyer, whose finesse and learning are at the service of his corporation client. I have not much to say against this view. I know some members of the profession whose ethics would eminently qualify them to be walking delegates, and some corporations with quite as monopolistic tendencies as those which the Building Trades Council manifests. And the walking delegate who could so far walk into Miss Addams' sympathies as to convince her that the Council was the city rival of the Hull House, in charitable endeavor, has missed a career of usefulness at a large salary in the employ of some law-defying corporation of capitalistic bias.

Miss Addams may not have modified her views since writing her article in the *American Journal of Sociology*, but one would suppose that she could find reason so to do. The New Hull House Assembly Hall, which was being erected in the early part of the year, became the scene of a sympathetic strike. The contractor in final despair

of completing certain iron staircases with union labor, stealthily put the work in place with non-union labor between sun-down and sun-up of one day. And a day or two later union workmen tore it out, carted it away, and partially destroyed it. I am seeking the analogy that shall justify this typical piece of vandalism, but have not yet found it.

I trust I may be forgiven for finding subject for amusement in Miss Addams's article. In all truth it is serious enough when we reflect that it may have wide circulation, and may gain currency as a fair exposition of the labor situation in this city. I am told that it received high compliment from that portion of the faculty of our university which concerns itself with such topics, as the profoundest utterance yet drawn forth by local conditions. One should speak with some diffidence in the face of such high authority, but the case is one, I insist, where facts break down mere theory and skill in economic fence.

We are not quite through with the Walking Delegates. The scheme of government devised by the Council has left to these gentlemen absolute dominion over the building trades. They formulate the trade rules; they seal and deliver the collective bargains; they shape in secret sessions the policies of the unions; they decree the commence-

ment, the duration, and the cessation of strikes; they incite to violence, and not infrequently lead in the aggression; in secret they select and hire the slugging committees and point out the victims to receive the polite attention of such committees. This almost goes beyond the bounds of credibility, and being done in secret, we might infer that it could not reasonably be known; but I base the assertion upon the sworn statement of one who was once part of this choice oligarchy, a mechanic of skill and high intelligence, a man of rude eloquence, incorruptible, law-abiding, and with a fine sense of natural justice.

This man, in the lodgeroom of his own union and on the floor of the Council, stood for fair dealing and open competition with the non-union workman. With a courage that must be rated high, he condemned every resort to violence, and advocated obedience to law. Other sworn statements made in my hearing place this man's statements beyond doubt. There is not a reader of this paper who cannot write the subsequent story of this obscure champion of human right. He was driven from the Council, from the union, from his occupation. Braving the infamy put upon him, and daring the tyranny that was crushing him, he sought again and again to labor at his calling in this city, and again and again was thrust

from it by the wretches who were hunting him to starvation. He has given up the struggle, so far as seeking employment within the jurisdiction of the Building Trades Council is concerned, and has found at least a temporary security beyond the reach of the Council's decrees. There are other incidents connected with this story that involve a criminal prosecution; but that is another tale, and my warmth has already led me somewhat far afield. Perhaps it has served as well as any other incident to portray the moral code of the Board of Walking Delegates, for of them we were speaking when I digressed to mention my authority.

Surely the powers vested in this Board make it of the highest importance that its members should be men of intelligence and address, of conservatism and fair dealing, of business sense, and above all integrity, or, if we like the homelier phrase better, of common honesty. With such men in power, and even with union principles behind them, the building interests of this city could proceed upon a fairly good business basis. But the facts are otherwise. The men who fill these places are the rowdies and firebrands; shiftily and false in conference; men to whom has attached the suspicion, which is deepening to conviction, that they trade upon their office, playing for private gain the interests of the men they rule, and

dragging every commercial treaty they negotiate into the mire of cheap politics. We hear it on every side, from architects and owners, through the press, and occasionally in an ominous muttering from the rank and file itself, that if the price is paid to the treaty-making power there will be no industrial deadlock.

I apprehend that most self-respecting, law-abiding, level-headed craftsmen in the unions, and I am one of those who believe that this sort would fairly preponderate if they could make themselves heard, are dimly comprehending that their best and cleanest men ought to fill these positions, if they are to be filled at all. But it is here as in other relations of life, the best and finest types are not the ones with the genius for political combination and office-getting. Scum and froth rise highest and persist so long that many a stream with pure sources and clear currents gets a bad name. So it is here. The real workingmen, members of the union, if you please, but members who ask only to be let alone while they pay their dues, are an as yet undisciplined force that could set the industrial house in order.

It belongs to a full presentation of the facts about the Building Trades Council and the affiliated unions to notice some of the artificial conditions that application of socialistic principles has

bred in the trades. As it is the business of the Council, through the Walking Delegates, to find work for every member of the union, and as there is frequently not enough work to go round, the delegate has to resort to fixing, by his fiat, the amount of work a journeyman shall do in a day of eight hours, and the number of days of such work that may be done by each before giving place to a brother member. This would be well enough if not done at the owner's expense. The work must all be nicely differentiated. There must be no overlapping. Steamfitters must not do plumbing. Tile setters must not repair mosaic. Lathers and plasterers may not combine to shift the horses upon which the plasterers are standing, at least under the jealous eye of the Walking Delegate; though when his back is turned many such interchanges of help take place. The ingenuity of the Council and the delegates seems to exhaust itself to defeat the businesslike and common-sense way of reaching the simplest results. Any contractor can multiply instances. I am of the opinion that these artificial checks upon the producing power, these petty interferences with natural relations, are more exasperating to the contractor and employer, and assume a larger significance in the minds of some of them, than the graver evils that touch the whole body of citizens and the life of the state itself. They are

to be borne, however, if the workman wills it. The law does not seem to cover vagaries of this sort. Or, to put it in another way, the law does not step in to direct the economic theories of the workman any more than it prescribes his religion or the fit of his coat. If that condition seems best to him in which every man shall be paid the same, no matter what his producing power may be, he may have it with all it implies. He may dream of a social condition where there shall be no poverty, pensions for everybody, nationalization of all kinds of property, and so long as he goes not about to compel by force others to his way of thinking, the law disturbs not his dream.

What can be done to relieve the situation? I did not set myself that problem, and do not now propose a full solution. Herbert Spencer says that complaints only become audible when the serious danger of their cause has been removed, and cites in support of the rather puzzling statement the fact that women never complained of dependence until the law began to make them independent. It seems not to be the case here. Never were complaints of the Building Trades Council more audible than at the present time, and never did the Council appear more insolent and firmly seated in power than now.

It is a hopeful sign that for the first time in

many years the veering press has begun to discuss the situation with the seriousness it deserves. There seems to be making a healthy public sentiment against the tyranny of the Council, that ought in time to embrace that large body of respectable craftsmen which lacks only a leader and a war-cry. The judges of the *nisi prius* courts could, when the occasions present, restate from the bench the fundamental rights secured to and the reciprocal obligations laid upon every citizen. The opportunity often serves. It is almost a weekly occurrence that the processes of the court are needed to preserve life and property against attack by the Council. I think the opportunities have been somewhat neglected, and it must be admitted that the utterances of the judges satisfy neither party to the controversy. The common phrase among the Walking Delegates is that the courts are not friendly to union labor. The employer of labor, on the other hand, sees the local bench in many instances shirking the responsibility of deciding causes between employer and employee; he seems to feel that the judgment of the court is so grudgingly given against the lawbreaker, and the rebuke to wrongdoing so tempered by palliative coddling of trade amalgamations, that the lesson is lost and the way made clear for further breaches of the peace. The impression has grown that the Council and the unions

control a large vote and are an important factor in local politics; and the employer sees in this fact a reason why an elective judiciary does not handle these subjects with the vigor that characterizes the language of federal judges upon similar occasions.

From my own standpoint, and not commenting upon the attitude of the courts as indicative of mere political tact, I criticise as contrary to the best precedents, and illogical, the habit our local judges have of decreeing that industrial warfare shall cease and in the same decrees perpetuating the conditions and menace of war. I refer to the legal sanctioning of "pickets" in times of strike. When the local bench shall have learned and have the courage to proclaim that workmen who voluntarily quit an employer's service have then in law no further right to control or seek to control that employer's business, the Building Trades Council will have to seek new fields of activity. Pickets in any number, one or ten or one hundred, whether they speak the language of persuasion or the scurrilous tirade of hate, or turn back the new workers with blows, are the expression of unlawful force, and must always stand for the conspiracy behind them.

The great political parties could help by refusing to coquette with the labor vote, as it is called, meaning the union labor vote. Perhaps this is asking too much. Practical politics takes no account

of economic theories. It counts noses, and sees, or thinks it sees, the larger figure on the side of organized labor. The mayor is quoted in the press as saying that he is a "red-hot union man." It is to be hoped that this is not true; but if true, he either does not mean what he says, and so compromises his office, or does mean it and declares his unfitness for the position he holds.

The president of the County Board is also quoted in the press as a firm friend of union labor, and so through all the other boards and municipal offices, with degrees of passionate regard varying from the red-hot condition of the mayor to the platonizing of the president of the County Board, public officials proclaim their sympathy with union principles. Such of them as disburse public funds, as already pointed out, have been compelled to stop giving exclusive employment to union men, but I am informed that practical politicians still trade public offices for the vote controlled by the Council, by appointing to office the Walking Delegates, most of whom are drawing salaries from the public treasury for services which they are not called upon to perform. If it is too much to hope for voluntary reform from the practical politicians, we must pray for the acceleration of a more general application of the merit system to petty public offices.

If I have said nothing about the responsibility of employers for present conditions, it is not that I have any desire to minimize it. I have felt that to point out wherein the employer failed to do complete justice to his employee would but raise a dust and obscure the real issue. I would not for a moment appear to admit that the mistakes and shortcomings of employers, were they tenfold what they actually are, excuse the tyranny and lawlessness of the Building Trades Council. Apportioning the blame will not lessen the clutch of evil. The blight remains over the sources of production until we waken the consciences and the understandings of the men themselves, and until the consciences and understandings of each one of us awake to a clear perception of the truth that industrial liberty is only a part of that greater liberty from which every great reform has drawn its inspiration; that greater liberty which is the birthright of every American and the Republic's generous gift to her children by adoption. As we shall hold fast to it or let it slip from our grasp, we shall lead or lag in the march of human progress.

THIS PAPER WAS WRITTEN FOR
THE CHICAGO LITERARY CLUB,
AND WAS READ BEFORE THE
CLUB ON THE EVENING OF MON-
DAY, NOVEMBER THE TWENTY-
SEVENTH, EIGHTEEN HUNDRED
AND NINETY-NINE. THIS
EDITION CONSISTS OF EIGHT
HUNDRED AND SIXTY-FIVE
COPIES, PRIVATELY PRINTED FOR
MEMBERS OF THE CLUB,
FEBRUARY, NINETEEN HUNDRED

