

The President's Commission at Bisbee

BISBEE, Arizona, is at the heart of one of the largest copper producing areas in the world. As the administrative headquarters of the Copper Queen branch of the Phelps Dodge corporation it is the virtual capital of the copper industry of the Southwest. In times of peace the Copper Queen is an important barometer of the nation's industrial prosperity; in times of war the administrative efficiency of the Phelps Dodge corporation in Bisbee is measurable in terms of life and death among our soldiers and the soldiers of our Allies at the front.

On June 27, 1917, the employees of the Copper Queen and of the neighboring properties, the Calumet and Arizona and the Shattuck, Arizona, went out on strike. On July 12, 1917, an armed mob under the nominal leadership of the county sheriff overwhelmed eleven hundred and eighty-six strikers and their alleged sympathizers, herded them aboard a train of cattle and box cars especially provided by the El Paso and Southwestern, a subsidiary of the copper companies, and under the muzzles of rifles, revolvers and machine guns deported them into the New Mexican desert. One man was killed while defending his home against illegal invasion. Others had their scalps and bones broken. Hundreds of homes were broken up. The ranking officer of the Phelps Dodge corporation in Bisbee had given out an interview in which he denounced the strikes in Bisbee and the other copper camps of Arizona as of pro-German origin and advocated deportations as the patriotic remedy.

After an interval of more than two months, President Wilson at the instance of Mr. Samuel Gompers appointed a commission headed by Secretary Wilson of the Federal Department of Labor to adjust the industrial disputes which continued seriously to restrict the output of the copper mines, and, incidentally, to make an investigation and report upon the Bisbee deportations and their effect upon our military preparations. The conclusions of the commission with respect to the industrial policy pursued by the managers of the great copper properties in Bisbee throw a flood of light upon the causes of the widespread industrial unrest that has held back our shipping, aeroplane and munitions program to the verge of a national scandal.

"The deportations of the 12th of July last from the Warren district of Arizona," begins the report, "as well as the practices that followed such deportations have deeply affected the opinions of laboring men as well as the general public throughout the country. They have been made the basis of an attempt to affect adversely public opinion among some of the people of the Allies. Their

memory still embarrasses the establishment of industrial peace throughout the country, which it is indispensable to obtain and maintain if the war is to be brought to the quickest possible conclusion."

The commission found that while the miners had grievances, which they sincerely felt called for rectification by the companies, these grievances were not of a nature to justify a strike, provided some rational machinery had existed for the peaceful adjustment of disputes. But the companies created no such machinery, neither did the government attempt to supply it until months after the most pressing need for it had passed. The strikers formulated their grievances and invited the managers to a conference for their adjustment. The managers in Bisbee explain their refusal to confer on the ground that the strike had been called by the I. W. W. In their opinion, which was without foundation in the statutes of Arizona or the United States, the I. W. W. in and of itself and irrespective of proscribed conduct by individual members was an outlaw organization. But in the course of their investigations the commission found that representatives of the Phelps Dodge corporation had taken the same "no conference no compromise" attitude toward the miners' union affiliated with the A. F. of L. on strike in other copper camps owned by the corporation. Rather than deal with their employees through trade union officials they preferred to see their mines crippled until they could settle on their own terms.

The overt reason for the Bisbee deportations, the President's commission found, was "the belief in the minds of those who engineered them that violence was contemplated by the strikers, that life and property would be unsafe unless the deportations were undertaken," but the commission could discover no justification for this belief. An experienced officer of the United States army, sent to Bisbee at the request of the governor of Arizona, reported that "everything was peaceful and that troops were neither needed nor warranted under existing conditions." To the same effect was the testimony of "reputable citizens as well as of officials of city and county who were in a position to report accurately and without bias."

It was because the deportations were without justification, either in fact or in law that, as the commission reports, "those who planned and directed them," including "managers and other officials of the Phelps Dodge corporation Copper Queen division and of the Calumet and Arizona Mining Company, purposely abstained from consulting about their plans either with the United States attorney in Arizona or the law officers of the state or county or their own legal advisers."

This brutal resort to the spirit of mob violence

has sent a blaze of industrial unrest and suspicion throughout our industrial army. The commission puts it mildly when they say that the memory of the Bisbee deportations "still embarrasses the establishment of industrial peace." Wage-workers suspected of harboring disloyal sentiments have been apprehended and thrown into jail. Managers who instigated and helped to execute plans "wholly illegal and without authority in law either state or federal" have been given commissions in the American army and invited into the innermost councils of the government. What is the result? We are months behind in the production of munitions, months behind in the production of ships, months behind in the production of aeroplanes. Agents of the government report that, since the Bisbee deportations, the strength of the I. W. W. in the timber camps of the Northwest has increased two and three hundred per cent. The spruce industry is completely paralyzed, and without spruce the construction of aeroplanes stops. "Talk to the lumber jacks," these agents say, "and they will answer you in terms of Bisbee." And our fleet of aeroplanes was relied upon by the Allies to blind the eyes of the Prussian army.

The President's commission "joins in the recommendation of Governor Campbell of Arizona that the responsible law officers of the state and county pursue appropriate remedies for the vindication of the laws, in so far as the deportations of July 12th and the events following the same constitute violations of the laws of Arizona." Governor Campbell laments his helplessness. He has instructed the attorney general of his state to act and the attorney general fails to act. The commission urges upon the President "the wisdom of recommending to the Congress that in so far as deportations such as we have set forth have not yet been made a federal offense such occurrences hereafter be made criminal under the federal law." These recommendations are excellent, as recommendations for the future, but they do not restore deportees to their homes, neither do they vindicate the constitutional rights of citizens which have been ignored by processes not provided by law. The wage-workers are not doctors of law. Their sole guide is common sense and it baffles their layman's reason to understand how it is possible to jail them on suspicion of holding illegal opinions, while both federal and state authorities are helpless to redress wrongs "wholly illegal" committed against them. It is unsound public policy to permit the impression to get abroad that the law is blind in one eye.

The report of the President's commission gives to the administration at Washington an opportunity to restore the confidence of the wage-workers in the majesty of the law and the determination of

the government to render even-handed justice. "In order to carry the plans for the deportations into successful execution the leaders in the enterprise utilized the local office of the Bell Telephone Company and exercised or attempted to exercise a censorship over parts of the interstate connections of both the telephone and telegraph lines. Among those who were deported, and who were thereafter arrested in seeking entrance into the district, were several who were registered under the selective draft law and sought to return in order to discharge their legal duty of reporting for physical examination under the draft." Hundreds of wage-workers are being held in jail or under heavy bond on suspicion of conspiring to interfere with the draft. The facts reported by the commission are records of actual interference with the law that have glistened on the surface for months. They have been known to the United States attorney in Arizona. They should have been known in the office of the attorney general at Washington. If we urge that they be given not only appropriate but also prompt attention, it is because there is abundant evidence to show that prompt attention is essential to the restoration of that confidence among tens of thousands of wage-workers without which appeals to patriotism may fall upon doubting and distrustful ears.

Priority on Strike

IN the several articles published by The New Republic on the desirability of centralization of authority throughout the government departments, we have not as yet referred to one of the most astonishing and scandalous instances of thorough lack of such centralization. For at least a month before Mr. Garfield, the Fuel Administrator, requested Mr. Lovett to issue orders, as Director of Priority, giving our coal-mines the right to have a certain degree of preference in the distribution of railroad cars, it was admitted by all persons concerned that drastic measures were necessary if factories were not to close down and people were not to freeze in their own houses this winter. It was admitted that there was increasing danger of a frightful crisis. It was coming. But who was to run out and face it and stop it?

The coal-operators went to the Interstate Commerce Commission. The Interstate Commerce Commission found itself embarrassed. Its duty, far from being that of giving preference, has been to prevent preference, to prevent "discrimination." The coal-operators went to the Railways' War Board. The Railways' War Board, quite naturally, is composed of railway men. With rail-