

Organized Labor in the Open Shop Citadel

By GORDON S. WATKINS

TO Andrew Furuseth, the old viking of the International Seamen's Union, the forty-seventh annual convention of the American Federation of Labor, held in Los Angeles October 3-14, must have resembled a sailing craft in the doldrums rather than a giant ship in rough seas. Cynical critics attribute this extraordinary peacefulness on the part of the federation to its desire to make a favorable impression in the almost impregnable stronghold of the open shop.

Be this as it may, President William Green, who was reelected to the presidency of the A. F. of L. in accordance with its traditional practice of retaining its hierarchy in power, declared that this was one of the most constructive conventions ever held by the federation. The convention's greatest achievement, he opined, was the reaffiliation of the United Brotherhood of Carpenters and Joiners with the Building Trades Department of the federation, after an absence of more than six years. This has a quantitative significance, since it readmits to the department some 450,000 members. Its qualitative importance is in its evidence of greater unity and solidarity. If the federation can discover ways and means of eliminating jurisdictional disputes which incessantly disrupt its forces, undermine its morale, cripple its conventions, consume so much of its energy, destroy public confidence, and irritate employers, a truly great achievement can be registered in the annals of American labor.

Astounding indifference and confusion prevailed in almost every session of the convention. Relatively few delegates appeared to give critical attention to the proceedings. This may account for the fact that practically all the recommendations and decisions of the committee on resolutions were adopted with machine-like precision and regularity, and that without debate important issues were referred to the Executive Council for action. All of this tends to reveal the inadequacy of democratic institutions, which are invariably too cumbersome to function directly and effectively. It also prompts the query as to whether, in the interest of the labor movement, it might not be well to give delegates a pre-convention education in the major problems that are to be considered.

It is difficult to evaluate the accomplishments of the convention. The appraisal of what was not accomplished would be an easier task. No single issue dominated the conclave, and many important problems received only superficial attention. Among these are "machinized" industries, such as the steel and automotive industries; the organization of the unskilled, whose economic interests the A. F. of L. has so conspicuously neglected and whose welfare has been so courageously championed by the revolutionary Industrial Workers of the World; the organization of a national labor party; and the cooperation of labor in solving the technical problems of production and distribution.

Three questions appeared to claim the lion's share of interest and consideration, namely, the increasing application of injunctions to labor disputes, the restriction of Mexican immigration, and the foreign policy of the United States.

Coincident with the convention's denunciation of the use of injunctions in labor controversies, Federal Judge Schoonmaker put into effect one of the most sweeping injunctions ever issued in a dispute between employers and workers. The net effect of this court order, granted in behalf of the Pittsburgh Terminal Coal Corporation against the United Mine Workers of America, is to destroy one of the most important means labor has of making collective bargaining effective, namely, the exclusion of non-union employees in times of strike.

Labor's protest against the injunction is a recognition of the fact that the government of our people is becoming less a government of law and more a government of man. The judges who interpret the laws exercise far greater power than the legislators who make them. This tendency in the direction of judge-made law probably constitutes the greatest single menace faced by organized labor. The most practical remedial steps proposed at the convention are the modification of our anti-trust laws and the selection of equity judges who are willing to recognize the rights of the workers. Congress is to be asked to amend the Sherman anti-trust law with a view to confining its interpretation in labor disputes to cases where property is endangered and no other legal remedy obtains. Congress will also be asked to pass legislation investing in itself the power to define the jurisdiction of the federal courts in the administration of injunctions involving industrial disputes. Unless this struggle to limit the injunctive power of the courts succeeds, the future of unionism in the United States is extremely uncertain.

There is a positiveness in the attitude of the American Federation of Labor toward injunctions which one wishes might also characterize its attitude towards other important problems. Many friends of the federation deplore the apparent tendency of its leadership to be governed in its decisions by flexible expediency rather than positive principle. Such an approach is, of course, traditional with American labor, which, except in relatively few periods of its development, has hewed to the lines of our dominantly acquisitive economy. The needs of the immediate present have seldom been sacrificed to the broader achievements of the future; the interests of particular crafts have invariably taken precedence over the more cosmopolitan interests of workers as a class.

The application of this principle of expediency precluded a frank discussion of many major issues in the recent convention. Two cases in point are Resolution No. 46 and Resolution No. 6, dealing respectively with Mexican immigration and the foreign policy of the United States. Resolu-

tion No. 46, sponsored by the California State Federation of Labor, favored legislation to place Mexican nationals under the quota requirements of the 1924 Immigration Law. The case for the resolution was based upon indisputable evidence of the deleterious economic and social effects of Mexican immigration, which is flooding into border states and the states of the Central West and East. These citizens of our southern neighbor accept low wages, long hours, and undesirable physical conditions of employment, and their standard of living is much lower than that obtaining among many of the immigrants from the east and south of Europe. The Mexican immigrant is difficult to assimilate; does not readily enter a trade union, even when he is qualified by craftsmanship and is not consciously excluded; and is a heavy claimant on the funds of our charitable institutions.

Resolution No. 46 was astutely sidetracked in the convention in order that the delegates might hear the report of the Mexico-American Labor Immigration Conference. Favorable action on this report would inevitably preclude similar action on the resolution. The forty-sixth convention of the A. F. of L. sanctioned a conference between representatives of the Mexican Federation of Labor to consider the question of Mexican immigration into the United States. This conference was held on August 6, 1927, and an agreement was concluded.

The Mexican Federation of Labor has agreed to urge the government of Mexico to discourage emigration to the

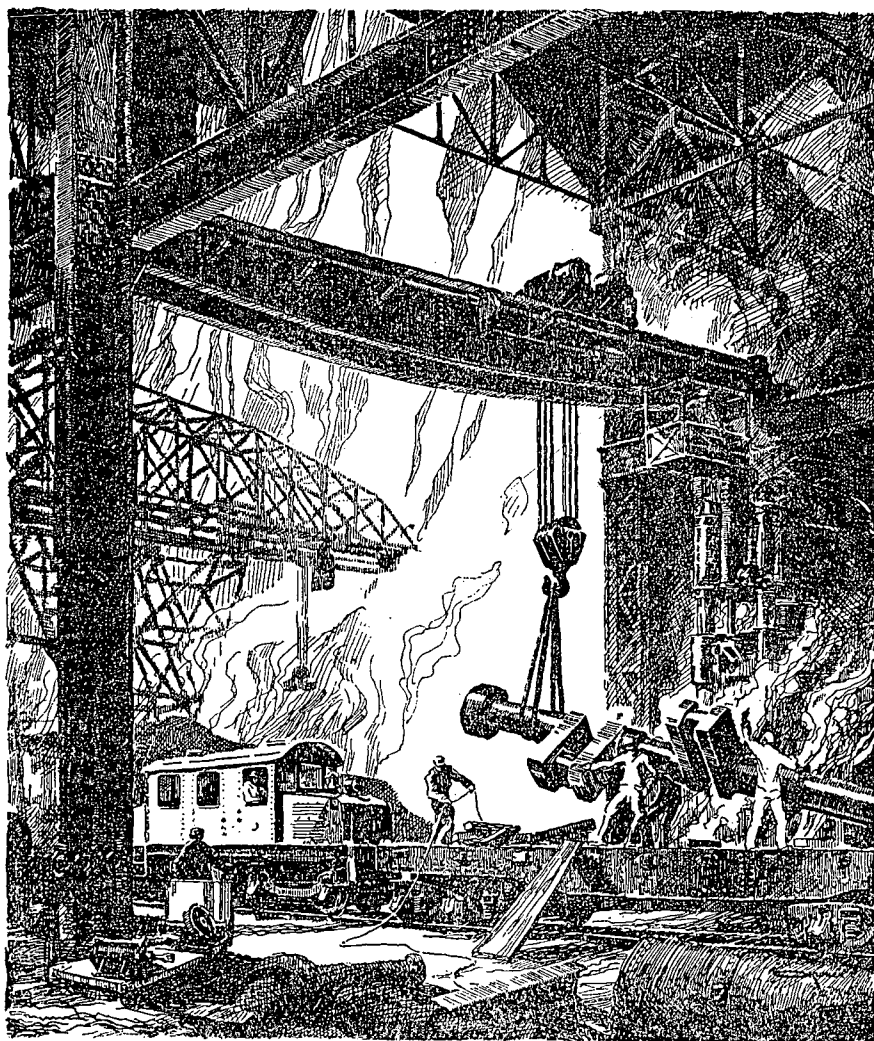
United States, to exclude Orientals and other undesirable immigrants, and to bring its own immigration legislation up to the standards maintained by the United States. It is also agreed that the Mexican Federation of Labor itself shall discourage emigration to the United States and encourage Mexican workers here to join trade unions affiliated with the A. F. of L. Those who refuse are to suffer expulsion from their own unions upon their return to Mexico. The A. F. of L. in turn agrees to a continuance of the present immigration policy of the United States with regard to Mexico. The agreement was ratified by the convention.

Rejection of Resolution No. 46 was thus a foregone conclusion. Reasons advanced for its defeat were the necessity of keeping faith with the Mexican Federation of Labor and the fear that, if agitation for the application of quota law to Mexico should succeed, a similar demand might be urged with regard to Canada and South American countries. One wonders whether these are the real reasons. It is strange that the A. F. of L. should be so solicitous of the interests of the Mexican Federation of Labor when it gave no thought to the feelings of similar federations in Great Britain, Germany, and France. Perhaps the federation fears that if it breaks faith with the Mexican Federation of Labor the workers of Mexico will shift to left-wing unionism, which is already articulate in that country. Or, perhaps the Executive Council knows it is incapable of obtaining the application of quota legislation to Mexico in

view of the demonstrated power of such organizations as the National Association of Manufacturers to defeat such a proposal. At all events, many delegates considered the action of the A. F. of L. illogical and inconsistent.

Resolution No. 6 presented by John Sullivan of New York, was a frank protest against the invasion of foreign countries by the armed forces of the United States, particularly the intervention of our government in Nicaragua and China. This resolution was rejected because it lacked factual evidence and was deemed to be outside the jurisdiction of the convention. The committee on resolutions, however, took occasion to deplore such criticism of our government and to outline its conception of our foreign policy.

Disregarding available evidence concerning the repeated intervention of the United States in the domestic affairs of such countries as Nicaragua, Santo Domingo, Haiti, and Mexico, the committee endorsed the antiquated Monroe Doctrine. "Concerning the general subject of relations with South America, the committee is firmly convinced that a proper adherence to the Monroe Doctrine is necessary for the best interests of the people of both Central and South America." This despite the eternal protests of these peoples against the Monroe Doctrine and their demands for complete self-determination under all circumstances. The committee expressed the somewhat pious wish that our government



Courtesy Westinghouse Electric & Mfg. Co.

will urge all Americans resident abroad to abide by and accept the consequences of the countries in which they live. The A. F. of L. can hardly be credited either with an intelligent apprehension of our foreign policy or a progressive attitude toward the sacred sovereignty of small nations.

Among the multiplicity of proposals which evoked no discussion but which for profoundness of thought and possibility of constructive achievement promises to excel all others is Resolution No. 96, introduced by the delegation of the International Typographical Union. It expresses the belief that "Authoritative information should be available at all times to deal with social, economic and industrial problems which confront our people and which they are endeavoring to solve by legislation and otherwise," and urges the United States Department of Labor to investigate thoroughly certain conditions and their relation to industrial and social problems. The following difficult economic questions are raised:

1. Do abnormally high retail prices adversely affect the working people by unnaturally reducing the demand for necessary products?

2. What effect has faulty distribution on opportunity for employment?

3. Would it be possible to so regulate production and consumption within the United States that it would be unnecessary to export competitive products in such quantity as to adversely affect wage levels in other countries?

4. In what way can displaced labor be quickly reabsorbed into industry where the displacement results from use of machinery which increases the output of the individual?

5. Would it be possible to reduce the hours of labor, thereby balancing production and consumption to such an extent that the supply would equal the demand without creation of a surplus which eventually becomes detrimental to both capital and labor?

A remarkable challenge to the research facilities of the Department of Labor and to the ingenuity of American economists. A no less impressive evidence of labor's increasing recognition of the fundamental factors that limit social progress and its deepening interest in scientific research as an aid to economic readjustment. Resolution No. 96 might easily become the convention's most far-reaching accomplishment.

British Labor Speaks for Itself

By WILFRID H. CROOK

A YEAR ago the writer had the good fortune to observe at close quarters for some four months the industrial struggle that was waged in England, at first by all the organized workers in the great national strike, and then by the million organized miners after the general strike was called off. At the time the wood was far too full of trees for a balanced view. Was the national strike an abortive attempt at revolution or was it only a spontaneous expression of sympathy with the miners in their distressing *impasse*? Was the ending a betrayal of the ranks by conservative leaders; or a wise acceptance of the fact that further persistence was justified only if the miners had been agreeable to a prompt settlement on the basis of the Samuels memorandum, or else if the movement as a whole had been prepared to carry the struggle to its logical conclusion of overthrow of the existing government? (See *The Survey*, July 1, 1926, page 419.)

After a year's lapse the writer found himself once more in Britain, sitting through one of the most important Trades Union Congresses in recent years. The past year had seen a final report by the General Council upon the national strike and the miners' lockout and had witnessed the organized attack upon the labor movement by the Baldwin government in its recently enacted Trades Disputes and Trade Union Act. How would the movement react in the first regular meeting, after the ending of the great dispute and the passing of the provocative act?

To outward appearance the trade union movement of Britain swung very definitely toward the "right." Little was actually said about the general strike or its settlement, but the rather distinct line-up of the miners' delegation on one side and the rest of the delegates on the other made one suspect that some of the strike lessons had been taken to heart. Only once was the feeling given vent. J. H. Thomas, veteran of the railwaymen and much abused "right wing" labor leader, referred in passing to the ability of

many unions to meet their own difficulties in their own way, mentioning the Miners' Federation as a case in point. Instantly the stormy petrel of labor, A. J. Cook, secretary of the miners, interjected with some heat, "You wouldn't let us." Thomas came back just as swiftly but still in good humor with, "That is a fair reply from Mr. Cook, but if I am allowed to say it, *if he had only taken other people's advice...*" The congress prevented the conclusion of the remark, seizing upon the implication with a surprisingly vehement burst of applause.

As the days passed, more than one debate upon the left-wing movement showed how strong was the feeling against its methods within the British unions. The first full-dress battle took place on a motion to refer back that portion of the General Council's annual report which referred to the national minority movement (left-wing or communistic groups). General Council had expressed the view that affiliation with this national minority movement by trades councils (regional groups of trades unions in specified towns or urban districts) was not consistent with the policy of the Trades Union Congress, and that any such affiliating trades councils would not receive the official recognition of the General Council. The seconder was a miners' delegate. Yet no sooner had he sat down than the stolid old union warrior from Yorkshire, Herbert Smith, president of the Miners' Federation, rose to disclaim that delegate's right to speak for his union. Smith, whose union last year received large financial aid from the Russian movement and whose own secretary was well known to be an extreme left-wing leader himself, hotly declared that he objected to the abuse and misrepresentation which the minority movement dealt out to the trade union leaders. He saw no difference between the minority movement and the communists—"They both get their orders from Moscow." He, Herbert Smith, was not prepared to be dictated to or to take *his* orders from Moscow through the minority movement. That there were deep waters in this matter was evident when Herbert Smith

begged Congress to delay a vote on the question till next morning so that all the miners' delegates might confer before casting their votes. This delay was granted by the chair, much to the surprise of both platform and floor. Next morning, when the vote was taken, the upholders of the minority movement were snowed under in a vote of 3,746,000 to 148,000. And among those who held up the voting card against the minority was A. J. Cook himself.

The second main contest of strength was over the General Council's recommendation that relations between the British Trades Union Congress, as represented by the General Council and the All-Russian Council of Trades Unions, should be severed. The debate on this question took place before a crowded house, both of delegates on the floor and visitors in the gallery, and was with but one exception characterized by a restraint and seriousness that would have done honor to the House of Commons. The one exception was so wild in expression and credulous in view that the whole Congress cheered and laughed in mockery at this Clydesider.

W. M. Citrine, general secretary of Congress, opened the debate by a reasoned statement of the General Council's position, pointing out that although men of very different views sat on that Council they had reached an absolutely unanimous decision on this matter. The Russian view, he declared, was that Moscow was the stage on which the revolutionary battles of the workers had been fought and that the rest of the world's trade unions were the interested spectators in the auditorium.

The socialist delegate who led the opposition asserted he was no communist or minority movement member, but that he feared the effect of such a decision upon the relationship between the ranks of British and Russian workers, and more especially that such action would strengthen the hand of the reactionary British and European governments to such

an extent as to make war between Britain and Russia only too likely. This same attitude was expressed officially for the National Union of Railwaymen by their industrial secretary, C. T. Cramp.

THIS was one of the many surprises of this Congress for. After the big defeat of the minority movement earlier in the week, it had been something of a foregone conclusion that this vote, too, would find the Congress almost unanimous. Cramp himself made it clear that he was not expressing his own personal views but those of his union, and he made an excellent case for his union's viewpoint.

At once John Bromley, leader of the locomotive engineers and firemen and a right-wing leader through the general strike period, rose to point out the reality of the division between British and Russian unionists. The Russian unions were compulsory and part of the communist government. The essence of the British unions was their voluntary basis and separation from governmental control. That real difference was responsible for much of the Russian inability to understand the British view. Moreover, if the Congress were prepared to continue in the policy of accepting in silence the attitude of the Russian unions it would be confirming the Russians in their mistaken belief that there was a section in Britain that could bend and terrorize the trade union movement into doing what they desired.

J. H. Thomas, speaking for the General Council and, for once, not for his union (National Union of Railwaymen), told of negotiations this summer with the Russians. The General Council had sent their delegates to Berlin to meet the Russians, and there the Russians agreed that they would not interfere with British unions any more than the British unions would dictate to the Russians. Within two days of signing that agreement "the Russians were making the mean and contemptible statement that MacDonald went to America on a sham illness because he wanted to escape taking part in the trade union bill campaign."

When Thomas is on his feet one may be sure that Cook will shortly follow. This was no exception. Pleading that he, Cook, always spoke for his union (ironical voice, "Since when?") he begged the Congress to let this question be decided by the new General Council, not by Congress. (A. J. Cook will sit for the first time on the new General Council!) This matter, argued Cook, was too serious for Cook, Thomas or Tomskey to quarrel over. The Miners' Federation could not vote on this question because they wanted to feel that when they voted they were going on a majority decision of their members. "Let them, for God's sake, have an opportunity of consulting their people. Do not let them give the capitalist press a chance to say that the T. U. C. which condemned the severing of relations with Russia was now endorsing it by breaking off that connection."

Ernest Bevin, leader of the Transport and General Workers who was recently in the United States to investigate industrial conditions, closed the debate with a vehement appeal to the Congress to decide then and there. The difference was due to a dual moral standard. The British movement believed in hammering out their differences, but in abiding finally in loyal fashion by the vote of the majority. The Russian standard as he saw it was, "the end justifies the means." Those two standards could not be reconciled in the promotion of a unified movement. If this proposal were turned down how would the General Council meet the Russians? "If they had been called traitors, twisters and



Sykes, in the Philadelphia Evening Public Ledger

Another Successful Overseas Flight

liars when they met the men who called them those names it would not be as friends but as antagonists. That did not promote international unity. The Council had appeal to Caesar. Let Caesar give his verdict."

A card vote was taken at once and the General Council was upheld by 2,551,000 to 620,000.

As always, British labor is inconsistent in theory. No sooner had that vote been passed than Congress carried unanimously a resolution, moved by the leading minority movement delegate, Harry Pollitt of the Boilermakers' Union, protesting the governmental break of relations with Russia!

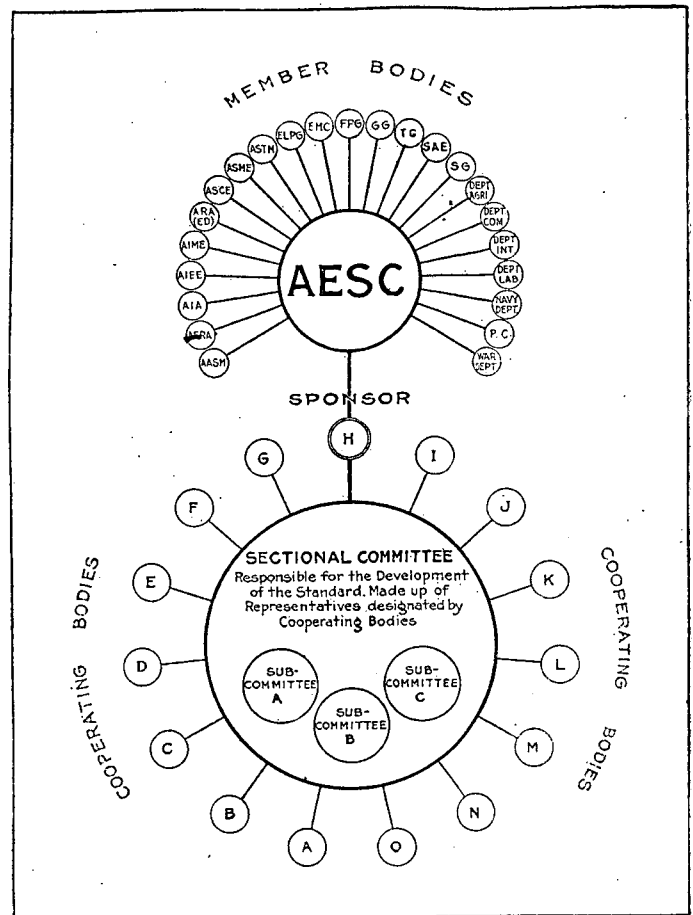
The British Trades Union Congress this year implies in its decisions and debates several things. In the first place, the ranks of labor are frankly getting a little "fed up" with the A. J. Cook type of leadership and the un-British methods of the minority movement. British workers will take no dictation either from prosperous A. F. of L. comrades or from the revolutionary comrades of Moscow. If revolution ever comes in Britain it will not be because of the beautiful logic of brilliant young men like Pollitt nor the hot but muddled thinking of the rhetoricians like A. J. Cook. It will come, as the general strike came last year, because the employing classes of Britain, in the industrial and the political field, are foolish enough to push the British workers against a blind wall of prohibition and restriction. There is infinite possibility in a group that can argue a case as calmly, in spite of deep passion and high enthusiasm, as did this Congress the Russian resolution. But, block all channels for constitutional expression of these possibilities and, above all, make a few personal martyrs by rigorous application of the wide powers of this new Trade Union Act of 1927, and the writer would not care to predict long continued calmness on the part of an erstwhile law-abiding working-class population. The outcome rests, far more than they recognize today, with the employers and conservative politicians of Great Britain.

The Engineering Approach

THE workers, when they met to consider the question in Philadelphia last spring (see *The Survey*, May 15, 1927, page 210) called it "the elimination of waste." Management, approaching the problem from another angle, calls it "industrial standardization." Both groups are intent on increased efficiency in industry, reduced risk, economies in manufacture and distribution, for the general good of the three overlapping divisions that include us all: employer, employe, consuming public.

One of the important contributions of the management group to this more intelligent organization of industrial processes is the activity of the American Engineering Standards Committee, at 29 West Thirty-ninth Street, New York City. Over three hundred national bodies are cooperating in its work, with approximately two thousand men serving on its sectional committees. The work of this committee during the past twelve months is outlined in its recently published *Year Book for 1927*. The record covers "important progress in the mechanical and mining industries, in industrial safety, its further extension through managerial and trade association activities and forward steps in international cooperation."

A typical standardization project is the recently completed specifications for railway ties. More than a hundred million railway ties are produced annually in this country.



Organization Chart for the Development of a Standard

For the first time both steam and electric roads have agreed on a standard tie. The report adds, "It is an interesting illustration of the manifold interrelationships of modern industry that eleven national organizations were officially represented on the sectional committee through which this unification of specifications has been accomplished."

Twenty of the fifty codes on the national safety code program have been approved by the A.E.S.C. The year's work has also included a revision of the National Electric Code "which is the industry's bible for wiring devices." Arrangements have been made for a revision of the standard plan on which state governments base their accident statistics.

The A.E.S.C. works in close cooperation with various governmental branches, notably the Bureau of Standards and the Division of Simplified Practice which was organized by Herbert Hoover in 1921. The report defines the respective provinces of this division and of the A.E.S.C. thus: "In general the work of the committee is concentrated upon standardization projects which involve technical considerations, while the Division of Simplified Practice concentrates upon such eliminations as it is possible to carry out from consideration of statistical production data alone."

The year book includes a list of two hundred and thirty-eight "projects which have official status" in civil engineering and building trades, mechanical engineering, electrical engineering, non-ferrous metallurgy, chemical industry, textile industry, mining, wood industry, and pulp and paper industry. This unadorned record in matter-of-fact engineering terms bears eloquent witness to the A.E.S.C. creed: "Standardization is dynamic, not static. It means, not to stand still, but to move forward together."

COMMUNITIES

Alien Women vs. the Immigration Bureau

By EMMA WOLD

IT was Vera's case that sent me to the law books. It was Louise's case that made real to me that not even under our immigration laws do we live or die unto ourselves. For Vera, English born, English bred, English wed, and English sinning, was a stranger knocking at our doors for a brief stay, and barred by our immigration officials. But Louise, American born, American bred, American wed, since she had married an Italian here in New York, was quite a different person, and her sin, if any, was the American sin of pride and audacity, and she also had been barred. American birth could not save her from the consequences of alienage.

A twelvemonth ago Vera's name flared at us out of every newspaper. She had at one time been divorced, apparently because she had broken the seventh commandment. Seeking entrance to this country for a brief visit, Vera had blundered. She seems to have talked too frankly—more frankly than the man who had been the partner in her sin and who had already been admitted for a visit, unquestioned and unchallenged. With flaming sword our immigration officials stood at our gates and bade her go; for she had admitted the commission of an act that was a "crime or misdemeanor involving moral turpitude." A few days ago, the same officials stood at the same gate and bade Louise go back to the strange land to which she had followed her husband and from which, when deserted by him, she had returned to the place of her birth, of her parents' citizenship, of her nearest kin, who were ready to aid and comfort her. She also had blundered. She had proudly declared, though coming in on a visitor's visa, that she had come to stay "forever," for "this is my country."

Here were the power and prestige of a great government bureau exercised against one little individual. The cases are but two of many—about five hundred a year, the Immigration Bureau tells us. Eventually Vera, who had an able lawyer and the means with which to pay him, appealed to the courts for release from her detention on Ellis Island, and won it on the ground that the act she had admitted committing somewhere on the other side of the water was not punishable there. It was therefore not a "crime or misdemeanor," however much of "moral turpitude" might be involved, and the Immigration Bureau, backed by the secretary of labor, was not justified in excluding her. Louise, also, with friends and funds to help her, appealed to the courts and was released.

Vera's case sent me hurrying to the law books to seek knowledge. I wanted to know on what conditions any one of us of the female sex might be allowed to enter this country had not our forebears before us sought liberty and happiness in this land, or had we succumbed to a European offer of marriage or otherwise forfeited citizenship in these United States. What I learned was that it pays to go to

court if one would be delivered out of the hands of the immigration officials. I learned that our immigration department and our courts have strikingly different yardsticks for measuring acts "involving moral turpitude" and other qualities that figure in our immigration law. Vera's case was but cumulative evidence.

For instance, there was the case of Tina, a young unmarried Swedish woman. For several years Tina had supported herself in California, first as a domestic and then as a professional swimmer. On her return from a vaudeville venture in Australia she was held at the port of San Francisco for exclusion because she had admitted, as did Vera, a misdemeanor involving moral turpitude and because she was likely to become a public charge. There was no assertion that she was a prostitute or that she was entering the country for any immoral purpose. She had admitted that she had lived with an unmarried man in California as his wife, and that years before, in Sweden, she had lapsed from virtue with one man and again on the steamer on her way to Australia. Her appeal to the court was successful to this extent—she learned that she had not admitted the commission of any act held to be a crime in this country or on board the steamer, nor was there proof that her lapse from virtue was a crime in Sweden.

The court at the outset declared that "as to these lapses, not amounting to prostitution, the petitioner stands exactly in the same position before the court as would a man who was similarly charged. . . . Petitioner then may not be excluded on this ground, unless her paramour, if an alien, could be excluded under the same circumstances."

Whatever comfort Tina may have had from this declaration of the court was but dust and ashes. The court held that, since her hearing before the immigration board had not been unfair, there could be no inquiry into the sufficiency of the evidence on the likelihood of her becoming a public charge even though that finding might not be the one the court would make.

AGONIES unguessed lie in that phrase, "likely to become a public charge." It is fruitful ground for the exclusion or deportation of alien women likely to become a public expense because of poverty, insanity, disease or disability, or commission of some crime subjecting her to imprisonment. Even an American-born wife of an alien, unless she has regained her American citizenship, may be deported on this ground if her husband is deportable. Here again the Immigration Bureau has differed from our courts in measuring the degree of likelihood of becoming a public charge. Some recent cases speak for themselves and incidentally offer suggestions for dealing with alien women who too far tempt wandering American husbands.

Josefa, from Czecho-Slovakia, had been in the United