

■ “Labor Will Not Be Outlawed or Enslaved”

Date: February 23–24, 1921

Author: Conference of Representatives of National and International Trade Unions

Genre: political tract

Summary Overview

The growth of union membership in the 1920s was influenced by multiple factors, including economic, social, and political changes. While it reflected a desire among workers to improve wages, working conditions, and job security, it was also an expression of the contest between liberalism and conservatism. During this era, union membership experienced fluctuations, and following strong growth in earlier decades, union influence was challenged by government policies, employer opposition, and a broader shift toward conservatism after World War I. The 1920s are often characterized by conservative economic policies, limited government intervention, and a focus on business interests. In this context, union growth was primarily driven by economic needs and labor struggles rather than a direct political push for liberal ideals.

At a 1921 conference of union representatives in Washington, D.C., participants proclaimed that the labor movement—which they believed was under assault by employers and had a negative public image—remained vital for workers in the postwar economy. The conference argued that the unions were invaluable as buffers between increasingly powerful industrial corporations and their employees. It also assailed the corporations for their tactics in attempting to block unionization. Furthermore, the conference called for public support of labor’s efforts to grow membership in non-union enterprises.

Defining Moment

For organized labor, the early twentieth century was marked by successes and failures. The dramatic post–Civil War expansion of American industrial development—including railroad construction, manufacturing, and automobile assembly—sparked a high demand for unskilled laborers. These workers, many of whom were immigrants, frequently worked in crowded, unhealthy, and dangerous conditions for long hours at meager wages. Union leaders like Samuel Gompers began organizing labor, seeking to create a unified force of workers to push back against the massive corporations that hired them. During the first decade of the 1900s, there were thousands of unions in the United States, the largest of which were the American Federation of Labor (AFL) and the Industrial Workers of the World (IWW, or “Wobblies”). The AFL, the United States’ first federation of labor unions, was formed in 1886, and Gompers was its first president; some, however, felt that the AFL was insufficiently radical and had not been effective in

organizing the U.S. working class, which led to the formation of the IWW in 1905.

The establishment of these unions created open conflict between workers and employers. One of the most significant strikes in American history, the Great Anthracite Coal Strike of 1902, occurred during this period. This strike resulted in a stoppage of production of coal, one of the most vital natural resources of the time, and fomented violence between the two sides. The administration of President Theodore Roosevelt intervened and established an arbitration commission that ended the strike and made concessions to both sides.

During the Woodrow Wilson administration, organized labor that avoided the radical tendencies of Communism or anarchism saw an improvement in its public standing. The progressive Democrat Wilson endeared himself to these unions—mainly the AFL. During World War I, the AFL (unlike the more radical IWW) fully supported the American war effort and agreed to abstain from striking during this

period. As a reward for its political stance, the AFL's members garnered a number of key military manufacturing contracts. In contrast, the IWW and other radical groups were targeted as subversives by the Justice Department.

At the war's end, however, labor-management relations began to slide backward. The relative goodwill between labor, employers, and the federal government that sprouted during World War I returned to an adversarial state when the matters of reconstruction and economic development came to center stage. There were numerous causes for this return to contention: the more conservative and anti-labor administration of Wilson's successor, Warren Harding; the large number of breakdowns in contract negotiations in key industries (mainly over wages and working conditions); and the growing belief that foreign-based Communists and Socialists

were behind the growth in union strength and activity. There were numerous strikes between 1919 and 1921, some of which threatened to shut down industries of vital import to the postwar reconstruction and development effort. Word even began to circulate that, during the war, unions had become so entrenched in government manufacturing operations that non-union workers were told they could only have a job if they joined a union.

In light of these events and factors, public sentiment—most of which was already firmly anti-Communist—began to turn against even Gompers and the more moderate organized labor movement. With labor at a critical stage, Gompers and his supporters hastily assembled a conference of union representatives in Washington, D.C. The event's participants would seek to clarify labor's agenda and, most importantly, solicit the support of the general public.



Historical Document

“Labor Will Not Be Outlawed or Enslaved”

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

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

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

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

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

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

Reaction Casts Off All Pretense

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

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

Curtailing Consuming Power

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

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

Tragic Penalties of Maladministration

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

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

Injunctions Restore Feudalism

The revival of the unrestrained use of the injunction also imperils the stability of our economic structure. For six years the Clayton [Antitrust] Act, accepted on all sides as the established law of the land, to an appreciable degree checked the abuse of the writ of injunction. A majority of the justices of the Supreme Court have swept away this strong barrier against a feudalistic legal concept and labor finds itself again at the mercy of an unlimited use of judge-made law....

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

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Trade Unions Defend Liberty

The greatest force in American life capable of restraining predatory capital and to that extent capable of maintaining the democratic institutions of the

country is the trade union movement. The trade union movement would be false to its trust, false to the ideals of our republic and false to the great public whose confidence it must have, as well as false to its own members, whose interests it is organized to protect, if it neglected any proper effort in behalf of the liberty or well-being of the great masses of our people.

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

Labor Resists Reaction

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

Fanatical Propaganda and Intrigue

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

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

Labor's Purposeful Determination

In face of the situation here set forth, which is still further embittered by the activities of private detectives and agents provocateur paid by many employers, the American trade union movement... declares in measured and emphatic tones its unalterable determination to resist at every point and with its

entire strength the encroachments both of industrial tyranny and fanatical revolutionary propaganda. The American labor movement is determined at all costs to maintain that freedom and those liberties which constitute American democracy.... The labor movement offers those voluntary and conciliatory methods of negotiation, arbitration and agreement through which it is possible to develop in our industrial life the highest degree of good will and the highest degree of productivity, in order that there may be for all of our people the fullest enjoyment of life and the loftiest standards of life.

Voluntary Principle Is Vital

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

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

This conference calls for public support and recognition of:

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

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

The right to work and to cease work collectively.

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

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

This conference proposes and urges public support for:

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

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

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

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

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

Election of judges.

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

Restoration of an adequate federal employment service.

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

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

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

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

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

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

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

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

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

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



Glossary

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

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

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

Document Analysis

The Conference of Representatives of National and International Trade Unions, which took place in late February of 1921, was designed to unify the labor movement in the face of increasing opposition from employers, the government, and the general public. Conference attendees saw it as crucial to secure the support of the last and most important of these constituencies, the American public. The event's resulting declaration, which was signed by more than 110 participants, appealed to the public to aid labor in its efforts to fight what the signatories saw as a threat to workers' rights as well as democracy itself.

In their declaration, the Conference participants attempt to link the agenda of organized labor to the everyday lives of average Americans. For example, the declaration states that industries are, through their own actions, causing a decline in wages, which in turn will lead to a decline in consumer activity, ultimately affecting the economy. Additionally, the declaration reads, labor defends Americans' liberties, including the right to work and freedom from servitude and tyranny.

Furthermore, the participants state that labor is under attack from two extremes: One extreme is conservative politicians and industrialists, both of whom (the declaration claims) are trying to curtail workers' rights to organize and negotiate better hours, work conditions, and wages. On the other side of the spectrum is the hot-button issue of the postwar period—political radicalism, especially Communism. The latter movements, the declaration states, abhor American organized labor because it is democratic and voluntary in nature and not susceptible to radical, revolutionary changes. These groups, therefore, seek to destroy American labor as part of their efforts to undermine the American way of life.

In light of these points, the declaration calls upon the general public to reject the claims of employers and conservative politicians that the labor movement is somehow inherently communistic and un-American, and instead support American organized labor's true ideals. These principles include the right to organize, engage in collective bargaining, and otherwise participate in labor activities. The document also encourages the public to approach their respective congressional

delegations to support labor's political agenda. This agenda includes legislation to protect workers on the job and prevent unnecessary legal interventions in labor disputes, as well as the repeal of any "restrictive and coercive" state or federal laws that adversely affect union activities, and a two-year prohibition on immigration. (The participants argue that employers use the large influx of immigrants, who were willing to work for far lower wages, to circumvent the need to pay Americans adequate wages.)

Furthermore, the declaration acts as an appeal to organized workers (and those who wish to organize) to unify in the face of the aforementioned threats to the American labor movement. The participants call for workers to reject any efforts to create "open shops" (workplaces that employ non-union laborers). The declaration also called upon the unions to continue, in a cohesive manner, the effort to increase wages, improve workplace conditions, and protect workers' collective rights and liberties.

Signed by 112 conference participants, including AFL president Samuel Gompers, this declaration was later printed in the April edition of the AFL's periodical, *American Federationist*, as a call to action for the thousands of AFL members who could not attend the February conference.

Essential Themes

The February conference organized by Samuel Gompers served two main purposes. The first of these was to project a positive image to—and generate support from—the American public. The second purpose was to activate and galvanize the unions as they continued their fight to organize, receive better wages, and operate in more agreeable workplace environments.

The American public, the conference participants believed, had been fed a great deal of misinformation regarding the activities of the labor movement. This declaration was intended to provide the truth about the labor movement and, hopefully, generate public support for the unions. To this end, the declaration identified the organized labor movement as a protector of the American worker as well as a chief defender of the American way of life. The document even attempted to identify labor as a victim,

constantly under attack by uncompromising (and often illegally operating) employers as well as fanatical foreign forces bent on destroying the American economy. American industries, the participants claimed, were using legal injunctions, political influence, and unregulated immigration as a means to halt union organization, hinder collective bargaining, and keep wages low. If the public rallied behind the union movement by supporting its political and social agendas, labor could continue to defend the principles and ideals put forth in the U.S. Constitution. In turn, the American economy and general way of life would be safeguarded.

At the same time, it was soliciting external support from the wider American public, the conference looked to all members of the American labor movement for their involvement. Labor's pursuits were daunting, particularly in light of the aforementioned assaults on its activities from both the right and the left. The unions needed to come together and support the myriad campaigns, collective bargaining sessions, strikes, and other activities taking place in every state and in Washington. Workers themselves needed to join the movement, the declaration stated. Any workers who had an opportunity to organize or join a union should do so, the participants said. Only through solidarity and unity, the declaration said, could workers

protect their own best interests from the unscrupulous behavior of employers.

—Michael P. Auerbach, MA

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