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Smashing Solidarity: Two New York Strikes at the Start of the Postwar Wave

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by

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ABSTRACT

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Two strikes in New York at the beginning of the massive 1945-46 strike wave—one by elevator operators in commercial buildings and another by dock workers throughout the Port of New York—can help us better understand a moment when workers exhibited a profound sense of themselves as a class, while their rivals in the shop, the corporate boardroom, and the halls of power fought vigorously to dispel the notion that workers divided by geography, industry, race, nationality, and gender were right to see their fates as intertwined. Historians' focus on the economic issues at stake in the major strikes of the postwar wave has obscured fundamental, if intangible, forces driving the relentless succession of strikes, including the strikes chronicled here. When we look beyond the economic origins of individual strikes at the ways in which groups of workers interacted with each other during this strike wave, something important emerges: a powerful demonstration of class solidarity and agency that the purely economic analyses have missed or underestimated. Through an unprecedented use of the sympathy strike and unwavering respect for the picket line, workers leveraged their structural power to aid one another's struggles and, in turn, inspired other groups of workers to challenge employers, with or without union leaders' approval. By bringing this class dynamic into focus, and acknowledging that rank-and-file enthusiasm was often the propelling force during the strikes of the era, we can better appreciate the possibilities for labor's future in that moment. Furthermore, many scholars have underemphasized the implications of this labor upsurge for postwar labor reform. Employers and their allies recognized the expressions of class solidarity and assertiveness during the wave as a grave threat to their prerogatives, and accordingly secured highly repressive legislation in the Taft-Hartley Act, which targeted every vehicle of solidarity they could think of: sympathy strikes, secondary boycotts, union security, mass picketing, unionization of foremen, and others.

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TABLE OF CONTENTS

INTRODUCTION

By the time Japan formally surrendered to the Allies in September 1945, many workers in the United States had grown restless. Draconian policies designed to contain wartime inflation effectively froze real wages for the duration of the war, and the pledge by both major labor federations, the American Federation of Labor (AFL) and the Congress of Industrial Organizations (CIO), to forgo wartime strikes meant, in many cases, dangerous and grueling speedups that workers could not answer with their most powerful weapon. The end of the fighting, in workers' view, released them from their responsibility to ensure continuous production and, as if they could not wait a minute longer, more than 300,000 women and men were simultaneously on strike by the end of the month.

It was the beginning of a strike wave that was not fully settled until the end of 1946, ultimately bringing more than 5 million workers out cumulatively, in many cases with only the tepid official support of their respective unions—or in open defiance of union leaders' directives.[1] Indeed, what made the wave a genuine rebellion was workers' refusal to yield to the threats and demands of employers, consumers, and even those politicians considered their allies, as they halted production, threatened energy supplies nationwide, and shut down entire cities. Workers did defer to one interested party, however: their sisters and brothers in other shops, across industries and cities. Rival meatpacking unions banded together against the national packinghouses, workers in every AFL and CIO union in Rochester shut down the city in support of municipal employees, and during the United Auto Workers' (UAW) 113-day strike of General Motors (GM), "money, food and picket-line support" poured in from comrades well beyond the core strike zone in Detroit.[2]

Two early strikes in New York, namely by elevator operators in commercial buildings and dock workers throughout the Port of New York, can help us better understand this moment when

workers exhibited a profound sense of themselves as a class, while their rivals in the shop, the corporate boardroom, and the halls of power fought vigorously to dispel the notion that workers divided by geography, industry, race, nationality, and gender were right to see their fates as intertwined. Historians' focus on the economic issues at stake in the major strikes of the postwar wave has obscured fundamental, if intangible, forces—namely class solidarity and agency—driving the relentless succession of strikes, including the strikes chronicled here. It is not, in other words, that historians have not written admiringly of what Joshua Freeman, for example, calls "a spirit of camaraderie and class solidarity" among very different sorts of workers. Rather, it is that they have tended to insist upon linking "discrete struggles by particular groups for specific contractual arrangements" to a single vision of economic planning that sought to protect purchasing power.[3]

To be sure, workers' desire to defend their fundamental economic interests caused many of the strikes, and the wave was not, on the whole, a coordinated undertaking. Some industrial instability had been expected by observers at the end of the war. Large numbers of servicemembers were set to (re)enter the workforce, industries were scrambling to rapidly realign production with the needs of a mass consumer economy, and the fate of wage and price controls remained unclear. The scale of the industrial rebellion dwarfed contemporary expectations, and the central place afforded these considerations in historical assessments of the period are thus, to some extent, warranted.[4] When we look beyond the economic origins of individual strikes, however, at the ways in which groups of workers interacted with each other during this strike wave, something important emerges: a powerful demonstration of class solidarity and agency that the purely economic analyses have missed or underestimated. Through an unprecedented use of the sympathy strike and unwavering respect for the picket line, workers leveraged their structural power to aid one another's struggles and, in turn, inspired other groups of workers to challenge employers, with or

without union leaders' approval. Furthermore, by bringing this class dynamic into focus, and acknowledging that rank-and-file enthusiasm was often the propelling force during the strikes of the era, we can better appreciate the possibilities for labor's future in that moment—possibilities that in some ways surpassed those of, say, 1937, when there was no state machinery, however symbolic, to protect against racial discrimination in hiring or on the job, nor the cultural purchase inherent in the recent defeat of a deeply race-conscious fascist power.

The real rank-and-file revolt, many scholars suggest, occurred during the war, not after it. In his classic 1982 study of the wartime CIO, Nelson Lichtenstein wrote admiringly of the "industrial radicals" who bucked their international unions by staging wildcat strikes and called into question the government's wartime industrial policies. Writing from the vantage point of an ensuing two decades of union decline, Lichtenstein conceded in a 2003 edition of *Labor's War at Home* that the dissidents lacked "the kind of political program, or the kind of leadership, that could make their perspective fully legitimate," in contrast to the postwar leaders of the CIO unions who hastened a top-down, bureaucratic culture, but at least continued to press the government to enact policies that would benefit all workers. Nevertheless, the "unpredictable militancy" of these rank-and-file activists "did embody a syndicalist current that kept the old 'labor question' a focus of unresolved contention."[5] But where does the rank and file of 1945-47 fit into this picture? In Lichtenstein's account, and in the accounts that followed his, the war is rightly treated as a transformative force that corralled even the initially skeptical AFL into the government-constructed collective bargaining regime and Democratic Party politics. The process accelerated after a failed CIO organizing drive in the South illustrated the exceedingly steep obstacles to expanding the labor coalition and passage of the Taft-Hatley Act in 1947 placed strict limits on unions' rights under the law. As a result, narrow and closely monitored collective bargaining, with generally hierarchical unions negotiating on behalf of their members, became the chief instrument through which workers

achieved gains.[6]

But that did not mean that all union affiliates—let alone locals or the rank and file—emerged from the war invested in such a future. On the contrary, the "industrial radicals" grew at the end of the war to become an even more formidable force, whose constituents were now free to withdraw their labor without the immediate threat of reprisal by union internationals or the federal government. They are the largely forgotten link between the labor movement of the class-conscious Popular Front of the 1930s and the staid, bureaucratic unionism of the Cold War. As many had in 1919, those castes, classes, and peoples pressing longstanding demands for freedom saw 1945 as an opportunity. Indeed, the end of World War II unleashed an earth-shaking wave of Third-World nationalism and anti-colonialism and introduced transnational bonds of solidarity that, in turn, greatly influenced such internal movements for liberation as the struggle for Black freedom in the United States. Meanwhile, the influx of women into the workforce and the partial advancement of African Americans up the industrial job ladder forced white workers to confront the reality that the shop was no longer their exclusive province. While racism and sexism had hardly vanished as obstacles to worker unity, the cresting power and influence of organized labor did seem to be complemented, for a moment, by the kind of class militance necessary to build a viable countervailing force to the commodifying—i.e., dehumanizing—power of concentrated capital. The repression instituted in response has made it easy to forget the monumental hopes and promises of the working class in the months after the end of the war. Today's labor movement would do well to reclaim them.

George Lipsitz, in his *Rainbow at Midnight*, is one of the few scholars to have acknowledged class solidarity during the strike wave as a historically significant phenomenon in its own right, giving special attention to the general strikes that broke out in Oakland, Rochester, and other cities.[7] Yet in Lipsitz's telling, such expression was ultimately inconsequential in shaping the

content of Taft-Hartley, which he sees as consistent with the principles outlined in the National Labor Relations Act of 1935, which formalized collective bargaining and required companies to recognize duly elected representatives.[8] By contrast, I argue that employers and their allies recognized the expressions of class solidarity and assertiveness during the wave as a grave threat to their prerogatives. Accordingly, they secured highly repressive legislation that targeted every vehicle of solidarity they could think of: sympathy strikes, secondary boycotts, union security, mass picketing, unionization of foremen, and others. They also inserted an anti-Communist clause that caused bitter divisions among workers and stripped the labor movement of some of its best organizers and most progressive leaders.

This essay is divided into three major sections. In Part I, I examine a walkout of some 15,000 Manhattan building service workers that brought most commerce to a standstill in a city still dependent on its elevator operators. Six days later, the governor intervened, sending the controverted issues to state arbitration, but that dispute had barely ended when 35,000 dock workers walked off the job—the focus of Part II. The two strikes were, in many respects, quite different. The elevator operators struck to improve wages, hours, and benefits, and were supported by their union leadership; dock workers struck for more control over shop-floor conditions, and their strike was directed as much against their own union officials as their employers. Yet, in both cases, the rank and file was far more assertive than their leaders, and both groups of strikers were aided significantly by other workers in ways that crossed race, gender, and jurisdictional (i.e., AFL vs. CIO) lines; sympathy strikes were among workers' most effective tactics. On the other hand, the union leadership in the longshore strike successfully brought its rank and file to heel by orchestrating an odious campaign of anti-Communism, presaging years of purges and raids that crushed morale and pitted workers against one another. Part III situates the strikes within the larger postwar wave and examines the political backlash against the postwar strike wave, culminating in

the passage of Taft-Hartley. I pay attention to what employers and lawmakers had envisioned at the end of the war, and how their aims became considerably more ambitious in response to the strike wave.

PART I – A LIFT FROM ALL CORNERS: THE ELEVATOR OPERATORS' STRIKE

In 1941, power struggles inside Local 32B of the Building Service Employees International Union (BSEIU) had unexpectedly afforded the rank and file considerable power. Although the present-day union has come to be considered a notable proponent of social-movement unionism, prior to the 1960s it was a top-down outfit steeped in the tradition of the pre-war American Federation of Labor (AFL) that limited political action to rewarding friends and punishing enemies. New York's Local 32-B reflected the international union's future in many ways, while also retaining vestiges of the early days. The local had a chief constituency of semiskilled porters and elevator operators, and had won the respect of Black workers when it backed a 1934 strike to reinstate Thomas G. Young, a Black union activist and, later, local vice president, who had been fired from the Seventh Avenue building where he worked because of his organizing efforts. By 1945, African Americans constituted some 10 percent of 32-B members. Moreover, its membership often held public meetings on issues affecting the city, and showed flashes of militance, even if that tendency primarily reflected its position at a key choke point in keeping city industry humming, rather than a collective political consciousness.[9]

On the other hand, Local 32-B was still trying to shake off the taint of corruption and violence. The union had been commandeered for several years by international President George Scalise, known for his mafia connections and his fondness for violence as a way of keeping workers in line. Scalise was removed as president in 1940, and later convicted on racketeering charges resulting from a corruption probe carried out by the office of New York Attorney General Thomas Dewey. David Sullivan, who had once been considered a Scalise ally, had hung on to his place atop 32-B as part of the last faction of leaders who survived the probe unscathed.[10] Sullivan was basically an opportunist, not a corrupt thug. When he rose to the presidency of the

international in 1960, he embraced the social-movement model and helped the union chart the course that it still pursues today. In his early years as local president, by contrast, he was far from a militant and showed little interest in politics, let alone social movements. At the same time, political realities inside the BSEIU demanded that Sullivan remain adaptable. In 1941, James Bambrick, the founding local president, pleaded guilty to helping Scalise embezzle $10,000, and although he did so reluctantly under the threat of deadly violence, he could not account for his 25 percent cut. It was the culmination of a rapid fall from grace for a popular union chief who led a series of strikes in the 1930s that established Local 32-B as a formidable force that the notoriously anti-union real estate owners could no longer dismiss. Factions that had backed Bambrick before he was forced to step down charged that he was chosen as a fall man by prosecutors in the Dewey probe, and that the faction that coalesced under Sullivan had cooperated with the probe specifically to implicate Bambrick. Sullivan was elected in a hotly contested election in 1941, and he continued to have enemies among local delegates and officials for years. He could only remain in power, therefore, by keeping a firm base of support among the rank and file.[11]

That was the context in which the strike of September 1945 proceeded, for once the no-strike pledge no longer applied, the rank and file found that they could finally use their leverage. Thus, after three years of wages held flat by government dictate, any contract offer that did not allow for an increase in real wages made a strike almost inevitable. It did not, however, make victory inevitable, and the strike might have failed had it not been for the refusal of other workers, particularly the women of the garment workers' unions, to cross picket lines, even though the officers of their unions never called a vote on a sympathy strike and began to show impatience as the strike stretched on for several days. The solidarity of the workers in the Garment District during the industry's peak season exerted decisive pressure on a city whose business districts were already paralyzed. After a full business week, Dewey, now governor, intervened to appoint an arbitrator. In

one telling, Local 32-B had brokered a deal with the governor, and one top official even claimed years later that the results of the arbitration were worked out in advance. Some rank-and-file workers bemoaned a lengthy no-strike clause included in the settlement, but it also appeared to the elevator operators—and to New York's working class generally—that their dauntlessness had paid off. Many building owners broke with the realtors' associations and signed contracts, and while the others did not blink, sympathy strikes had spread so rapidly that officials had no choice but to step in. A general air of defiance and uncommon cohesion among workers marked New York labor relations in the months ahead, even as the tragic consequences of rank and filers challenging their unions unfolded.

Background: Wages, Prices, and the BSEIU

In exchange for the pledge by unions not to strike, Franklin D. Roosevelt established the National War Labor Board (NWLB) in January 1942 to mediate wartime labor disputes, granting the ad hoc body jurisdiction over the crucial issue of union security clauses. Labor leaders vied to influence price and wage policy through the new board, but its chief concern at the outset of the war was containing inflation, which had torn into purchasing power when it spiraled out of control during World War I, creating a considerable crisis of resource allocation. Thus, the NWLB benchmark—instituted several months later during a wage dispute between the United Steel Workers (USW) and the so-called "Little Steel" companies—essentially froze real wages by tying wage increases to living costs. Dubbed the "Little Steel Formula," this arrangement became anathema to union members nationwide.[12] Although short, wildcat (i.e., unsanctioned) job actions continued for the duration of the war, efforts on the part of both federations and the union internationals to rein in actions by renegade locals tempered hopes of significantly raising wages. As the war was nearing its end, many Americans began anticipating an economic downturn as

industry retooled factories for peacetime production levels of civilian goods and price controls were eased. The leadership of the CIO, who by this time had embraced a fully neo-corporatist vision of society, favored administrative intervention through the wartime Office of Price Administration as a way to prop up purchasing power; the leaders of the AFL unions agreed that inflation was a worsening problem, but regarded such meddling with considerably more disdain. Philip Murray and William Green, presidents of the CIO and AFL, respectively, made perfectly clear their preference to arrive at a settlement on a wage policy without resorting to strikes, and they shared President Harry Truman's view that a negotiated settlement could be the basis for industrial peace in the reconversion period. Workers were surely anxious about wages and prices, but they were also restless after years of having largely relinquished their ability to *do something* about it. That the rank and file was unwilling at this stage to forfeit a weapon that had, in some cases, brought employers to their knees in the middle of the Great Depression, soon became expressly clear; wages, in this sense, were merely a flashpoint.[13]

An early test came when a contract between two Manhattan realty owners' associations and thousands of elevator operators, porters, and maintenance workers in BSEIU Local 32-B and some 600 superintendents in Local 164 (both AFL affiliates), expired with no agreement reached in spring 1945, owing to management's refusal to reduce the regular working week without also reducing total pay. An attempt by the State Mediation Board to settle the dispute failed, and on May 26, the two locals authorized a strike but suspended any official job actions pending NWLB review. On July 6, the NWLB recommended a reduction of the working week to forty hours, down from forty-six, with no reduction in take-home pay. Additionally, the landlords were to pay time-and-a-half for overtime, retroactive to February and April, when contracts had expired. The union immediately embraced the panel's recommendations as the basis for a new contract, while the two realty owners' associations—the Realty Advisory Board on Labor Relations (RAB) and the

Midtown Realty Owners Association (MROA)—rejected them, maintaining that they would accept no such contract without raising rents, which were held down by wartime controls. The NWLB recommendations, however, were mere guidelines for the regional War Labor Board, which was responsible for issuing the final directive. That directive arrived on September 21: the reduction of the regular working week to forty hours stood, but weekly take-home pay was reduced by roughly $2.50; retroactive overtime pay was limited to lump-sum weekly payments; and provisions for union security, vacation time, health insurance, and other benefits were curtailed. Deeply unsatisfied, the union called a strike the following day.[14]

On Sunday, September 23, with the strike all but certain to take effect Monday morning, Mayor Fiorello La Guardia made a last-ditch plea to the building workers in his weekly radio address. He started off by warning that stopping elevator service to apartment buildings would pose a "menace to the health of our people." The mayor expressed appreciation for the unions' vow to cooperate with the city health commissioner in furnishing emergency service for tenants living above the sixth floor, but asked them to "listen to those who have been their friends for many years." Did they not get most of what they sought? Could they not avail themselves of the administrative processes in place to handle their remaining grievances? Then, he suggested the possibility of a sinister plot by city real estate interests to undermine the legitimacy of rent regulations: "Perhaps it is being instigated," he said. "Let's not give anyone an excuse to jump rents at this time."[15] At 8:30 a.m. on September 24, Locals 32-B and 164* pulled out an estimated 15,000 workers in more than 2,000 commercial buildings from the Battery to 41st Street on the West Side, extending up to 59th Street on the East Side. Among properties affected were the Empire State, Flatiron, Woolworth, and General Motors Buildings. The lion's share of the Garment

* Local 164 represented only a small fraction of the total number of strikers. Perhaps for that reason, the union seems to have deferred to the 32-B leadership in talks with employers and as press representatives.

District was affected as well, which meant a dramatic slowdown in New York's most important manufacturing sector. One-and-one-half million workers in total had jobs based in the struck buildings.[16] Local 32-B called a meeting of some 2,000 shop stewards and other representatives, where discussion touched off days of speculation over whether the strike would spread to large apartment buildings represented by the local. "You apartment house workers will get your chance to strike," Vice President Tom Shortman said in response to a question from the audience. A section of the crowd then lit up, breaking into chants of "Let's go out tomorrow!" The union leadership needed to tread carefully. Sullivan wanted to avoid appearances that he was going against the wishes of the membership, but he must have realized that striking apartment buildings would yield greatly diminishing returns. Striking commercial properties primarily interfered with the business of large companies on the upper floors of tall buildings in Manhattan; interfering with peoples' ability to get to their homes was another matter entirely. It also risked further alienating La Guardia, who remained neutral but made no secret of his displeasure with the union. "Keep your shirts on," Sullivan told the stewards from the apartment buildings. "We're going to run this strike to win it. We're not going to be swayed by emotion."[17]

The egg-headed, bespectacled Sullivan looked more likely to retain a seat in a corporate boardroom than at the head of a union, but he also had sharp tactical instincts, and his hot temper allowed him to play a convincing labor firebrand. He told a reporter for the newspaper *PM* that the strike vote was a "mandate" from the rank and file to accept nothing less than what the NWLB panel recommended in July. Sullivan still had enemies within the BSEIU—including the international President William McFetridge, who earlier that year had called Sullivan "the last malignant influence of George Scalise"— which forced him to depend on rank-and-file support for his survival. Although he could not give them an apartment-house strike, he strongly signaled that the union would not budge one inch from its demands.[18] That was the message he carried with him

when the regional WLB ordered both parties to a hearing at its offices on the 17th floor of 299 Broadway (a struck building—the union provided special elevator service for attendees). But the realty owners did not show. There was little purpose, they said in a telegram, in trying to hold talks with unions that were striking against a WLB directive, and they would not negotiate until workers returned to their jobs. Sullivan sought to strike a posture emulating the militant president of the United Mine Workers (UMW), much to his own surprise. "I have never sympathized with John L. Lewis's no contract, no work position," Sullivan told reporters on his way out of the meeting. "But I'm beginning to see the light."[19]

Whose Public?

As Sullivan shifted into his defiant crouch, support poured in from across working-class New York, even before the strike had reached full swing the following day. Among the first to announce support, unsurprisingly, were hotel workers of Local 144 affiliated with BSEIU. The building union's AFL allies in the International Brotherhood of Teamsters, too, announced they would not make deliveries to struck buildings. And the CIO Joint Furriers' Council held a raucous mid-day meeting, where speakers denounced the building owners and demanded that their sisters and brothers refuse to cross picket lines.[20] The truly ominous signs for those who hoped for a quick end to the strike came that afternoon, when organizers expanded the strike zone to include a portion of the Garment District, which was sure to be a bellwether of the strike's effectiveness because of the centrality of the industry to the economic life of the city. The officers of the AFL's International Ladies Garment Workers' Union (ILGWU) and the CIO's Amalgamated Clothing Workers (ACW) offered vague pledges of support, but at that point they had not directed members not to stay out of struck buildings. Apparently, there was no need; even the (overwhelmingly female) workers working in factories on the second or third floors were refusing to report to their jobs.[21]

Area newspapers seethed with indignation at the affront to the common good posed by the strikers. "[T]he general public, a completely innocent bystander," was now "forced into idleness, discomfort and danger," stormed the *New York Times*. The *Herald Tribune* mourned the "loss, inconvenience and actual hardship to millions of the city's workers," adding that, unlike 32-B, "the public believes in workable compromise." "[I]t is hard to see how government can go on indefinitely permitting small groups of key workers to strike whenever they or their leaders feel like striking," the *Daily News* bemoaned. The *Brooklyn Daily Eagle* predicted that "when the public is compelled to suffer a disproportionate degree of harm because of a labor dispute sooner or later the boomerang will bounce off someone's head."[22]

Incidentally, one need look no further than those same newspapers' news columns to see that New Yorkers seemed to be ably coping with their "actual hardship." Witness, for instance, the *New York Post*, which reported a sort of carnival atmosphere on the first day of the strike: "Like V-J Day in Miniature," the headline announced. That morning, Malcolm Logan reported, the office workers amassing on the sidewalk "joked and talked with the pickets," as they hung around waiting for "bosses to arrive and tell them to take the day off."[23] To this effect, the *Daily News* printed a photo of smiling teenaged girls who stumbled upon a gift on September 25, the strike's second day: a legitimate excuse to skip school. Likewise, the *Herald Tribune* proclaimed in a headline, "Tenants Accept Elevator Strike in Good Humor," and marveled at the ingenuity and mettle of those office workers who were able to carry out their work almost uninterrupted, either by devising some makeshift solution to the new challenges (such as lowering a pail from the window for the delivery of lunch and documents) or by perseverance alone.[24] Indeed, even the building owners understood that they failed to generate sufficient public opposition to the strike, which undercut a key strategy deployed by the owners and their allies in the press: characterizing the strike as a conspiracy against the public interest. From the landlords' standpoint, public sympathy with the

strikers—or, at a minimum, tolerance for the strike—created political space for Governor Dewey to intervene and appoint an arbitrator, as opposed to, say, providing police protection for strikebreakers. Walter Gordon Merritt, counsel for the RAB, lamented years later that "government officials rewarded labor for resistance to orderly procedures, and *the public showed no disapproval*."[25]

On September 25, city authorities again fretted over the possibility, never to materialize, that 32-B would expand the strike to apartment buildings. The second day of the strike did indeed prove to be a turning point, albeit for different reasons. That morning, the ILGWU reported that some 300,000 union members were either refusing to cross picket lines, or were striking in solidarity with the building workers. The ACW soon reported than an estimated 60,000 of its members were staying out, and the International Fur and Leather Workers Union (IFLWU) said that some 70 percent of 15,000 union furriers in the city refused to report to work. A massive backlog forced the parcel delivery service Railway Express Agency to place an embargo on shipments to New York. Business in the Garment District slowed to a virtual standstill, just as peak season for the manufacturers was getting underway.[26]

Officials in the garment unions were somewhat tepid in their support for strikers. IFLWU officials, for example, never went further in their statements than encouraging members not to ride in non-union elevators. In fact, as the week wore on, the leadership of the Leather Workers and the ILGWU stopped directly supporting 32-B in their statements; although they placed the blame for situation squarely on the landlords, they chose to mostly lament the loss of business and vowed to urge the manufacturers to press building owners to sign contracts with the building workers' union.[27] Still, strike support among workers in the needle trades only grew after September 25 to include mass rallies and other forms of assistance. The level of support from garment workers was significant for more than just its strategic value. By the 1940s, most other wage workers in mass

industry were paid hourly rates. Workers in those industries could reasonably hope that some employers would pay out at least partial wages, since in many cases production stopped through no fault of the workers. The garment workers of ILGWU and ACW, by contrast, mostly received piece-rates that could never be recovered. For the predominately poor, immigrant women who labored in the factories of the Garment District, missing several days' pay was no small sacrifice. Yet it was precisely these workers—those with the most to lose—who supported the strikers most enthusiastically.[28]

By the end of the day, two radical CIO unions—the State, County, and Municipal Workers of America (SCMWA) and the United Electrical, Radio and Machine Workers of America (UE)—announced their members' refusal to cross picket lines. Sullivan said that neither 32-B nor the international had issued formal requests to other unions to respect the picket lines, and that workers who did so were simply fulfilling their responsibilities as good union members. *New York Times* reporter Frank S. Adams rejoined that "not all unions shared his view," and pointed to a memo issued to members of United Office and Professional Workers of America (UOPWA) Local 1 "authorizing them to go to work in struck buildings." Upon seeing the front-page story the next day, Local 1 issued a statement objecting to Adams's characterization of its position, which the local said implied "that we do not support the demands of the building service workers." "That is not true," the statement read. "We have issued a memorandum to our members asking them to support the strike fully." The union also told the *Daily Worker*, house organ of the U.S. Communist Party, that employers had locked out some members of Local 1 for refusing to report to work—not exactly a sacrifice a worker is willing to make when she wishes to register her disapproval for her comrades' actions.[29]

By the close of business on September 25, roughly 300 building owners had independently signed contracts with 32-B. Still, the realty associations would not be moved. Merritt, the spirited

attorney representing the two associations, argued that by objecting to a reduction in take-home pay, the union was raising a "phantom issue." Building service workers could expect the same pay they currently received for a full workweek—by working a full week, plus two hours overtime. Sullivan was unimpressed with that logic. "If we accept the directive as interpreted by Mr. Merritt, the week of 40 hours would be actually a 42-hour week," he said. "Our interpretation of a 40-hour week is a 40-hour week. We're interested in a 40-hour week."[30]

On September 26, the AFL Central Trades and Labor Council and the Greater New York CIO Council, issued statements to the press pledging the full support of all affiliated unions, signaling that sympathy actions might multiply.[31] Realty owners also began to hear the howls of their tenants. A sportswear manufacturer, whose operation was based on the 19th floor of a twenty-story building, organized a petition threatening a rent strike unless elevator service resumed; 90 percent of the building's tenants had signed on by the end of the day. A lawyer whose firm was based on the 20th floor of a different building undertook an effort to organize mass meeting of tenants in the area to discuss ways of "putting impetus behind an appeal to settle" the strike.[32] Garment manufacturers were especially aggrieved, since what little they could physically produce they had trouble sending out the door. They flooded City Hall with ominous predictions that New York would soon surrender its edge to other cities trying to compete for market share in the trade. When the regional WLB called both parties to another hearing for the following afternoon, the realty owners swiftly accepted.[33]

Meanwhile, representatives for the unions and the realty associations sparred over the radio, as station WJZ held a live debate. Aaron Benenson, attorney for Local 32-B, pointed out that the WLB directive was issued during wartime, and that the foundation on which it rested—the inflation-conscious Little Steel Formula—no longer applied. RAB Executive Secretary William D. Rawlins countered that the formula used was irrelevant. Binding arbitration, by definition,

prescribes abiding by the outcome; failure to do so was unlawful, selfish, even treasonous. A strike against a WLB directive, Rawlins said, was one "against the United States government itself…and against the welfare of the people of the greatest city in the world."[34]

Union leaders appeared first at the September 27 WLB hearing, where Sullivan made a commitment not to expand the strike pending the outcome of talks, and Benenson again advanced the argument that the Little Steel Formula-based directive should be amended to account for new realities. But while the realty associations sent representation as promised—Merritt's associate counsel, Hyland Connell—they announced that they were standing firm in their position that details of a settlement would not be discussed until the building service workers returned to their jobs. The exasperated WLB chair, Walter Gellhorn, proposed that the union and the realty associations accept binding arbitration from a third party, not just in this dispute, but in all future disputes. The idea does not appear to have been Gellhorn's at all, though. Someone had gotten in his ear.[35]

Uptown, at the Commodore Hotel in the heart of the strike zone, Merritt was addressing a group of some 1,200 realty owners. Those who were signing independent agreements with the union to get their lifts running again were yielding unnecessarily, he said. Urging continued resistance, he predicted that either the strikers would blink, or officials would adopt his plan for a "super-arbitration panel" that would automatically step in to adjudicate deadlocked disputes. If that happened, perhaps the building owners would not get everything they were seeking this time, but they might never again have to countenance a strike threat. "The union must be resisted in the present hold up," he said, "so that it learns for all time that the people have the courage to defend themselves in such crises." Later, Arthur S. Meyer, chair of the State Mediation Board, offered to carry out his own mediation efforts on behalf of the state, which both sides accepted.[36]

The workweek came to a close without an agreement. Meyer, the meek Mediation Board

chair, telegraphed Governor Thomas Dewey that the situation was hopeless.[37] Meanwhile, strikes were sprouting up across the nation, with walkouts in the bituminous coal mines, the Northwest lumberyards, and Westinghouse Electric in full swing. An explosive strike of some 43,000 oil workers had national policymakers particularly perturbed. [38] Anti-labor members of Congress registered their outrage in speeches before their colleagues, singling out newly paralyzed New York. "America today is on fire," Pennsylvania Republican Robert F. Rich bellowed on the floor of the House of Representatives, fingering the elevator operators as but one egregious example proving that "Communists want to burn this house down by having the Government take over all private business." The ultra-reactionary Republican Clare Hoffman of Michigan spoke next, demanding that David Dubinsky and his ILGWU direct the striking workers to return to their jobs, using threats and coercion, if necessary. Failing that, "[w]hy argue with men who want to strike?" he asked. "Let them strike, but let them get out of the way of those who want to work."[39] On Friday night, September 28, Dewey sent identical telegrams to Sullivan, Rawlins, and J.S. Becker, the president of the MROA. Calling the situation "wholly untenable," he demanded that the parties submit their grievances to an impartial arbitrator. By noon the next day, the union had ordered its members back to work, and all lifts were back in operation by Monday morning. Just like that, the building workers' strike was over.[40]

Epilogue

The settlement—handed down on October 11 by arbitrator George Frankenthaler, a former justice of the New York State Supreme Court—was controversial. When it came to core demands, Locals 32-B and 164 got nearly everything they asked for: the pay schedule established by the NWLB panel in July, with retroactivity, and continued union security. But it came at a cost: their right to strike was to be curtailed for 10 years. Merritt's "super-arbitration tribunal" was now a

reality, and many members reportedly thought the victory on hours and wages for a three-year contract not worth the price.[41] The first public objections to the settlement emerged at the BSEIU convention held some two weeks later in Chicago, when 32-B delegate Albert Perry revealed that thousands of members had appealed in writing to McFetridge complaining about both the terms of the agreement, and the decision to end the strike without holding a proper strike vote. Perry, who pointed to the "ten-year compulsory arbitration clause" as the central grievance of the dissidents, announced his intention to formally appeal to McFetridge to stop the contract from taking effect. Sullivan impugned Perry's motives, telling reporters that the latter was challenging him because of lingering bitterness over Perry's loss to Sullivan in the 32-B presidential election. Credible though Sullivan's charge may have been, the fact remains that there was evidently considerable opposition to the settlement; in November, a rank-and-file caucus within 32-B sent their own petition on behalf of the caucus's 4,000 members asking the union chief to suspend Sullivan and prevent enactment of the contract.[42]

A second source of controversy surrounded the ties between Dewey and top officials of 32-B. Most apparent was union counsel Aaron Benenson, who as an assistant to Dewey during the latter's tenure as attorney general, played a key role in the investigation that led to the indictments of Scalise and Bambrick. But Sullivan, Thomas Young, Arthur Harckham, and Tom Shortman—the four top leaders of 32-B in 1945—had also quietly assisted the probe. In exchange, Dewey's office guaranteed they would be the last leadership slate left entirely exonerated in the probe's final report. Harckham himself later admitted that part of the agreement was that "Dewey had to make a statement that he doesn't stand by anybody else but us." And 32-B provided coveted labor support for Dewey, a liberal Republican, during his campaigns for governor and his unsuccessful 1948 presidential campaign, even though it generally backed Democrats.[43] Days after the strike ended, Harckham and Shortman told *PM* that if prior arrangements were made between the governor and

the union, they had no knowledge of them. But Young later claimed not only that the plan was pre-arranged, but that Dewey promised union leaders that the arbitrator would award them all of their demands. While the strike was ongoing, Young said, the leadership spoke with the governor by phone on several occasions. Accepting the demands of 32-B as reasonable, Dewey told the union he would move forward with a plan to send the identical telegrams—presumably to seem more even-handed—and appoint an arbitrator. According to Young, the intrigue did not stop there. "I suppose this is a secret that can't or shouldn't be told," he said, "but the fact remains [that] all that we asked for was given to us by Judge Frankenthaler." There was, Young said, "a certain aspect that you just can't divulge or reveal, but that was not an accident, you can be assured."[44]

Conclusion

Exactly what took place we may never know, but whether Young's claim is fully accurate is of secondary importance. The events that we can easily establish leave us with a more valuable question: How did the Local 32-B leadership learn to accept—indeed, embrace—the no-strike clause and the arbitration panel? Union officials very well may have simply accepted the clause as the price for their other demands, but they do not seem to have ever complained about it, at least not publicly. In fact, on the day before Dewey intervened, Walter Gellhorn had told the press that "union representatives…seem to feel that it would be helpful" to institute an arbitration tribunal. And more than three decades later, Young and Harckham each recalled the 1945 strike with great pride about the victory they had achieved; neither mentioned tribunals and no-strike clauses. Tellingly, Merritt was equally proud of the agreement, and later praised the "improved statesmanship" of the leadership.[45] On the surface, it may seem puzzling that union leaders would have shared with employers the goal of curbing strikes when much of the membership held the right to strike to be sacred and had chafed under the wartime pledge. Not so in the context of

autumn 1945. When rank-and-file union members became as militant as they were then proving to be, they were liable to put their leadership in an unenviable position. When the rank and file overwhelmingly supported a strike, leaders had to choose: commit to a strike, and risk both significant expenditures of union funds and surrendering control over the situation; or, actively oppose the strike and risk permanently losing legitimacy. In the coming months, workers nationwide would vie for greater equity and self-mastery in the shop, and in many of these instances the rank and file looked to each other to determine their fate, forcing labor leaders into choosing among those alternatives. Even in two of the era's most iconic strikes, in autos and steel, union leaders dragged their feet before following through on strike threats.[46]

The building service strike shows us how this extended to secondary action as well. Teamsters, office workers, electrical workers, civil servants, and, especially, garment workers had all shown in that moment that they perceived a kind of shared destiny. In this case and others, workers felt compelled to act on that impulse, no matter how much of a nuisance their support was to employers, newspaper editors, or their own union leaders. In doing so, they enhanced their own reach and self-empowerment, while simultaneously emboldening their enemies. Their assertiveness clearly had an impression—both in the heady days on the horizon, and in the dark denouement to the drama of the early postwar labor movement.

PART II – STRIKING THE KING'S COURT: AN INSURGENCY ON THE WATERFRONT

On Sunday, September 30—one week after a desperate La Guardia had tried to warn the city's elevator operators against playing into the hands of commercial real estate interests—the mayor returned to WNYC with a greatly improved outlook. Although he castigated the operators for having struck against an arbitration finding, La Guardia said the intervention by Dewey to settle the strike brought "great relief" to New York City.[47] While everyone presumed the resumption of commerce on Monday morning, they had overlooked something: at midnight the contract between the International Longshoremen's Association (AFL) and the New York Shipping Association, representing various port-related employers, expired. The union had not armed itself with a strike vote in the event that the contract should expire without an agreement, and knowledgeable observers of labor relations on the Port of New York knew that it was not the wont of ILA members to do anything without the explicit approval of President Joseph P. Ryan. It came as a surprise to many, therefore, when on Monday afternoon dock workers at six piers on the West Side walked off the job. The initial grievance was employers' refusal to limit the weight of cargo sling loads, but as the strike spread, it became clear that something larger was at stake: the workers had not stayed out despite "King Joe" Ryan, but because of him. The rank and file quickly united around a daring strike in spite of the formidable forces assembled against it. The local AFL did not—indeed, could not—support a wildcat action, and when the strike stretched on for two weeks and tied up the ports, Mayor La Guardia abandoned his nominal neutrality to support a back-to-work movement in coalition with the shippers, the ILA, and the local AFL. The press supplied a forum for union leaders to evoke the specter of a Red menace, pointing to the strike's support among two left-led CIO unions, and ultimately the combined pressures proved too overwhelming; the decentralized rank-and-file movement was defeated. Still, given Ryan's violent authoritarianism, leading a strike as large, and for as long, as they did was a testament to a unified

and militant rank and file. It is noteworthy, too, that the dissidents were able, in this moment, to mobilize dock workers throughout the colossal Port of New York. After all, an organized rank and file that operated throughout the reputedly militant period of the mid-to-late 1930s never came close to achieving such a feat.

Background: Seizure of the Throne

Maneuvering along the Port of New York since shortly before World War I, Joe Ryan and his allies had helped to usher a period of considerable growth for their top-down union, and for their personal power. The ILA's radical rival, dominant on the Port of Philadelphia, the Industrial Workers of the World Local 8, was once a viable potential alternative, but it was under constant siege by shipping interests; suffered bruising repression on the pretext that it might sabotage a war effort it supported in every meaningful sense; and had to perform the balancing act of preserving, on one hand, the unity of a pioneering interracial union predicated on an ever-fragile coalition of workers, and on the other, existing within an organization (the IWW) on the margins of what most employers would accept and given to bitter, self-destructive factionalism. Local 8 proved remarkably resilient, but the cumulative toll proved fatal by the mid-1920s.[48] By contrast, the ILA's conservative outlook and its commitment to handsomely rewarding its friends paid dividends, even if few of those were distributed downward toward the general membership.[49]

The waterfront world of pre-war New York was dominated by the widely despised shape-up, an antiquated system of casual labor whereby anyone who wanted work gathered on the piers and left the fate of their livelihood to a hiring foreman, who purportedly chose the strongest and most able among the group; shift lengths varied widely. In practice, longshoremen were often forced to cough up a portion of their wages to guarantee future work, and even that was not always sufficient to guarantee a job down the line. More important were the connections to the hiring

boss—i.e., connections to the men of the New York underworld who became key figures Ryan's growing network. Top among them was union Vice President Emil Camarda, through whom the Gambino crime family came to control large swaths of the Brooklyn and Manhattan waterfronts. The mafia presence notwithstanding, the Irish topped the hierarchy of major ethnic and racial groups; Italians, together with Eastern Europeans and Jews were a distant second. At the bottom were African Americans, who had been a major presence on the New York docks since the antebellum years. They were permitted to join the union but were compartmentalized into segregated locals, forced to take the worst jobs, and were not represented at the district level, let alone in the international. Hourly pay in the industry was relatively high, but most longshoremen found only irregular work and had to be prepared to suffer the indignities that came with subordinating themselves to foremen and union bosses. The work was back-breaking and recklessly dangerous, but raising such concerns to the ILA leadership, or demanding a say in negotiations with the shippers, came with tremendous risks.[50]

Ryan's first line of defense against dissenters was to cry Communism, a tactic that came with few hazards, could not easily be disproven, and was easy to broadcast, given the ILA chief's numerous sympathizers in the New York press. Vincent DeMatteis, who worked on the Brooklyn waterfront during the 1930s, remembers ILA officials leveling the accusation almost reflexively against anyone who was outspoken about union affairs, the intended effect being that most rank-and-file members would "get down, keep working, and that's it." When dissidents persisted, Ryan was sometimes required to marshal his criminal network to provide their signature services: bribery, intimidation, and violence.[51] Nevertheless, inspired by the mid-1930s uprisings of workers taking place throughout the mass production industries, a cadre of radical longshoremen began organizing among the rank and file. Their main target was the shape-up, and they had a good model for replacement in the International Longshore and Warehouse Union (CIO), dominant on West

Coast ports and led by a lanky, charismatic Australian named Harry Bridges. The ILWU had established union hiring halls after a bloody, 83-day strike throughout the West Coast in 1934 that helped to electrify the industrial union movement.[52]

The radical rank and filers began issuing their own newsletter, the *Shape Up*, in 1935 that proved popular with the New York dock workers, and by the end of the following year had captured control of two locals. Soon, they were openly courting Bridges and his union; the agitation for reform could no longer be ignored.[53] By summer 1939, Pete Panto, a refugee from fascist Italy and an important leader of the rank-and-file committee among the overwhelmingly Italian American longshoremen along the Brooklyn docks, had begun organizing large, open-air meetings. Panto operated on especially dangerous terrain, where some of New York's most violent criminals were heavily invested in the union leadership. At the meetings, including one on July 3 attended by more than 1,500 workers—and featuring the socialist congressman Vito Marcantonio, a hero to many working-class Italian Americans—Panto thrilled the raucous crowd as he agitated for a union hiring hall and new leadership.[54]

Ryan and Camarda's enforcers wasted little time. First, they branded Panto a Communist in an effort to get his followers to turn on him, but even had they proved that, it is not at all clear Panto's popularity would have taken much of a hit. Next, they tried buying him off, and when that too failed, they issued ominous threats. After his shift on July 14, Panto was summoned to a meeting with Albert Anastasia and Mendy Weiss, two notorious gangsters associated with the crime syndicate Murder, Inc.; the young Italian never made it home. His body was pulled out of a lime pit in northern New Jersey some 18 months later. In a testament to Ryan's political influence, Brooklyn District Attorney (and later Mayor) William O'Dwyer never prosecuted Panto's murder, even though the Murder, Inc. associate who drove Panto to the July 14 meeting testified before O'Dwyer that Weiss fatally strangled the young labor activist on boss Anastasia's orders—and

even though one of Camarda's henchmen explicitly communicated to the rank-and-file committee that Panto was eliminated because he challenged the supremacy of the Ryan-Camarda network. ("If he had been smart, Pete Panto wouldn't have gotten his.")[55]

The rank-and-file committee was not completely extinguished, but after the Panto murder it had to operate as a largely clandestine movement, and very much at its own peril. In October 1940 Camarda's brother and two other gangsters broke up a Brooklyn committee meeting by assaulting the activists gathering there and destroying the meeting hall. As American entry into the war deprived reform activists of the strike weapon, Ryan and his allies used the opportunity to consolidate power. In 1943, insurgents moved to establish a hiring hall in Brooklyn, but anti-Ryan Communists refused to join in out of fear of disrupting war work, and the effort fell flat. Later that year, King Joe was named ILA president for life and awarded a $20,000 annual salary; by contrast, a survey of more than 200 dock workers conducted by a West Side settlement house showed that more than two thirds earned between $400 and $1,200, owing in large part to the casual patterns of labor produced by the shape-up.[56]

'Hot Heads'

The October 1945 strike had spontaneous and somewhat mysterious origins, but once it was in motion the reformists eagerly joined an emerging postwar labor upsurge, leading a rank-and-file movement that caught ILA leaders completely by surprise. In the weeks leading up to the October 1 stoppage, contract negotiations had been taking place far from the spotlight. Ryan would later blame the striking elevator operators for preventing the ILA from finalizing an agreement with the New York Shipping Association before the September 30 deadline, but as an explanation for what caused the initial strike, that claim makes very little sense. Before the war, it was common for the shippers and the union to informally agree to an extension while final details were worked out. In

this case, a strike was not threatened publicly by anyone, and no strike vote was taken.[57] Nevertheless, on the afternoon of October 1, some 1,500 members of ILA Local 791 left their Chelsea piers, and by evening shape-up 8,000 dock workers had joined the stoppage. Local 791 met that night and adopted a resolution insisting on a single condition in the contract: the weight of the load placed in each sling used for raising and lowering cargo must be limited to 2,240 pounds.[58] This demand was an important one. In 1944, the Department of Labor issued a damning report on injuries and deaths in the longshore industry. Employer-provided data from 1942 yielded an estimated accident rate that was far and away the highest of any U.S. workplace and over 50 percent higher than the notoriously hazardous logging industry. "Improperly built and improperly slung loads…led to a considerable volume of accidents," according to the report, including many where the sling was overloaded; gruesome stories abounded about men being crushed to death under such loads. Contracts specified no limits, and the New York dock workers claimed that some loads exceeded 7,000 pounds, which made the slings unstable and much harder to control. Wartime speedups had made the issue especially egregious.[59] Notably, the Department of Labor report named the shape-up as the single greatest impediment to implementing safety standards, charging that frequent personnel changes made standards "nearly impossible" to enforce. And with the exception of some Pacific Coast (ILWU) contracts, the authors noted, "safety is rarely mentioned in the union agreements and such references as do appear are usually vague generalities."[60]

If there were any real prospects for preventing a full-blown wildcat strike of all dock workers on the Port of New York, they presented themselves in the first 48 hours. Ryan's unsuccessful efforts to do so seemed awkward and desperate, and what was left behind was a curious press record, at least when read in isolation. Likely owing to Ryan's autocratic reputation, New York's labor reporters tended to assume that whatever the king said was what the subjects would do. Despite Local 791's very plain resolution mentioning only the sling load issue, Ryan

told the press that evening that the strike was the result of a misunderstanding. Somehow, he said, the members had surmised that the contract had been signed without being submitted to a vote by the locals. A few "hot heads" took "hasty action" in stirring up trouble among the membership.[61] But nobody seems to have claimed that the ILA brass had prematurely signed a contract, and while Jack Gerst, Local 791's secretary-treasurer, did leave open the possibility that the workers would return to the Chelsea piers on Tuesday morning, he conditioned that unambiguously on inserting the load limit into the ILA's contract proposal. Predictably then, Local 791 stayed away from the Chelsea piers, and they were joined in solidarity by members of several other of the (many) locals, constituting at least 10,000 workers. Perturbed, Ryan called a meeting that evening of the New York District Council, comprised of delegates from each local. Officials from the international reviewed the tentative agreement reached by the NYSA and the union's negotiating committee, and Ryan emerged hours later with a triumphant message: the contract, which did not mention sling load weight limits, was approved unanimously by the delegates. All longshoremen would return to work at 8am.[62] Ryan's maneuver apparently enraged the rank and file. Hence, while the evening papers all repeated the royal decrees and assumed everyone would fall in line, dock workers in Chelsea stayed out the next morning, and the strike quickly spread to encompass more than 30,000 workers at ports in Manhattan, Brooklyn, Staten Island, and New Jersey. One hundred ships were idled. The longshoremen were now in open revolt.[63]

On the afternoon of Wednesday, October 3, the first day of the port-wide strike, a large group of the rank-and-file dissidents from eight Brooklyn locals gathered in the section of Northwest Brooklyn waterfront then known as Fulton's Landing, where they discussed how to work out a contract more democratically. The meeting was the first for what would become the most vocal organized rank-and-file group during the strike. In addition to the sling load limit, the dissidents were now demanding, in order of priority: a reduction in daily shape-ups from three to

two; a minimum of four hours' work when called to join a work crew; and overtime pay for working through lunch breaks.[64]

The strikers found early support from the National Maritime Union (CIO), then dominant among mariners on both coasts. Its secretary-treasurer, the radical Jamaican-born activist Ferdinand Smith, sent a telegram to Ryan denouncing his "provocative actions in rejecting the just and modest demands of the longshoremen" and blaming Ryan and the shippers for any delays in the return of servicemembers from Europe. Twenty-five thousand leaflets containing the text of the telegram were distributed throughout the port. NMU organizer Jim Longhi, who would later become known for his book recounting his years in the Merchant Marine with Woody Guthrie and Cisco Houston, fired up the crowd with his promise that no mariner would cross a picket line.[65] Smith's point about the modesty of the strikers' demands may have been more than rhetorical. If the shape-up was as universally hated as advocates of progressive waterfront reform insisted—and few would dispute that it was—then it is worth thinking about why the dissidents did not demand replacing the practice with a hiring hall such as those won by Harry Bridges's ILWU on the West Coast. One very plausible explanation was offered by a member of the rank and file, who told the *Nation*'s Maurice Rosenblatt that "[t]he reason we didn't ask for a hiring hall is because that would make everybody think we wanted to join Bridges and the [CIO]." Leaving the demand out would turn out to be an insufficient measure for keeping such accusations from sticking.[66]

If Ryan saw the writing on the wall, he was not willing to admit as much publicly. He flatly denied that there was any rank-and-file revolt against the leadership and insisted that the members were united behind him. By Monday, Ryan quipped, the docks would be full of workers "or I will leave for Ireland." Inexplicably, his optimism was echoed by the labor lawyer Edward C. Maguire, a La Guardia administration official tapped by the mayor to help mediate the dispute. After meeting with union leaders at ILA headquarters, Maguire reported that "the union stands as one

man." One party to the conflict that did express support for the Ryan machine was the NYSA, which released a statement noting that it was unprecedented for a strike action to be taken in the Port of New York after employers reached an agreement with the union negotiating committee.[67] By the end of the workweek, more than 350 ships were tied up and it was clear that no resolution was immediately on offer. The federal War Shipping Administration was sounding ever louder alarms about troopships being tied up, and the U.S. Department of Labor's Conciliation Service offered to help end a strike that the government considered of "dangerous proportions."[68] Over the weekend, the ILA called a vote among locals on the question of whether to return to work on Monday pending continued negotiations between the union and the NYSA. Local 791 was the first to vote on Friday night; a slim majority, 54 percent, voted to return, but only 276 members out of more than 1,500 cast ballots. Returns from other locals generally followed the same pattern—majorities of those present favored returning to work, but turnout throughout the port was less than 20 percent. Ryan again predicted the men would return to their jobs, but even the reporters were more cautious this time around.[69]

On Monday morning, October 8, Joe Ryan toured the waterfront and found that workers throughout the port still refused to shape up, and he was now having a difficult time explaining the strike as a force within his control. The NYSA handed the union a terse statement: it would entertain no further proposals until the longshoremen returned to work. Ryan conferred for hours with union leadership; emerging in the afternoon, he let the employers know that the union was unable to agree on how to proceed.[70] The press continued to view the leadership of Local 791 as the spokesmen of the striking workers, despite business agent Gene Sampson's vacillating statements since the strike had become port-wide. A pretty clear indication that Sampson was in the Ryan camp came when the union announced the formation of a press committee and named Sampson as a member. Indeed, rank-and-file activist William Warren later said that "as far as the

men are concerned, Sampson is a Ryan man." And notably, it was Sampson, not Ryan, who was first among ILA officials to explicitly charge that Communists were directing the strike.[71]

The press committee's first statement reiterated that the union was urging strikers to go back to their jobs until a settlement was reached, and said the NYSA's "ultimatum" created the need for yet another return-to-work vote, with the hope of having the docks up and running by Thursday morning.[72] But as that deadline approached, things blew wide open. A day after La Guardia demanded that the dissidents come forward to meet with his office, they sent the mayor an anonymous telegram saying that they would do so "as soon as you give us a guarantee of protection from the goons employed by Ryan to terrorize the rank-and-file." Two additional, smaller marine unions, both CIO-affiliated and left-led, expressed their support for the strikers. Representatives of the rank and file were now openly denouncing Ryan to reporters, promising the union chief would not get away with "trying to shove something down our throats." And at the nightly open-air Brooklyn gathering, Ryan asked for the floor to organize a vote among members there. Instead, he was booed off the stage.[73]

To retain power, the ILA leadership needed to act quickly to either reach a settlement that would mollify the dissident voices, or otherwise to break the strike. A quick settlement was apparently now off the table, and using violence alone to get workers back on the job, even if successful, could prove Pyrrhic at a time when the union chief was facing greater open resistance than ever before. Even his credibility with the press was in doubt. But Ryan, ever the shrewd tactician, surely realized he could still win a public relations war if he positioned himself as the alternative to something even less palatable to influential Americans than a mafia-aligned autocrat. Hence, on the same night Ryan was getting jeered off the stage by his own members, he was handed an unwitting gift: at a meeting of the ILWU, members passed a resolution in support of the ILA rank and file. Bridges's union had now joined the three maritime unions, which that evening

had dispatched representatives to distribute leaflets along the waterfront that said, "*Stay in the AFL and fight for your rights*." Such messages emphasizing union reform from within were largely ignored or dismissed by commentators and the press. Much more appealing was the potentially dramatic and sensational narrative about Communist-dominated unions and AFL-CIO conflict. Ryan now had his boogeyman, and he wasted no time in expressing his concern to reporters that the strike was the work of "outside influences."[74]

'Runaway'

Following the mass meeting of Wednesday, October 11, the pace of developments accelerated considerably. By this time, strikers had elected William E. Warren as chair of the rank-and-file committee consisting mostly of Brooklyn dissidents, rounding out the committee with members from various locals; the group posited itself as an alternative to the official ILA negotiating committee. Various other small, autonomous committees sprung up around the same time, but Warren called a mass meeting to be held over the weekend, where workers would attempt to form a port-wide negotiating committee.[75] Meanwhile, La Guardia, who had just returned from a trip to Washington, announced he had canceled all appointments for Thursday to focus his efforts exclusively on settling the strike. Between a long afternoon conference with Ryan and the ILA negotiating committee and an evening meeting with the shippers, La Guardia expressed confidence that "both sides" would soon reach a settlement. Ignoring the advice of federal mediators, he had not invited rank-and-file delegates to the discussion.[76]

The following afternoon, Friday, October 12, La Guardia made a remarkable speech over WNYC, laying out a proposal that addressed exactly none of the controverted issues. Consistent with his determination during the 1920s and early 1930s to protect the right to strike, he never threatened to request official strikebreaking action. Instead, he questioned the courage of the

strikers, calling the stoppage "a kind of runaway," and asking, "Since when have the longshoremen of New York run away from anything?" The mayor repeated Ryan's narrative that the strike had started as a result of impatience and misunderstanding and spread quickly and aimlessly out of control to the point where "first thing we knew shipping was tied in the Port of New York." La Guardia proposed that workers return to the piers the following day (a Saturday) to get caught up in clearing the congestion of the port. Negotiations would resume between the NYSA and the official union negotiating committee, and if an agreement were reached within one week, it would be submitted to an up-or-down vote by the membership. If no agreement were reached, it would be thrown to arbitration under the jurisdiction of the U.S. Department of Labor. The only mention he made pertaining to "any internal differences" was to say that, if those existed, they could be "adjusted" by the leadership of the New York State Federation of Labor and the city's Central Trades and Labor Council (local-level AFL institutions), both firm Ryan supporters who had issued formal statements of support for the ILA leadership.[77] Warren quickly responded in a telegram to the mayor that the strikers would stay out and that the offer was meaningless because "the membership has had voice in the selection of this fake [ILA negotiating] committee," which was "handpicked by Ryan in the same dictatorial manner he has managed the ILA for these long years." In a sympathy action, the NMU announced that it would "shut off the steam" and refuse to move any cargo ship, lest shippers and the War Shipping Administration call on "scab labor or soldiers" for loading or unloading.[78]

Although the strike remained basically solid, a trickle of people began returning to work by the end of the week. We can only speculate about their thinking, but after La Guardia's speech, a conclusion that the strike was hopeless would have been entirely reasonable. To make matters worse, AFL and ILA officials signaled they would soon be playing offense. Nobody supported the strikers—except, that is, for all of the wrong people. Perceptions that Ryan and local

representatives of the AFL had been sharpening their knives for a push to get longshoremen back to work were quickly confirmed over the weekend of October 13-14. The newspapers reported that anywhere from 1,200 to 2,000 workers—most of them on the West Side and Staten Island—had returned to work, while scattered reports surfaced of assaults on pickets and NMU leafleteers.[79] Within hours of reports Saturday evening that Bridges had arrived in New York and would hold a press conference Sunday at the NMU hall, Martin Lacey and Tom Murray, city Trades Council and the state Federation of Labor, respectively, issued a statement announcing the results of an "investigation" into the nature of the strike, which allegedly revealed that the strike had originated when Communists manipulated patriotic ILA members into thinking the leadership would sign a contract without their consent. Further, La Guardia's peace plan met "every legitimate objection," so that there could be no explanation for continued resistance other than the maneuverings of nefarious characters who would "use legitimate labor disputes for un-American purposes." A scandalized *Herald Tribune* editorialized that the accusations must be essentially true for two reasons. Firstly, the ILWU and the mariners' unions did indeed have left-leaning tendencies, but more important, "the ostensible issues involved are far too trivial to explain a defiance both of an enraged public…and of union officials."[80]

The U.S. government had pursued several unsuccessful attempts to deport Harry Bridges to his native Australia since the mid-1930s (and would continue to do so even after 1945, when Bridges became a naturalized citizen), on the grounds that he was, or had once been, a member of the Communist Party (CP). Bridges, who made no secret of his radical politics and certainly had no problem working closely with Communists, always denied that he had ever been a member of the party, but whether he had or not was almost immaterial. For his critics, it was Bridges's formidable organizing talents and popularity with his members, and not his political preferences, that made him a threat. That was as true of the West Coast shippers as it was of the ILA, from which the

ILWU bitterly split in the aftermath of the 1934 strike. From that point forward, the older union was eternally wary of potential raids by its estranged child. The ILWU had no presence in the East, but from their perspective, the NMU acted as a kind of local proxy since the two unions openly supported each other's organizing activities.[81]

It is not unreasonable to suppose that Bridges coveted the New York waterfront—the jewel in the crown of the East Coast—but his actual contributions to the 1945 wildcat strike appear to have been rather modest. In fact, his brief appearance in New York was quickly overshadowed by a shocking development out of City Hall. La Guardia sent a new proposal by letter to the shippers and, significantly, separate copies to the ILA officialdom *and* the rank and file. Completely reversing his position, he now proposed holding a port-wide election to determine which body should represent dock workers in continued talks—the ILA negotiating committee, or the one just named by the Warren faction to represent the rank and file.[82] Naturally enough, the rank and file quickly accepted, while an infuriated Ryan denounced the plan. Calling the proposal "the silliest I have ever heard," Ryan said the ILA would not relinquish the right to have its negotiating committee represent the union's membership, and that La Guardia was right the first time around that the issue was "not his province." Further, he claimed that when the "communistic" NMU announced the previous Wednesday that it would refuse to move cargo ships, "it changed the situation from a dispute between the employers and ourselves into an attempt by [CIO unions] to gain control of the steamship industry."[83]

According to the logic of the mayor's proposal, the NYSA's response would be decisive. But the shippers kept silent for more than 24 hours, dimming the rank and filers' hopes of a dramatic upset victory. Meanwhile, 5,000 to 6,000 longshoremen reported to work on Monday, as violence, directed at strikers and NMU mariners who refused to move ships, intensified. Fred "Blackie" Myers, NMU vice president, called La Guardia's office in the afternoon to complain that

ILA thugs had assaulted many of his members, fracturing one mariner's skull. Late Monday evening, J.V. Lyons, chair of the NYSA, informed the mayor in a letter that the shippers would only deal with the "accredited representatives" of the ILA. The strikers' last real chance of achieving their chief goals was extinguished.[84] On Tuesday, the shippers announced that a sufficient number of workers had returned to the job to resume negotiations with the official ILA. The following day, October 18, most workers were back, and rank and filers publicly conceded that the strike had been broken.[85]

Fallout

The drama did not quite end with the strike. One day after an October 18 speech urging dock workers to return to the piers, Warren was officially ousted from the ILA. Ryan made the announcement, alleging the Warren had failed to pay dues. But that afternoon, he showed up for work anyway on the Columbia Street waterfront, where just days earlier he had apparently been leading a strike, at least among the Brooklyn locals. "What are you doing here?" asked *Post* reporter Joseph Kahn, to which Warren replied that he was there for the shape-up. Kahn asked if Warren were afraid, and the latter replied, "If I was, I wouldn't be here." At just that moment, a man approached Warren and began harassing him; within moments, a gang enveloped both Warren and Kahn, who were thrown to the ground and badly beaten and hospitalized. Nearby, Sal Barone, another Brooklyn spokesman for the rank and file who had accompanied Warren to the docks, narrowly escaped the same fate by breaking loose and getting away in his car.[86]

Warren's immediate reaction was to once more denounce ILA thuggery. But Saturday, after being discharged by the hospital, he made an extraordinary announcement from Barone's home in central Brooklyn: he had been the unwitting dupe of dishonest people who "wrongly steered [him] into the Communist camp," and manipulated him into thinking that the strike was a spontaneous,

grassroots effort. When asked for names, he accused Nathan Witt, of the law firm Witt and Cammer that was representing the rank-and-file committee, of being one such man of intrigue. “No wonder those guys beat me up,” Warren mused. “I don’t blame them.”[87]

It is worth noting how charges of Communist chicanery were treated by people of influence. Reviewing these events 75 years hence, it is no surprise that the editors of the right-wing press—the *Daily News* and William Randolph Hearst’s *New York Journal-American*—repeated Ryan’s accusations, shamelessly smearing Bridges and the progressive unions. Not much more remarkable are the anti-CIO (if also evasively pro-reform) positions of the moderate *Times* and *Herald Tribune*. The instances of betrayal by ostensible friends of progressive unionism, however, appear tragic indeed. The social-democratic *New Leader*, for example—a journal once associated with the Socialist Party of America—viewed events with an almost McCarthyite paranoia. According to commentator J.C. Rich, while the strike started when the sling load issue lit “a powder keg of resentments” against the ILA leadership, it was quickly commandeered by hardline members of the Communist Party. When William Warren emerged as a leader of the rank and file, Rich claimed, he was turned into a puppet of shadowy figures with twisted motives associated with the office of Witt and Cammer. Incredibly, Rich alleged that the notoriously garrulous Warren found himself “sheltered and segregated,” silenced at every turn. Meanwhile, the *New Leader* account continues, Bridges and NMU President Joseph Curran swooped in to impose an insidious totalitarianism. On their orders, “comrades…showed up in force along the quayside to enforce their dictates on the rank-and-file.” The strike was effectively settled with LaGuardia’s first proposal, but the agreement was “sabotaged by the Communists.” Thankfully, dock workers “refused to follow the line.”[88]

Catholic leaders, as well, counted among voices of influence for the workers, particularly for the Irish and Italians, the two largest ethnic groups represented on the piers. Jesuits and many

other Catholic leaders of the time saw Pope Pius XI's 1931 encyclical *Quadragesimo Anno* (and its parent document from 40 years earlier, *Rerum Novarum*)—which characterized trade unions as necessary in the fight against Marxist socialism and unfettered capitalism—as a mandate to become involved in union issues. One prominent such "labor priest" was Benjamin L. Masse, editor of the Jesuit weekly *America*, and a sincere critic of Ryan who consistently championed greater democracy and less violence and corruption within the ILA. After the war, when the Catholic laborites operating under the umbrella of the decentralized Association of Catholic Trade Unionists (ACTU) turned stridently and almost exclusively anti-Communist, the pragmatic Masse assailed that strategy as self-defeating. Yet he, along the ACTU, accepted the dubious twin premises underpinning the other reports: firstly, that Bridges and the marine unions played a decisive role in the late direction and outcome of the strike; and secondly, that "the Communists not merely aided the striking longshoremen, but took over their rank-and-file committee and ran the show."[89] On the other hand, Dorothy Day, publisher of the *Catholic Worker* newspaper and lead figure of its associated movement and one of the few public dissenters, posed a question that most would not: Even if the New York waterfront were re-shaped along the lines of the ILWU-dominated West Coast, would that really be so awful? "Both Harry Bridges and Joe Curran have done a good job for their men in getting better conditions," read an unsigned story in the *Catholic Worker* (likely written by Day herself). "[T]hey have seen Christ in their brother, while Joseph P. Ryan and the ship owners have denied Him."[90]

After the strike, the rank-and-file committee immediately chose new leadership after Warren's public *mea culpa*. Instead of pushing for any of the rank-and-file demands, Ryan called a port-wide vote on the employer's most current proposals, basically unchanged from the original settlement, while Witt and Cammer successfully pursued an injunction that prevented Ryan from signing any agreement without another such vote. However, Ryan got around the injunction by

abruptly switching course and submitting the issues to arbitration. The arbitrator, former NWLB Chair William H. Davis, awarded the longshoremen a 20 percent wage increase, two hours' guaranteed pay upon hiring and reporting for work, and one week of paid vacation subject to further negotiation between the parties. The evening shape-up was eliminated, with qualifications, but historian and labor mediator Vernon Jensen noted that, "[I]t was made explicit that both the NYSA and the [ILA] were in basic agreement that the shape-up system of hiring…should be maintained in preference to a system of rotation through hiring halls." And the demand for a maximum load on slings was denied.

Of course, the key aim for so many strikers—a union governed according to the needs, and with the consent, of its rank and file—faded, once more, into the distance. But if King Joe's throne survived to see another day, it would not outlast the rank-and-file movement. Ryan was ousted in 1953 after a sensational investigation, run jointly by the state and federal governments, uncovered a litany of criminal activities on the New York waterfront, and the ILA was briefly suspended from the AFL. Even after reforms were implemented, Albert Anastasia's brother Tony remained a presence on the docks, but the rank-and-file movement reemerged as militant and influential as ever. Although it never succeeded in establishing a union-controlled hiring hall, it did press popular demands during contract negotiations and strikes, even winning some protections against the container revolution that would come to cripple dock labor virtually everywhere. The ghosts of 1945 had not been so easy to exorcise.[91]

PART III – SMASHING SOLIDARITY: REMAKING U.S. LABOR LAW

The strikes in New York's high-rise commercial buildings and on its waterfront were a prelude to a long succession of strikes whose causes, specific forms, and effects varied across time and place and reflected regional, sectoral, and demographic differences. Common to most incidents, however, were some or all of the characteristics that I have marked as significant about the two early strikes documented in Parts I and II. Use of the sympathy strike was widespread, and even among the otherwise unrelated strikes taking place at other times and in other areas, the actions seemed to have an infectious quality that must have made national policymakers feel as though they were engaged in a numbingly long game of whack-a-mole. The strikes carried a flavor of defiance, taking place in spite of public denunciations by political and business leaders, and they were led, to an exceptional degree, by a militant rank and file. And, again and again, the responses by employers and their allies to these powerful displays of bottom-up solidarity were couched in the harshest rhetoric available. No matter the absence of any basis for such soothsaying—and there typically was none at all—cynical leaders in government, business, and even labor raised the specter of the Communist bogeyman, standing at the ready to bring the vast U.S. economy to its knees in service of Joseph Stalin's sinister imperial designs.

After the war, employers united around a goal of restoring dominance in the workplace, which they perceived as having been undermined by the National Labor Relations Act of 1935 (nicknamed the Wagner Act after its sponsor, Senator Robert Wagner of New York). They and their allies recognized the expressions of class solidarity and assertiveness during the wave as a threat to that project, and accordingly secured highly repressive legislation that targeted every vehicle of solidarity they could imagine. Seeing in the Communists who held local and international posts in CIO unions a convenient scapegoat for the recent industrial conflict,

Congressional and business conservatives deployed anti-Communism as a hammer to drive a wedge between groups of workers. Included in the final legislation was a provision that required officers at all levels to sign affidavits disavowing any connection to the Communist Party, which had the effect of destroying all but a few of the most progressive unions and stripping the labor movement of some of its most skilled organizers. Mass picketing, secondary boycotts, and sympathy strikes were banned outright, accompanied by a devastating provision allowing states to pass "right-to-work" laws that effectively banned union security.

Reinterpreting Reform

Among chroniclers of the 1940s labor movement, George Lipsitz does the best job of capturing the final flowering of class consciousness and solidarity among workers. His portrait of the 1946 general strikes in Pittsburgh, Rochester and Oakland, which notably all took place after the general wage issues had been definitively settled, is a particularly vivid illustration of that moment.[92] Where Lipsitz's analysis proves less satisfying is in its assumptions about the nature of postwar labor law reform. Lipsitz's scholarship follows a historiographical trend established in the 1960s and 1970s, with distinctly New Left roots. Its central tenet is that the entire New Deal order was engineered by an elite class of enlightened business leaders and government officials ("corporate liberals") who worked in concert with top union leaders to absorb working-class discontent and channel it into institutions that pose no threat to capitalist prerogatives. For Lipsitz, therefore, the Taft-Hartley Act was a mere extension of the same order that produced the very law that Taft-Hartley targeted for reform.[93]

A more convincing interpretation along similar lines is best articulated by Christopher Tomlins in *The State and the Unions,* first published in 1985. Unlike Lipsitz, Tomlins implies no conspiracy to contain workers' power; the limitations created by an inherently coercive legal

system took care of that. Taft-Hartley was inevitable, he argues, because the National Labor Relations Board (NLRB), the judiciary, and the precedents set by the wartime bureaucracies had already blunted the aspects of the Wagner Act that antagonized the reigning industrial order.[94] Melvyn Dubofsky, a leading institutionalist among labor historians, accepts Tomlins's premise of Taft-Hartley's inevitability and incorporates it into a view of the state as a barometer registering an alternating struggle for power between capital and labor. He, too, believes that the law's significance has been overstated, but he is less dismissive of the bargaining infrastructure, pointing out that union density and other traditional measures of measures of organizing success remained solid for three decades after Taft-Hatley's passage, reflecting labor's relatively strong institutional clout vis-à-vis capital during this period.[95]

Notwithstanding the failure by proponents of the corporate-liberal thesis to accept that the capitalist state is at least somewhat autonomous from the interests it represents, each of these perspectives has merit. Yet they all overlook a crucial change in labor law codified by Taft-Hartley: The Wagner Act and the collective bargaining machinery it spawned may have drawn narrow contours within which labor might advance its goals, but it also did not do much to require labor to limit its political ambitions independent of the bargaining regime; Taft-Hartley did. It is true that anti-labor hardliners in Congress had coalesced around a number of reforms to the Wagner Act even before the U.S. entered World War II. But other key elements of Taft-Hartley were, in an important sense, products of their historical moment. Business executives, especially war contractors, were in rather good position to withstand strikes after the war, owing to the government's refund of a portion of excess profits taxes, along with other policies meant to encourage investment during the reconversion period.[96] But they saw the labor radicalism as a serious liability over the long run. While Congressional conservatives conferred with the National Association of Manufacturers (NAM), an advocacy group known for its slick propaganda and

effective lobbying, members joined and contributed in record numbers. Going well beyond the reforms sought before the war, the legislation they drafted together targeted precisely the tactics workers were using in pursuit of industrial democracy, and justified the need for such provisions by pointing to the strike wave.[97] We can observe this much by considering the trajectory of Wagner Act reform, beginning with its origins as a 1940 report by a House committee investigating the NLRB, through to the affirmative vote to override Truman's veto of the Taft-Hartley Act in June 1947.

The Smith Amendments and Smith-Connally

The labor law reform provisions that commanded significant support before the introduction of the so-called Case Bill in 1946 generally fell into two categories: either they were essentially procedural, substantially curbing the power and changing the composition of the NLRB but not drastically restricting the collective rights of workers; or they were limited in scope to include only defense industries. Even on their own, the procedural issues, some of which made it into the law that passed and was affirmed by Congressional supermajorities in 1947, might have achieved a material rollback of those workers' collective-bargaining rights that were articulated in the Wagner Act. Likewise, some Supreme Court decisions of the prewar period strenuously defended private property at the expense of strikers. Still, unlike Taft-Hartley, neither the provisions passed by the House in 1940 nor the judicial decisions were necessarily repudiations of fundamental principles of the Wagner Act.

In 1939—with a coalition of Southern Democrats and conservative Republicans newly in control of Congress—the House and Senate Labor Committees passed a resolution creating a committee tasked with investigating the practices of the NLRB, which is the administrative body responsible for adjudicating the Wagner Act. CIO unions had flourished during the first few years

under the law, and the NLRB's perceived bias toward unions over employers and—in jurisdictional matters—industrial (CIO) over craft (mainly AFL) unions was alarming even some liberals in the Roosevelt Administration, such as Labor Secretary Frances Perkins. The AFL's eagerness to help the committee make recommendations for reform signaled the presence of a moderating influence, even if the committee's leadership betrayed its ambitions; at its head was Representative Howard W. Smith of Virginia, a sworn enemy of labor.[98]

Over several months, Smith, the committee staff, and the committee's Republican members used their perch to pillory members of the NLRB for their alleged hostility to craft unions, coziness with the CIO leadership, and leftist sympathies. In March, the committee majority issued a scathing report that painted the board staff as infiltrated with left-wing radicals and called attention to more than a dozen cases where the board had ostensibly exceeded its legal mandate. The majority recommended a list of amendments which had potentially serious consequences, including those: articulating "the employer's right of freedom of expression" (i.e., employers could issue anti-union propaganda to their workers); allowing employers to initiate an election petition where they had reason to believe a union no longer had majority support among its unit; creating a new position, "an Administrator of the National Labor Relations Act," to operate independently of the body tasked with hearing disputes; and amending the definition of the term "collective bargaining" under the law to preclude any obligation on the part of the employer to ultimately sign an agreement. Nevertheless, to gain broad support at that time Smith needed the AFL to agree. The AFL was not seeking the kind of procedural reform recommended by the committee. Rather, its main goal was to insert an amendment that protected the right of small units (generally of craft employees) to retain representation in plants where a larger number of industrial workers voted to affiliate with the CIO. The federation got its amendment, but Smith was forced to concede some of his most obnoxious amendments, such as changing the legal definition of collective bargaining. And even if those

amendments had passed and become law, it is not clear what their practical effect would have been, since they generally either affirmed common law, or clarified language in the original Wagner Act (but did not necessarily reverse its meaning). Case in point: nothing in the Wagner Act articulates a requirement that the parties ultimately come to an agreement, only that they "confer in good faith." The compromise amendments passed the House by a two-to-one margin, but died in the Senate.[99]

Then, in 1941, as the U.S. was amassing Franklin Delano Roosevelt's "arsenal of democracy" to aid Britain and Nationalist China in their struggles against Nazi Germany and Imperial Japan, respectively, large strikes in defense-related industries by CIO unions created space for Smith and the conservatives to go on the attack again. Smith got a bill through the House that banned strikes in defense industries, as well as union security clauses—a severe restriction of rights, albeit temporary and limited in scope. The bill again died in the Senate, but the issue arose again in 1943 when John L. Lewis and his UMW undertook an enormously controversial strike that threatened (but did not cause) shortages of an essential fuel source for war production. Smith again sponsored the House version of a bill addressing wartime strikes that was introduced in the Senate by Senator Tom Connally of Texas, but the hardliners did not get a bill that resembled what they had sought. There were three important features of the Smith-Connally Act, which passed over Roosevelt's veto: a mandated sixty-day "cooling-off" period before a strike could commence; an NLRB-supervised strike vote; and presidential authorization to seize plants deemed vital to war production. The cooling-off period did make it into the Taft-Hartley Act four years later, but the latter two provisions served as examples for the authors of the postwar bill of *measures to avoid*. "Both the plant seizure provisions, and the prestrike voting requirements failed in their purpose," said Fred Hartley of New Jersey, the lead sponsor of the 1947 law. Noting that the seizure provision effectively meant compulsory arbitration for companies seized by the government, and that the strike vote allowed labor leaders to come to the bargaining table armed with a strike vote,

Hartley said, "we were able to profit from that failure in writing the new labor law."[100]

As concerned the Supreme Court decisions on board, employer, and worker actions under the Wagner Act, some did impose important limitations, especially pertaining to strikes. Among the most noted is *NLRB v. Fansteel Metallurgical Company* because it stripped CIO unions of their most powerful organizing tactic, the so-called "sit-down strike." In late 1936, workers at GM struck for recognition by sitting down at their work stations and refusing to leave the plant, a strategy that undermined company efforts to break the strike, since doing so risked damaging equipment. A great wave of sit-downs ensued in 1937, which ushered in a dramatic period of expansion for the CIO and the industrial union movement. In 1939, the Supreme Court found in *Fansteel* that companies had legal grounds to discharge workers engaged in sit-downs and deny them reinstatement after a strike ended. Other significant cases during this period included one that allowed employers to hire permanent replacements during strikes over economic issues, and another that strictly delimited situations where unions could call strikes during the life of a contract, even in the absence of a no-strike clause. But these decisions are unremarkable statements from a federal judiciary that was and is among the most conservative political institutions in American society, and it surprised many more observers at the time that the court had, in other decisions, unambiguously affirmed the legitimacy of the Wagner Act. The legal theorist Karl Klare, an impassioned critic of the restrictions imposed by the pre-war decisions, has written that the argument that the court actively sought to harm workers' interests and greatly narrow the legal framework of the Wagner Act is "ironic precisely because [the Supreme Court] was so often attacked by contemporaries as overly friendly to labor." Likewise, Dubofsky admits that "the vast majority of Supreme Court rulings between 1938 and 1941 sustained both the letter and the spirit of the Wagner Act, and the authority of the NLRB and the rights of labor." And the next wave of important decisions did not arrive until after 1947, when the court generally rejected challenges to

the Taft-Hartley Act.[101]

The Case Bill

The real precursor to Taft-Hartley was a bill introduced by Representative Francis Case of South Dakota at the end of January 1946—as the strike wave was peaking, and more than one million workers were out in steel, autos, and packinghouses alone. The bill was considerably more severe than anything that had been given general consideration by either chamber of Congress, and sounded the opening salvo of an 18-month legislative battle that ended in decisive defeat for organized labor and its allies. While not quite as ambitious Taft-Hartley, the Case Bill was the template on which the former was crafted, and targeted a few of the same tools of worker solidarity that were so antagonizing to employers, namely mass picketing, foremen's unions, and "secondary boycotts," a term was conceived to include sympathy strikes, as we will see; also included was the sixty-day cooling-off period that was clearly meant to undercut union morale. Crucially, the progress of the final legislation sent to Truman's desk in late May 1946 tracked closely with the tempo and timbre of developments, with the greatest legislative activity occurring when major new strikes were called or existing ones grew. When the Case Bill ultimately failed, its architects and supporters were hardly humbled. On the contrary, they shrewdly parlayed the experience into a larger political victory that allowed them to legislate an even more comprehensive rollback of labor rights.

The Case Bill was controversial before most lawmakers had had a chance to read it. Indeed, that seemed to be the crux of the problem, for it took something of a sleight of hand to get the bill to the floor of the House of Representatives. The House Labor Committee was chaired by Mary Teresa Norton of New Jersey, generally a friend of the unions who was sure to bury such a bill, or at the very least bog it down in weeks of hearings. So Case, a conservative but genial former small-

town newspaper editor, sent his bill to the House Rules Committee, which generally does not hold public hearings. Southern Democrats and Republicans on the committee then conspired to push a resolution to the floor substituting Case's bill for one already passed by the Labor Committee that would have established fact-finding boards to investigate strikes "seriously affecting the national public interest." The liberal Rules Committee Chair Adolph J. Sabath of Illinois, a man who compensated in floor theatrics for what he lacked in parliamentary effectiveness, denounced the resolution, quite reasonably, as a maneuver intended to circumvent established procedure, but there was little he could do to stop it. The unamended bill sailed through the full house after only two days of general debate.[102]

Included alongside sections spelling out relatively innocuous procedures for mediation and voluntary arbitration were some draconian measures indeed, not only because of what they proscribed, but also because of the sanctions permitted to enforce them. For example, the cooling-off provision worked this way: If a union wished to strike (or, if an employer wished to lock out employees), it had to first exhaust all possible conciliation options, and then submit a written statement to the NLRB offering its reasons for striking. The NLRB had five days to acknowledge the notice, and once it did, the union had to wait at least 30 days* before starting its strike. If it started any sooner, the board could ask the Attorney General to seek a restraining order to maintain the status quo. In response to mass picketing and other forms of "unlawful destruction or seizure of property," employers could seek private injunctive relief, which was the preferred method of breaking strikes until it was made illegal in the Norris-La Guardia Act of 1932; employees found to be engaged in such practices were not entitled to reinstatement. Injunctions remained on the table for sympathy strikes/secondary boycotts, and workers engaged in such activities were stripped of

* In the amended bill that later passed both chambers, the period was lengthened to 60 days.

protection under the Wagner Act, while unions found to be in violation were suspended from protection for at least 90 days.[103]

Efforts to advance these measures followed the ebb and flow of the unfolding industrial drama. The general context in which Case and his colleagues met behind closed doors to craft their bill was one in which an industry-wide strike in steel was looking increasingly likely. Philip Murray, who served as president of the United Steelworkers (USW) union in addition to his post atop the CIO, had by all accounts wanted desperately to avoid a strike. The membership had voted overwhelmingly in favor of a strike in late November, and local officials, along with the rank and file, were urging the top brass to call the strike promptly in order to aid the UAW in its struggle against GM. But Murray postponed the strike vote several times to continue negotiations and participate in mediation efforts; only after the steel companies rejected settlement offers from Truman during the third week of January did a strike of some 750,000 steelworkers become inevitable. Meanwhile, rival packinghouse union workers of the AFL and CIO called a strike spanning several states for January 16, joining not only the UAW, but large numbers of telephone workers and electrical workers.[104] Outraged members of Congress duly made their case, in almost apocalyptic rhetoric, for adopting legislation that drastically restricted when and for what reasons unions could strike. “These strikes are war against the American people,” Senator James Eastland of Mississippi thundered, urging his colleagues to “act to settle the question who is boss [sic] in this country—the American Congress or the CIO.” In the House, labor’s old foe Howard Smith assailed the “labor dictatorship” and its willingness to “threaten to halt the operation of any essential function of our economy” through “revolutionary acts in the conduct of strikes and labor disputes.” He proposed a law with “rigid prohibition against sympathy strikes, boycotts, and jurisdictional strikes,” along with provisions barring mass picketing and the unionization of supervisory workers, and imposing a mandatory 30-day cooling-off period. Republican

Representatives Robert F. Rich and Charles Gifford falsely accused the USW of violating its contracts by striking; Gifford urged Congress to "demand a stop to this riotous picketing" and recommended that the government be given powers to "suppress strikes" when it perceived the national interest to be at stake. Meanwhile, in another sign of workers' declining legislative prospects, the Southern Democrats recruited a handful of Republicans and conservative Western Democrats to block legislation creating a permanent Federal Employment Practices Committee, a wartime agency that, however incompletely, had offered some protections to Black and Mexican American workers from discrimination in hiring and on the job.[105]

Following the House's 258-to-155 vote to pass the Case Bill on February 7, the bill was taken up by the Senate Labor Committee, where it was accorded less urgency. By late February, when the committee met to hold hearings on the bill, the packinghouse workers had returned to work and many of the steel mills were operating once again, and although many workers in other industries would not return until March, the pace of new strikes was slowing considerably. And since the conservatives were narrowly shy of the votes needed to report the bill out of committee, the legislation that ultimately reached the floor of the Senate had been shorn of its harshest provisions. Nevertheless, the pro-labor senators on the committee largely neglected the hearings, which allowed the conservatives, led by Robert Taft and Joseph Ball, to lead the charge. In testimony from more than three dozen employers, industry representatives, labor leaders, lawmakers, and bureaucrats, some of the colorful rhetoric that characterized the House debates returned, but Taft and Ball presided over a decidedly more cerebral affair. At least two of the finer legal points that were discussed at length that would ultimately prove crucial. The first was that mass pickets, insofar as they might prevent workers from entering a plant, constituted a form of "unlawful destruction or seizure of property," which the bill would have prohibited and punished stringently. To demonstrate the apparently broad legal consensus on this point, Case even cited a

statement from the liberal American Civil Liberties Union (ACLU) offering its view that "the right of access of…any and all [people] is undebatable." The second idea was that there was no legal distinction between a sympathy strike, which was explicitly addressed by neither the Case Bill nor Taft-Hartley, and a secondary boycott, which was listed under unfair labor practices in both. Representative James Geelan chose an interesting illustration in trying to clarify this point with Senator Ball:

> Here is an elevator strike in New York City. On the fourth floor of this building is a fur manufacturer's loft. The furriers belong to a union. Because of the fact that the elevator operators are out on strike they refuse to cross the picket line and walk up to the fourth floor. Is that a secondary boycott?

Ball at first said it was not, but Taft interjected that "if they refuse, in order to help the elevator men win their strike, I would think it was a secondary boycott," and Ball, after some awkward rambling about what his original answer meant, finally agreed. When a very similar clause made it into the unfair practices section of the Taft-Hartley Act, the courts would agree with Taft too, as they would agree with the Case-ACLU reasoning about mass picketing.[106]

The liberals, led by Chairman James E. Murray of Montana, managed to slow the bill down, but under the conditions of 1946, they could only do so for so long. As a controversial industry-wide strike in the bituminous coal mines stretched into May, coal was becoming scarce and the liberals found themselves under pressure to act. The bill that made it out of committee, which dealt largely with conciliation and arbitration services, did actually have provisions that would have addressed strikes that legitimately threatened the flow of essential resources—as the one in coal did indeed—but the Southern Democrats and most Republicans in the Senate were determined to go further. After a week of rancorous debate, Truman seized the mines and promised workers a fair settlement, which seemed to extend the promise of cooling the temperature, since there were no other major strikes in effect; it was not to be.[107] On May 23, the railroad brotherhoods called a

nationwide strike, which threatened to throttle the entire U.S. economy. The White House scrambled to head off the strike with a settlement, and more than a dozen smaller unions accepted, but the Brotherhood of Locomotive Engineers and the Brotherhood of Railroad Trainmen (both non-affiliated unions), with a combined membership of 350,000, refused to get on board. On the evening of May 24, Truman addressed the public via radio in an open appeal to the leaders of the two striking unions to call off the strike, setting a deadline for 5 p.m. Eastern the following day for workers to return to their jobs before the Army seized the railroads. When the two union leaders still held out, an enraged Truman went before Congress and denounced the "handful of men who are striking against their own Government and against every one of their fellow citizens." He again urged emergency legislation to address strikes with the potential to cause a national crisis, but this time proposed a remarkable measure that would allow the president to draft workers who struck against the government. Truman famously announced toward the end of the speech that he received a note informing him that the brotherhoods had accepted his original settlement. Nevertheless, the House moved forward with legislation along the lines he had sought and passed it promptly by an overwhelming margin.[108]

Conservatives in the Senate, though not necessarily opposed to the president's emergency bill, shelved it temporarily. In its place, they took up the Case Bill, as reported by the committee, and simply added back each of the restrictive measures as amendments, and then some. In a late-night Saturday session on May 25, the Senate voted in favor of attaching amendments outlawing secondary boycotts, permitting lawsuits against unions for breach of contract and denying bargaining rights to supervisory workers. A cooling-off of 60 days was mandated (doubling the period provided for in the original Case Bill), and criminal penalties for "racketeering," as defined by a separate bill before (and later passed by) the Senate, were expanded. As expected, Truman vetoed the legislation, and the conservatives clearly lacked the votes to override a veto. Such a

setback, however, proved all too temporary, and the entire ordeal provided labor's enemies with a very effective dress rehearsal for the fight ahead.[109]

The Final Act

The body blows eventually delivered to union power—and worker self-determination more broadly—in June 1947 were not unexpected, but neither were they inevitable even in mid-1946, when the future for labor looked grim indeed. It is probably true that a strict anti-labor law had been made more likely by the shortsighted decisions of labor leaders like Lewis and A.F. Whitney and Alvanley Johnston of the railroad brotherhoods to exacerbate the instability of the postwar economy, thereby alienating segments of the public. But to accept this as the wellspring—to accept, in other words, that the more destabilizing or provocative strikes undertaken in 1945 and 1946 were the main cause of the Republican gains in the 1946 elections that provided the conservatives with a veto-proof majority—ignores other essential elements of politics in the early Cold War. Firstly, it underestimates just how tepidly Truman was regarded among the urban-liberal base that had powered the New Deal reforms. As Lizabeth Cohen points out, some 10 million people who had turned out for the Democrats in 1944, most from urban districts, stayed home in 1946—a jarring downturn even accounting for the expected decline in turnout that occurs in midterms compared to presidential years. Perhaps more important, the notion that there was a decisive *public* backlash against labor disregards the Republicans' primary campaign issue, which was not explicitly rolling back labor relations, but rather striking an aggressive posture against Communism at home and abroad. The job of vilifying labor was generally outsourced to business pressure campaigns, with plenty of help from the nation's popular newspapers and magazines. Since we have looked in some detail at the restrictive anti-solidarity measures that would be carried over from the Case Bill and written into the final legislation (prohibitions on secondary

boycotts/sympathy strikes and mass picketing, as well as the imposition of a cooling-off period), it is worthwhile to instead take a glance at the anti-Communist political dynamic at play leading up to Taft-Hartley's passage, as well as two innovations not in the previous bills, both of them devastating for worker solidarity: the anti-Communist affidavit requirement that swiftly vanquished militant unionism, and the right-to-work provision that haunts organized labor to this day.[110]

The assumption that there was a general public backlash to the strike wave significant enough to elect an anti-labor supermajority is all too widely accepted. One problem with that assumption is that, while there were plenty of Republican attacks on "labor bosses" like John L. Lewis, there is scant evidence of an electoral strategy centered on rolling back the Wagner Act. That is probably because a fundamental Republican attack on the bargaining regime would have been a perilous gambit on which to base a general political strategy in 1946. The liberal wing of the party, based primarily in the urban Northeast and West Coast, staked its survival on maintaining some support from otherwise Democratic-leaning voters such as union members, ethnic minorities, and African Americans. That the liberal wing held significant sway within the GOP during this time is beyond question; Thomas Dewey, who epitomized this faction, led the Republican ticket in 1944 and would do so again in 1948. The public backlash narrative also elides what *was* at the center of the GOP electoral strategy and, by the second half of 1946, at the center of political discourse: fears of Soviet expansionism abroad, and Communist infiltration at home. As Michael Bowen shows, a newly strengthened Republican National Committee (RNC) combined an overall denunciation of the Truman domestic agenda (one slogan in campaign literature asked simply, "Had Enough?") with fearmongering propaganda that suggested Communist domination of the Democratic Party. Tennessee Representative B. Carrol Reece, the architect of the anti-Communist campaign who took command of the RNC in April 1946, made the electoral priority clear in his first national speech: "It seems to me that the pink puppets in control of the federal bureaucracy

have determined to prevent American productive capacity from supplying the needs of the people." The chief Republican slogan of the 1946 elections was, "Communism vs. Republicanism." Fred Hartley later wrote that the party had secured a mandate to write restrictive legislation, using as evidence the number of senators and representatives who had voted against the Case Bill and been subsequently elected out of office in November. But the truth is much more complicated. After all, by Hartley's logic, in the 1948 elections, which saw a partisan swing back toward the Democrats even more violent than the Republican sweep two years earlier, the same electorate then repudiated the legislature that had passed Taft-Hartley.[111]

When the Eightieth Congress was seated in January 1947, they pulled a sort of bait-and-switch, wherein (domestic) Communism and unionism were treated as two sides of the same coin. The Hartley-led House Committee on Labor, which was stacked with Old Right Republicans such as Ralph Gwinn of New York and the erstwhile fascist sympathizer Clare Hoffman, along with staunch segregationists like Graham Barden, John S. Wood, and O.C. Fisher, used its February and March hearings to paint a picture of a CIO teeming with un-American fifth columnists. In addition to the routine denunciations of practices like sympathy strikes and arguments that reform was needed to "equalize" labor-management relations because the Wagner Act had given unions the upper hand, the committee heard charges that Communist-led unions were subverting labor relations in Detroit steel mills, Central Valley dairy farms, and Los Angeles aircraft plants. It devoted two full days and most of a third to investigating scurrilous and sensational charges by the management of heavy machinery manufacturer Allis-Chalmers that strikes at one of its plants by UAW Local 248, including one that was ongoing, were directed by the Communist Party to obstruct U.S. defense efforts. Even as high-minded a liberal as the freshman Representative John F. Kennedy piled on, suggesting after two Local 248 officers testified that the committee initiate an indictment for perjury; it did, one of the officers was convicted and spent three years in prison, and

Allis-Chalmers, which succeeded in deflecting attention away from the contractual issues in dispute, broke the strike and greatly weakened the union. Hartley acknowledged that the committee knew which kind of bill it wanted to write—the Case Bill served as a kind of first draft—but it is also clear that the conservatives were determined to go further, and in the course of the hearings they settled on the Communist issue the basis for a new restrictive provision. The eventual result was Section 9(h), which required, for the purposes of continued protection of the Wagner Act, every officer of a union, including each "affiliate or constituent unit" (i.e., local) to submit an annual affidavit under penalty of perjury that they are "not a member of the Communist Party or affiliated with such party, and that he does not believe in, and is not a member of or supports any organization that believes in or teaches, the overthrow of the United States Government by force or by any illegal or unconstitutional methods."[112] In 1950, the Supreme Court heard a case challenging the constitutionality of 9(h), which it upheld. As Ellen Schrecker has pointed out, in the majority opinion Chief Justice Fred Vinson defended the requirement by implicitly referring to the committee hearings on Allis-Chalmers, even though the company's only real evidence was the testimony of the FBI's paid informant Louis Budenz, a man whose wisdom was accepted when he said that "the fact that a man denied he was a Communist might prove he was a Communist." [113]

Section 9(h) rent the CIO apart during the final years of the 1940s. During the 1930s, even some of the most bitterly anti-Communist people at the top of the fledgling CIO, including John L. Lewis himself, had tolerated the presence of party members and fellow travelers because of their virtuosic organizing skills. Several sizable internationals were led by or allied with the Communists, most notably Harry Bridges' ILWU; the Food, Tobacco, Agricultural & Allied Workers (FTA); they International Union of Mine, Mill, and Smelter Workers (Mine-Mill); the UE; and the UOPWA. These unions were "more militant, more class-conscious, and, in most cases, more democratic," Schrecker writes. Moreover, they boasted the best records on issues of gender

and race. The FTA, for example, was not just a labor union but a Black-led, interracial civil rights organization that promoted causes such as equal access to quality education and low-income housing in the tobacco-growing areas of North Carolina. Combined with other efforts, anti-Communists wielded 9(h) to lead raids on all of the CP-affiliated unions; only the ILWU and the UE ultimately survived, the latter with only a fraction of its former membership. More important, the raids rolled back the substantial measure of class-based solidarity that these unions had achieved and caused bitter resentments among the rank and file.[114]

Another new provision that made it into the Taft-Hartley Act, allowing states to pass "right-to-work" laws, would end up being the most destructive over the long term. Based on nineteenth-century common law, which prioritized freedom of contract as the worker's most fundamental right, Section 14(b) of the act permits states and localities to completely ban union security agreements, effectively securing an open shop for every workplace based in that state or locality, public or private. This section is the most insidious saboteur of solidarity in the shop to make it into Taft-Hartley. That is because union security agreements themselves establish a kind of solidarity, if sometimes an unwitting one. The logical basis for such agreements is that everyone must make a shared sacrifice (i.e., paying union dues) in order to ensure a robust collective benefit for the entire bargaining unit. Allowing even one person to reap those benefits without making the same sacrifice—a phenomenon known in orthodox economics as the "free-rider problem"—is bound to leave others questioning why they should pay for what their co-worker is getting for free. The upshot is thin treasuries for the unions that have the greatest financial needs, since their survival depends on offering exceptional benefits. As of December 2020, 28 states have right-to-work laws on the books. During the first few decades after Taft-Hartley's passage, these states were concentrated in the Sunbelt and the rural Plains states, but a revived 21st-century open-shop movement has succeeded in expanding the bloc to include onetime union strongholds, such as

Wisconsin, Michigan, Kentucky, and West Virginia, as union density across the U.S. continues its 40-plus-year freefall.[115]

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The purpose of this tale is not to indulge a nostalgia for an industrial era, nor to suggest that workers ever came close to overcoming very serious racial and gender divisions by uniting along class lines. While the women and men who waged these struggles in New York during the early autumn of 1945 had at their disposal the kind of associational and strategic leverage lacked by all but a tiny portion of today's working class, they also faced their own set of historically specific limitations. New circumstances require new strategies; indeed, it seems entirely possible that the path to a freer, more dignified future for today's working class might not even center on traditional unions at all. Difficult as it may be to imagine organized displays of solidarity comparable to those chronicled here without more favorable labor laws or large, powerful unions, labor's success has historically depended heavily on daring and creative challenges to entrenched power, which is to say it has depended on the unlikely, even the quixotic. Many of these gambits failed. For every victory in the Lawrence textile mills (1912), there is a defeat at the mills of Patterson (1913); for every gain in working conditions by Cripple Creek miners (1894), there is a devastating loss of human life and morale in the tent colonies of the Colorado Front Range (1914). These heroic struggles came together, as did the strikes of 1945-46, when workers came to believe in a shared future that only they, acting together, could bring about.

NOTES

[1] U.S. Bureau of Labor Statistics, "Work Stoppages Caused by Labor-Management Disputes in 1945" (Bulletin No. 878), 20 https://www.bls.gov/wsp/1945_work_stoppages.pdf; BLS, Bulletin No. 878, 9; BLS, "Work Stoppages Caused by Labor-Management Disputes in 1946" (Bulletin No. 918), 3 https://www.bls.gov/wsp/1946_work_stoppages.pdf; Melvyn Dubofsky and Joseph A. McCartin, *Labor in America: A History*, Ninth edition (Chichester, West Sussex, UK: Wiley Blackwell, 2017), 329-330.

[2] BLS, Bulletin No. 918, 25. Art Preis, *Labor's Giant Step: 20 Years of the CIO*, *2nd ed.* (New York: Pathfinder Press, 1972), 270-276. Quote on p. 271.

[3] Joshua Benjamin Freeman, *Working-Class New York: Life and Labor Since World War II* (New York: New Press, 2000), 25; Nelson Lichtenstein, "From Corporatism to Collective Bargaining: Organized Labor and the Eclipse of Social Democracy in the Postwar Era," in Steve Fraser and Gary Gerstle, eds., *The Rise and Fall of the New Deal Order, 1930-1980* (Princeton, N.J: Princeton University Press, 1989); Lizabeth Cohen, *A Consumers' Republic: The Politics of Mass Consumption in Postwar America* (New York: Vintage Books, 2004), 102-109; David Brody, *Workers in Industrial America: Essays on the Twentieth Century Struggle*, 2nd ed (New York: Oxford University Press, 1993), 157-198. Even the Trotskyist writer Art Preis, in his influential history of the CIO, called the strike wave "the greatest wage offensive in U.S. labor history." See Preis, *Labor's Giant Step*, 262.

[4] The issues are well represented, above all, in the historical literature covering the iconic strike by the United Auto Workers against General Motors. See Nelson Lichtenstein, *Walter Reuther: The Most Dangerous Man in Detroit* (Urbana: University of Illinois Press, 1997), ch. 11; Robert H. Zieger, *The CIO, 1935-1955* (Chapel Hill, NC: The University of North Carolina Press, 1997), Ch. 8; Kevin Boyle, *The UAW and the Heyday of American Liberalism, 1945-1968.* (Ithaca: Cornell University Press, 1995), ch.1.

[5] Nelson Lichtenstein, *Labor's War at Home: The CIO in World War II*, (Philadelphia, PA: Temple University Press, 2003). The quote is on p. xxii of this newer edition.

[6] Barbara S. Griffith, *The Crisis of American Labor: Operation Dixie and the Defeat of the CIO* (Philadelphia: Temple University Press, 1988); Zieger, *The CIO*, 212-252; Melvyn Dubofsky, *The State & Labor in Modern America* (Chapel Hill: University of North Carolina Press, 1994), 191-204; Andrew Edmund Kersten, *Labor's Home Front: The American Federation of Labor during World War II* (New York: New York University Press, 2006). The last of these was explicitly designed as "an AFL counterpart to Nelson Lichtenstein's *Labor's War at Home*," per the author on p. viii.

[7] George Lipsitz, *Rainbow at Midnight: Labor and Culture in the 1940s* (Urbana: University of Illinois Press, 1994), 99-152.

[8] Ibid., 157-180.

[9] Building Service Employees' International Union, *'Going Up!' The Story of Local 32B* (New York, 1955), 51-52; Service Employees International Union, *Local 32B-32J: Sixty Years of Progress*, (New York.: Local 32B-32J, Service Employees International Union, 1995), 12-14; *New York Amsterdam News*, "11,000 Quit In 975 Buildings in Downtown NY," September 29, 1945, 1; Dorothy Sue Cobble, "Pure and Simple Radicalism: Putting the Progressive Era AFL in Its Time," *Labor* 10, no. 4 (December 1, 2013): 61–87.

[10] Benjamin L. Peterson, "Building the Service Employees International Union: Janitors and Chicago Politics, 1911-1968" (Ph.D. Dissertation, University of Illinois at Chicago, 2016), ch. 5. Thomas Young, interview by Anthony G. Weinlein and Pat Thomas, April 14, 1977, transcript, The Oral History Program, Service Employees International Union, Wayne State University, Detroit, MI.

[11] Peterson, "Building the Service Employees International Union," Ch. 6; for an interesting primary account of the alleged intrigue during the course of the Dewey probe, see Albert E. Perry, interview by Pat Thomas, August 1, 1977, and an open discussion between George Hardy, Charlie Levey, and Bob Crain, December 13, 1977, both from The Oral History Program, SEIU.

[12] Zieger, *The CIO*, 144-188; Lichtenstein, *Labor's War at Home*, 70-81.

[13] Lichtenstein, *Labor's War at Home*, 127-135; Nelson Lichtenstein, *State of the Union: A Century of American Labor* (Princeton: Princeton University Press, 2003), 100-105; U.S. Department of Labor, "The President's National Labor-Management Conference" (Washington: Government Publishing Office, 1946), 11-13, 23.

[14] "Office Buildings Face Strike Tie-Up," *New York Times*, May 27, 1945, 24; "Building Workers Backed on Demands," *New York Times*, July 7, 1945, 15; "Issues in the Building Strike," *New York Herald Tribune* September 25, 1945, 3; "Strike Set for Tomorrow by Elevator Men," September 23, 1945, 1-2; Beth McHenry, "Elevators Stop in 1,575 Buildings," *Daily Worker*, September 25 1945, 3.

[15] Fiorello H. La Guardia Documents Collection, Sunday Broadcasts – WNYC – Routine Broadcasting Transcripts, September 02, 1945 -September 30, 1945, Box # 26C2, Folder #31, NYC Municipal Archives.

[16] John G. Rogers, "Strike Ties Up 2,015 Buildings," *New York Herald Tribune*, September 25, 1945, 1-2.

[17] "Strike Threatens to Hit Record Number in City," *PM*, September 25, 1945.

[18] "Limited Strike Due Today," *PM*, September 24, 1945, 12; Peterson, "Building the Service Employees International Union," 322. 32-B Recording Secretary Tom Young tells an endearing story about Sullivan making a scene at a hotel in Washington in 1942 because the managers would not accommodate Young, a Black man. See Young interview, 18-20.

[19] "Elevator Walkout Paralyzes Business in 1,575 Buildings," *Daily News*, September 25, 1945, 3, 8;

[20] "Limited Strike Due Today," *PM*.

[21] Victor Riesel, "Building Owners Boycott WLB Parley," *New York Post*, September 25, 1945, 3; Rogers, "Strike Ties Up 2,015 Buildings."

[22] "The Service Strike Spreads," *New York Times*, September 25, 1945, 21; "The Issue Is Not Good Enough," *New York Herald Tribune*, September 26, 1945, 22; "The Elevator Strike," *Daily News*, September 25, 1945, 9; "Elevator Strike Blow to Public, May Be Boomerang to Labor," *The Brooklyn Daily Eagle*, September 26, 1945, 14.

[23] Malcolm Logan, "The Strike: Like V-J Day in Miniature," *New York Post*, September 25, 1945.

[24] "Tenants Accept Elevator Strike in Good Humor," *New York Herald Tribune*, September 25, 1945, 3; "Apartment Dwellers Get Strike Warning," *Daily News*, September 26, 1945, 3, 8, 11; "2 'Cloud Hermits' Quit Empire State," *New York Times*, September 26, 1945, 3.

[25] Walter Gordon Merritt, *Destination Unknown: Fifty Years of Labor Relations* (New York: Prentice-Hall, 1951), 230, emphasis added.

[26] "Lift Strike Puts 250,000 Out in Garment Trade," *New York Herald Tribune* September 26, 1945, 14a.

[27] Karl Pretshold and Hy Engel, "WLB Orders Building Strike Parley," *PM*, September 27, 1945, 14.

[28] Pretshold and Engel, "Strike Threatens to Spread to All Boroughs," *PM*, September 26, 1945, 14; "Lift Strike Puts 250,000 Out in Garment Trade;" Roger David Waldinger, *Through the Eye of the Needle: Immigrants and Enterprise in New York's Garment Trades* (New York: New York University Press, 1989), 157-165.

[29] Frank S. Adams, "Business Bogged," *New York Times*, September 26, 1945, 1; Beth McHenry, "City CIO, AFL Back Building Strike," *Daily Worker*, September 27, 1945, 3.

[30] Beth McHenry, "300 Buildings Sign Contracts with Union Here," *Daily Worker*, September 26, 1945, 3; "Apartment Dwellers Get Strike Warning," *Daily News*.

[31] McHenry, "City CIO, AFL Back Building Strike."

[32] "Protests Rising Over Strike as Losses Pile Up," *New York Herald Tribune*, September 27, 1945, 2.

[33] "WLB Hearing Called as Lift Strike Grows," *Daily News*, September 27, 1945.

[34] "Strike Case Laid to 'Defunct' Rules," *New York Times*, September 27, 1945, 27.

[35] John G. Rogers, "Elevator Peace Meeting Today," *New York Herald Tribune,* September 28, 1945, 1.

[36] Frank S. Adams, "Both Sides Accept: State Board's Invitation Follows Breakdown of WLB's Efforts," *New York Times*, September 28, 1945, 1; Edward Dillon and Neal Patterson, "Protection for Public Against Strikes Advocated at Session of Realty Owners," *New York Times,* September 28, 1945, 3.

[37] Lawrence Resner, "Dewey Intervenes in Service Strike," *New York Times,* September 29, 1945, 1.

[38] Tyler Priest and Michael Botson, "Bucking the Odds: Organized Labor in Gulf Coast Oil Refining," *The Journal of American History* 99, no. 1 (2012): 100–110.

[39] *Congressional Record*, 79th Congress, 1st session, "September 11, 1945 to October 18, 1945," 91, no. 7 (Issued: October 18, 1945). As we have seen, Dubinsky probably couldn't have called off the sympathy strikers even if he had wanted to, but it is probably no coincidence that the notoriously anti-Semitic Hoffman singled out the ILGWU chief, who had the double distinction of being both Jewish and a powerful establishment liberal.

[40] "Dewey Acts in Elevator Strike, Calls on Both Sides to Arbitrate," *New York Herald Tribune,* September 29, 1945, 1.

[41] "Frankenthaler Grants Rise in Elevator Pay," *New York Herald Tribune* October 12, 1945, 1; BSEIU*, 'Going Up!',* 67.

[42] "Sullivan Assailed: Head of Building Service Workers Accused of Defying Union," *New York Times*, October 22, 1945, 8; "Hold Frankenthaler Elevator Award Violates Wage Law," *Daily Worker,* November 21, 1945, 5.

[43] Arthur Harckham, interview by Bob Crain, March 12, 1977, transcript, The Oral History Program, SEIU 71-72.

[44] Young, interview transcript, 32.

[45] Frank S. Adams, "Both Sides Accept: State Board's Invitation Follows Breakdown of WLB's Efforts," *New York Times*, September 28, 1945; Young, interview transcript, 31-33; Arthur Harckham, interview by Anthony G. Weinlein, Pat Thomas and Jeff Turner May 2, 1977, transcript, The Oral History Program, BSEIU 25, 71-75; Merritt, *Destination Unknown*, 236.

[46] Preis, *Labor's Giant Step*, 253-282.

[47] Sunday Broadcasts – WNYC – Routine Broadcasting Transcripts, September 02, 1945 -September 30, 1945, Box # 26C2, Folder #31.

[48] Peter Cole, *Wobblies on the Waterfront: Interracial Unionism in Progressive-Era Philadelphia* (Urbana: University of Illinois Press, 2007).

[49] Maurice Rosenblatt, "Joe Ryan and His Kingdom," *The Nation* 161, no. 21 (November 24, 1945): 548–50.

[50] Maurice Rosenblatt, "The Scandal of the Waterfront," *The Nation* 161, no. 20 (November 17, 1945): 516–19; William J Mello, *New York Longshoremen: Class and Power on the Docks* (Gainesville: University Press of Florida, 2011), 27-30; Colin J. Davis, "'Shape or Fight?': New York's Black Longshoremen, 1945-1961," *International Labor and Working-Class History*, no. 62 (2002): 143–63.

[51] Vincent DeMatteis, interview by Santa Cigliano, n.d., New York City Immigrant Labor History Project, Tamiment Library and Robert F. Wagner Labor Archives at New York University, Box: Access Cassettes, Cassette 163; Rosenblatt, "The Scandal of the Waterfront"; Mello, *New York Longshoremen,* 30-33; Howard Kimeldorf, *Reds or Rackets?: The Making of Radical and Conservative Unions on the Waterfront* (University of California Press, 1992), 126.

[52] Kimeldorf, *Reds or Rackets,* ch. 5.

[53] Ibid., 123-24.

[54] Ibid., 124-25; Mello, *New York Longshoremen*, 35.

[55] Rosenblatt, "The Scandal of the Waterfront," Mello, *New York Longshoremen,* 36-37.

[56] Mello, *New York Longshoremen*, 38-40; "Class War on Waterfront in New York," *Catholic Worker* XII, no. 8 (October 1945).

[57] Vernon H. Jensen, *Strife on the Waterfront: The Port of New York since 1945* (Ithaca, NY: Cornell University Press, 1974), 36-37; During some years, the longshoremen worked without a contract even when new terms were hotly contested. See, for example, "Pier Men Work Today Despite Pay Deadlock," *New York Times*, October 1, 1932, 20.

[58] "Dockers Agree to Return After Brief Stoppage," *New York Herald Tribune*, October 02, 1945, 13a.

[59] Frank S. McElroy and George R. McCormack, "Injuries and Accident Causes in the Longshore Industry, 1942," *Monthly Labor Review* 58, no. 1 (1944); Rosenblatt, "The Scandal of the Waterfront."

[60] Quotes appear in ibid., pages 11 and 14, respectively.

[61] "Loaders Walk Out at Six Piers," *New York Times*, October 02, 1945, 12.

[62] "Pier Strike Ended After 2-Day Tie-Up," *New York Times*, October 03, 1945.

[63] Edward Dillon and Neal Patterson, "30,000 Tie Up Port in Dock Union Revolt," *Daily News*, October 4, 1945, 3, 8.

[64] George Horne, "100 Ships Tied Up," New York Times, October 04, 1945, 1.

[65] John Meldon, "Rank and Filers Defy Ryan Machine," *Daily Worker*, October 4, 1945, 1,2; Jim Longhi, *Woody, Cisco & Me: Seamen Three in the Merchant Marine*, (Urbana: University of Illinois Press, 1997).

[66] Rosenblatt, "The Scandal of the Waterfront."

[67] Horne, "100 Ships Tied Up"; "Subway Board Sets Record for Delay in Case of 4-F" *Civil Service Leader* Vol. 5, No. 51 Tuesday, August 29, 1944.

[68] Dillon and Patterson, "U.S. Moves to Mediate Pier Strike," *Daily News*, October 5, 1945, 3, 8; Jensen *Strike on the Waterfront*, 37-38.

[69] "Stevedores Vote to Return, but Some May Not," *New York Herald Tribune*, October 07, 1945, 24; "First Dockmen to Vote Favor End of Strike," *New York Herald Tribune*, October 06, 1945, 2; "Union Thinks Dock Stoppage Will End Today," *New York Herald Tribune*, October 08, 1945, 5; Horne, "Pier Strike's End in Doubt," *New York Times*, October 07, 1945, 1.

[70] Dillon and Patterson, "Dock Men Stay Out," *Daily News*, October 8, 1945, 3, 8.

[71] Horne, "Negotiations Halt as Dock Strikers Defy Own Leaders," *New York Times*, October 09, 1945, 1; "Dock Insurgents Reject La Guardia Plea to End Strike," *New York Herald Tribune*, October 13, 1945, 1; Benjamin L. Masse, "Story of a Strike," *America*, 74, no. 6 (November 10, 1945): 146–48.

[72] "Employers Halt Talks," *New York Herald Tribune*, October 09, 1945, 1a; Horne, "Negotiations Halt as Dock Strikers Defy Own Leaders," *New York Times*, October 09, 1945, 1.

[73] Masse, "Story of a Strike"; Horne, "Union Split Balks End of Pier Tie-Up," *New York Times*, October 11, 1945, 1.

[74] Horne, "Union Split Balks End of Pier Tie-Up,"

[75] Mello, *New York Longshoremen*, 47.

[76] Dillon and Patterson, "U.S. Moves to Mediate Pier Strike," *Daily News*, October 12, 1945, 3, 8; "Dock Strike Insurgents Block Peace," *New York Herald Tribune*, October 12, 1945, 1a.

[77] La Guardia, "Address to Longshoremen," October 12, 1945, WNYC Radio, courtesy of the NYC Municipal Archives WNYC Collection, https://www.wnyc.org/story/mayor-la-guardia-address-to-longshoremen/. Mention of the federations' statements are found in "CIO Ship Tie-Up Threatens as Many Dock Men Return," *New York Times*, October 14, 1945, 1. For La Guardia's legislative fight to protect the right to strike, culminating in the Norris-LaGuardia Act, see Howard Zinn, *LaGuardia in Congress*, (Ithaca, NY: Cornell University Press, 1958).

[78] "Dock Insurgents Reject La Guardia Plea to End Strike," *New York Herald Tribune,* October 13, 1945, 1; Dillon and Patterson, "CIO Seamen Back Pier Tie-Up," *Daily News*, October 13, 1945, 5, 8; Masse, "Story of a Strike."

[79] John Hughes and Jess Stearn, "NMU Blocks Docker Peace; 2,000 Back," *Daily News,* October 14, 1945, 1, 3, 8; Horne "CIO Backs Rebels," *New York Times,* October 14, 1945, 1.

[80] "A. F. L. Inquiry 'Suspects' Reds in Dock Strike," *New York Herald Tribune,* October 14, 1945, 11; "A. F. L. Inquiry 'Suspects' Reds in Dock Strike," *New York Herald Tribune,* October 14, 1945, 11.

[81] Ellen Schrecker, *Many Are the Crimes: McCarthyism in America* (Boston: Little, Brown, 1998), 28-29, 88-99.

[82] La Guardia, "Text of Mayor's Letter on Ending of Port Strike," *New York Times*, October 15, 1945, 2.

[83] Resner, "Owners Are Silent," *New York Times,* October 15, 1945, 1.

[84] La Guardia Documents Collection, Mayor's Personal Memos, September 1945 -December 1945, Series: Departmental Correspondence Box# 3354, Folder# 05 MicroFilm# 598 Image# 1202, NYC Municipal Archives; Horne "Sea Union Orders Walkout on Ships to Aid Port Strike," *New York Times,* October 16, 1945, 1.

[85] Horne, "Ship Owners, Union Renew Talks Today as Tension Mounts," *New York Times,* October 18, 1945, 1; "Dock Strike Ends, Rebels Will Go Back," *New York Herald Tribune,* October 19, 1945, 6.

[86] Horne, "Warren is Beaten in Longshore Feud," *New York Times,* October 20, 1945, 1; "Dockmen Back," *New York Herald Tribune,* October 20, 1945, 1.

[87] "Dock Insurgent Chief Recants," *New York Herald Tribune,* October 21, 1945, 1; "Pier Strike Leader Assails Advisers," *New York Times,* October 21, 1945, 35.

[88] J.C. Rich, "Communist Putsch on the Waterfront," *New Leader,* October 27, 1945.

[89] Masse, "Story of a Strike: Part II," *America*, 74, no. 7 (November 10, 1945): 180-81; Steven Rosswurm, "The Catholic Church and the Left-Led Unions: Labor Priests, Labor Schools, and the ACTU," in Rosswurm, ed., *The CIO's Left-Led Unions* (New Brunswick, N.J: Rutgers University Press, 1992), 119-138.

[90] "Class War on Waterfront in New York," *Catholic Worker*; Dorothy Day, *The Long Loneliness: The Autobiography of Dorothy Day* (San Francisco: Harper & Row, 1980). Confirmation that Day was the likely author of the article in question came from Joanne Kennedy, currently managing editor at the *Catholic Worker*, in an email message to the author, dated August 2, 2020.

[91] Mello, *New York Longshoremen*, ch. 3-5.

[92] Lipsitz, *Rainbow at Midnight*, 137-152.

[93] Ibid., 157-179. For other works in this tradition, see, for example, James Weinstein, *The Corporate Ideal in the Liberal State: 1900-1918* (Boston: Beacon Press, 1971), or Gabriel Kolko, *Main Currents in Modern American History* (New York: Harper & Row, 1976).

[94] Christopher L. Tomlins, *The State and the Unions: Labor Relations, Law, and the Organized Labor Movement in America, 1880-1960* (Cambridge: Cambridge University Press, 1985), ch. 7-8.

[95] Melvyn Dubofsky, *The State & Labor in Modern America* (Chapel Hill: University of North Carolina Press, 1994), 188-212.

[96] Mark Wilson, *Destructive Creation: American Business and the Winning of World War II* (Philadelphia: University of Pennsylvania Press, 2016), 190-196. Wilson notes that the aggregate annual profit rates outperformed the healthy rates of the war years nearly twofold.

[97] Howell John Harris, *The Right to Manage: Industrial Relations Policies of American Business in the 1940s* (Madison, WI: University of Wisconsin Press, 1982), 118-127.

[98] Irving Bernstein, *The Turbulent Years: A History of the American Worker, 1933-1941* (Chicago: Haymarket Books, 2010), 663-69.

[99] U.S. House of Representatives, *National Labor Relations Act: Hearings before the Special Committee to Investigate National Labor Relations Board*, v. 2-4, 76th Congress, (Washington: U.S. Govt. Print. Off, 1940), //catalog.hathitrust.org/Record/000962973; Howard Worth Smith and Arthur Daniel Healey, "Report of the Special Committee to Investigate the National Labor Relations Board," Serial Set Vol. No. 10446, Session Vol. No.7. 76th Congress, 3rd Session. HR 3109 pt. 1 & 2 (January 2, 1941); *Congressional Record*, 76th Congress, 3rd session, "May 28, 1940 to June 12, 1940," 86, no. 7 (Issued: June 12, 1940), debate and votes on the amendments on 7706-7805; Bernstein, *The Turbulent Years*, 670-71.

[100] Dubofsky, *The State & Labor in Modern America*, 173-175, 182-192; Lichtenstein, *Labor's War at Home*, 48-51; *Congressional Record*, 77th Congress, 1st session, "November 26, 1941, to January 2, 1942," 87, no. 7 (Issued: January 2, 1942), 9363-9397; Fred A. Hartley, Jr., *Our New National Labor Policy: The Taft-Hartley Act and the Next Steps* (New York: Funk & Wagnalls, 1948), 15-18. His quote is on p. 18.

[101] Karl E. Klare, "Judicial Deradicalization of the Wagner Act and the Origins of Modern Legal Consciousness, 1937-1941," *Minnesota Law Review* 62 (1978): 265-339, quote on pp. 269-70; Dubofsky, *The State & Labor in Modern America*, 162-167, 212-223, quote on p. 164.

[102] *Congressional Record*, 79th Congress, 2nd session, "January 14, 1946, to February 18, 1946," 92, no. 1 (Issued: February 18, 1946), 590-92; "Record of the 79th Congress (Second Session)," in *Editorial Research Reports 1946*, vol. II, 521-89 (Washington, DC): CQ Press, 1946. http://library.cqpress.com/cqresearcher/cqresrre1946080300. In one of Sabath's more colorful performances, he urged against a resolution by telling its author, Eugene Cox of Georgia, "Mr. Cox, this will kill me, if you pass this resolution." After Cox insisted, Sabath feigned a heart attack to hold up debate. Nobody was more convinced than Cox, who shouted, "My God! I've killed him!" As related in Neil MacNeil, *Forge of Democracy: The House of Representatives* (New York: D. McKay, 1963), 102-103.

[103] *Congressional Record*, 79th Congress, 2nd session, 92, no. 1, 1067-69.

[104] Barton J. Bernstein, "The Truman Administration and the Steel Strike of 1946," *The Journal of American History* 52, no. 4 (1966): 791–803, https://doi.org/10.2307/1894347.; Preis, *Labor's Giant Step*, 263-276.

[105] *Congressional Record*, 79th Congress, 2nd session, 92, no. 1, 80-133.

[106] United States Senate, *Labor Disputes Act of 1946: Hearings before a Subcommittee of the Committee on Education and Labor*, 79th Congress, 2nd session, February 19-28, 1946 (Washington: U.S. Govt. Print. Off., 1946), https://catalog.hathitrust.org/Record/011421576. The statement cited by Case is on p. 12, and the Geelan-Ball-Taft exchange is on p.41. In their exhaustive history of the Taft-Hartley Act, first published shortly after enactment but still widely used in the literature, Clark and Brown write: "Many disputes have been called both 'boycotts' and 'sympathetic strikes.' In fact, these are frequently twins. Under the 1947 law every sympathetic strike was apparently made unlawful by Section 8(b) (4) (A)." See Harry A. Millis and Emily Clark Brown, *From the Wagner Act to Taft-Hartley; a Study of National Labor Policy and Labor Relations* (Chicago: University of Chicago Press, 1950), http://archive.org/details/fromwagneracttot0000mill_f9n9, 468.

[107] *Congressional Record*, 79th Congress, 2nd session, "April 26, 1946, to May 22, 1946," 92, no. 4 (Issued: May 22, 1946), 4885-5417; CQ Press, "Record of the 79th Congress (Second Session)."

[108] Harry S. Truman, "Radio Address to the American People on the Railroad Strike Emergency (Transcript)," The Harry S. Truman Library, May 24, 1946, https://www.trumanlibrary.gov/library/public-papers/124/radio-address-american-people-railroad-strike-emergency; Joseph A. Loftus, "Unions Hold Out," *New York Times*, May 24, 1946, 1; Harry S. Truman, "Special Message to the Congress Urging Legislation for Industrial Peace," The Harry S. Truman Library, accessed December 10, 2020, https://www.trumanlibrary.gov/library/public-papers/125/special-message-congress-urging-legislation-industrial-peace.

[109] *Congressional Record*, 79th Congress, 2nd session, "May 23, 1946, to June 12, 1946," 92, no. 5 (Issued: June 12, 1946), 5685-5740; CQ Press, "Record of the 79th Congress (Second Session)."

[110] Cohen, *A Consumers' Republic*, 105, 437*n*. For an overview of the propaganda efforts, see Millis and Brown, *From the Wagner Act to Taft-Hartley*, 281-296, including a particularly revealing story about efforts, largely successful, by U.S. Steel and the U.S. Steel Institute to recruit newspaper editors through the American Press Association to print industry propaganda during the 1946 steel strike.

[111] Michael Bowen, *The Roots of Modern Conservatism: Dewey, Taft, and the Battle for the Soul of the Republican Party* (Chapel Hill: University of North Carolina Press, 2011), 39-44, quote on p. 39; Hartley, *Our New National Labor Policy*, 19-23;

[112] United States House of Representatives, *Amendments to the National Labor Relations Act: Hearings before the Committee on Education and Labor*, 80th Congress, 1st session, February 5-March 15, 1947 (Washington: U.S. Govt. Print. Off., 1947), //catalog.hathitrust.org/Record/012201374; *An Act to amend the National Labor Relations Act*, Pub.L. 80–101, 61 Stat. 136 (1947)

[113] Schrecker, *Many Are the Crimes*, 186-7; Richard Owen Boyer and Herbert Montfort Morais, *Labor's untold story*, 3rd ed., (New York: United Electrical, Radio & Machine Workers of America, 1986), quote on p. 355.

[114] Lizabeth Cohen, *Making a New Deal: Industrial Workers in Chicago, 1919-1939*, Cambridge: Cambridge University Press, 1990), 301-312; Ellen Schrecker, "Labor and the Cold War: The Legacy of McCarthyism," in Robert W. Cherny, William Issel, and Kieran Walsh Taylor, eds., *American Labor and the Cold War: Grassroots Politics and Postwar Political Culture* (New Brunswick, NJ: Rutgers University Press, 2004), quote is on p. 9; Robert Rodgers Korstad, *Civil Rights Unionism: Tobacco Workers and the Struggle for Democracy in the Mid-Twentieth-Century South* (Chapel Hill: University of North Carolina Press, 2003).

[115] Cedric de Leon, *The Origins of Right to Work: Antilabor Democracy in Nineteenth-Century Chicago* (Ithaca: ILR Press, an imprint of Cornell University Press, 2015); Workplace Fairness "Your Rights - Right to Work Laws," accessed December 13, 2020, https://www.workplacefairness.org/unions-right-to-work-laws; Bureau of Labor Statistics, "Union Membership Annual News Release," accessed December 14, 2020, https://www.bls.gov/news.release/union2.htm.

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