

The Right to Strike

BY HENRY WARE ALLEN

STRIKES of union labor men have become so frequent and so serious in recent months that public attention has been directed to this problem as never before. The Seamen's strike on the West coast which lasted for more than one hundred days was calculated to have cost \$7,000,000 daily to say nothing of the inconvenience and suffering which it caused, while the numerous strikes in the automobile and other industries which quickly followed ran the calculated public loss into the hundreds of millions of dollars. Incidentally, it may be observed that had anything approaching such a loss been inflicted by a foreign foe, immediate reprisal by force of arms would have been demanded; but we complacently accept this loss inflicted by our own people as unavoidable and as of little consequence excepting to the two parties immediately involved.

Everyone desires a general increase in wages and salaries and this sentiment combined with natural sympathy for what is supposed to be the under-dog in any contest has, as a rule provided public sympathy for the striker. But so many of the recent strikes have been unreasonable in their demands and accompanied by so much lawlessness, the average citizen has been inclined to say that there "ought to be a law" to prevent them.

But it will be remembered that upon one occasion Lincoln upheld "the divine right to strike" and he would, indeed, be an ultra-conservative American who would deny to any man the right to quit work if he chose to do so as a protest against wages or conditions of work which he considered unsatisfactory. But, on the other hand, public indignation runs high when strikers resort to lawlessness and particularly when the service of public utilities, and the delivery of milk and other essential foods is prevented. The same sentiment is even more compelling with respect to service in the army and navy, the police and fire departments of our cities.

In this connection the strike of the Boston Police Department of 1919 will be recalled and the words of Governor Calvin Coolidge, in a letter written to Samuel Gompers, President of the American Federation of Labor, in September of that year, "There is no right to strike against the public safety by anybody, anywhere, any time," may have been responsible for Gov. Coolidge's nomination and election to the presidency in 1924. The strike of the entire police force of a great city was indeed an invitation to anarchy and it is possible that the Boston strike more than anything else led to the action of Governor Henry J. Allen of Kansas in securing the enactment of the Kansas Court of Industrial Relations law the following year. It was held by Governor Allen that the financial loss and inconvenience to the public involved in industrial strikes was intolerable and that the proper

remedy was an industrial court to which both parties must submit their differences and whose quick decisions must then be complied with. The motive for this law was concern for the public interests. It was rightly held that the public must be protected against the destructive losses involved in labor strikes. But the Industrial Court law aroused violent antagonism of labor unions and as a result of prolonged opposition the law was nullified by a Supreme Court action in 1925, certain parts of it being held invalid. But the object of the law was good and it may at some future time be re-enacted with elimination of the invalidated parts.

Any successful strikes must have the support of public opinion, and up to now labor leaders have been careful to respect that influence. But with the introduction of the "sit-down" strike, imported from Europe, made use of so extensively by John L. Lewis and the immense membership of his newly organized union, the C. I. O., together with the influence of left-wing labor leaders, said to be communists, the reserve policy of previous times has been largely set aside and, combined with a vindictive attitude toward capital, recent strikes have been carried on with the boldness of military maneuvers and with little respect for public or private property rights. Militaristic force has definitely taken the place of sentiment. Pickets are used not only to keep strike-breakers from occupying company property but to prevent the entry of the proprietors themselves or anyone else unless provided with passes issued by the labor union officials. Damage to company property has in some cases been serious, officers of the law have been resisted with violence, and measures which are essentially military have been employed in order to secure results which are supposed to justify the means employed. The sit-down strike is so essentially lawless it will without doubt be definitely outlawed by Congress and other legislative bodies.

The fact cannot be overlooked that New Deal legislation has apparently been framed to favor the labor unions and by the same token to penalize employers. This was particularly noticeable in the mechanism of the N. R. A. legislation which applied governmental restrictions as to prices, hours of labor, wages, and other conditions of employment. Fortunately the N. R. A. law was condemned as unconstitutional by a unanimous vote of the court. But the Wagner Labor law is still in effect and certain of its provisions give an unfair advantage to organized labor.

The recent mushroom growth in labor union membership has been largely due to favors received from the New Deal administration at Washington. The Federation of Labor membership increased from 2,532,261 in 1932 to 3,675,376 in 1936, while the John L. Lewis C. I. O. organization is increasing daily at a rapid rate. It is understood that Mr. Lewis's organization donated over

half a million dollars to the 1936 New Deal campaign fund, and the favors given to Union Labor in New Deal legislation together with influence exerted by the President would indicate that labor support during the presidential campaign of 1936 was fully appreciated. Contracts for warships involving millions of dollars were made contingent upon the adoption by the steel companies of the forty-hour week and other favors to Union Labor, in that way giving to Union Labor by subterfuge, the advantage of certain provisions of the outlawed N. R. A. law.

Of the deepest significance in connection with this whole matter is the following statement of Mr. David Lawrence: "It was Roosevelt who dictated that part of the General Motors settlement which gave Mr. Lewis his advantage in the letter sent separately to Governor Murphy by the General Motors Corporation agreeing for six months not to bargain with other groups without submitting the facts to the Michigan governor, a stipulation which is being variously interpreted, but which the Lewis followers say was a tactical advantage. Mr. Lewis and President Roosevelt are working together in the labor situation. The C. I. O. is in such favor at the White House that the use of a circular entitled "A Message from the President" to imply to prospective members of the C. I. O. unions in New Jersey that somehow the government wanted them to unionize was not in the slightest way reprimanded."

The logical effect of official favor to union labor has been registered in the increased boldness of strike leaders. Court injunctions have been ignored with contempt while officers of the law have been treated as enemies.

Labor strikes are based upon two mistaken assumptions: (1) that it is legitimate to compel the payment of wages higher than those naturally fixed by supply and demand, and (2) that where the employers' profits are known to be large, wage-earners are entitled to a share of those profits in addition to the normal wages. When it is realized that only about 10 per cent of all labor is unionized then it will be seen that the enforced raise in wages to union labor is unfair both to the community and to the other unorganized nine-tenths, including business and professional men, and all others who work for pay in any way. If, for illustration, there are in a given community a thousand carpenters whose normal wages are \$5.00 a day and labor unions force the rate to \$8.00 a day this involves the equivalent of a tax upon the community amounting to \$3,000 a day. These views, particularly the second one, are shared by many outside the unions and all too frequently by economists. The theory that wage-earners are entitled to a share of the employer's net profits is essentially the theory of state socialism, and leads directly to taking from another the excess of property which it is thought he is not entitled to. This dishonesty leads ultimately to revolution and

anarchy. Yet this is the very philosophy which is behind the various share-the-wealth movements, often entertained by men high in official stations.

Wages are properly fixed by supply and demand and by no other factor. In a mining camp the company that may be losing a thousand dollars monthly pays exactly the same wages as another whose net profits are a thousand dollars daily. The same rule applies in the oil fields regardless of immense losses on one side and huge profits on the other. And this rule applies everywhere else.

It is, perhaps, not generally known how completely labor unions are militaristic in character. The primary object of labor unions is to secure advantages for their members not enjoyed by others and which cannot be secured except by force. As a rule the force so used is the milder form known as coercion. But it is force, nevertheless, which overrides ethics and law, and that great unwritten law of the Republic, "Equal rights for all, and special privileges to none." The mere fact of organization conveys a certain threat to the employer; and when a demand for better pay is made by the union, it may be granted, without the violence of a strike, as the lesser of two evils, even though previous wages paid were above the natural rate and more than would be paid to others.

A consideration not sufficiently taken into account is the major interest of the public in every labor contest with Capital. Too often the general public has been considered to be a disinterested onlooker. The public has been well defined by Governor Allen in the title of his book "The Party of the Third Part," and suffers more or less intensely, directly or indirectly, from every strike. It is just as clearly the duty of the government to prevent these losses as to prevent, so far as possible, losses by fire, flood, or military invasion. When wages in any industry are forced by coercive means above the natural level, the additional cost is added to the price of the product and the general public is made to pay accordingly. As strikers are also consumers, they have to pay their share of the increased cost of living resulting from strikes. In the normal course of events wages tend to increase and the price of all commodities to decrease. But if it were possible to arbitrarily increase the earnings of everyone by, say, 20 per cent, the absurdity of this would soon become apparent in the corresponding increase in the cost of living. Experience teaches that the natural order is invariably right and that coercive measures are correspondingly wrong. It will be remembered that recently the steel mills granted certain concessions to union labor and that these were immediately followed by announcement of increased prices for steel products.

The Government at Washington, cannot, of course, with propriety take sides in labor disputes. That government is best which governs least, with its functions limited to the preservation of law and order. The government

cannot subsidize one industry at the expense of all others without violating the trust put upon it by the people. It cannot assume the role of philanthropist with taxpayer's money without public robbery for the expense involved.

When legislation affecting the interests of capital and labor, employer and employee is proposed, the issue is all too frequently influenced by the huge lobbies of union labor blocs, agricultural blocs, and protected interests blocs, both offensively and defensively. The public, The Party of the Third Part, is not represented by any influence other than the conscience of an intelligent legislator. The influence brought to bear upon the legislator is so eloquent on one side and so silent on the other side it is perhaps natural that the general public should be the loser in nearly every contest. *The average legislator finding the influence all on one side votes for the proposition without realizing that he is responsible for this robbery of all the people for the benefit of a limited class. In those cases where the farmer vote, the soldier vote, and the union labor vote are brought into play, the average legislator will not hesitate to follow the line of least resistance by betrayal of the public interest and particularly so if this will ensure his own return to Congress. It is in line with this procedure that labor unions have built up for themselves enormous strength at Washington.*

So it happens that the labor blocs at Washington are most powerful and deference to the labor leaders is to be found not only in the halls of Congress, but at the White House where they are frequent and favored callers. The result is that when great labor strikes are called, Washington is silent except to criticize the predatory rich, the employers, and when this influence reaches to local districts, as was the case in the Flint, Michigan and Detroit strikes, the law is found to be impotent in ousting sit-down strikers from company property while public officials obsequiously offer federal aid to the families of the strikers.

This situation presents a new danger to the American people. It may develop that where elections have been carried by surrender to union labor, the price paid will be found to have been costly. It is but a short step from the military force employed by union labor to the anarchy which accompanies total disrespect of law and the open destruction of property rights which this leads to. The assertion that human rights are superior to property rights is based on sophistry. These rights are one and indivisible. Every property right involves a human right. It is just as wrong to steal from a rich man as it is to steal from a poor man. The rights of the rich and of the poor are so inseparable that one class cannot be hurt without hurting the other. There is no room in this country for class hatred or class differences. He is a public enemy who fosters either. The one rule which should apply in every legal enactment is the Golden Rule.

While union labor strikes must, as a rule, be condemned as illegitimate, consideration to the rights of working men is of the greatest importance and demands immediate action. Working men and women are justly entitled to far better wages and salaries than they are now receiving. But the right way instead of the wrong way should be employed in order to secure these better returns. The great army of the unemployed, a national disgrace, is responsible for the low wages paid. For all wages and salaries are based upon what is paid to common labor and when there is an army of unemployed, common labor receives only starvation wages. The existing unfortunate and unnatural condition is obviously due to the penalizing effect of a multitude of taxes which now fall upon labor and the products of labor. Abolish these unjust taxes and prosperity will be liberated with consequent increases of wages and salaries. The philanthropic efforts of the government to sustain the army of the unemployed by doles and semi-doles at the tax payer's expense will not then be necessary. But meanwhile the self-reliance and the independence of the people are giving way to the idea that the government owes everyone a living and is responsible for higher wages.

There is nothing necessarily discouraging in the future of the American working man. It is full of promise, of prosperity, provided bad laws are repealed. Based upon the potential power to create wealth by use of modern processes and inventions every man is entitled to be a king, not by taking accumulated wealth from others, but by getting the full measure of what every man produces after the penalizing and crushing effects of an evil system of taxation have been abolished. We fought a great war to end the institution of human slavery; the problem before us is the abolition of industrial slavery, a vastly more important crusade than the former, and which can be accomplished without the shedding of human blood, and without the passing of new laws by Congress, but by the simple method of repealing those bad laws which interfere with life, liberty, and the pursuit of happiness. As was so well stated by Buckle in his "History of Civilization":—

"Every great reform which has been effected has consisted not in doing something new, but in undoing something old. The most valuable additions made to legislation have been enactments destructive of previous legislations; and the best laws which have been passed have been those by which some former laws have been repealed."

THE *Yankee* for July, an interesting periodical published in Dublin, New Hampshire, contains an article on New England's Only Taxless Town, which happens to be in the State of New Hampshire. Its only revenue is derived from the railroad which supports the town. What a paradise for the landlords!