THE LITTLE STEEL STRIKE OF 1937

DISSERTATION

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On Sunday, May 30, 1937, a crowd of strikers and sympathizers marched toward the South Chicago plant of the Republic Steel Corporation. The strikers came abreast a line of two hundred Chicago police, a scuffle ensued, and the police opened fire with tear gas and revolvers. Within minutes, ten people were dead or critically injured and scores wounded. This sanguinary incident, which came to be known as the "Memorial Day Massacre," grew out of a strike called by the Steel Workers Organizing Committee of the CIO against the so-called Little Steel companies.

Two months previously the U. S. Steel Corporation, traditional "citadel of the open shop," had come to terms with SWOC, but several independent steel firms had refused to recognize the new union. Negotiations, never really under way, had broken down, and SWOC had issued a strike call affecting about eighty thousand workers in the plants of Republic, Youngstown Sheet & Tube Company, and Inland Steel Company in six states.

The Memorial Day clash, occurring only a few days after the strike began, epitomized and undoubtedly intensified the atmosphere of mutual hostility which characterized the strike. On the issue which had caused it, both sides remained adamant, the companies contending that they did not have to conclude a contract with any labor organization, SWOC maintaining that it would settle for nothing less than a signed contract. Meanwhile, tempers flared and tensions mounted. John L. Lewis fulminated in no uncertain terms against Republic Steel.
Tom M. Girdler, Chairman of Republic and President of the American Iron and Steel Institute, asked by newsmen if he had ever met Mr. Lewis, replied laconically, "No. . . and I hope to God I never do." On some of the picket lines, sullen strikers armed with baseball bats faced even more heavily armed company police. In one area, company planes flying food into the plants became targets for union "snipers." When this industrial warfare finally ended, seventeen persons were dead and hundreds wounded as a direct result of it.

During the generation when Americans were hectically engaged in creating a modern industrial economy, industrial warfare became almost endemic to the climate of labor-management relations which prevailed in many segments of the economy. To recall the violent and chaotic state of those relations, one need mention only a few of the more famous strikes, such as Homestead, Pullman, and Ludlow. Insofar as the Little Steel strike was permeated with intense bitterness and fought out through a series of bloody clashes between police and strikers, it was essentially no different from these earlier strikes. For example, many of the general circumstances of the steel walkout of 1937 were quite similar to those of the Homestead strike of 1892: both strikes involved employers who were so uncompromisingly opposed to unionism that they stood fully prepared to use drastic means in fighting it; both resulted in extreme violence and extensive loss of life; and both were terminated in favor of management after the intervention of military force.

Yet neither Little Steel nor SWOC won any immediate advantages from the costly encounter. Not only did SWOC fail to attain the specific
objective for which it had struck, but the defeat in steel was a
temporary setback for the whole CIO movement. On the side of the
companies, they would be forced within four years to recognize the union
as exclusive bargaining agent for all their employees. In retrospect,
the main significance of the strike lies in this: it was the most
ambitious and—along with that of the Ford Motor Company—the most
successful attempt to resist the spread of the CIO campaign for indus­
trial unionism; coming as the climax of the unprecedented wave of strikes
which engulfed the nation in the spring and summer of 1937, it remains
as one of the outstanding examples of the numerous eruptions of indus­
trial strife which occurred during the New Deal period. But, though
the Little Steel strike was conducted with all the traditional weapons
of unrestricted industrial warfare, it nevertheless presaged the
beginning of a new approach to labor problems and relations, an era in
which such techniques would no longer be of any major importance. Since
1937 few if any strikes have involved a degree of violence comparable
to that which accompanied the Little Steel conflict, and, in the main,
labor disputes have been resolved across the bargaining table rather
than on the picket lines.

The primary purpose of this study is to present a thorough
historical narrative of the strike, beginning with the SWOC organizing
drive which immediately preceded the actual walkout in 1937, and ending
with a discussion of the consequences of the strike’s collapse on SWOC
and the CIO in general. Another purpose is to examine the Little Steel
executives' intense opposition toward trade unionism and to show the
extent to which it was a factor in the defeat of SWOC in the strike.
This contest between Little Steel and the CIO engendered considerable interest on the part of the public. Consequently, there will also be an attempt to analyze public attitudes and to indicate how the strike was affected by them.

No account of this strike would be complete without consideration of the leading personalities on both sides. Philip Murray, as Chairman of SWOC, was the foremost union leader directly involved; though mild in manner and gentle in appearance, he was an exceptionally capable and energetic labor leader who had come to head up the steel union after years of experience in the United Mine Workers. Constantly in the background, however, was the towering presence of John L. Lewis, the pre-eminent figure on the American labor scene. On the side of management were Eugene Grace, president of Bethlehem Steel, and, more importantly, Tom M. Girdler, the fiercely independent chief of Republic Steel, his entire career steeped in a tradition of consistent anti-unionism. Of the various individuals, Girdler and Lewis had the most at stake—the former his position as leader of the surviving open shop forces, and for the latter the whole future of the CIO with which his name had come to be synonymous.

The narrative of events presented in this dissertation is based largely on factual materials obtained from government documents and newspaper accounts of the strike itself. But there also exists a mass of conflicting accusations, highly prejudiced opinions, and not a few sheer propagandistic distortions. With regard to many aspects of the strike, it has been possible to state the facts and circumstances and let them speak for themselves. In some other instances, however,
especially in interpreting events and in seeking to discover wherein lay the major responsibility for the recurrent outbreaks of violence, the writer has had no alternative except to exercise his own best judgment.
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CHAPTER I
INTRODUCTION

The highly tense state of affairs in the Little Steel communities in the summer of 1937 was by no means novel. It was in part the legacy of recurrent conditions and consistent policies that can be traced from the almost legendary Homestead strike through the great strike of 1919 and into the early 1930's. The periodic eruptions of industrial strife and violence were simply intensifications of the "state of latent war" which prevailed in the steel industry generally. The "war" was largely a result of the inveterate denial of industrial democracy by the steel magnates.

During the 1880's there existed in the iron and steel industry a relatively strong trade union movement represented by the Amalgamated Association of Iron, Steel and Tin Workers, a craft union that concentrated almost exclusively on the skilled workers. But the events at Homestead catapulted the union into a decline from which it never really recovered. At the same time, a precedent was set for a pattern of opposition to unionism and intermittent outbreaks of violence that was to plague the steel industry and its employees for the next half century.

In the summer of 1892 the Amalgamated went on strike at the large Homestead works of the Carnegie Steel Company, situated just south of Pittsburgh. Although the men had been called out because of a cut in
wages, it soon became apparent that at stake was the very existence of the Amalgamated in the Carnegie mills. As both sides prepared to outmaneuver the other, the situation took on the dimensions of an Armageddon between capital and labor. The company's attempt to introduce three hundred Pinkertons into the mill resulted in a day-long battle between the strikebreakers and the strikers. By the time the encounter ended seven men had been killed and several wounded. In the tense aftermath the company induced the governor to send in the militia, under the protection of which outside labor was brought in, and the mill resumed operations on an open shop basis. Moreover, the defeat at Homestead inaugurated a trend that would culminate in the virtual elimination of unions from the entire steel industry.\(^2\)

With the transformation in 1901 of the Carnegie company into the United States Steel Corporation, the first billion dollar "trust," the steel union found itself confronted with a more formidable foe by far than Andrew Carnegie or Henry Clay Frick. Within a decade, during which the Amalgamated pitted its waning strength against the corporation in two disastrous strikes, unionism was completely extinguished

in the mills of U. S. Steel. The union's remaining membership, about
eight thousand, was scattered through a few small sheet and tin mills
in the Midwest.  

In the meantime, the industry, led by the Corporation, had devised
a highly efficacious system to thwart any possible resurgence of organ­
ized labor. Elaborate networks of informers were maintained to detect
signs of interest in unions or activity in their behalf on the part of
workers. Those guilty of agitation were dealt with summarily, usually
fired and often blacklisted. Combined with these methods were certain
positive devices designed to ward off unionization by removal of some
of the workers' grievances and the creation of a community of interest
between labor and management. U. S. Steel, for example, launched an
extensive welfare program which involved reduction of hours, elimination
of hazardous working conditions, an accident relief plan, and a pension
system. However, this aspect of the Corporation's labor policy should
not be taken as an indication that it had backed down any from its
position as a guardian of the open shop.

The period from the turn of the century to the First World War
was characterized by a minimum of strikes and violence in the steel
industry. On the other hand, the techniques and pressures which the
steel companies employed to sustain their arbitrary, autocratic control

3Ibid., 272-275; John A. Fitch, The Steel Workers (New York, 1911),
respects, remains one of the classic studies of the condition of labor
in steel.

4Ibid., 196-198, 331-337; Charles A. Gulick, Jr., Labor Policy of
the United States Steel Corporation (New York, 1924), 139-141, 188.
of labor relations bred suspicion and resentment among considerable numbers of their employees. Indeed, industrial strife and violence were perhaps averted only by the iron-handed control of the steel masters and the melange of often antagonistic racial stocks employed in the mills.\(^5\)

The new élan of the labor movement brought about by the First World War penetrated into even the steel industry, which by that time had become the inner citadel of the open shop domain. The necessity for a constant flow of production, the tight labor market, the sympathetic attitude of the Wilson administration encouraged labor—organized as well as unorganized—to believe that many of its heretofore thwarted aspirations might at last be realized. Inchoate unrest in steel burst forth in a short but very bitter strike by unorganized workers against the Republic Iron & Steel Company and the Youngstown Sheet & Tube Company in 1916. The arrival of Pinkertons touched off a riot in which three strikers were killed and several blocks of East Youngstown were burned to the ground.\(^6\) To look upon the incident as something that might be exploited and expanded into an industry-wide organizing effort was something beyond the myopic and moribund Amalgamated, and the strike remained as an isolated example of the turmoil that characterized labor-management relations in steel.

But then, in 1918, with the initiative supplied by the Chicago Federation of Labor, the AFL committed itself to a broadly conceived

\(^5\)Commission of Inquiry, op. cit., 132-133.
\(^6\)Horace B. Davis, Labor and Steel (New York, 1933), 239-240.
plan to organize the steel industry. Militant and responsive, steel-workers in Chicago, Gary, Cleveland, and Youngstown streamed into the union by the thousands. Although the campaign was slowed down in the industrial towns and boroughs of the Pittsburgh district because of wholesale suppression of civil liberties, by the summer of 1919 the organizing committee under the effective leadership of William Z. Foster and John Fitzpatrick had enlisted 100,000 members. When the AFL requested a meeting with U. S. Steel officials to discuss recognition of the unions, Elbert Gary replied that his corporation was steadfastly opposed to the "closed shop." The committee had no choice but to call the steelworkers out on strike.7

Involving over 300,000 men, the steel strike of 1919 was the greatest walkout that had ever been staged by American labor. It became a kind of supreme test of the ability of organized labor to maintain its wartime advances in the face of a furious counterassault by all the nation's antilabor forces. They marshaled every conceivable means to break the strike. The nation was in the midst of the postwar "Red" scare, and press and pulpit conjured up a picture of the strikers as Bolsheviks bent on bringing about the revolution. At best, the press failed to present the public with a balanced account of the incidents and issues involved in the strike. More important was the

7There is a considerable body of literature on the strike. In addition to the Interchurch World Movement Report cited above, William Z. Foster, the Secretary of the National Committee for Organizing the Iron and Steel Workers, produced a cogent analysis of the strike in The Great Steel Strike (New York, 1920). Taft's book considers the strike in some detail, and Yellen also devotes a chapter to it.
Steel industry's campaign to disorganize the strikers and spread dissension and disillusionment within their ranks. In virtue of their control of local authorities in western Pennsylvania, the companies were able to prevent the holding of meetings during the course of the strike. And not only did the mounted state constabulary drive the strikers from the picket lines but also from the public streets of Pennsylvania steel towns. Where such tactics were not possible, spies and agents provocateurs spread false rumors and inflamed racial antagonisms. In Gary, Indiana, martial law was declared and federal troops were introduced to help break the strike. By January, 1920, without having won any of its demands, the National Committee was forced to concede defeat. Eighteen strikers gave up their lives during the course of the strike.\(^8\)

Although many factors have been offered in explanation of the collapse of the strike, one stands out above all others: the ability of the mighty steel industry, united under the able and uncompromising leadership of Elbert Gary, to back up its steadfast refusal to even consider the demands of the strikers with almost unlimited economic power and political influence. With industrial absolutism still intact, the workers, then, returned to an industry in which the determination of terms of employment and conditions of work were the exclusive province of the employers.\(^9\)


\(^9\)Ibid., 246-248.
The situation remained essentially unchanged for the next decade and a half. Two attempts within the AFL during the early twenties to stir up interest in an organizing campaign came to nought. Most of the craft unionists were preoccupied with preserving their own existing bailiwicks. The leadership of the Amalgamated, conservative, cautious and vacillating at best, lapsed into a somnolent state from which neither an internal revolt nor the impact of the depression could rouse it. Numerous of the union's remaining lodges were lost during the period, until by 1932 membership had dwindled to around five thousand. In the absence of effective leadership, and with the memory of the debilitating defeat of 1919 ever present, strikes or organizing efforts of any consequence were of course out of the question during the years 1920-1932.

However, with the advent of the National Recovery Administration there was renewed union activity in steel. The obviously mounting interest of steelworkers in unionization, the new status supposedly conferred on unions by NRA, and the prompting of William Green induced the international officers of the Amalgamated to undertake an organizing drive in the summer of 1933. Although the union was ill-prepared for the drive and its organizers scarcely grasped the type of techniques necessary for success, membership soon tripled and a militant "rank and file" element threatened a strike for recognition.

10Foster, op. cit., 394; Davis, op. cit., 252-254; Carroll R. Daugherty et al., The Economics of the Iron and Steel Industry (New York, 1937), II, 944. Daugherty's book has the most thorough treatment available of the labor policy of the steel industry and the situation of the Amalgamated on the eve of the SWOC campaign.
Yet, within a year after its inception the momentum had gone out of the campaign, leaving the industry as a whole unorganized.\footnote{ibid., 948, 950-955, 959.}

The net results of the "code period" for labor-management relations in the steel industry were (1) the conclusive demonstration that the Amalgamated as then constituted could not by itself organize the masses of the steelworkers into an effective union and (2) the burgeoning of employee representation plans (company unions) as steel concerns attempted to meet the requirement of Section 7(a) by means that would leave ultimate control of labor policy in their own hands.\footnote{ibid., 950, 984 ff.}

In the meantime, the question of organizing the steel industry was becoming an integral part of the growing conflict between the industrial and craft unionists within the AFL. At the 1934 convention the Federation had gone on record as favoring the organization of steel, but nothing came of this. Finally, after long and complicated negotiations in 1935 and 1936, during which the AFL and the CIO vied with each other in attempting to commit the Amalgamated to their respective organizing schemes, the steel union and the CIO signed an agreement in June, 1936, for the establishment of a Steel Workers Organizing Committee.\footnote{The events leading up to the formation of SWOC are fully set forth in: Philip Taft, The A. F. of L. From the Death of Gompers to the Merger (New York, 1959), 110 ff.; James O. Morris, Conflict Within the AFL, A Study of Craft Versus Industrial Unionism, 1901-1938 (Ithaca, 1958), 198, 223 ff.; and Walter Galenson, The CIO Challenge to the AFL, A History of the American Labor Movement 1935-1941 (Cambridge, 1960), 76-83.} Acting in the name of the Amalgamated Association and provided with a war chest of a half million dollars, the
Organizing Committee was empowered to carry through a campaign of industrial unionism. Thus was launched the first of the great CIO organizing drives which, taken collectively, were to completely transform the status of labor in America's heavy and mass production industries.

Considering the traditional opposition encountered by unions in the steel industry, SWOC's goal of establishing a "permanent organization for collective bargaining" was no mean venture, but the campaign was consciously calculated to overcome the difficulties of an area which so often had been pronounced unorganizable. Ably led by Philip Murray, with an adequate legal and publicity staff, and--most important--supplied with funds and a group of experienced organizers from the United Mine Workers, SWOC established headquarters in a Pittsburgh skyscraper and the drive to unionize the steelworkers was launched in an air of determined optimism.

"Flying squadrons" of organizers and speakers were soon invading the steel towns, dispelling the fear and suspicion of the workers, handing out issues of Steel Labor, and generally advertising the drive. An apparently united steel industry quickly reacted by investing $114,000 in newspaper advertisements denouncing SWOC and all its works,

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15Vincent D. Sweeney, United Steelworkers of America, Twenty Years Later, 1936-1956 (Indianapolis, no date of publication), 12. This is an official history written by the union publicity director.
especially the "closed shop" which was said to be SWOC's final goal.\textsuperscript{17} But such tactics were no longer as effective as they had been in the past. The general public was less responsive to the open shop shibboleth, the government much more sympathetic toward the union position, than in former contests between the steelworkers and management. Moreover, the industry now faced a worthy opponent, one alive to the mistakes of the Amalgamated and capable of exploiting favorable circumstances.

SWOC's strategy was to move forward on two fronts simultaneously. First, once a staff had been recruited and "organizing machinery" set up, organizers worked to obtain signed membership cards from thousands of workers throughout the industry, while the establishment of lodges was deferred until later so that it would be difficult for the companies to detect and discharge union members. Secondly, SWOC set out to subvert or "capture" the company unions that had sprung up by the dozens during NRA. The plan was to concentrate on those in the plants of U. S. Steel's largest subsidiary, Carnegie-Illinois Steel Corporation. SWOC agents inside the company unions agitated for wage increases and generally fostered a "revolt" which had erupted spontaneously. By the end of the year U. S. Steel was obviously on the defensive, as evidenced

\textsuperscript{17}Edward Levinson, Labor on the March (New York, 1938), 187-191; Harbison, \textit{op. cit.}, 29-30.
by its negotiations with its employee representatives for a sizable wage increase. Meanwhile SWOC claimed a general membership of over 100,000 steelworkers.\(^\text{18}\)

Then, suddenly, two months later, came the announcement that Benjamin Fairless of Carnegie-Illinois had affixed his name to a preliminary agreement recognizing SWOC as the bargaining agent for its members. The astonishing news of this historic event came as a kind of anticlimax, for it had been the belief in many quarters that a "spectacular" strike was in the offing. Actually, the basis for the accord had been worked out by the titan of labor, John L. Lewis, and his industrial counterpart, Myron C. Taylor, who had been secretly closeted several times in previous months. Without even the threat of a strike, the very corporation that had taken pride in maintaining the "open shop," that had methodically erected around itself a wall of opposition to unions, and whose labor policy had served as a model for industry generally was now recognizing an "outside" labor organization. Whatever the crucial factor, whether Mr. Taylor's "industrial statesmanship" as Lewis called it, or the "revolt" of the company unions, or some combination of events, the fact remained that SWOC had scored an unprecedented victory.\(^\text{19}\)

\(^{18}\text{Ibid., 31-39; Robert R. R. Brooks, As Steel Goes... Unionism in a Basic Industry (New Haven, 1940), 75 ff.; Galenson, op. cit., 86, 119. The term lodge was used by SWOC until 1942 when SWOC was transformed into the United Steelworkers of America and the term local came into use.}\n
\(^{19}\text{Levinson, op. cit., 198-199; New York Times, March 3, 1937, 1, 14; Steel Labor, The Voice of the Steel Workers Organizing Committee, II, No. 5 (March 6, 1937), 1. Hereafter, this source will be cited as Steel Labor.}\)
In the hour of triumph Philip Murray declared that the Carnegie-Illinois pact prepared the way for "the complete unionization of the entire industry." Circumstances seemed to warrant optimism. With Big Steel coming to terms and steelworkers by the thousands joining SWOC, surely the independent steel firms could not hold out very long. What was called for, it seemed, was not strikes and violence but moderation and statesmanship.\textsuperscript{20}

CHAPTER II
THE ANTIUNION TRADITION IN LITTLE STEEL

On March 3, the day after the unprecedented agreement with Big Steel, SWOC called its subregional directors to Pittsburgh for a strategy session. The immediate objective was to follow up the initial victory by negotiating formal contracts with the major steel producing subsidiaries of U. S. Steel. Then, with this vital sector secured, SWOC would proceed without delay to present similar contracts to the large independent steel firms. In the interim, while contracts were being negotiated with Big Steel, SWOC organizers were to press forward with a membership drive among the employees of the independents. Philip Murray, as well as other CIO leaders, tended to view the forthcoming campaign against the independents as little more than a 'mopping-up' exercise. Murray, for example, told his lieutenants that the "... companies may balk a little and cry a little, but they will come around just as soon as we get the men signed up..." He concluded with the assertion that SWOC contemplated "a universal agreement throughout the steel industry." In retrospect this extreme optimism was somewhat premature. While there is no denying that the capitulation of Big Steel was a very substantial victory, the fact remained that large and important

1Youngstown Vindicator, March 3, 1937, 1; New York Times, March 4, 1937, 1, 2. SWOC consisted of three regions, the northeastern, western and southern, each of which was divided into subregions. Galenson, op. cit., 84.
2New York Times, March 4, 1937, 2; Steel Labor, II, No. 5 (March 6, 1937), 1.
segments of the industry had not yet come to terms with SWOC. These were the larger independents. Varying in size from the giant Bethlehem Steel Corporation to the relatively small Sharon Steel Corporation, they produced a total annual ingot capacity of about thirty-eight million tons. Five of them, Bethlehem, Republic, National Steel, Youngstown Sheet & Tube, and Inland, had raised wages as soon as they heard of the U. S. Steel agreement, indicating that they were prepared to resist SWOC. On the one hand, the SWOC leaders undoubtedly realized that a great deal of organizing and negotiating still remained to be done. On the other, it now seems clear that they underestimated the immensity of the task, and particularly the nature of the resistance that would be encountered from several of the independents.

However, the campaign began to unfold as planned. On March 17 five U. S. Steel subsidiaries employing 160,000 men signed SWOC contracts providing for increased wages, the forty-hour week, grievance procedures, and so forth. The ink was hardly dry on these contracts when SWOC announced that "the drive is on now" to obtain

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contracts with the larger independents. In the meantime, the work of signing up steelworkers and concluding contracts with smaller firms was proceeding so smoothly that by the end of March SWOC claimed a membership of 200,000 and had thirty steel producers and fabricators under contract.

Amidst these favorable circumstances SWOC moved to initiate negotiations with the so-called Little Steel companies, Bethlehem, Republic, Youngstown Sheet & Tube, and Inland. Although there was little uniformity regarding the timing and form of these discussions, the basic issue involved—a contract recognizing SWOC as collective bargaining agent—was the same in all cases.

Because of extreme unrest among its employees in Pennsylvania and the desire to "isolate" it, Bethlehem was signaled out as the company to which pressure would be applied first. In speeches to groups of steelworkers at Bethlehem plants in Pennsylvania, Murray demanded that the firm agree to a contract along the lines of the one recently concluded with Carnegie-Illinois. Simultaneously the sub-regional director at Johnstown attempted to set up a meeting between Eugene Grace, president of the corporation, and Murray. However, the local management, taking refuge in technicalities, maintained that

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5 New York Times, March 18, 1936, 6; March 21, 1937, 33. "Independent" was a general term applied to all of the firms of any size, excepting U. S. Steel, such as Bethlehem, Republic, Jones & Laughlin, Sheet & Tube, National Steel, Inland Steel, and Crucible. Of this group, four firms—Bethlehem, Republic, Sheet & Tube, and Inland—came to be called Little Steel. National Steel and American Rolling Mills, which were more or less considered as part of Little Steel, were not involved in the strike.

the matter could be settled at the plant level. The simple fact was that Bethlehem did not intend to engage in negotiations on a company-wide basis, although it was willing to meet with lesser SWOC representatives at its various plants. As this proposition was unacceptable to SWOC, it apparently decided to let the situation rest for the time being. In any case, there were no further important developments regarding Bethlehem for another two months.\footnote{New York Times, March 15, 1937, 6; March 16, 1937, 5; March 22, 1937, 5; U. S. Senate Committee on Education and Labor, Hearings Before a Subcommittee, Violations of Free Speech and Rights of Labor, 75 Cong., 3 sess. (Washington, 1938), Part 19, 8234–8235, 8240. These Hearings were conducted by Senator Robert M. La Follette, Jr. Hereafter, this source will be cited as LFC with the appropriate part. Steel officials, SWOC officials, employees, both union and nonunion, local police officers, and other persons connected with the strike in sundry ways were called upon to testify. Naturally, a considerable amount of conflicting testimony resulted. In recounting the events of the strike, the writer has relied upon such testimony only in those instances where it has been possible, through comparisons with other sources or internal criticism, to verify one or the other of the conflicting accounts. The hearings also contain facsimiles of thousands of contemporary documents. The Committee did not investigate the circumstances of the strike at Indiana Harbor.}

SWOC turned its attention next to Republic and Youngstown. On March 30, 1937, Clinton Golden, northeastern regional director of SWOC, sent identical letters along with prospective contracts to both these concerns, as well as to several others with which contracts had not been obtained. Golden pointed out that in its essentials the contract which SWOC was asking the companies to consider was no different from the one just signed by U. S. Steel. After noting that
a "considerable number" of the companies' employees had become union members, Golden suggested a "conference" between SWOC officers and executives of the respective concerns.  

If the executives of the Little Steel companies had been seriously desirous of participating in genuine negotiations, they would surely have considered as favorable from their point of view two aspects of the union proposal.

First, SWOC did not ask to be recognized as the exclusive bargaining agent; rather it was prepared to settle for recognition as agent for its own members only, even though the Wagner Act explicitly set forth the principle that the representative of the majority of employees should be the agent of all employees. 9 This position may be interpreted either as an indication that SWOC was not certain of a safe majority in Little Steel, or as a sign of the reasonableness and moderation with which the union approached the contract issue. But whatever the case, the point did not appear to affect the attitude of the companies.

Second, the contract contained a no-strike clause providing that for the term of the agreement there would be no work stoppages as a means of resolving disputes. 10 This was in line with the frequent statements by SWOC leaders admonishing the membership and assuring the industry that the policy of the organization was to assume

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8 LFC, Part 27, 11414.
10 Steel Labor, II, No. 6 (March 20, 1937), 2.
responsibility under contracts, to maintain industrial peace, and to avoid strikes if at all possible. There is no doubt of a genuine aversion to strikes on SWOC's part; this can be fully documented. For example, in June, 1936, a statement addressed to organizers and signed by Philip Murray pressed the point that SWOC was "not interested in promoting strikes or causing industrial disturbances. . . ."\textsuperscript{11} Illustrative of the contemporary significance of the no-strike pledge is the fact that while Little Steel ignored it, other quarters of the industry considered it an "important condition" which gave promise of more union responsibility in steel than in the strike-ridden automobile industry.\textsuperscript{12}

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The totally negative response of Little Steel to the organizing committee's contract proposal is explicable only when considered in connection with the history of the labor policies of these concerns. For within this group of steel corporations there had developed a deep-seated aversion to organized labor, an antipathy which still very definitely prevailed in the spring of 1937.

The Republic Steel Corporation came into existence in 1930, but the labor policy it adopted had been in existence for a decade and a half. The successful formation of Republic Steel, soon to become the third largest among basic steel producers, was the crowning achievement

\textsuperscript{11}Ibid., 1, 4; Youngstown Vindicator, March 1, 1937, 1; New York Times, March 3, 1937, 14; LFC, Part 25, 10601, 10603-10605, 10620; Galenson, \textit{op. cit.}, 84-85, 97.
\textsuperscript{12}Steel, C, No. 12 (March 22, 1937), 13.
of the career of Tom M. Girdler. More than any other single person
Girdler fashioned Republic's policy toward its employees. One might
even go so far as to say that it was a direct reflection of the per-
sonality and career of this one individual.

In Tom M. Girdler--no one ever thought of calling him Thomas--
were combined many of the most admirable as well as some of the most
reactionary characteristics of the American steel executives of the
late nineteenth and early twentieth centuries. Unlike Judge E. H.
Gary, Girdler knew the business of steelmaking thoroughly; he was
just as much at home in the plant as in the front office. Whether
dealing with common laborers or high officials of industry and govern-
ment he seems to have been impartial, fearless, unpretentious, and
candid. Above all, he was an individualist par excellence who harbored
an honest nostalgia for the days when one could make steel or anything
else without worrying about interference from a prying government or
an irresponsible union.\textsuperscript{13}

However, a critic can find much to dwell upon. For Girdler's
was not a personality that inspired widespread friendship, admiration,
or consideration. His sardonic wit, his irascible disposition, and
his celebrated ability to overwhelm opponents with invective and
profanity were perhaps symptomatic of deeper flaws in his character
and outlook. As an employer, Girdler, like Andrew Carnegie, was a

\textsuperscript{13}Tom M. Girdler in collaboration with Boyden Sparks, Boot Straps,
The Autobiography of Tom M. Girdler (New York, 1943), passim; Howard
Fast, "An Occurrence at Republic Steel," The Aspirin Age 1919-1941,
ed. Isabel Leighton (New York, 1949), 391-392; LFC, Part 34, 13905-06.
paternalist, but, instead of the broad sense of social responsibility which tempered the latter's paternalism, he possessed an authoritarian cast of mind. He believed that while it was the employer's duty to treat his employees fairly and properly it was at the same time his right to decide what was fair and proper for them. Inflexibility was another of Girdler's less admirable traits. Once he adopted a policy or embraced an idea neither reasonable entreaty nor changing social and economic realities were very likely to dislodge him from his position. Yet, whatever may be said in criticism of Girdler, it would be difficult to deny that his wrath was meted out impartially to all those—and they ranged from immigrant steelworkers to union heads, Senators, and top steel executives—who opposed him.¹⁴

After graduating from Lehigh and spending a year in Europe, Girdler entered the steel business in 1902 as a foreman for the Oliver Iron and Steel Company. By 1908 he was general superintendent of the Atlanta Steel Company where he was instrumental in breaking a strike by importing skilled labor from Pittsburgh to replace the strikers. In his autobiography, Girdler comments "that in helping to break that strike I was defending the right to work of hundreds of our employees who had no part in it."¹⁵ If we may accept this as his thought at that time, it was certainly not out of the ordinary; but Girdler never

¹⁴Ibid., 13905, 13907; U. S. Senate Committee on Post Offices and Post Roads, Hearings, Delivery or Nondelivery of Mail in Industrial Strife Areas, 75 Cong., 1 sess. (Washington, 1937), 211-212, 214; Girdler, op. cit., 97, 101-102.
¹⁵Ibid., 91, 148, 161.
receded from the conviction that strikebreaking was the normal and proper reaction for an employer faced with a walkout by his employees.

In 1914 Girdler went to work for Jones & Laughlin Steel Company. Completely controlled by the two families and at the time the industry's second largest producer, the firm was in the throes of a vigorous expansion program. Girdler became assistant to the general superintendent at the then recently built plant at Aliquippa. At this rather isolated borough on the left bank of the Ohio River, twenty-five miles north of Pittsburgh, he set out to create the "model company town"—and to enforce the "open shop." Indeed, as it developed, the company owned the waterworks and most of the housing, ran the school system, and exerted a decisive influence over the police and local government. Each one of the several different immigrant groups which worked in the mill was conveniently segregated into its own housing area or "plan." By his own admission, Girdler—who became general superintendent in 1920—maintained a "benevolent dictatorship" in Aliquippa. No outside group or individual could hope to survive there without his consent, and those who failed to obtain it were unceremoniously thrown out.¹⁶

As can be imagined Aliquippa was not a place frequented by union organizers, to whom it was known as "Little Siberia." Shortly after Girdler's arrival the company police were reorganized into a uniformed force which for efficiency and unscrupulousness was rivaled only by the notorious Pennsylvania Coal & Iron Police. The regular

¹⁶Ibid., 166, 171-172, 177; Schroeder, op. cit., 55; LFC, Part 34, 13904.
force was supplemented by a "detective" force whose job it was to follow union organizers, "agitators," and suspicious strangers from the time they alighted at the railway station until they left town. Usually they did not remain long in Aliquippa. Furthermore, in order to make sure that the workers did not think, talk, or act regarding unionism, they too were spied upon not only at work but in practically all their activities. There is little reason to doubt that, as Girdler maintained, the steelworkers were provided with decent housing and ample recreational facilities. But, as one of them later described life there, "we couldn't call our souls our own. We couldn't think unionism." As some of these examples suggest, the strong-arm approach was not the only technique used to discourage labor organization.

There was a certain amount of subtlety involved, just as there would be later at Republic. Girdler revealed this, unwittingly perhaps, in a statement before the La Follette Committee in 1938 when he said: "... I don't recall any steps taken to discourage their union activities, except the civil liberties and the freedom of speech that we had at that time, sometimes advising a man that he was better off in attending to his own business and handling his own affairs instead of having someone else handle them for him."17

When it came to strikes, they were practically unheard of in Aliquippa. The Jones & Laughlin plant there was one of the few large steel works not touched by the great Steel Strike of 1919, a strike for which Girdler said the Communists were primarily responsible. As

17Ibid., 13788, 13904, 13906; Girdler, op. cit., 171-172, 176.
he later took pride in pointing out, during the strike the "plant ran full, never lost an hour on a mill." Warding off strikes, along with the other antiunion policies in vogue at Aliquippa, was a means of realizing what Girdler called the "vision of the Family." As he conceived of the relationships of the industrial family, the workers, like the young children, could be best nurtured and cared for within the family circle where management, like the old-fashioned patriarch, would exercise authority to make certain that the progeny was not corrupted or diverted from its filial duties by some alien influence. For Girdler firmly believed that the working men could improve their lot only through cooperation with management, not through surrender to the allurements of crafty union agitators.¹⁸

After a decade at Aliquippa, Girdler moved on to Pittsburgh to become general manager of Jones & Laughlin. Within two years he was vice-president in charge of operations, and during a reshuffling of the management in 1928 he emerged as president of the corporation with an annual salary in excess of $300,000.¹⁹

Girdler, however, was after even larger stakes. The 1920's was a period of almost unprecedented consolidation in the steel industry, and Tom M. Girdler had no intention of being excluded from the scramble. In 1927 Cyrus Eaton had acquired a sizable interest in the Republic Iron & Steel Company which he contemplated using as the nucleus of a gigantic new steel corporation. Some time later he

¹⁸bid., 158, 166, 175; LPC, Part 34, 13786.
invited Girdler to assist in the realization of this ambitious project, but the latter held off temporarily. Finally, in the autumn of 1929, after an altercation at Jones & Laughlin, Girdler resigned and joined forces with Eaton. Then, to make a long and infinitely complicated story brief, during the spring of 1930 Cyrus Eaton and William G. Mather, combining their interest in half a dozen Cleveland concerns and investment banking houses and utilizing Girdler's valuable know-how, merged three smaller steel firms with Republic Iron & Steel Company to create the Republic Steel Corporation.20

The three companies that merged with Republic Iron & Steel Company to produce Republic Steel Corporation were Central Alloy Steel Company with properties in Canton and Massillon, Ohio, Bourne-Fuller Company of Cleveland, and Donner Steel Company located in Buffalo. Between 1935 and 1937 Republic acquired six additional steel-producing and fabricating firms, including the large Corrigan-McKinney Steel Company of Cleveland. The Corporation became a vertically integrated concern, owning iron ore and coal mines as well as several steel fabricating plants. At Warren, Ohio, Republic operated the largest blast furnace ever constructed. The mills at Canton and Massillon had extensive installations for the production of electric

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Because of the nature of its facilities, Republic began to specialize in light steel, such as high-grade alloy, stainless, sheet, and small structural steels. 21

At the time of the consolidation, in 1930, Tom Girdler became president and chairman of the board of Republic. Originally, Eaton had contemplated bringing Jones & Laughlin, Inland, and Youngstown Sheet & Tube into the merger. Had this grand plan been realized, it would have resulted in a rival to U. S. Steel. Because of the depression and Eaton's complicated financial miscalculations, however, he and Girdler had to content themselves with having created only the third largest steel producer. The President of Republic Steel soon came to feel that Eaton was a "liability" (Eaton was losing heavily in the stock market and had become entangled in an acrimonious lawsuit to prevent the merger of Sheet & Tube and Bethlehem) and he was eased out of a controlling position in the company, leaving Girdler in complete command so far as the management of the firm was concerned. 22

When Girdler moved from Jones & Laughlin to Republic Steel, he took along not only his original conception of labor-management relations, but the means for a systematic implementation of it. A large number of people who had worked for him at Jones & Laughlin suddenly appeared as employees of Republic. R. J. Wysor, Girdler's assistant at Jones & Laughlin came to Republic as vice-president in charge of

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21 Schroeder, op. cit., 231; Girdler, op. cit., 197-198.
22 Ibid., 200, 204-205.
operations, and Charles M. White, Girdler's successor at the Aliquippa works, became Wysor's assistant. That a steel executive in moving to a new position, especially one as demanding as Girdler was assuming, should want to retain trusted assistants is not surprising. Somewhat out of the ordinary, however, is the fact that Girdler arranged to have many of the key members of the company police as well as of the local force at Aliquippa hired by Republic. To cite only a few examples: the new superintendent of Republic police, James L. Williams, had been Lieutenant of company police at Aliquippa; the head of the plant police at Buffalo, George E. Todd, was a former Aliquippa city policeman; and James S. Torbic, chief of police at Republic's Monroe, Michigan, plant, was a former Jones & Laughlin employee at Aliquippa. This transfer of a cadre of individuals who were thoroughly trained in all of the traditional antiunion techniques could have only one explanation, namely that Girdler intended to institute at Republic the same kind of labor policy which he had worked assiduously to create and perpetuate at Jones & Laughlin. It was a policy that employed intimidation of employees and harassment of union organizers to attain its end, that end being a nonunion shop in which management could exercise an unchallenged prerogative to determine the conditions and terms of employment.

A gradual yet definite change began to occur in the attitudes and actions of management toward the workers at some of the plants

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23Ibid., 200.
24LFC, Part 23, 9782; Part 26, 11067; Part 34, 13796.
taken over by Republic. The new "police force" regime was introduced at the old Trumbull Steel Company works in Warren in 1930. With increasing frequency disciplinary action was invoked against employees for minor violations of working practices. Trumbull had apparently been rather nonchalant regarding such matters and therefore the transformation was quite obvious to employees. As one of them described the change: "They took the old watchmen off the job and put men on with uniforms and guns on them, and that sort of friendly feeling began to die away between the employees and the company. A sort of different idea took hold." These changes might be attributed simply to a legitimate desire on the part of a new management to introduce some degree of efficiency into a plant that had been run in a rather slipshod manner, but when Republic set out to destroy a lodge of the Amalgamated which had been entrenched at Warren for two decades, little doubt remained that all these moves were part of a campaign to assert the "authority" of the company and to eradicate all traces of unionism.

Meanwhile, Republic added a new method to its store of traditional antiunion devices. With the passage of the National Industrial Recovery Act in 1933, Republic, like many other steel companies, introduced an employee representation plan (ERP) as a means of complying with the famous Section 7(a). Contrary to the common conception of ERP held in union circles, several of these organizations developed into something approaching genuine unions; but the Republic

ERP was never anything more than a "company union." The plan, which had no provision for mass employee participation except periodic election of representatives on company property and time, was sponsored and financed by the company. In the opinion of the National Labor Relations Board, it was "shrewdly designed to foreclose genuine collective bargaining and to fix firmly in the hands of the respondent \[Republic\] an indisputable control over its employees." Girdler's estimation of the ERP was quite different. About a year after its inception, he took occasion to point out that, whereas "union labor" resulted in antagonism between employer and employee and was inimical to the welfare of the latter, the ERP was proving to be the best way to achieve genuine collective bargaining.

At the same time that he was exulting over the achievement of "self-governing employees' organizations" and the promised land of "collective bargaining" Girdler was busily denouncing the legitimate labor organizations. In addressing a meeting of the American Iron &

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27 LFC, Part 34, 13843.
28 National Labor Relations Board, Decisions and Orders (Washington, 1939), IX, 230. Hereafter, this source will be cited as N.L.R.B. Decisions, with the appropriate volume.
29 LFC, Part 34, 13921-24.
Steel Institute in May, 1934, Girdler delivered a warning which at
least made his position unmistakably clear:

... we are not going [he said] to recognize any
Amalgamated Association or any other professional
union. I want to ask this body of men, made up of
the highest class and most intelligent body of in-
dustrialists in this country—any one of you who
thinks that he will get some temporary advantage
by dealing with the professional labor unions, I
hope he will get it out of his mind. ... I know
that the men who sit around here in New York week
after week, aren't going to give in on anything to
the professional labor unions. ... If anybody wants to deal with Bill Green and
John Lewis all the rest of his life in the steel
industry. ... I don't see how he is going to do it.
I have a little farm with a few apple trees, and
before spending the rest of my life dealing with
John Lewis I am going to raise apples and potatoes.30

Thus did Tom Girdler become the self-appointed leader of those who were
prepared to uphold the open shop in the industry at all costs, for it
was quite apparent that he had no intention of retiring to the bucolic
bliss of the apple orchards.

Shortly after Girdler made his pronunciamento to the Institute,
Republic took certain steps to round out its labor policy and to pro-
tect the corporation from possible inroads by the AFL. Arms and tear
gas were stockpiled in anticipation of the nationwide strike which,
according to widely publicized reports in the press and the militants
in the Amalgamated, was soon to be called unless the industry recog-
nized the steel union. Then, in July, 1934, Republic announced that
it was going to discontinue the practice of signing wage scale contracts
with the Amalgamated, two lodges of which had maintained such agreements

30LFC, Part 23, 9738.
at the Warren and Niles, Ohio, plants of the old Republic Iron & Steel Company for twenty years. Only a minority of the workers in these plants had been covered by the contracts; but the refusal to renew them was significant as an indication of Republic's tough-handed labor policy and foreshadowed the attitude which the corporation would hold toward union contracts in 1937.

At this point the National Steel Labor Relations Board, which had been set up in June, 1934, to handle the tense situation in the industry, stepped into the picture, with the result that Republic agreed to renew its contractual relation with the Amalgamated in the form of a letter. In connection with this, however, the President of Republic hastened to point out that the letter

... was written upon the express understanding that the company was not making a contract with the Amalgamated Association.

The company has previously stated that recognition in the sense demanded by the Amalgamated simply means yielding to the closed shop principle, and this the company has steadfastly refused to do. This policy will be maintained and has not been changed by meeting with representatives of any organization. . . .

Employees of the company who are members of the Amalgamated. . . . will continue to enjoy under the present arrangements full rights of collective bargaining.

This is in accord with the settled policy of this company to bargain collectively with its employees, and to meet with any person or persons or organization who represent any employees.

In this statement two points stand out. First, although Republic professed a readiness to engage in collective bargaining with any of its

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employees, it refused to deal with them through any formally recognized labor organization. It would, in short, bargain collectively but not through trade union channels. Second, Girdler contended that the signing of a union contract was a step that would lead inevitably to the "closed shop." It should be noted here that Republic espoused this argument at a time when the union, far from being in a position to demand the "closed shop," was in fact fighting for its very existence. The record clearly shows, then, that two of the principles which would be adhered to by the Little Steel companies during the strike of 1937 had been introduced by Republic Steel three years prior to the strike.

In the summer of 1935 during the course of a strike at the Berger Manufacturing Company, a small subsidiary of Republic located in Canton, Ohio, Republic's determination to resist unionization was graphically demonstrated. An Amalgamated lodge had been established at Berger and claimed to represent a majority of the employees. In negotiation with the company, the union asked for a written contract, but this the company officials refused, arguing that it was not their policy to enter into such agreements. In anticipation of the strike, Republic ordered tear gas costing $8,000.00 for Berger and increased the plant police force at Canton.\(^{34}\)

Had Republic decided to close the plant and engage in negotiations during the strike, violence might have been averted. However, company officials seem to have made no effort to minimize the
possibility of a clash. The first day of the strike, May 27, mass picketing occurred in front of the Berger plant, and an "armored truck" in use to transport loyal employees to and from work was stoned by the pickets. Later in the day as the shifts were changing the truck again sped out of the gate; but suddenly it stopped, the doors opened, and several guards armed with gas guns and clubs jumped to the street. Meanwhile, other armed police rushed from the plant onto the street. The police then closed in on the crowd of strikers and "onlookers," many of whom, taken by surprise, were struck down where they stood, while others fled across fields with the guards in pursuit. As a result of this melee thirteen persons—none of them guards—were hospitalized.35

When the strike spread to the nearby plant of the Alloy Division, the police began to expand their operations. Picket lines were dispersed. And on several occasions guards in automobiles sped up and down public streets and highways indiscriminately firing gas guns and shotguns. During these terroristic sorties certain persons who were not even connected with the strike were wounded by buckshot and tear gas shells.36 In the wake of the violence, it was publicly announced in behalf of Berger officials that the strike had occurred due to the machinations of a "radical minority who demand a closed shop and the exclusive right to deal with the management," that outsiders had been

35LFC, Part 24, 10006, 10014, 10249.
36LFC, Part 24, 10023-31, 10049-50, 10244, 10498.
imported to foment trouble, and that the company, was only attempting to protect its employees in their right to work.\textsuperscript{37}

Meanwhile, Republic initiated a plan to mobilize influential elements in the community behind a campaign to break the strike by more subtle means. At the suggestion of Republic officials, and with the assistance of the local Chamber of Commerce, a "citizens' committee" of several leading business and professional people was formed. The committee immediately put pressure on the sheriff's office and the Canton police to increase their forces. More importantly, it helped to arrange a back-to-work election in which no distinction was made between the original Berger strike and the sympathy walkout at the Alloy Division. After the election, which went in favor of the company, the strikers' morale broke, the police cleared the streets of pickets, and the strike completely collapsed.\textsuperscript{38}

In combating that brief strike Republic Steel expended $75,000 including $46,000 paid to settle claims for property damage and bodily injury.\textsuperscript{39} Considering the attitude toward unions that prevailed at Republic, the cost was perhaps not too excessive, for the spectre of the "closed shop" had disappeared.

In some respects the Berger strike was hardly distinguishable from almost innumerable violent encounters which characterized the labor-management relations of those years. However, set in the context of the labor situation in steel and viewed from a deeper

\textsuperscript{37}LFC, Part 24, 10253.
\textsuperscript{38}LFC, Part 24, 10253-32, 10144, 10149.
\textsuperscript{39}LFC, Part 23, 9977.
perspective, it becomes clear that it was a kind of prototype of the Little Steel strike. The futile negotiations centering on union recognition, Republic's determined effort to crush the strike, the mass picketing and attendant outbreak of violence, the assertions of a breakdown of law and order, the mobilization of community support, the instigation of a back-to-work movement—all these elements would be re-enacted on a vastly expanded scale three years later in the summer of 1937.

When approximately a year after the Berger strike the newly formed CIO concentrated its energies on the organization of steel, Republic quickly revealed that it was just as disinclined to recognize the CIO as it had been to deal with the AFL. This reaction was made known by way of a letter of "attitude" sent to the corporation's employees on July 2, 1936. The statement, signed by Girdler and other executives, opened with an attack on SWOC and ended with a warning to employees as well as to union organizers. It was in full accord with the labor policy previously manifested by Republic—but never before stated quite as succinctly and officially.

After noting that Communists were involved in the steel campaign, the statement went on to contend that the "real aim" of SWOC was the establishment of the "closed shop," an arrangement through which the union could "keep the dues rolling in." Another alleged objective was the destruction of collective bargaining as it functioned through the Employee Representation Plan in order to make way for a regime of "outsiders" who would dictate to the employers. Also, the "methods customarily used by \[\text{these}\] professional union agitators
and organizers are force, coercion, and intimidation of workers. . . .
They threaten to call a strike to force men to join their union. . . .
They do this to scare men into their union whom [sic] they know do
not want to join the union."40

The disclosure that strikes were directed against labor rather
than against management must have come as quite a revelation to trade
unionists. But there was one general aspect of this denunciation that
merits consideration. Before the organizational drive had been under
way long enough for anyone who was not omniscient to determine its
exact strategy and its specific goals, Girdler and his associates
were somehow able to formulate several precise charges—that SWOC
was utilizing Communists, that it sought a closed shop, and that it
was committed to the use of force and violence to attain its ends.
During the strike a year later these same accusations, in addition
to others, would be hurled at the union.

40N.L.R.B. Decisions, IX, 238.
The second part of the Republic statement emphasized the corporation's adherence to the "Open Shop" and concluded with an expression of policy regarding union activity:

Republic will not permit any activities within its plant which will:
1. Interfere with the orderly conduct of its operations.
2. Stir up strife or discontent.
3. Threaten the peace and comfort of its workers. . . .

Every Republic employee owes a duty of loyalty to the Company so that its best interests may be served. Conduct detrimental to the interests of the Company and which may disrupt the satisfactory relations between employees and management will not be tolerated.41

Not only was this a formal declaration of intent to combat the SWOC drive, but it was also, in open defiance of the Wagner Act, a pointed warning to employees that participation on their part in the organizational program of the new union would be dealt with summarily.

As the SWOC membership campaign was set in motion during the summer of 1936, and then stepped up in the spring of 1937, the efforts of subregional directors and organizers to enlist Republic steel-workers were met by a furious counterassault. Although singular in purpose, this antiunion campaign was threefold in method. First, the ERP and supervisory personnel were utilized to discredit SWOC and to discourage union membership. Second, at the same time, the traditional techniques of labor espionage were employed by the Republic police force. Third, in various instances where the aforementioned

41Ibid., 239. Writer's italics.
approaches did not prove too efficacious, known union members were simply demoted or discharged.

In order to explain the use of ERP against SWOC, it will be necessary to indicate briefly the manner in which Republic's ERP was organized. Employee representatives were apportioned on the basis of one for every two hundred workers, and the employee representatives of a given plant formed the General Body of employee representatives for that plant. Since each General Body had a counterpart composed of management representatives, important issues were settled only when these two groups functioned together as a Joint Committee. Sometime during the autumn of 1936 a plan was introduced at a special meeting in the corporation's Cleveland office to coordinate the work of the general bodies by creating a corporation-wide unit, the Central Council, patterned after the organizational structure then existing at the plant level.42 As will be shown below, one of the salient purposes of the Central Council was to facilitate a plan of concerted opposition, a plan calculated to thwart the SWOC drive at Republic mills.

That such a program was being implemented in the period from the autumn of 1936 into March, 1937, is indicated by the record of certain measures that were effected in conjunction with the ERP at several Republic plants. ERP meetings afforded district managers and management representatives an opportunity— with the policy statement of July 2, 1936, as their text— to emphasize the alleged sinister

42Ibid., 228-229, 377.
motives and selfish aspirations of the CIO hierarchy, to laud ERP as a beneficent bulwark against the disruptive influences of outside unions, and to urge employee representatives to marshal support among the rank and file for ERP.\(^43\) In one case, however, this type of approach failed to produce the desired results. The district manager of Republic's Youngstown, Ohio, plant addressed the General Body in February, 1937, urging the members of that group to compare for the employees whom they represented the disadvantages of SWOC and the virtues of ERP. But the officers of the General Body, after a few days reflection, passed a resolution to the effect that they did not intend to stultify themselves by campaigning among their fellow workers in favor of an organization which had obviously been a failure as a means of obtaining redress of major grievances.\(^44\)

Another task assigned to ERP in the joint effort to fend off SWOC was the circulation of petitions, a procedure intended to show that SWOC was failing to make a genuine appeal to any significant number of employees. In Massillon, Ohio, for example, employee representatives assisted in obtaining employee signatures on a petition which expressed their satisfaction with the status quo and their aversion to the intrusion of outside unionists. When workers in one department were at first reluctant to sign, they were persuaded that it would be the part of wisdom to do so by the suggestion that recalcitrance in such matters could result in a loss of orders, which might be diverted to other more cooperative plants of the corporation. A

\(^{43}\)Ibid., 246, 332, 375. \(^{44}\)Ibid., 338-339.
similar petition appeared in the Republic subsidiary at Monroe, Michigan, in the summer of 1936. Although this petition was ostensibly sponsored by a "committee" representing the employees and supposedly expressed their sentiments, the facts that it was drafted by the head of the plant police and that its contents followed closely the policy statement of July 2, 1936, strongly suggest that the entire affair had been staged by the management. In any case, the "committee" along with its petition were transported to Cleveland, where, after assurances from Charles White that Monroe could expect further orders, the committeemen proceeded to the ballpark, their tickets having been provided by the company. Petitions were also circulated by employee representatives and superintendents in the mills at Canton and Cleveland.45

These measures apparently met with a fair degree of success, for about six months after they had been introduced Republic decided to assess the program and to give it some more definite basis. No doubt this action was also partially prompted by the agreement between SWOC and U. S. Steel. Only a few days after that event, on March 18, 1937, the Central Council was convened in Cleveland. The meeting, in which White and J. A. Voß, director of industrial relations, were active, "showed the efforts of our different units of ERP in combating the encroachment of outside groups." It also resulted in the passage of a resolution pledging the employee representatives throughout the corporation to support "the Management in opposition to all

45 Ibid., 244, 321, 375; LPC, Part 27, 11339-42.
outside labor organizations." More specifically, the representatives were urged to use their own particular plant situations as guides in the choice of the most suitable antiunion methods and to share these with each other. The evidence, then, points to the conclusion that Republic used ERP against SWOC organizers, found it to be at least partially successful, and attempted to make it an even more effective weapon in contemplation of increased union pressure on Little Steel.

Coupled with this was a campaign conducted by superintendents and foremen to discourage Republic employees from taking an interest in or joining the union. From the standpoint of the ordinary steelworker, the boss—who then often still retained ultimate power to hire and fire—was the immediate symbol of company authority, and his words therefore were more apt to influence employee attitudes toward unionism than those of a leading executive. Thus in the mills SWOC leaders were frequently characterized as "grafters" and "communists," whose main preoccupations were the collection of dues and the furtherance of their own selfish interests. It was during this period that a pamphlet, Join the CIO and Help Build a Soviet America, began to appear in some of the plants.

46N.L.R.B. Decisions, IX, 243.
47Ibid., 245, 321; National Labor Relations Board, Official Report of Proceedings in the Matter of Republic Steel Corporation and the Steel Workers Organizing Committee, Case No. C-184 (Washington, 1937), 1422. These typewritten transcripts of field hearings are in the National Archives. Hereafter, this source will be cited as N.L.R.B. Transcripts with the appropriate case number.
More important than such propaganda, however, were the warnings voiced by supervisors that if workers became CIO members their jobs would be in jeopardy. Sometimes, employees with obvious pro-union sentiments were called aside individually and informed that they could probably expect to be discharged as a consequence of participation in SWOC activities. On other occasions, especially when entire crews or departments were assembled, superintendents used slightly different admonitions, involving the arguments that persistent union agitation might cause the company to simply close the mill, or that increased costs resulting from the entrenchment of SWOC in a particular plant would compel the company to discontinue operations. But, regardless of variations of form and presentation, all of these arguments and warnings had a single purpose: to convince the steelworkers that employment security could not be reconciled with the advance of "outside" unionism, and thus to create a climate of fear and uncertainty among them. Needless to say, it was hoped that such a situation would immunize employees against the appeals and blandishments of SWOC organizers.

In addition to the facets of the antiunion program thus far discussed, which were primarily concerned with turning employees against SWOC, Republic at the same time prepared and executed a direct attack upon the Steel Workers Organizing Committee itself. This aspect of Republic's crusade to rescue its employees from the alleged ravages

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of trade unionism consisted essentially of the application of the traditional labor espionage devices, as well as some which were no doubt unique, and was admirably conducted by certain members of the company police force. Organized around the core of seasoned industrial police brought from Aliquippa, and increased in manpower by 28% during the year preceding the strike, the force went into action as soon as SWOC organizers were sent into the field in the summer of 1936.49

One of the tactics commonly employed to harass organizers and subregional directors was "rough shadowing." As it was usually practiced, "rough shadowing" involved the detailing of police in street dress to follow organizers, to watch local SWOC headquarters, and to make themselves conspicuous around buildings where union meetings were in progress. Although Girdler denied any knowledge of such behavior on the part of Republic police, and one captain implied that his men only followed Communists and atheists, the chief of Republic police, J. L. Williams, and other officers admitted that SWOC organizers had been under "surveillance."50

A good illustration of what this entailed is provided by the experiences of two organizers, H. Porter and G. L. Sweeney, in the Canton-Massillon area. During the summer and autumn of 1936, they were followed in and around their hotel, on automobile trips, practically everywhere they went, making it difficult for them to have confidential contacts with prospective union members. Finally, two

49LPC, Part 26, 11007.
50LPC, Part 26, 10951, 11009, 11034, 11063-66; Part 34, 13819, 13824.
of Porter's most persistent shadows were arrested and identified as policemen on the payroll of Republic Steel. At Youngstown, the subregional director told in a SWOC report dated August 12, 1936, of having been followed several times, on one occasion halfway to Pittsburgh, by Republic agents. Also, in Buffalo, Warren, Ohio, and especially Cleveland, organizers and steelworkers were subjected to shadowing on the streets, at their homes, and in union meetings.

In all the recorded cases of "rough shadowing" there was one peculiar aspect: the police made little real attempt to conceal either their identity or their activity. This suggests that, while it did of course produce a certain amount of information regarding union membership and the activities of organizers, perhaps the main purpose of "rough shadowing" was rather to intimidate and terrorize the SWOC staff so that the campaign would simply break down, at least in the mill towns where Republic plants were situated.

A more reliable and efficient means of obtaining the names of union members and determining SWOC strategy was the planting of spies within SWOC lodges. The remarkable extent to which these Republic agents sometimes penetrated lodges can be indicated by relating the activities of one especially adept spy. This individual, who used an alias of Ira Alberts, had had considerable professional strikebreaking experience. Originally employed in 1936 as a guard at the Buffalo

52N.L.R.B. Transcripts, C-184, 1236; N.L.R.B. Decisions, IX, 337, 365, 369, 370; LPC, Part 26, 11041, 11056-60, 11156-57; Part 44, 16629, 16631, 16635.
plant, Alberts was sent to Youngstown where he went to work in the Republic pipe shop. In December, 1936, he signed a SWOC membership card; in March, 1937, he became financial secretary of Republic Lodge 1331, a position giving him direct access to an official record containing the names of all employees of Republic's Youngstown district who were union members. Then, shortly before the strike, discovery of Alberts' duplicity by other officers of Lodge 1331 resulted in his removal as financial secretary. Soon thereafter he returned to Buffalo to resume his regular job as a uniformed policeman.53

In the meantime, SWOC lodges at Cleveland, Warren, and Chicago were also infiltrated by Republic agents, some of whom operated as agents provocateurs as well as spies. Much of the information they obtained was relayed to J. L. Williams' office where it was evaluated and reproduced for distribution to police captains throughout the corporation.54

As a last resort, when propaganda, persuasion, and the more commonly used methods of labor espionage did not seem effective enough in warding off SWOC, Republic officials apparently had few qualms about adopting even more direct and drastic tactics. These were physical assaults on organizers and numerous discharges of SWOC members.

As far as the record reveals, most of the actual attacks on organizers occurred during the winter and early spring of 1937 in the

53LFC, Part 26, 10911, 10933-34, 11105-06, 11107; Part 44, 16608.
54LFC, Part 25, 10860-63; Part 26, 10988-99; Part 31, 12678, 12680.
areas of the Republic plants in Cleveland where the police captain in charge, a ruthless individual to say the least, had surrounded himself with a group of toughs and ex-criminals. Organizers who were attempting to distribute union literature and to solicit membership in the vicinity of plant entrances were frequently intimidated and sometimes beaten by company guards. One of the victims, a volunteer organizer who was assailed without warning some distance from a plant gate, was asked by the NLRB to relate the details of his unfortunate experience:

When he /the policeman/ hit me with the black jack, I stumbled backward and fell in the gutter alongside of the sidewalk. . . .

He jumped on me with his knees in the pit of my stomach, started beating me over the head and the arms and the hands with a black jack. He says, 'God damn you, here is some of Cap's union. . . .' I had my hands over my head, I was trying to protect my head and he continued beating me. . . . Every time he would hit me he would say 'uh-uh.'

As a result of this attack, the organizer, according to medical records, was hospitalized for sixteen days with a broken arm, lacerations, internal injuries, and symptoms of a brain hemorrhage.55

The first mass rally of SWOC members from the Corrigan-McKinney plant, Republic's largest installation in Cleveland, was held on the evening of January 13, 1937, at Bohemian Hall. Republic police were on hand outside to see who entered the hall. Beginning the next day, several employees who had attended the meeting were laid off. On various other occasions in Cleveland employees were discharged for union activity. It is not known exactly how many union members lost

their jobs in this manner during the months preceding the strike. However, the union in a complaint filed with the NLRB put the figure at one hundred.\textsuperscript{56}

At Youngstown, meanwhile, Republic was also living up to its warning of July 2, 1936, that "outside" union activity would not be tolerated among its employees. The attempt to organize this plant was spearheaded by four persons: Robert Burke, a shrewd, enthusiastic young organizer, probably a Communist, had been assigned the task of establishing a lodge at the Republic plant; Charles Fagan worked in the foundry, had joined SWOC in 1936, and subsequently assisted Burke in approaching employees on the outside; another foundry employee, Thomas White, became the first president of Republic Lodge 1331; the fourth individual, Joseph F. Gallagher, was a veteran steelworker and served as a part-time organizer. In January, 1937, Gallagher was discharged, ostensibly for sleeping on the job, an infraction of the rules which was not an unusual occurrence on the night shift. But the decisive coup came in March when the management suddenly closed the foundry, leaving the entire foundry crew of fourteen men without jobs. Twelve of these employees were union members. Thus in one fell swoop a vital center of SWOC activity was extirpated from the mill. Although the company claimed technological changes necessitated the closing of the foundry, no attempt was made to assign the union men to comparable jobs.\textsuperscript{57}

\textsuperscript{57}Ibid., 337-339; N.L.R.B. Transcripts, C-184, 1236, 1251-52,1269, 1272; LFC, Part 26, 11027; Part 44, 16629, 16632.
In Youngstown, then, just as in Cleveland and elsewhere, Republic Steel Corporation attempted to crush the incipient union movement by resorting ultimately to the most extreme economic coercion of its employees, a policy which was in direct violation of the National Labor Relations Act.

Another company of the Little Steel group which had adhered tenaciously to the "open shop" position was the Youngstown Sheet & Tube Company. Although it, like Republic, had refused to follow the lead of Big Steel in recognizing the new CIO union in steel, Sheet & Tube's labor relations policy did not exactly parallel that of Republic. Yet the distinction was essentially one of approach and emphasis. Whereas Girdler and his associates fought unions intrepidly, vehemently, and with every means at hand, the opposition of Sheet & Tube was characterized by relative restraint, caution, and finesse. Nevertheless Sheet & Tube over the years had consistently taken precautions, sometimes rather extreme ones, to keep trade unions out of its mills.

A small firm at the time of its incorporation in 1900, Sheet & Tube expanded rapidly under the competent management of James A. Campbell, president from 1904 to 1929. Through several mergers, especially in 1923, it acquired facilities at Indiana Harbor and became the third largest basic steel producer. Although it relinquished this position relative to other firms by the 1930's, becoming the fifth largest concern, the company remained the foremost economic institution.

58 Several SWOC members were discharged during this period at Canton and Warren, Ohio. N.L.R.B. Decisions, IX, 328-330, 352-354.
at Youngstown where the huge furnaces and mills of the Campbell and
"rod and wire" works extended for miles along the Mahoning River
valley. 59

Sheet & Tube first became involved in serious labor troubles in
1916 in connection with a strike which began at the Republic Iron &
Steel Company at Youngstown. The Amalgamated made no attempt to organ­
ize Sheet & Tube employees, but some of them joined in the walkout,
and in the ensuing violence certain of the company's installations
were damaged. In order to preclude a recurrence of such incidents
and prevent the entrance of the union in the future, management in
1918 introduced a rather liberal employee representation system. 60
In spite of this program, during the steel strike of 1919 the Amal­
gamated was able to close Sheet & Tube's plants. Except for the
maintenance in the mill of a token force of workers through payment
of large bonuses, the company apparently took little direct action to
break the strike. 61

The seeming renaissance of the steel union in the early years
of the New Deal was observed by Sheet & Tube officials with increasing
apprehension, and they soon adopted measures to meet any possible
union inroads. In anticipation of the threatened nationwide strike

60LFC, Part 27, 11164-65; Part 41, 15932.
61William Z. Foster, The Great Steel Strike (New York, 1920),
103, 173-175.
of 1934, the company expended $52,000. Of this sum a large proportion—$10,086—went for the purchase of shotguns, tear gas equipment, and ammunition. The next year W. B. Gillies and R. M. Welch, respectively vice-president in charge of operations and director of industrial relations, exerted pressure in Youngstown in an attempt to head off the formation of a local "Youth Congress" which had the support of several union sympathizers and Amalgamated officials; this group, which included the president of district six of the Amalgamated, was designated by Gillies as one "that may result in a lot of future trouble." In addition to these actions, Sheet & Tube spent $141,000 in the period 1933-1937 to sustain and strengthen its plan of employee representation.

At the inception of the SWOC campaign in 1936, the company set itself firmly against the organizational pressures of the new union. In a statement to its employees, similar in content to that issued by Republic but couched in more restrained terms, the company announced that it would defend from "the interference of outside agencies" the mutually satisfactory relationship of management and employees which had been achieved within the framework of the ERP. Shortly thereafter, a proposal of the Sheet & Tube employee representatives to coordinate their activities with those of employee representatives of other steel concerns was disparaged by Frank Purnell,

63 LFC, Part 27, 11166; Part 41, 15962.
then president of the company. But this action was primarily a defensive maneuver calculated to ward off the SWOC stratagem for subverting the "company unions." \(^{64}\)

In its effort to counteract SWOC, the only other direct anti-union measure undertaken by Sheet & Tube was the employment of spies, and this was on a limited basis, at least as far as can be determined from available records. \(^{65}\) The head of the police department admitted that during 1936 SWOC meetings were often attended by two undercover agents employed by Sheet & Tube, and that information obtained through them was often exchanged with Republic and other steel concerns for information of a similar nature. \(^{66}\) This relative reluctance to engage in full-scale espionage should not be interpreted as an indication of unwillingness or hesitancy to oppose the establishment of industrial unionism. Rather, it was a reflection of the fact that Sheet & Tube in combating the CIO movement preferred to concentrate on other means—more indirect and sophisticated—such as the manipulation of public sentiment. \(^{67}\)

The largest of the companies known collectively as Little Steel was the Bethlehem Steel Corporation. It occupied a unique position during the strike in that only one of its plants, the Cambria works at Johnstown, Pennsylvania, became directly involved. Nevertheless,

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\(^{64}\) LFC, Part 27, 11209-10, 11225-27.  
\(^{65}\) Certain records that probably contained additional information concerning espionage were destroyed by Sheet & Tube in 1937. LFC, Part 41, 15935.  
\(^{66}\) LFC, Part 25, 10453; Part 27, 11190, 11479.  
\(^{67}\) See Chapter IV.
Bethlehem's leading executives were to throw the support of the entire corporation behind the other Little Steel firms in opposition to SWOC.

The formation and expansion of Bethlehem has been attributed largely to the ambition, ability, and energy of Charles M. Schwab. Famed for his part in the creation of U. S. Steel, Schwab left that concern about 1904 in order to create a vast eastern steel enterprise which would rival the Pittsburgh district. Within twenty years he had achieved his goal: with large plants located in eastern Pennsylvania, New York, and Maryland, Bethlehem ranked second in size to U. S. Steel, and would continue to retain that position. As president from 1905 to 1914, when Eugene Grace assumed the position, and chairman of the board until 1938, Schwab and a few close associates held securely the reins of control within the corporation.68

Bethlehem's initial attitude toward unions was set forth succinctly by Schwab in 1910 when he pointed out that "under no circumstances will we deal with men on strike or a body of men representing organized labor." During World War I Bethlehem, along with Sheet & Tube, pioneered in the establishment of an employee representative plan in its various steel plants. Whatever the original motive for this, the plan, the form of which was determined exclusively by the management, came to be relied upon as one of the chief instruments for the exclusion of genuine trade unions. As an additional means of discouraging self-organization of employees, a welfare program including pensions, disability payments, and so forth was introduced.

68 Schroeder, op. cit., 46-50, 114, 199.
By the 1920's, then, the corporation had become a mainstay of the open shop in the industry.69

In the autumn of 1933 Eugene Grace informed the employees that the ERP had afforded them the opportunity to engage in "collective bargaining" for over a decade, and therefore fulfilled the "requirements of the NIRA." About a week later, he announced that Bethlehem would preserve "the open shop... as against the closed union shop where all men are equal."70 How Bethlehem proposed to follow an open shop policy and to promote collective bargaining simultaneously was not clearly explained. What did become increasingly evident, however, was that regardless of government policy the management did not propose to recognize any genuine labor organizations. For example, Grace, again resorting to pyrotechnics, attacked the National Labor Relations Act:

"... I repeat it is one of the most vicious pieces of legislation that has been proposed in a long time. Whether or not this undesirable bill actually becomes a law, the constitutional rights of employers will continue. Their right of freedom of choice both in employment and in selecting representatives will be protected by the steel industry..."71

In the meantime, Bethlehem had hired Pinkerton's National Detective Agency to prevent the violation of its employees' "constitutional rights" by "outside disturbers."72

The SWOC offensive against Bethlehem met with numerous

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70 Steel, XCII, No. (October 2, 1933), 12; Senate Report No. 151, 66.
71 Ibid., 69. 72 N.L.R.B. Decisions, XIV, 626.
obstructive devices and policies, most of which were similar to those employed by Republic and Sheet & Tube. The corporation issued a manifesto under the signature of Eugene Grace, then also president of the American Iron and Steel Institute, warning the employees that professional labor unionists were launching a scheme to substitute the "closed shop" for the "present proven methods of dealing with our mutual problems. . . ." It fostered the existing ERP, contrasted the merits of the plan with the disadvantages for employees of representation by the "Outsiders" of the CIO, and endeavored to impress upon employees the idea that Bethlehem's ERP was an integral and essential part of the entire welfare program. It engaged the services of additional Pinkerton operatives to spy upon union members and SWOC meetings. It increased substantially the manpower of the police departments at the plants in Johnstown and Bethlehem, Pennsylvania, and Sparrows Point, Maryland. Because of these measures, and weaknesses in its organizing drive in the East, SWOC by 1937 failed, with the possible exception of those in the Cambria plant, to organize successfully a solid majority of Bethlehem steelworkers.

The smallest of the four firms involved in the Little Steel

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73 Ibid., 572-574.
74 Financed completely by the company, it did not provide for regular meetings of employees, could not be amended without management's consent, and had no formal membership provision. N.L.R.B. Decisions, XIV, 593-596.
75 Ibid., 574-577, 609, 625-627; Senate Report No. 151, 68.
76 Frederick H. Harbison, "Labor Relations in the Iron and Steel Industry, 1936 to 1939" (dissertation, Princeton, 1940), 64. Some of the organizers were of a "poor type" and did not make much headway.
strike was Inland Steel Company. Established about 1900 as a basic steel producer, the company from the very beginning grew and prospered largely under the astute direction of various members of the Block family. Unlike most steel concerns of any size, Inland concentrated all of its basic steel producing facilities in a single main plant at Indiana Harbor, in the midst of that great complex of steel mills lying along the southwestern shore of Lake Michigan. By 1937 Inland ranked seventh in terms of annual ingot capacity.77

Although very little is known about its labor policy prior to the 1930's, the company apparently had maintained an open shop. In 1933 the management drew up and instituted an employee representation plan which was still functioning in 1936 when SWOC began to organize Inland workers. At that time Inland's president, P. D. Block, in a letter to his employees, declared in effect that rather than recognize SWOC the company would simply suspend operations. Also, supervisors questioned employees about their affiliations with SWOC and told them that the union would not be able to hold its own in case of a strike. There is no record, however, that Inland during this period actually intimidated employees, utilized labor espionage, or employed professional labor spies.78 The general impression which Inland's reaction to the SWOC drive leaves is that, while definitely unwilling

77Schroeder, op. cit., 67-68, 199; "Inland Steel Company," Fortune, XVIII, No. (October, 1938), 43.
78N.L.R.B. Decisions, IX, 804, 812-813; LFC, Part 17, 7540.
in principle to recognize an outside union, the Blocks were not prepared to resort to extreme measures in their opposition to the activities of SWOC organizers and union members.

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This chapter has attempted to show that the strong opposition to the principles and practices of unionism manifested by the executives of Little Steel in 1937 was a very definite policy of long standing, a product of the historical development of these firms. Thus from the standpoint of the Little Steel executives, the open shop was the accepted way of dealing with the labor force; setting the terms on which one dealt with the employees was quite simply one of the managerial prerogatives, and it could no more be questioned than the privilege of determining a concern's sundry business affairs. As Eugene Grace phrased it—and this concept was shared by many of his colleagues—"Outsiders have not been necessary in the past—nothing has happened to make them necessary now." 79

Yet it would seem that something had happened, creating a situation which made change not only necessary but indeed inevitable. By 1935 there was in existence national labor legislation which not only guaranteed the rights of self-organization and collective bargaining but provided an agency invested with powers to secure these rights. Furthermore, there was now on the scene a militant new labor movement whose very raison d'être was the creation of industrial unions in the nation's basic industries of which steel was one of the most

79 *N.L.R.B. Decisions*, XIV, 575.
important. Was it really possible, then, to continue along the lines of the traditional steel labor policy in the face of legislative and institutional developments which ran directly counter to it? Judging from their attitudes and actions, the leaders of Little Steel apparently did not see that recent developments were rapidly making their positions untenable. Nor did they feel that this dichotomy might involve them in an insurmountable predicament.

They had readily available solutions, satisfactory in their own estimation at least, for the requirements of the Wagner Act and the challenge of the CIO. The National Labor Relations Act did not seem to demand any drastic changes or new arrangements because the companies contended they were not averse to the organization of steelworkers for purposes of collective bargaining. Indeed, the management, it was argued, had already gone a long way to provide for these procedures through the employee representation plans. Granted this rationalization of the "company union," it was not too difficult to take the view that the act did not raise any fundamental conflict. And, after all, with one voice the steel officials professed their willingness to bargain collectively with their own employees.

When it came to the issue of according recognition to a professional labor organization as the employees' bargaining agent, that was something quite different. In the estimation of men such as Girdler and Grace, the SWOC organizers, agents of the arrogant CIO leadership, were "outsiders," professional agitators bent on turning employees against employers and clamping the "closed shop" on both. In reality there was at the time only a faint possibility that the "closed shop"
would be established in steel but the militancy manifested by numerous organizers and the optimistic predictions of Murray and Lewis concerning the future of industrial unionism no doubt provided some basis for the apprehensions and opinions expressed by the Little Steel executives. In any case, they made it perfectly clear that they had no intention of recognizing the Steel Workers Organizing Committee of the CIO or any other bona fide trade union which sought to disrupt the prevailing labor-management relations in Little Steel.

Their resolve to stand firm against unionization was not weakened by the action of U. S. Steel in recognizing SWOC. On the contrary, it seemed to make the managers of Little Steel all the more determined to resist the mounting pressure for recognition. Now, with the defection of their mighty ally, they felt that, if the open shop were going to be preserved in the remainder of the industry, they would have to assume the role of the foremost champion of that venerated practice. Similar experiences, outlooks, convictions, and policies gave them a common ground on which to stand in carrying on the struggle. All of them were economic individualists, unalterably convinced that neither union labor nor government should be permitted to intervene in the affairs of industry. A majority of them—Girdler, Schwab, Purnell, and P. D. Block—had spent the greater part of their lives engrossed in the steel business where they had learned to brook no assertiveness on labor's part and had come to pride themselves on being economically aloof from Big Steel.

Tom Girdler became a kind of informal spokesman for this group. Vigorously outspoken, ruthless, antagonistic toward organized labor,
and contemptuous of its leaders, Girdler seemed admirably qualified to lead an antiunion campaign. And there was also Eugene Grace. Influential as president of both the American Iron and Steel Institute and the second largest steel company, Grace had demonstrated that he could be counted upon for strong support. Thus a formidable leadership had come forth to defend the principles of the open shop from the threat of unionization.

However, the nature and scope of the tactics which had been in use since 1934 to combat organized labor indicated that the leaders of Little Steel considered that more was at stake than just the shibboleths and principles of the open shop. Even the innocuous Amalgamated had displayed a surprising degree of militancy and enthusiasm in 1934; and, however futile this may have been in the end, it sent a tremor of apprehension throughout the industry and was enough to put the Little Steel group on the alert. Then came the rise of the Steel Workers Organizing Committee of the CIO, a phenomenon which had a traumatic effect on the Girdlers and Graces of the industry. With the financial support of entrenched unions and the elan which was characteristic of the CIO, SWOC's chances of at least limited success were obviously good. The nature of its program of industrial unionism would mean, if it succeeded in Little Steel, not only the end of the open shop and the employee representation plan, but also a fundamental restructuring of the power system within each company.

The mere contemplation of such an eventuality was enough to throw the individualistic managers of Little Steel into paroxysms of fear and desperation. This kind of reaction among them, along with
Girdler's lack of scruples, helps to account for the furious intensity of the assault on SWOC, the calumniation of the union, the increased use of espionage, the stockpiling of arms and tear gas, the coercion of employees, and the occasional outbursts of violence. In turn, these indicated that Little Steel probably would not retreat without first engaging in a fierce struggle.

Meanwhile, these attitudes and actions contributed greatly to the climate of hostility in which the contest between the companies and SWOC would be carried on and would finally reach its climax in open conflict. Most of the SWOC leaders and many of the union-conscious steelworkers were not daunted by the vigorous, wholesale application of all the traditional union-smashing techniques. Rather it seemed to have the effect of heightening their spirit and strengthening their determination. And faced with this audacious challenge to their authority, the companies simply increased the campaign against SWOC. The upshot was an atmosphere characterized by mounting tension, bitterness, and suspicion on both sides. Thus the circumstances were fraught with the danger of widespread violence and the possibility of industrial warfare on an extensive front.

This, then, was the situation at the end of March, 1937, when SWOC, by presenting its formal request for recognition to Republic and Sheet & Tube, made a showdown imminent. On one side were arrayed the chief executives of Little Steel; intransigent on the whole, the majority of them were determined to resist unionization of their plants at all cost. On the other, knowing they could draw upon the increasing
strength of the CIO, the SWOC leaders were confident that they could successfully invade the remaining bastions of the open shop in the steel industry. Although the stage of full engagement was still several weeks off, the lines of the impending battle were beginning to form.
CHAPTER III
NEGOTIATIONS AND EVENTS LEADING UP TO THE STRIKE

Flexibility was the keynote of the general strategy which Murray and his lieutenants used in dealing with the independent steel corporations during the early spring of 1937. Those to whom contract proposals had not been broached already would be approached in the near future. Each company was to be dealt with separately, and the negotiations were going to be pressed without a specific timetable. For SWOC was not anxious to have showdowns with all the independents simultaneously. If possible, it sought to divide and conquer. In accordance with this policy, and pending some definite response from its letters of March 30 to Republic and Sheet & Tube, SWOC turned its immediate attention to some of the other independents.

Jones & Laughlin, third largest of the independents, had been cited for discriminatory discharge of union members and on April 13 in the case of National Labor Relations Board v. Jones & Laughlin Steel Corporation the U. S. Supreme Court upheld the Wagner Act. This momentous decision had an immediate effect on the industry as companies, including J & L, scurried to modify or abandon their employee representation plans. Because of this decision and the fact that the corporation had made no profit in the years 1930-1936, J & L was not prepared to make an all-out stand against unionization. Murray immediately took to the offensive against the corporation, telling a group of its workers that SWOC would have a contract for them very shortly.
By April 22 Murray and the chairman of the board of J & L were closeted in contract negotiations.¹

While the J & L talks were going on, the executives of Little Steel were considering what policy, if any, to adopt regarding the requests for conferences, which had been sent out in March by Clinton Golden, SWOC's northeastern regional director. Though they brought forth no immediate reply, the proposals became the subject of considerable discussion within and between the companies. At Republic the request was received with disdain. However, it did prompt a conference between Girdler, White, and J. A. Voss, the director of industrial relations, which decided that the corporation would not conclude any kind of formal agreement with the steel union. This of course was hardly more than a reaffirmation of Republic's well-established policy toward labor organizations. As far as the contract itself was concerned, its specific terms did not interest Girdler (in 1938 he could not recall whether he had ever read it thoroughly), and he simply handed it to his assistants.²

Golden's letter apparently aroused more concern among Sheet & Tube officials. Frank Purnell immediately consulted with the Chairman, H. G. Dalton, and some of the directors of the board. He also

¹Steel Labor, II, No. 7 (April 10, 1937), 2; II, No. 8 (May 1, 1937), 1, 6; New York Times, April 18, 1937, IV, 5; April 25, 1937, IV, 10; LFC, Part 27, 11242. The details of these initial Jones & Laughlin negotiations are unknown; apparently not very successful, they were resumed the first week of May (see page 80 below). In both industry and union circles Jones & Laughlin was commonly referred to simply as J & L.

²LFC, Part 27, 11270; Part 34, 13873-74.
informally queried numerous steel executives, such as Grace, R. J. Wysor, assistant to Girdler, and P. D. Block, and found that all of them were of one mind on the contract issue: it should not be signed. More definite consultation between the Little Steel firms occurred in New York after a regular session of the board of the American Iron and Steel Institute in April, 1937. The crux of the discussion was not the terms of the contract but the "advisability" of signing one. The general consensus was that it was not advisable.³

With some assurance that it could rely upon the backing of several of the other independent companies, Sheet & Tube contacted SWOC and agreed to a meeting on April 28 in Youngstown, Ohio.⁴ To this first top-level conference of the Little Steel negotiations came most of the leading SWOC officials including Murray, Golden, and Lee Pressman, attorney for SWOC. The company was represented by its general counsel, J. C. Argetsinger⁵ and R. M. Welch. Murray began the discussion by asking for a signed contract similar to that recently concluded with U. S. Steel. The representatives of the company replied that, while it was prepared to recognize and meet with SWOC as the agent for employees belonging to the union, and had no objection to the content of the contract, Sheet & Tube considered formal labor contracts as such more or less irrelevant and would certainly not sign one. Furthermore, it was pointed out that the company did not

³LPC, Part 27, 11239-42.
⁴LPC, Part 27, 11319.
⁵On April 29 he wrote a lengthy memorandum about the conference. LPC, Part 27, 11415-16.
believe that a majority of its employees wanted a SWOC contract. In view of all this, "... it was unnecessary and unimportant to sign a written agreement with the C.I.O. ..."."6

Murray and his associates retorted that SWOC members would not be satisfied with verbal assent to the contract, that they would demand more concrete evidence of an agreement, and that unless this was forthcoming a serious strike might well ensue. At this point there was some discussion of the Wagner Act, and Murray, who contended that his organization did have a majority of Sheet & Tube employees, broached the issue of an NLRB election, inquiring as to whether the company would be amenable to such an election as a means of determining the sentiments of the employees. "Our reply said Argetsinger was that the matter was entirely in the hands of the men and that we had nothing to do with it." Precisely what was meant by this cryptic remark is not known, but the SWOC leaders apparently interpreted it as meaning that an election would be useless. Then, in a last attempt to elicit some concession, Murray warned that in the event of a strike SWOC would probably increase its demand to recognition as exclusive bargaining agency. As the delegations were about to part, Murray expressed the opinion that a further meeting might be in order, but the company officials deliberately avoided the subject.7

Thus the first important negotiating session between a Little Steel concern and the union had ended in a complete deadlock as far

6LFC, Part 27, 11319, 11415.
7LFC, Part 27, 11415-16.
as the central, substantive issue was concerned. However, the conference was significant in two respects. First, it established the general pattern and tenor of subsequent pre-strike negotiations. Second, Sheet & Tube’s unequivocal rejection of the demand for formal recognition posed for the SWOC leaders the definite possibility of strike action, and caused them to exert increasing pressure on Sheet & Tube in particular and Little Steel in general.

This shift to a more aggressive approach, accompanied by an increasingly rancorous attitude toward the companies, on the part of both the leadership and the rank and file of SWOC, became evident within a matter of days. The president and other active members of the Sheet & Tube lodge in Youngstown formed a committee which demanded a conference with company officials. The next day, May 3, Murray publicly castigated the Sheet & Tube, accusing it of "an act of bad faith" in agreeing to the contract and then refusing to sign it. Then, addressing his remarks to Little Steel generally, Murray said that it was not SWOC’s intention to provoke strikes, but "... if some of these independent steel companies want to take us on, we are not going to run away. And if some of... [them] get us into a fight, they’re going to find they’re in a real fight." With these words SWOC for the first time openly threatened a strike unless Little Steel changed its stand on the issue of recognition.

At the same time definite action was undertaken to smoke out

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Republic officials, either by luring them into a conference, or by compelling them at least to reveal their specific policy regarding a contract. On May 3 Golden, having received no official response whatsoever from his letter of March 30, addressed a telegram to the president of Republic Steel:

Widespread unrest among employees your company various mills prevails over uncertainty your position regarding signed collective bargaining contract. . . . Unless we can have definite assurance from you with date for conference to negotiate written contract without further delay we shall be obliged to disavow all responsibility union members in your mills remaining at work.10

Girdler, who was in New York at the time, was contacted by telephone, and on May 5 the director of industrial relations, J. A. Voss, answered Golden's message by asserting that, "In view of Wagner Act, see no necessity for signed contract." Affirming Republic's willingness to meet with SWOC for "collective bargaining," however, Voss suggested a conference in Cleveland on the eleventh.11

When Republic's response arrived in Pittsburgh, it immediately raised a storm of indignant protests and vehement threats on the part of SWOC officials, already piqued by the negative response which they had encountered at the Sheet & Tube conference. Murray declared that the independent steel companies had formed an "unholy alliance" for the purpose of resisting the contract proposal and that they would have labor trouble in their captive mines "within forty-eight hours," and then he reiterated his threat of a strike in the steel mills.

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10 N.L.R.B. Decisions, IX, 246.
11 Ibid., 246; LFC, Part 34, 13875-77.
Furthermore, Murray and his chief aides took the position that since Republic had precluded the question of a signed contract from the agenda there was no point in holding the proposed conference.\(^\text{12}\)

In accordance with this decision, Golden the next day notified Republic:

> Your wire fifth received. Are we to understand you propose in lieu of signed collective bargaining contract that contracting parties commit provisions verbally agreed upon to memory and rely thereon for future reference whenever conferences are necessary to discuss grievances that may arise thereunder. . . . Is this your conception of. . . collective bargaining as contemplated by the National Labor Relations Act. If so we consider conference you propose for May eleventh futile waste of time and energy. Do you propose to accept terms similar to those in agreement signed by Carnegie. . . without undertaking to affix your company's signature thereto.\(^\text{13}\)

And there the matter was to rest for the next few days, with neither side making any real attempt to get together with the other.

Almost equally barren attempts to negotiate settlements with Inland and Sheet & Tube were initiated in the meantime by SWOC officials in the Indiana Harbor area. About May 5 Inland President, P. D. Block, received a request for a contract conference. This letter, which had been sent by Van A. Bittner, SWOC's western regional director, was passed on to the general manager of the Indiana Harbor plant, J. H. Walsh. When he and Bittner finally met on the fourteenth, Walsh said that personally he saw no need to sign in view of the fact that Inland employees were already receiving the wages and working the hours

\(^{12}\)LFC, Part 27, 11316; Cleveland Plain Dealer, May 6, 1937, 1; New York Times, May 6, 1937, 17.

\(^{13}\)N.L.R.B. Decisions, IX, 247.
stipulated in the contract, but that no definite answer could be given until the company's executive committee, one of whose members was abroad, convened later in the month. He went on, however, to assure Bittner that Inland was fully prepared at all times to engage in collective bargaining with SWOC. Meanwhile, a meeting of R. M. Welch and a SWOC subregional director took place on the tenth at Sheet & Tube's Indiana Harbor works, but it was no more fruitful than the previous conference at Youngstown.14

The next day, rather unexpectedly, negotiations between Republic and the steel union were resumed. But this came about only because of the "urgent representations" of the U. S. Commissioner of Conciliation who, on reading in the press of the impasse which had been occasioned by Golden's wire of the sixth stating that a meeting would be "futile," contacted SWOC headquarters and persuaded Golden to go through with the May 11 meeting as had been suggested by J. A. Voss.15

At the conference Republic was represented by Voss and T. F. Veach, a Cleveland attorney. The three-man SWOC team headed by Golden renewed the contract proposal. It was turned down by Voss, who pointed out that in accordance with the Wagner Act Republic would of course bargain collectively with SWOC officials, and would continue to meet

14N.L.R.B. Decisions, IX, 795; LFC, Part 27, 11419.
15LFC, Part 27, 11316; Cleveland Plain Dealer, May 11, 1937, 6.
with SWOC grievance committee at the plant level. When someone brought up the question as to how many Republic employees SWOC actually represented, Veach is reported to have said "... that if 95% of the employees voted in an NLRB election to have the union represent them, it would not change their attitude with respect to signing a contract. ..." Since the terms of the contract were not a main topic of discussion, there was little more that could be said and the meeting soon broke up. It accomplished very little, beyond affording both participants a springboard for further accusations.

"We're exactly as far ahead as we would have been if we hadn't come to Cleveland. ..." said Golden, as he left for Pittsburgh. Republic was using "terroristic methods," he charged, and until it actually signed a contract, the employees could hardly be expected to believe that the corporation had modified its attitude toward the union.

The following day a statement came down from the sixteenth floor of the Republic office building in Cleveland. After summarizing the exchange of telegrams and the conference of the day before and stating that a signed contract was "the only matter at issue," it enumerated

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16 *Steel Labor, II, No. 7* (April 11, 1937), 2, had reported: "An important step toward recognition of the union by the Republic... was taken at the company's South Chicago works where the management agreed to recognize the Amalgamated's shop committee for the handling of grievances. SWOC representatives will have the right... to sit in at conferences between the committee and the plant management."

17 *PC, Part 27*, 11281-83, 11317.

18 *New York Times*, May 12, 1937, 10; *Youngstown Vindicator*, May 12, 1937, 1.
a half dozen reasons why the company would not sign a SWOC contract:
(1) "Thousands of our employees, through their representatives, have protested against the signing of any agreement... with the C.I.O. The employees of Republic now have a successful Plan for collective bargaining in which plan a large majority of the employees participate."  (2) The provisions of the SWOC contract do not provide for any better working conditions and pay than those now prevailing at Republic.  (3) "Both parties to a contract should be responsible. Republic is held by law responsible...."  (4) "NO EMPLOYEE HAS TO JOIN A UNION TO GET OR HOLD A JOB." But one of SWOC's "ultimate" objectives is a closed shop.  (5) A contract "... would be unfair to the workers who do not favor the Union as their collective bargaining agency and to those who prefer to deal for themselves...."  (Or as Vice-president White later put it, they would be divested of their "natural rights" to bargain as individuals.)  (6) CIO contracts in other industries have not prevented strikes and industrial strife. "In view of the foregoing facts and because of the Wagner Act [sic] and recent decisions of the United States Supreme Court, Republic Steel Corporation sees no necessity for signing the C.I.O. contract."19

The course of the negotiations and the various pronouncements and maneuvers of both sides, as recounted in the last several pages, reflect the existence of an immense amount of animosity, suspicion, and tension. This factor alone was almost enough to preclude any real progress toward a solution of the more concrete issue of recognition

19N.L.R.B. Decisions, IX, 247-249.
at the bargaining table. Indeed, so intense was the hostility in the case of Republic and SWOC that the mere act of coming together to negotiate was in itself a kind of major achievement.

It should also be pointed out in connection with this aspect of the situation that not a single top executive of Little Steel—no board chairman or president—participated in any of the actual negotiating sessions. Girdler and Grace, who only three years before had refused to meet vis-a-vis William Green, were apparently still averse to stepping into the same conference room with such labor leaders as Philip Murray and Clinton Golden. Yet this is not a completely adequate explanation of their rather conspicuous absence. While the lawyers and industrial relations men may have been clothed with full power to negotiate and bargain on any issue, the fact that no leading executives appeared points toward the conclusion that, after all, they were not interested in carrying on genuine negotiations with SWOC.

Turning to the issues which divided SWOC and Little Steel, the one upon which the companies, the union, and the press focused most of their attention during the negotiations was the question of whether or not management ought to sign collective bargaining contracts. This appeared to be the main stumbling block. Actually, the underlying issue was the principle of union recognition, of which a signed contract was a symbol. As long as this thorny issue remained unresolved,

20Arthur M. Schlesinger, Jr., The Coming of the New Deal (Cambridge, 1959), 142.
it was in a sense meaningless for company officials, as well as SWOC officials, to talk of collective bargaining and the provisions of the contract. The emphasis placed on such points by the companies was, however, part of their general approach to the situation which confronted them as a result of the rise of the CIO and the Supreme Court's decision in the Jones & Laughlin case. They sought to avoid and obscure the central issue of the controversy, the question of recognition. This accounts for their assertions that the placing of signatures on contracts was "the only matter at issue."

Also, in spite of the plethora of reasons given for not signing, they attempted to make the issue of a signed contract appear as little more than a technicality. For what the Little Steel concerns were attempting to do was to meet the technical requirements of the Wagner Act. Thus they displayed a willingness to participate in the meetings and to engage in the discussion of grievances—in short to perform the acts of bargaining. What they were not prepared to accept was the substance, the indispensable basis, of collective bargaining and self-organization, namely, acknowledgement, however grudgingly, of a particular trade union as the normal channel through which they would deal with their employees. Knowing that their signatures would be interpreted, not only as a commitment to carry out the provisions of the contracts, but also as an indication of such acknowledgement, which they had no intention of giving, the companies absolutely refused to sign contracts.

And in doing so Little Steel was on fairly firm legal and constitutional ground. In the Jones & Laughlin decision Chief Justice
Hughes had said that the Wagner Act "... imposes upon the employer only the duty of conferring and negotiating. ... It does not compel any agreement whatever. It does not prevent the employer from refusing to make a collective contract. ..." 21 Though it was not explicitly stated that a signed contract was not required, the language was broad and inclusive enough to provide management in this instance with a basis for evading the basic intention of the Act. Furthermore, the chairman of the NLRB, J. Warren Madden, noted at the time that the Wagner Act "does not specifically make signed contracts mandatory." 22 Thus because of circumstances—the Court's initial and rather peculiar interpretation of this aspect of the legislation and the fact that the NLRB had not yet rendered definitive rulings regarding a signed contract—the companies found themselves in an advantageous position on the signature controversy. 23

Of course the Wagner Act as then interpreted did require the Little Steel companies to engage in collective bargaining with a view toward an agreement on hours, wages, and so forth. Suffice it to say that they went through the motions of bargaining, as their attorneys were quick to point out.

The SWOC leaders tended to be more realistic about the matter of

23 By 1939 the NLRB had ruled that refusal to sign an agreement reached through collective bargaining was an unfair labor practice, a ruling which the Supreme Court sustained in 1941 in the H. J. Heinz Co. case. Harry A. Millis and R. E. Montgomery, Organized Labor (New York, 1945), 529 ff.
recognition. They were more inclined to stress the nexus between signature as a formality and recognition of their organization, pointing out that the act of signing would demonstrate a positive attitude on the part of Little Steel toward the union. For example, in commenting on one company's refusal to sign, Murray emphatically declared: "Labor is entitled to recognition and labor is going to get its full measure of recognition." On other occasions, however, he seemed to avoid an explicit statement of the crux of the controversy. "When steel men sell steel it is under a written contract. A piece of metal therefore, has a written guarantee. Are not human beings--working men in steel mills--entitled to as much protection?" SWOC officials also made much out of the fact that Big Steel had found the contract acceptable and signed it; therefore, they argued, there was no logical reason why Little Steel should not do the same. Yet this argument rather missed the point, for the leaders of Big Steel had in fact decided to recognize the union.

The question arises as to whether SWOC itself was partially responsible for the failure of all the various meetings to accomplish any real progress toward a mutually acceptable settlement. Perhaps the union demands were too excessive, its position too inflexible. In the first place, it should be pointed out that the conclusion of a formal agreement through the verbal affirmation of both parties was not by any means inconceivable. There were a few cases in which union locals

24Youngstown Vindicator, May 6, 1937, 1; Steel Labor, II, No. 9 (May 15, 1937), 1.
in other industries concluded such arrangements, although they do not seem to have worked out very well.\(^{25}\) However, in the light of the antiunion policies maintained by the companies, especially Republic and Sheet & Tube, only a willingness to sign a union contract would have provided satisfactory evidence that there had been a change in those policies and attitudes. Considering these circumstances, SWOC was not unreasonable in holding out for a signed contract.

At the same time, there was one way in which SWOC might have assumed more responsibility for a peaceful solution of the dispute. It could have made a more vigorous attempt to break the deadlock by going ahead to invoke the authority of the National Labor Relations Board in order to determine definitely whether, as SWOC claimed, the majority of the employees wanted a CIO union, or whether, as management contended, they did not. Here was an official governmental agency specifically designed and clothed with the power to resolve just such controversies. Within a period of three or four weeks the Board’s regional officers could have ascertained, either through a secret ballot (a preferable method in this case) or a cross-check of union membership lists with payrolls, whether or not the majority of Little Steel employees wished to have SWOC represent them for collective bargaining purposes. Because the companies discouraged the holding of consent elections and the Labor Board held that employers did not have the right to petition for an election, it was up to SWOC

\(^{25}\)Cleveland Plain Dealer, May 6, 1937, 9; N.L.R.B. Decisions, IX, 800.
to undertake the formality of filing an election petition. If a majority of the steelworkers favored the union, there was nothing to be lost but much to be gained by elections. Yet, SWOC did not avail itself of this opportunity.26

SWOC's reluctance to utilize this procedure is explicable in the light of two circumstances. One was the unwillingness of the Little Steel executives to give any real consideration to the use of the Labor Board as a possible means of resolving the contract issue—that is, they pointedly refused to enter into any kind of arrangement with the union whereby both parties would have agreed to accept as the basis of settlement the results of NLRB elections. On the contrary, though Sheet & Tube and Republic argued that SWOC members were a minority, both companies had in fact discouraged the holding of elections, the Sheet & Tube by side-stepping Murray's suggestion for a poll of its employees, the Republic by stating that an election, whatever the outcome, would not affect its position at all. This attitude meant that, if SWOC had acted unilaterally to set the election machinery in motion and had won those elections, the union still

26Joseph Rosenfarb, The National Labor Policy and How It Works (New York, 1940), 301, 386-387. A consent election was "an election agreed upon by the employer and the labor organizations involved." There was "no certification of representatives in a consent election." Its main purpose was to indicate to the union and the employer involved whom the majority of employees wanted as their representatives. The fact that the companies avoided a consent election, which could have been arranged within a few days, like the J & L election, meant that if SWOC had demanded an election anyway, it could only have been a certification election. And this latter type took a longer time to arrange, because it involved "procedure before the board."
would not have been assured of obtaining signed contracts—unless the companies had agreed to sign in the event that SWOC received a majority, a condition which they were obviously not willing to undertake.

Therefore, Little Steel itself, but especially Republic, was partly responsible for the fact that the Board was not brought into the picture to solve the dispute over representation. If the companies, as they claimed, had been sincerely interested in affording their employees the opportunity to choose their own representatives for collective bargaining, then surely they would have agreed to a consent election or urged SWOC to petition the Board for an election or a cross-check. In Republic's "statement" of May 12, 1937, there appeared the following sentence: "Republic believes that every employee is entitled to determine for himself, free from discrimination, interference, restraint, coercion and intimidation by anyone, whom he wishes to represent him in the matter of collective bargaining." Considering the corporation's attitude toward the outcome of an election, as expressed to SWOC in conference, one is forced to conclude that this apparent solicitude for the wishes of the employees was

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27"Certification of representatives means no more than the official designation by the board of the collective bargaining representatives which an investigation disclosed represent a majority of the employees in an appropriate bargaining unit. It does not constitute an order on the employer to bargain with the certified union. . . ." Rosenfarb, op. cit., 314.

28Ibid., 301. There was nothing which prevented an employer from cooperating with a union for the purpose of holding an election or conducting a cross-check. Nor, presumably, was it an unfair labor practice for an employer to suggest to any employee that he petition the Board.

29N.L.R.B. Decisions, IX, 248.
little more than an empty platitude, and that indeed Girdler, and his 
associates actually did not care one iota what their employees thought 
about the matter.

Returning to the consideration of SWOC, the other known reason 
why it did not immediately resort to an NLRB election was the existence 
of doubt in the minds of the leaders as to the possible outcome. In 
spite of Murray's sanguine assertion in May, 1937, that there "... is 
not a steel corporation in the nation in which SWOC does not have a 
majority," it was in fact not entirely clear that a large majority of 
the steelworkers in all the Little Steel firms would have voted for 
the union. Probably, a majority of the production employees at Inland 
and Sheet & Tube were SWOC members at the time. For example, according 
to the calculations of the NLRB, a clear SWOC majority did exist at 
Inland when the strike was called. But in some of the large Bethlehem 
plants, as pointed out already, SWOC was weak. Moreover, at Republic 
SWOC strength was uneven: although in some plants a majority of the 
men were either members or favorably disposed toward the union, in 
others SWOC had just really begun to organize on a mass scale. It 
is understandable, then, why SWOC was not too anxious to press for the 
 immediate intervention of the NLRB. For if SWOC had lost an election in 
a particular company, then within the meaning of the Wagner Act that 
company would have been at liberty to completely ignore the union.

30 Steel Labor, II, No. 9 (May 15, 1937), 1; N.L.R.B. Decisions, 
IX, 791-792; Robert R. R. Brooks, As Steel Goes,...Unionism in a Basic 
Industry (New Haven, 1940), 135; Cleveland Plain Dealer, May 6, 1937, 
9.
31 Rosenfarb, op. cit., 238.
On the other hand, success in elections at Republic and Sheet & Tube probably would have enhanced SWOC's position to the extent that a strike in Little Steel as a whole might well have been avoided. In the first place, such elections would have increased SWOC's prestige among the nonunion employees and bolstered the morale of the rank and file union members. Secondly, although signed contracts would not necessarily have been forthcoming after an electoral victory, it would have given the union definite advantages in further negotiations with the companies. They would no longer have been able to refuse to sign contracts on the grounds that there was some question as to whether their employees wanted SWOC representation. And SWOC would have been perfectly justified in increasing its original request for recognition as representative of its members only to recognition as exclusive bargaining agency. More important, prolonged intransigence in the face of the fact—demonstrated by democratic procedure—that a majority of the steelworkers had chosen SWOC as their bargaining agent would have aroused so much public criticism of Little Steel that it probably would have been forced to capitulate.

The meetings with Republic, Sheet & Tube, and Inland constituted one important phase of the SWOC drive for recognition through signed contracts which was being pushed against Little Steel as well as some of the other independent producers during the first half of May, 1937. But in addition to the negotiations and the ordinary organizational efforts, the drive involved various measures intended to break the

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32 Ibid., 314, 692
"united front" of the independents by the exertion of pressures on individual corporations. Carried forward by an indefatigable leadership and a resolute rank and file, the SWOC campaign during these two weeks was conspicuous for its hectic activity, its rampant militancy, and its generally increasing dynamism.

During the first week of May, when the impending showdown with Republic loomed largest in the headlines, Murray and his aides were rather quietly initiating contract discussions with a group of independents in western Pennsylvania. The J & L negotiations, begun in April, were now resumed by Murray toward the middle of the week. A couple of days later, three smaller independents were approached. Employing together approximately 25,000, these firms were Crucible Steel Company, with plants in Midland and Pittsburgh; Pittsburgh Steel Company, located at Monessen and Allenport; and Sharon Steel Corporation, with a plant in Sharon and another in the Youngstown area. The negotiations with these four independents, though less spectacular than those with Sheet & Tube and Republic, were to prove much more fruitful, because none of them was disposed to engage in long, costly strikes in order to resist unionization. Their vulnerability was closely related to the SWOC effort to obtain recognition from the more formidable Little Steel bloc. For to SWOC strategists it seemed conceivable that quick union victories over three or four firms such
as Jones & Laughlin and Pittsburgh might undermine the will to resist of some or perhaps all the remaining nonunion independents.  

At the same time SWOC officials were waging their campaign among the Little Steel companies by other means which were calculated not only to force concessions from management but to turn public sentiment against it. For example, on May 4 the Cleveland subregional director, B. J. Damich, who claimed that SWOC had 90% of the Republic employees, filed with the NLRB a complaint charging that Republic Steel had fired one hundred employees because of their affiliation with the union. In Youngstown, the next day, Frank Greggs, president of the largest SWOC lodge in that area, Campbell Lodge 1418 of Sheet & Tube, declared that in "... all due respect to Mr. Purnell, I do not consider him better than Myron Taylor... and other high steel officials who have already signed a written contract." If a strike actually broke out, continued Greggs, the responsibility would lie solely with the obstinate management of Sheet & Tube. Then, in a more decisive move to embarrass the company, Greggs sent a telegram to the La Follette committee requesting an investigation of the alleged stockpiling of munitions and the hiring of "special police" by Sheet & Tube.  

In a speech at Philadelphia on May 6, Murray again delivered a verbal attack on the independents, criticizing them for their

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negative attitude toward signed contracts. His union sought to estab-
lish amicable relations with management, he averred, but "... I tell
you that a strike will inevitably trail in the wake of this maddening
policy on the part of the independent steel producers." Murray did
not reveal when that strike, although now seemingly inevitable, was
going to occur.35

That it might not be very far off, however, was indicated by
the actions of many SWOC rank and file leaders and members who at this
point began to take matters into their own hands. Incensed over the
trend of the negotiations, aroused by the all too apparent strike
preparations of some companies, and reluctant to hold back in the face
of other management pressures, lodge officials and militant rank and
file members created a flurry of activity as they intensified their
own campaign to bring the companies to terms.

Thus on May 6, after learning that a conference of lodge leaders
and Sheet & Tube officials, held the day before, had come to nought, a
mass meeting of approximately 1,200 steelworkers of the Campbell Lodge
approved a resolution authorizing ". . . the officers of our lodge and
the SWOC to use our economic strength in obtaining our constitutional
rights as free American citizens." Excitement ran high at the meeting,
as rumors circulated that Sheet & Tube would be struck that very night
at 11:00 when the shifts changed. One speaker asked, "What good is a
contract if it isn't written?" The company can tell us to go to hell
and we can tell the company to go to hell." But the subregional

director for the Youngstown district, John Mayo, moved quickly to dampen some of the exuberance in order to prevent a premature walkout. Assuring the workers that when "the time comes" they would have adequate support, he warned them not to take "ill-considered action."

The next day, several hundred Republic employees crowded into the union hall across the street from the main plant to empower SWOC leaders to call a strike if the company failed to sign a contract. Meanwhile, under the direction of local organizers the Campbell Lodge was forming a "committee of 500" union members to organize picket lines and maintain order in the event of a strike.36

Now the strike fever began to manifest itself among steel-workers in other areas. This same day, May 7, Bethlehem employees at the Cambria plant in Johnstown took the initiative in spite of the subregional director's efforts to placate them with assurances that Pittsburgh was doing everything possible to obtain a contract for them. Chagrined by Eugene Grace's refusal to even meet with SWOC officials, the membership of the Cambria Lodge issued what amounted to an ultimatum: either undertake negotiations with SWOC or face the possibility of a strike within ten days. Unrest was also widespread in some of the Republic plants in the Canton-Massillon area where relations between local union officials and management were rapidly approaching

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36Youngstown Vindicator, May 7, 1937, 10; May 8, 1937, 10; May 10, 1937, 4; Cleveland Plain Dealer, May 9, 1937, 1; New York Times, May 11, 1937, 6; LFC, Part 29, 11871. This kind of impetuosity on the part of local leaders and the rank and file was typical of the SWOC campaign generally. In March, Murray had warned members against "issuing ultimatums to their employers as well as to this Committee saying that unless the contract is signed by a certain date, the men will go on strike."
the breaking point. And on May 13 a mass meeting of more than one thousand union members from the Warren plant authorized SWOC officials to call a strike "if found necessary" in order to obtain a signed agreement.37

By this time, however, the scene of immediate concern for SWOC had shifted to the Jones & Laughlin Steel Corporation where on May 12 the union had called a strike. As mentioned above, Murray had presented demands for a signed contract in April and again early in May. Finding the terms offered by the company unacceptable, SWOC authorized a walkout. It was the first major strike in the steel industry since 1919.

From the beginning of the SWOC drive in 1936, the greatest obstacle to the organization of J & L employees had been the lingering legacy of Girdlerism at Aliquippa, site of one of the corporation's two immense plants (the other was located on the South Side of Pittsburgh). But, while the company continued into the decade of the thirties to combat unionization of its employees, several events had occurred which made it possible for organizers at least to exist and operate in Aliquippa. Governors Pinchot and Earle, the latter of whom was especially sympathetic toward unions, had sent in the state police to open up the borough to organizers and to protect them. Then came the NLRB case against J & L and the famous Supreme Court decision. Still another event of crucial importance was the arrival in the

37 LFC, Part 19, 8235; N.L.R.B. Decisions, IX, 320 ff.; Youngstown Vindicator, May 14, 1937, 1, 8; Canton Repository, May 12, 1937, 11.
Aliquippa area of Joe Timko. Timko, a shrewd, energetic United Mine Worker organizer, who had somehow managed to emerge unscathed from an assignment in Harlan County, Kentucky, had been given the task of organizing the J & L employees at Aliquippa. Arriving there in June, 1936, he and a crew of devoted assistants had succeeded in establishing a SWOC lodge by the spring of 1937.38

Following the series of conferences between Murray and the board chairman of J & L, SWOC members met on May 9 and declared unequivocally that unless the company signed the contract by the twelfth they would go out on strike. Within several hours of this deadline, the company came forth with a definite proposal. It agreed to sign a contract on either of two conditions: (1) that a contract recognizing SWOC as bargaining agent for its members only should not preclude signed agreements between other groups of employees and management; or (2) that an NLRB election be held, with the understanding that if SWOC won the election the company would recognize the union as exclusive bargaining representative. This was a substantial concession, amounting in effect to a capitulation by J & L. Nevertheless, at a hastily called afternoon conclave of lodge officers from Aliquippa and Pittsburgh and top SWOC leaders, it was decided to reject the offer and make good the original strike threat.39

38Meyer Bernstein, "Organize, an Autobiographical Sketch of Early Experience in SWOC." Mr. Bernstein had a copy of this reproduced for the writer. Brooks, op. cit., 110-122.
The strike, which began at 11:00 A. M. on May 12, was an astounding success. Both the Aliquippa plant, employing thirteen thousand, and the South Side plant, where fourteen thousand men worked, were completely closed down. In addition, the next morning the walkout spread to the mills of the Pittsburgh Steel Company. Accounts differ as to the degree of violence which occurred, but it appears that at Aliquippa the strike turned into a kind of spontaneous revolt, involving mass picketing, near-riotous demonstrations, and assaults on the few supervisory employees who attempted to enter the mills. In any case, Aliquippa was in the throes of its first steel strike. It was to last only thirty-six hours.

The J & L strike was of course intended as a means of extracting the best possible terms from the company. But at the same time it was something more than that. It was part and parcel of the strategy which SWOC was developing in order to obtain signed contracts from the Little Steel companies. The strike was called in an effort to split off Jones & Laughlin—a large but weak independent—from the Little Steel group; and in the hope that the walkout would demonstrate in a graphic manner the strength and solidarity of the union and its membership. A short, successful strike against a large concern might even persuade the Little Steel group that its adamant stand was no longer tenable, thus in the end making an actual strike against these companies unnecessary.

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This interpretation of the Jones & Laughlin strike is borne out by the circumstances which attended the strike call and the way in which it was settled. In the meeting of SWOC officials immediately preceding the walkout, some of them had argued that the company's proposal for an NLRB election should be turned down and a strike called because of the possibility that in such an election the union might fail to garner a majority of the votes. There is some evidence indicating that Murray was willing to accept the company's election proposal and therefore attempted to dissuade the local union leaders from insisting on an immediate strike. But, finally, he rather reluctantly decided to placate the rank and file by agreeing to a walkout, realizing that after all it might be used to good effect in the Little Steel campaign. Once the decision was made, he said, in effect: if we really go into it and win this strike, it will make the campaign against the Little Steel companies so much more effective that they will probably agree to signed contracts. Although Murray himself made no public statement regarding the relation between the J & L strike and the situation in Little Steel, a close associate was reported to have said on the second day of the strike that it was the opening stage of an assault on the "unholy alliance" of independents. "The other steps will follow."41

More decisive evidence that the Jones & Laughlin and Little Steel situations were closely connected is to be found in the agreement

which ended the strike on May 14. In the form of a letter signed by the board chairman and Philip Murray, it provided that,

... pending the final determination of said election, it J & L will carry out and respect the same terms and conditions of the standard agreement now in effect between the Carnegie-Illinois Steel Corporation and the Steel Workers Organizing Committee. ... The Corporation J & L agrees to negotiate and sign an exclusive Bargaining Contract ... in the event a majority of those participating in the election select the SWOC ... as their Collective Bargaining Agency. 42

Thus SWOC accepted as the basis for final settlement the very proposition which the company had offered on the eve of the strike. It would seem, then, that the main objective of the strike was not the attainment of a signed contract, which for all practical purposes J & L had already agreed to, but rather the exertion of indirect pressure on the much more stubborn independents of Little Steel.

The settlement, which touched off parades of jubilant J & L employees in Pittsburgh and Aliquippa, elicited enthusiastic statements from CIO leaders and sympathizers. Governor Earle said it laid the basis for amicable labor-management relations at J & L for years to come. According to Murray, it was "... the most constructive proposal that has yet been effected. ... for the peaceful disposition of grievances in the steel industry. ..." John L. Lewis expressed himself as being "very gratified at the prompt settlement" of the strike; he added that it "should be an 'object lesson' to other steel independents. ..." 43

42 Steel Labor, Election Special (May 19, 1937), 3.
As stipulated in the preliminary agreement between SWOC and J & L, the regional office of the NLRB was to conduct the elections on May 20. A similar settlement was worked out in the meantime with Pittsburgh Steel Company, where elections were to be held in June.

Against the background of this impressive victory, an event second in importance only to the contract with Big Steel earlier in the year, the optimistic SWOC leadership began to make preparations for the final assault on Little Steel. Even before the J & L strike was over, Murray on May 13 had sent out letters directing the presidents of all Republic, Sheet & Tube, Inland, and Crucible lodges, and subregional directors in the appropriate areas, to attend a meeting in Pittsburgh on Saturday, May 15, of the SWOC executive committee for the purpose of developing "plans and strategy" regarding the dispute with Little Steel. "All other officers and members are directed to hold themselves in readiness for further instructions. The entire forces of our new union as well as those of the CIO will be mobilized. . . in support of our members who are being denied. . . a written collective bargaining contract." 44

When the strategy conference met on the fifteenth, approximately sixty lodge presidents and subregional directors submitted reports which gave the impression that SWOC commanded "substantial" majorities in all of the plants represented by the attending officials. On the basis of this rather overly optimistic assessment of the situation, Murray and other leading officers were voted discretionary power to

44*Steel Labor*, II, No. 9 (May 15, 1937), 1.
order strikes against four independents. If possible, these concerns were to be "taken care of" in the order of their probable resistance: Crucible, Inland, Sheet & Tube, and Republic. However, it was definitely decided that no strike action would be taken within the next week or ten days. Several considerations dictated this delay. There was some feeling at the conference that in an interim period satisfactory settlements might be negotiated at least with Inland and Crucible. Moreover, the union strategists wanted to hold off any possible strikes until after the J & L election, for they hoped that a SWOC victory in that election would cause some or perhaps all of the Little Steel companies to accede to the demands for signed contracts. Finally, SWOC officials were not disposed to inform the companies exactly when they could expect to face walkouts.45

For these reasons, Murray at the end of the meeting stated ambiguously: "We are handling each case as separate problems, but I would say that a definite announcement will be made in each case within ten days." Although there was no definite plan to strike Republic, Sheet & Tube, and Inland simultaneously, SWOC leaders pointed out that the proximity of the former two companies' plants in the Chicago and Youngstown areas would make it virtually impossible to keep a walkout at either of these firms from spreading to the other. The same logic could just as well have been applied to Sheet & Tube and Inland which had plants adjacent to each other at Indiana Harbor.

Although the officers of the Bethlehem Lodge at Johnstown wired Murray strike authority, it was decided not to plan any strike action against that corporation in the near future. Considered to be the most formidable foe of unionism among the independents, Bethlehem would be approached after the union secured contracts with the other Little Steel companies.46

The question of whether the union should, in view of the terms of the J & L settlement, increase its demands on the Little Steel companies to exclusive bargaining rights also came up at the conference. Although there were reports that SWOC would now settle for nothing less than exclusive bargaining contracts, it seems fairly clear that the conferring union leaders were not prepared to assume such an irrevocable position on the issue. Therefore, they merely intimated that a new policy had been adopted in order to placate some of the rank and file who were insisting that Republic grant sole bargaining rights.47

As a result of the conference, the union's previously vague threat of a strike was now in effect an ultimatum. But it was also apparent that in its campaign for contracts the SWOC high command was going to exhaust every other possible means of applying pressure to the companies before it actually resorted to strikes against them.

In accordance with this cautious approach, there was no thought among

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47 Cleveland Plain Dealer, May 15, 1937, 4; May 19, 1937, 1; Canton Repository, May 15, 1937, 12; Youngstown Vindicator, May 15, 1937, 1; May 19, 1937, 1.
the top union leaders of issuing any official strike calls until the results of the crucial J & L election had become known. In the meantime, SWOC leaders planned to concentrate on two projects. First, they wanted to press negotiations with Crucible, a corporation which, it was felt, would very likely respond to measures short of a strike. Second, organizational activities were to be intensified at all Sheet & Tube plants and the Republic plants in Youngstown.48

But the union was not the only organization that was making ready for a possible strike. By the middle of May, the Little Steel companies, Republic and Sheet & Tube in particular, were engaged in much more elaborate strike preparations than those undertaken at SWOC headquarters and lodges. During the month, Republic and Sheet & Tube were busily augmenting their already formidable supplies of arms, munitions, and tear gas. For example, the Republic police at Youngstown received about the middle of May, 1937, shipments of riot guns and gas shells and bombs costing $5,400.00; and at the same time $3,077.00 worth of guns and gas were provided for the Warren plant. Sheet & Tube, with about four hundred rifles and shotguns, several hundred revolvers, and eight machine guns already on hand, confined its acquisitions on the eve of the strike to tear gas. Such armaments, Sheet & Tube officials were to explain later, were necessary for the

48Youngstown Vindicator, May 16, 1937, 10; May 17, 1937, 4; May 20, 1937, 6; New York Times, May 16, 1937, 1, 2; Canton Repository, May 18, 1937, 7. So much importance was placed on the outcome of the J & L election that on May 18 Murray suspended talks with Crucible pending the vote at Jones & Laughlin.
protection of property in view of the riot and accompanying damage which had occurred in the strike of 1916.\footnote{LFC, Part 27, 11170, 11176-77, 11250, 11254-55, 11292-93, 11442, 11454; Part 29, 11818; Part 31, 12895.}

The companies were also strengthening their police forces, and in some cases those of the local municipalities as well. On May 12, the day following the ill-fated conference between Voss and Golden, there was a meeting in Cleveland of Republic police from several plants. It is not known exactly what happened at the meeting, but presumably plans were laid for the protection of property at the various installations. In the six weeks prior to the strike, Sheet & Tube increased its police force by eighty men. In Youngstown, both companies during the first week of May arranged with the sheriff's office to have their regular policemen and numerous supervisory employees deputized. The link between the sheriff and the companies was strengthened when the former was given a supply of night sticks, a "Manville gas machine gun," and $995.00 worth of single shot tear gas guns, shells, and gas grenades by the supervisor of Sheet & Tube police. The sheriff said he had requested this equipment, for which he never made any formal payment, to prevent a recurrence of the kind of serious violence which had characterized the Youngstown steel strike of 1916 and recent labor troubles in neighboring Akron.\footnote{LFC, Part 27, 11253-55; Part 29, 11812-16, 11845, 11853-58, 12071-72.}

Other actions taken by Sheet & Tube and Republic were more obvious at the time and clearly indicated that the companies had no
intention of giving in, and that they were preparing to fight the strike from the instant it began. At the Sheet & Tube plants in Youngstown, food, cots, and other supplies were being brought in for the maintenance crews; and at night searchlight beams illuminated the plant entrances. Then, on the seventeenth, officials of the two companies stated emphatically that they would not sign contracts, for such contracts presumably would come up for renewal at which time the union would insist upon the closed shop and the check-off. At the same time Republic announced (and Sheet & Tube subscribed to the announcement):

As near as we can tell our men want to work and we want them to work. However, if outsiders blockade the streets so that our men are unable to come to work, we will shut down and stay down until civil authorities clear the streets and make it possible for our men to return peacefully and without intimidation.

What did this rather ambiguous statement mean? Was it a veiled threat of a lockout? Was it acceptance of SWOC's strike threat of two days before? Or was it an invitation to local authorities to disperse the picket lines if a strike occurred? Whatever it was, Little Steel, while accusing the union of plotting to foment violence, was itself engaged in policies that made industrial warfare all the more probable.

In the meantime Republic, Sheet & Tube, and Inland were creating independent unions from the remnants of the employee representation plans, from which financial support had been withdrawn soon after

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51 *New York Times*, May 18, 1937, 1, 4; *Youngstown Vindicator*, May 12, 1937, 27; May 13, 1937, 14.
after the Jones & Laughlin decision. These so-called independent unions, which were little more than the old "company unions" behind new facades, were designed to ward off the strike and, in the event one materialized, to serve as the kernel of back-to-work movements.

Sheet & Tube had turned its ERP directly into an independent union. On April 15, 1937, Argetsinger and other company officials met with the employee representatives to explain that the Plan would have to be discontinued. It was suggested, however, that the spirit and substance of it should be preserved in some manner. A few SWOC members who were present tried to sabotage the whole affair, but about a week later, with the aid of an attorney chosen by the company and the former secretary of the supposedly defunct ERP, the "Independent Society of Workers" was launched. Subsequently, the Society concentrated most of its energies on a campaign to discourage a strike. A delegation inquired at the Cleveland office of the NLRB regarding some means by which a strike could be averted; then resolutions opposing a strike were passed; and on May 20 the sheriff was asked for assurances "that no outsiders will be allowed to keep us from our jobs." 53

At Inland there was a similar conversion of the ERP. Late in April management officials suggested means by which the employees could maintain a representative organization, though the ERP as such would have to be abandoned. Within a week or two the "Steel Workers'

Independent Union, Inc." was established. Foremen as well as union officers were active in soliciting membership.54

Republic, during the latter part of April, turned the ERP's at most of its plants into employees' representative associations, a kind of cross between a regular ERP and a company instigated "independent" union. Then, about a week before the strike, an intensive membership drive was initiated by the associations, and also the first "independent" union, the "Independent Federation of Republic Employees, Youngstown District," was established. The main functions of the associations and the Federation prior to the strike were: to provide a forum from which the CIO, "outside" unionists, and John L. Lewis and his coal miners could be denounced; to obtain signatures on petitions stating that the employees wanted nothing to do with SWOC; and to circulate material such as the pamphlet, Join the CIO and Help Build a Soviet America, of which 43,800 copies were purchased by Republic during the month of May, 1937.55

In an attempt to encourage membership, the president of the Association of the Massillon plant told a mass meeting of employees, held on company time on May 11, that "... if the Republic Steel was forced to recognize the C.I.O., they would have to close down the plant, on account of the high cost of operation, and that being an

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54N.L.R.B. Decisions, IX, 804 ff.
55Among other things, this informative booklet revealed that John L. Lewis was using the workers as 'dupes and pawns in the pernicious game of Communism.' N.L.R.B. Decisions, IX, 324-325, 334, 343-344, 351-355; LFC, Part 26, 11095-96; Part 28, 11519-25; Part 29, 11890-91; Part 31, 12966-67; Cleveland Plain Dealer, May 21, 1937, 1.
old mill, Massillon would be without the Republic Steel." On the whole, the membership drives were not conspicuously successful. In Massillon, where at least one worker was laid off for refusing to join, one-third of the employees signed membership cards. And an outdoor meeting of the Federation just before the strike was attended by about nine hundred persons including women, children, and Republic police.  

Returning to the discussion of events more immediately related to the threatened strike, the period May 20-26—the week just preceding the strike—was marked by a series of important developments which swiftly followed one upon the other and climaxed in the official strike call on Wednesday, the twenty-sixth.

One of the first of these was the J & L election which, as had been planned, was conducted by the National Labor Relations Board on May 20. As shown by their actions before and after this election, both SWOC and Little Steel were counting heavily on the results of the election to bolster their respective positions. On the election eve, the SWOC journal, Steel Labor, urged the employees of J & L to make certain that they registered an overwhelming majority for the union. "Men of Jones & Laughlin," Steel Labor declared, "your fight is the fight of every workman in the steel industry who is not protected by union contracts." Murray declared that a victory, in addition to proving that J & L employees wanted a "real union," would demonstrate

the fact that the steelworkers of the other independents desired signed agreements. And insofar as the election did this, he went on, it would facilitate the signing of contracts among those independents.57

Regarding the steel companies' view of the coming election, it was reported from Pittsburgh that some of the independents were awaiting the outcome as the factor which would determine whether or not they would sign contracts.58 Perhaps this was not the case with Republic, but that it was quite concerned about the election was amply demonstrated by a pilgrimage of Republic employees from various plants to Aliquippa. A day or two before the election about fifteen or twenty Republic police officers and superintendents—most of whom were former employees of J & L—suddenly appeared on the streets of Aliquippa. Immediately perceiving that the incident might be used to turn public sentiment against Republic, Murray charged that "... these police and thugs are in Aliquippa to break up the election by force and intimidation." Republic retorted that the only reason the men had been sent was the desire "to observe events at first hand" in the first important NLRB election in the steel industry. However, the "observers" had disappeared from the scene before the election actually took place. Ironically enough, warrants for their arrest had been issued by a justice of the peace in Aliquippa.59

57Steel Labor, Election Special (May 19, 1937), 1; New York Times, May 21, 1937, 12; Cleveland Plain Dealer, May 17, 1937, 5; May 20, 1937, 6.
The NLRB poll of J & L employees turned out to be a startling success for the union. When the balloting had been completed at Aliquippa and the South Side plant SWOC had won 70% of the vote. Of the 24,500 steelworkers who had participated, 17,000 had cast their ballots for SWOC.\(^6^0\)

The magnitude of the victory came as a shocking surprise to many steel executives, some of whom had anxiously called the J & L offices to learn the results as soon as the election was over. Several SWOC organizers and lodge officers in other areas were highly skeptical of the first reports; only after the figures were confirmed by Murray himself would they accept the fact that J & L workers had voted so overwhelmingly in favor of a "real union." At SWOC headquarters in Pittsburgh, Murray declared that the union's victory "should be a warning to other independent steel producers that... organization of the workers can not be thwarted by opponents of true collective bargaining." He and his aides were confidently discussing plans for moving against Little Steel, whose position was now considered to have become more vulnerable. For the J & L election seemed to indicate that, as they had contended all along, a majority of the employees of the independent steel firms backed the new union.\(^6^1\)

Still, the fact remains that the J & L election had not conclusively demonstrated the existence of SWOC majorities in Little

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\(^6^0\)Youngstown Vindicator, May 21, 1937, 1.
\(^6^1\)New York Times, May 22, 1937, 1; May 23, 1937, IV, 6; Cleveland Plain Dealer, May 21, 1937, 1; May 22, 1937, 8; Youngstown Vindicator, May 21, 1937, 1.
Steel. After the response of the Jones & Laughlin workers, there was little doubt that the majority of employees of other independents would have voted for the union, but the only way in which all doubt could have been removed was through the holding of elections at the plants of the Little Steel companies. It is true that the winning of such elections—and there is ample reason to believe that SWOC could have won in most plants—would not necessarily have assured the union its goal of formal recognition through signed contracts. On the other hand, electoral victories would have been immensely advantageous for SWOC as it went into the strike. For the arguments of Tom Girdler and Frank Purnell that SWOC spoke only for a small minority of their employees would have been rendered meaningless, and no reasonable observer could have doubted that the strike was being carried on with the consent and support of a majority of the steelworkers. In retrospect, one is compelled to conclude that in failing to follow up its success at J & L with requests for NLRB elections in Little Steel SWOC made a major blunder.

The union's victory at Jones & Laughlin could be expected to have the effects of aiding the SWOC membership campaign among Ohio steelworkers and of giving more weight to its declared intention to strike. But Republic and Sheet & Tube moved quickly to counteract these effects. Their "independent" unions suddenly engaged in a flurry of activity: membership drives were speeded up, meetings were held, and resolutions were passed and petitions were circulated in opposition to a strike. More drastic measures were taken by the Republic management at the mills in Massillon, where New Deal Lodge
1124 was firmly entrenched. There, on May 20, while J & L employees were casting their ballots in Pittsburgh and Aliquippa, Republic locked out several hundred of its employees. Although company officials later claimed that a power failure had necessitated the shutdown, the NLRB found that the plant had been deliberately closed in a move to destroy union morale. The net result of the lockout was to exasperate and embitter the already strained relations between union members and steel management in the Canton-Massillon district.62

Following the J & L election, SWOC leaders renewed their efforts to further isolate Republic and Sheet & Tube by consolidating the union's position among three of the smaller independents, Inland, Crucible, and Sharon. Murray and his lieutenants pointed out that in negotiations with these companies the union was going to "emphasize and re-emphasize" its recent victory at Jones & Laughlin.63

With two of these concerns negotiations were completely successful. Sharon Steel and SWOC concluded an agreement patterned after the J & L formula, thus assuring the union exclusive bargaining rights if it won an election. The election, held on the twenty-fifth, resulted in a safe majority for SWOC. The day before the Sharon election, SWOC had obtained from Crucible Steel a signed agreement along

62 According to the NLRB, about one thousand employees had also been locked out of one of the Canton mills between May 5 and May 24. LFC, Part 29, 11870; N L.R.B. Decisions, IX, 249-250, 322-323; N.L.R.B. Transcripts, C-184, 1305, 1359; Youngstown Vindicator, May 20, 1937, 1; May 21, 1937, 1; Canton Repository, May 12, 1937, 11; Business Week, May 29, 1937, 17.

the lines of the Big Steel contracts. This agreement, SWOC's fourth victory since the beginning of the month, was considered an important steppingstone to further advances among the independents.64

Inland, however, refused to abandon Republic and Sheet & Tube. As had been scheduled, Van A. Bittner, SWOC's western regional director, met with Inland representatives on the twenty-fifth. The latter, indicating at the very start that they were not prepared to sign a contract, stated that Inland would recognize SWOC as representative for its members and offered a "statement of policy" to that effect. The SWOC negotiator demanded a regular signed contract, offering to prove the union's right to such an agreement through an NLRB election. Since both negotiating teams remained adamant, the conference broke up forthwith. Bittner, emerging from the conference, declared that "we are going to strike."65

At the same time, events in other areas were rapidly moving toward a climax. In Pittsburgh, a few hours after concluding a formal collective bargaining contract with J & L officials, Murray announced that a "war council" of SWOC leaders would be held in Youngstown on the following day in order to "map strategy" regarding Republic and Sheet & Tube. Then, during the evening, reports were received at SWOC headquarters in Pittsburgh that a strike affecting approximately nine thousand Republic workers was in progress in Canton and Massillon.

Without any official signal from Pittsburgh, the SWOC rank and file in those two cities had held meetings, voted to walk out, and thrown up picket lines around the plants at 9:30 P. M. 66

Arriving in Youngstown the next day, May 26, Murray said:
"There is still time for those steel companies to accede to the wishes of their workmen by signing a contract similar to that signed by the United States Steel. . . ."67 The war council, which met in the afternoon, was attended by Murray, Golden, Pressman, John Owen, head of the United Mine Workers in Ohio, Sherman Dalrymple, president of the United Rubber Workers, and sixty lesser SWOC officials from Little Steel plants in several states. Murray advised the lodge presidents and rank and file, many of whom were clamoring for a walkout, of the responsibilities which a strike would entail. But, considering the complete failure of the Inland negotiations, and the fait accompli which the membership in the Canton-Massillon area had presented to the national union officers, there seemed to be no alternative to a full-fledged strike against three of the Little Steel concerns. SWOC leaders, however, had no desire to take on Bethlehem until all the

67 Writer's italics.
other independents had been dealt with successfully. An enthusiastic delegate moved that strike action be put to a vote; the resolution was immediately approved.68

When the meeting adjourned at 5:30 P. M., it was announced that a strike affecting eighty thousand steelworkers at Republic, Sheet & Tube, and Inland would go into effect at 11:00 that evening. At many plants, workers, ignoring the eleven o'clock deadline, formed picket lines as soon as they received word of the strike vote. As employees working the second shift left the steel mills in Youngstown, they were greeted by crowds of cheering pickets. At a mass strike rally in Indiana Harbor thousands of Sheet & Tube and Inland workers shouted their approval of the strike call and then paraded off to picket the plant gates. In Canton, meanwhile, steelworkers milling around picket line bonfires expressed their determination to "stick it out."69

Thus, following a month of frustrating negotiations, of threats and counterthreats, of maneuverings by both sides, and of increasing rank and file pressure for a walkout, the contemplated strike finally became a reality. The national leadership of the steel union had not been anxious to resort to a strike against the Little Steel companies. It had attempted by various means short of a strike to force those companies to recognize the union. In the wake of the dramatic and

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68New York Times, May 27, 1937, 1; Cleveland Plain Dealer, May 27, 1937, 3; Youngstown Vindicator, May 27, 1937, 8; Brooks, op. cit., 137; LFC, Part 29, 11871; Part 31, 12705; interviews with two steelworkers who attended the "war council."

successful J & L strike, which demonstrated beyond a doubt that SWOC had engendered an immense élan among steelworkers, Murray and his aides were hopeful that Little Steel management would not hold out to the bitter end. Their hope, however, proved entirely false in the case of Republic, Inland, and Sheet & Tube, for the executives of these concerns remained fully prepared to accept a strike rather than sign contracts. In the face of this continuing intransigence, SWOC leaders in the end really had no choice but to strike. If they had hesitated any longer, the entire campaign against the remaining independents would have lost its dynamism. And, furthermore, considering the recent series of important victories at Jones & Laughlin, Crucible, Sharon, and Pittsburgh Steel, there was reason to be optimistic about the chances for a successful strike against the independents of Little Steel.
CHAPTER IV
LITTLE STEEL'S CAMPAIGN TO MOLD PUBLIC OPINION

As indicated by their frequent public statements and appeals for public support, both SWOC and Little Steel were quite concerned about public attitudes regarding the merits or demerits of each side's position in the negotiations and the strike. But the steel concerns believed it was necessary to adopt additional means to influence public sentiment in their favor. This chapter is devoted to a discussion of a campaign undertaken by the steel industry to discredit SWOC in the eyes of the citizens of the steel communities, and the degree to which that campaign was responsible for the state of opinion which prevailed during the strike.

In 1936 and 1937 there were systematic attempts in several of the steel communities of Ohio, Pennsylvania, Indiana, and Illinois to create a climate of public sentiment unfavorable to the CIO in general and SWOC in particular. The original impetus for these campaigns was provided by the National Association of Manufacturers through its National Industrial Council. Described as a "national clearing house for industrial information and opinion," the NIC functioned in conjunction with affiliated national, state, and local industrial associations. Early in 1936 the NIC initiated a publicity program intended to "sell" the system of industrial capitalism to the American public generally.¹ It was felt that the full potential of such an

¹LFC, Part 35, 14093, 14462.
endeavor could be realized only if the local affiliates were induced to assume prominent parts in the actual public presentation of the propaganda material, which, along with advice and some financial aid, would be supplied by the NIC. Although the NIC planned to utilize all available media and channels for reaching the public, only the approaches which were especially important in relation to the steel labor situation will be discussed here. These were the placing of advertisements in local newspapers and the staging of "civic progress" rallies. In suggesting means for implementing both of these devices, the NIC stressed the importance of arranging sponsorship by local civic and business organizations in order to conceal from the public the fact that large industries and the NAM were the real promoters of the propaganda, and to leave the impression in each locale that the campaign emanated from spontaneous action on the part of local public-minded citizens and groups.2

The launching of this ambitious public relations project in 1936 coincided with the inception of the SWOC drive. Many steel officials and their allies in the local industrial associations were quite willing to cooperate with the NIC for the purpose of instilling the principles of free enterprise in the public mind. But now, more aware of the importance to industry of public opinion, they became interested in the manipulation of it in connection with what, for them, was a

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2LPC, Part 18, 8064; Part 35, 14082, 14085-87, 14093; U.S. Senate Committee on Education and Labor, Labor Policies of Employers' Associations, Report No. 6, 76 Cong., 1 sess. (Washington, 1939), Part 3, 156. Hereafter, this source will be cited as Senate Report No. 6.
more specific and immediate problem. As the president of one manufacturers' association put it, his group was contemplating an advertising campaign "... intended to counteract the influence of those who are, or may be, endeavoring to organize our steel workers into an industrial union. ..."\(^3\)

Such a program was made available, not by the NIC whose printed propaganda was antiunion only in a rather general way, but by an enterprising free lance public relations firm, MacDonald-Cook Company, of South Bend, Indiana. MacDonald-Cook had prepared and was offering for sale a series of thirteen full-page newspaper advertisements which were designed as a "... means of organizing a community against labor agitation before they get in their work." The main theme of all these so-called "harmony ads" was that the organization of employees into industrial unions was apt to prove inimical to the economic welfare of the community. So ingeniously were the ads written that with minor editing the whole series could be made applicable to the labor-management situation of any particular industrial city or area. MacDonald-Cook was also quick to point out that its ads lent themselves to the fiction of local sponsorship, and indeed, strongly advised clients that the ads should appear only under the signatures of local civic, fraternal, professional, and merchant organizations. If these procedures were followed, the average newspaper reader would probably

\(^3\)LFC, Part 25, 10513-14, 10556-58.
attribute the ideas expressed in the "harmony ads" not to "big business" but to a relatively large number of prominent fellow citizens of the community.  

The way in which the Little Steel concerns availed themselves of the "harmony ads" and the NAM's "civic progress" programs to turn public opinion against SWOC can be best illustrated by a discussion of the application of these two techniques in the steel center of Youngstown, Ohio. This city was the site of the main plant of Sheet & Tube, of one of Republic's largest basic steel works as well as a fabricating subsidiary, and was situated only fifteen miles from Warren, site of another large Republic plant. Understandably, then, executives of the two companies were considerably concerned from the very beginning about public reaction in Youngstown to the growing contest between SWOC and the steel corporations.

The key individual in arranging for the publication of the "harmony ads" in Youngstown was K. M. Lloyd, the secretary-treasurer of the Mahoning Valley Industrial Council. The other important seats on the Council were occupied by executives of a large steel fabricator and of three of the four basic steel producers which operated plants in Youngstown. Frank Purnell, president of Sheet & Tube, and C. H. Elliott, district manager for Republic, were respectively president and vice-president of the Council; and three-fourths of its financial backing also came from these two Little Steel firms. Because of his position, Lloyd was, of course, aware of the propaganda campaign of

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4LFC, Part 18, 7768, 7896.
the NAM, but at the same time, as a shrewd and energetic representative of local steel interests, he was on the lookout for additional methods of organizing opinion in order to combat the "menace" of industrial unionism.5

Early in July, 1936, just a couple of weeks after the inception of the SWOC drive, Lloyd happened to visit the office of the Canton (Ohio) Development Corporation where he first saw the "harmony ads," which the Canton group was preparing to publish. Having found in this propaganda the kind of approach he had been seeking, Lloyd, upon his return to Youngstown, immediately applied his energies to the task of setting in motion the machinery which would lead to their publication in Youngstown.6

His first move was to arrange a meeting of representatives of several of Youngstown's important economic institutions for the purpose of arousing their interest and marshaling their support for a local application of the MacDonald-Cook program. The meeting was attended by several members of the Mahoning Valley Industrial Council, a leading attorney, the head of the real estate board, a department store owner, and various other locally prominent citizens. Having a common interest in the maintenance of the social and economic status quo, all of them agreed that they should cooperate to avert the kind of "trouble"—successful organizing drives and strikes—which had recently afflicted the neighboring city of Akron. As a result of this

5LFC, Part 25, 10345, 10502, 10513, 10529.
6LFC, Part 25, 10371, 10358.
meeting of minds, there came into being the Youngstown Citizens' Civic Affairs Committee. Composed of representatives of a few charities and fraternal clubs, which could not be easily associated with industry, the Committee's sole important functions were to act as one of the sponsors of the "ads" and to obtain permission to use the signatures of several other clubs and professional groups. 7

The only remaining problem was the matter of finding the several thousand dollars necessary for the execution of the campaign. It was soon taken care of at a "special meeting" of the Mahoning Valley Industrial Council. According to the minutes, the Council had been convened to

...consider the advisability of entering into a campaign of public education. . . . [The chairman] stated that there is in existence . . . the Youngstown Citizens' Committee, and that [it] . . . had requested the cooperation of the . . . Council, both financial and otherwise, to carry forward its program of educating the public to the value of industry in the community life of Youngstown.

The Council members forthwith agreed to render financial assistance to the Civic Affairs Committee. In fact, the Council was so concerned with "educating" the public that in the end it contributed $5,280.00 toward payment of the final bill which came to $8,280.00. 8

In an attractively illustrated full-page format, the "harmony ads" series appeared in thirteen Sunday editions of the Youngstown Vindicator, the city's only regular newspaper, during the late summer

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7 LPC, Part 25, 10359-62, 10370-71; Cleveland Plain Dealer, April 26, 1937, 1.
8 LPC, Part 25, 10368, 10515.
and early fall of 1936. They were also published in several suburban
and foreign language weeklies. At the bottom of the ads appeared the
names of the sponsoring groups—the Civic Affairs Committee, the
Kiwanis Club, the Dental Society, the Retail Merchants' Association,
the Monday Musical Club, and so forth—a collection of groups repre­
senting, supposedly, a body of opinion whose main concern with labor­
management problems was a desire to see them resolved in favor of the
community as a whole.9

It is interesting to note, however, that the signatures of
several prominent civic, religious, and fraternal groups did not
appear among the ranks of the sponsors of the ads. For example, the
Youngstown Diocese of the Catholic Church, one of the institutions of
salient importance in the city, was not represented; nor was the
Protestant Ministers' Union of Youngstown, nor the AFL, nor the CIO,
nor any of the numerous fraternal clubs which existed for the foreign
born citizenry. It seems rather odd that some of these groups did not
participate in a program the apparent goal of which was the protection
and furtherance of the general welfare and prosperity of the community.
Perhaps they were not invited to participate. More likely, they were
not in sympathy with the tenor of the advertisement.

Though they varied in regard to wording and topical matter, all
of the "harmony ads" were orchestrated around a central antiunion
theme, a message which was directed especially at the city's 35,000
steelworkers. They were reminded that the economic prosperity and

9LFC, Part 25, 10515; Youngstown Vindicator, October 4, 1936, A-11.
well-being of all citizens depended upon the continued working together of capital and labor in a harmonious relationship. If this "spirit of tolerance and mutual understanding" were destroyed, or if employers were forced to raise wages by "arbitrary action" in violation of the "age-old" laws of competition, some industries would no doubt find it necessary either to curtail their operations or move to another area. The majority of workingmen, of course, realized all this and would continue to cooperate with management. Still, they should be "on guard." For there were abroad in the land "destructive 'isms'" and "forces" that were attempting to undermine the type of mutually beneficial labor-management relationships which prevailed in cities such as Youngstown.10 The ad of September 27 pointed out that,

...in many cities, within the last few months, a small group of troublemakers have succeeded in fomenting strikes, which the great majority of workmen did not want and did not believe in. In most cases these destroyers of employment came from distant cities and had no interest in the local situation. . . . In some cases, they undoubtedly received their inspirations and their pay from professional agitators, whose sole business it is to sow the un-American seeds of strife and dissension.

It is a sad commentary on conditions when 90% of men who want to work can be coerced or deceived into striking by 10% or less of their total number. . . . Your thoughts, words, and actions should loyally support the rights of yourself and your fellow citizens to work together harmoniously for the sake of Youngstown and its law-abiding citizens --without outside dictation.11

Nowhere in the entire series of ads did the terms SWOC, CIO, or even labor union appear. But one did not have to read between the lines very far before coming to the realization that phrases such as "professional agitators" and "thoughtless action which might prove ruinous" meant respectively CIO organizers and a possible strike.

In the meantime, Lloyd, his associates on the Mahoning Valley Industrial Council, and a leading banker, C. W. Ullman, who was to instigate a "citizens committee" during the strike, were busily engaged in preparing the way for Youngstown's first "civic progress" meeting. According to the public relations experts of the NAM, the purposes of a "civic progress" meeting were to engender a greater sense of unity within a city and to instill a proper realization of the "... importance of industry to the general welfare of the community, particularly among those who, although not directly engaged in industry as such, depend upon it directly for their economic advancement." In short, the goal was to unify the opinion of middle class and professional people in defense of industry against its attackers such as SWOC.

Sponsored by a local foremen's association but financed entirely through the NAM and the Mahoning Valley Industrial Council, the Youngstown meeting took place in October, 1936, at the same time that the "harmony ads" were being run. It was a gala affair, with flowers and entertainment, and attended by 2,500 "... steel workers, plant

12LFC, Part 25, 10529.
13LFC, Part 25, 10357-58; Senate Report No. 6, 201.
presidents, stockholders, 'white collar' people and every other sort of folks. . . ." The featured speaker was George E. Sokolsky, world traveler, repentent ex-leftist, and, as Lloyd very aptly put it, "the outstanding advocate of the open shop in America."14

After expatiating on the virtues of unrestrained capitalism and its bounteous fruits for society at large, Sokolsky turned his attention to the role of labor. An American working man gives less of his time for the things he gets and is more comfortable than any other worker in the world. He need give up none of his rights. We have not lost our way yet." And then came the inevitable reminder that a willingness to cooperate on the part of all groups was the prerequisite of general economic progress.

We are a co-operative society made up of individuals working for the common good, combining capital with labor and raw materials to produce a unit of productivity that spreads wealth through a community.

There are those who live in the United States who think this country is all wrong but they haven't seen the rest of the world. They don't know whereof they speak by comparison.15

Though discursive and liberally spiced with glib, vague generalities, the burden of the speech was clear: industry could do quite well by itself, labor, and society as a whole if only government and unions would not interfere.

Similar meetings were arranged during 1936 in some seventy cities throughout the industrial areas of the Midwest and western Pennsylvania. And the "harmony ads" appeared in many of the same

14Youngstown Vindicator, October 7, 1936, 1; LFC, Part 25, 10548.
15Youngstown Vindicator, October 7, 1936, 1.
cities including some which would be affected by the strike such as Chicago; Johnstown, Pennsylvania, and in Ohio, Massillon and Canton.\textsuperscript{16}

In Canton, the propaganda campaign was carried on by the Canton Development Corporation, an organization supported by the Chamber of Commerce and heavily subsidized by Republic Steel. One of its main preoccupations was the preservation of the "open shop" among local industries. In order to make sure that all segments of the local populace were thoroughly exposed to antiunion propaganda, the Development Corporation supplemented the "civic progress" meeting and the "harmony ads" with several of its own measures. For example, it arranged for local speakers to talk to church congregations, various clubs, and high school students on the topic "What Industry Means to Canton." The speakers pointed out that, in view of the fact that the city's workers were being "disillusioned," it "... is our duty as citizens to warn every worker to turn a deaf ear to the call of the siren that promises much and gives little."\textsuperscript{17}

Insofar as such suggestions and ideas were disseminated as a means of destroying the SWOC organizing campaign they failed in large measure to achieve their purpose. But the question remains as to whether or not the combined efforts of the NAM and the steel companies and their representatives to turn popular feeling against SWOC by massive propaganda barrages succeeded to the extent that the state of

\textsuperscript{16}LFC, Part 18, 7909; Part 19, 8218-27; Part 35, 14469.
\textsuperscript{17}LFC, Part 25, 10562, 10574, 10582-85; Part 39, 15381, 15396, 15401.
public opinion in the Little Steel communities was a factor of decisive
disadvantage to the union and its members during the strike.

According to the evaluations of the majority of those individu­
duals and groups who had instigated the propaganda schemes, the general
public including many steelworkers did react in the desired manner.
Industrial associations and sponsors in several steel towns expressed
satisfaction with the results of the "harmony ads" and recommended the
series to various other chambers of commerce and associations. Soon
after the first "civic progress" conclave in Youngstown local steel
executives agreed that the project had been "well worthwhile." An
indication that the "harmony ads" were at least believed to be highly
efficacious was the fact that the rights to them were purchased from
MacDonald-Cook by the NAM in the spring of 1937 and utilized as part
of an intensive open shop drive launched in the autumn.18

There is little doubt that the scope and intensity of the com­
panies' propaganda campaign made many professional people, small mer­
chants, and middle class individuals generally more aware of the
union's activities than they would have been otherwise. And the subtle
intimations that industry might move its operations rather than deal
with union labor caused many of these same people to view the CIO
organizers and all they stood for with alarm.

On the other hand, this attempt to manipulate public opinion
was probably not as successful in some respects as many of the steel

18LFC, Part 25, 10528, 10548; Part 35, 14101; Part 36, 14543;
Part 39, 15398, 15412-13; Senate Report No. 6, 187-189.
executives and their public relations experts claimed. In the first place, it seems doubtful that very many steelworkers who either harbored real grievances or were genuinely union conscious—that is, those who formed the backbone of the SWOC membership—held back from active participation in the strike because the local Kiwanis Club had publicly expressed itself in opposition to the CIO. And perhaps many workers who read material such as the "harmony ads" suspected that the arguments therein were nothing more than company propaganda.19 Because he feared this type of reaction, the head of one chamber of commerce, in Warren, Ohio, refused to associate his organization with the ads.

I think [he said] we are entering into a period of ten or fifteen years when there will be a great deal of labor organization and I don't think the Chamber... should stick its neck out.

I can't help but feel that the industries have a good story to tell but it should be done over their own signatures... because I don't believe you can fool the average workingman with propaganda.20

In the second place, there are definite indications that the disparagement of SWOC failed in some cases to permanently rally middle class public opinion behind the management position in the growing conflict between Little Steel and the union. It would appear that a considerable number of these people were willing to lend their support to a campaign to stave off unionization, but once the union became a fait accompli they were less disposed to oppose it. In Youngstown, for example, an attempt on the eve of the strike to use the city

19Youngstown Vindicator, October 10, 1936, 1.
20LFC, Part 31, 12885.
administration to frustrate SWOC strategy failed. One of the councilmen, declaring that only 10% of the steelworkers supported the strike threat, proposed that Council urge the mayor to put pressure on the union as a means of averting a strike, but the majority of Council refused to consider such a policy. Then, after the strike had been in progress about a week, a Youngstown automobile dealer (he was also a prominent member of the Rotary Club) published in a full-page advertisement an open letter to Tom Girdler calling upon him to recognize the steelworkers' union. And, when, a few days later, the former chairman of the Citizens Civic Affairs Committee was asked to help form a "citizens' committee" he unequivocally refused.21

Insofar as many members of the business and professional classes had been averse to the SWOC activities, and would continue to oppose the union in the strike, it is doubtful that their views were largely the result of the steel companies' propaganda. What seems more likely is that essentially they were influenced by their own prejudices and also by the actual course of developments on the local as well as the general labor scene.

CHAPTER V
THE ATTITUDE OF THE GENERAL PUBLIC TOWARD THE STRIKE

Considering the attitudes of the general public toward the Little Steel strike, it must be kept in mind that these were part of a larger context of opinions regarding organized labor. Probably in no previous period in American history had there been a more sustained and intense public interest in union activities and policies than during the 1930's.1 But this was especially true of 1937, a pivotal year in the development of industrial unionism, as well as trade unionism generally. The sources of the public's concern are not difficult to discern. It was the year during which the conflict within the AFL reached its height, with the expulsion of the CIO unions. It was the year in which the United States Supreme Court put the stamp of approval on the national government's new labor policy embodied in the Wagner Act. And, more importantly, it was also during 1937 that the great

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1This is reflected in thousands of articles and editorials about the labor movement which appeared in newspapers and magazines, and in numerous opinions voiced by Congressmen and Senators. As a basis for the general discussion of attitudes the writer used: (1) several newspapers including the New York Times, the Christian Science Monitor, the Washington Post, the Cleveland Plain Dealer, and the Niles (Ohio) Daily Times; (2) various journals such as The Iron Age, Fortune, Nation's Business, Nation, The Christian Century, and The Literary Digest; and (3) the Congressional Record, passim. Results of two fairly comprehensive public opinion polls on labor can be found in: The Public Opinion Quarterly (July, 1938), 379-380, and Fortune, XV, No. 1 (January, 1937), 98 ff. The merits of a national standard for wages and hours were very widely debated during 1937, but the issue will not be discussed here, because it involved unorganized as well as organized labor and was not directly related to strikes and union recognition in most cases.
CIO organizing drives, some of which had been initiated the year before, succeeded in rooting industrial unions among millions of workers in the mass production areas such as automobiles, rubber, steel, and meat packing. Highlighting these dramatic and unprecedented events was a veritable rash of strikes which began in the early spring and continued on through the summer of 1937.

It was not only the sudden and sharp increase in the number of strikes that aroused widespread public concern (there were more strikes in 1937 than in any previous year). Many of those called during the year were quite different from the usual strike, undertaken to advance wages or to improve working conditions, the kind the public had been most accustomed to hearing about in the past. The Little Steel strike was a perfect example of the typical strike of the middle thirties—wages and working conditions were not even involved. Exactly 50% of the strikes in the spring of 1937 were fought over the issue of union recognition; moreover, many of these labor disputes manifested themselves as sit-downs, a phenomenon new to the American scene, and a large number of them were accompanied by violence or a threat of violence which lay close beneath the surface.²

Strikes, then, were the aspect of the labor scene that most deeply engaged the public's interest. They also were the cause of some of the strongest reactions among those who felt that unions, especially CIO unions, were advancing too fast and too far for the public good.

Indeed, it seemed to some observers that the irresponsible actions of militant unionists were jeopardizing the very political and economic institutions of American society. The year had hardly begun when the CIO's most efficacious strike techniques, the sit-down, came under heavy fire. Representative Hook of Michigan branded it as "... nothing more or less than outright anarchy... a serious condition which threatens the very foundations of our democratic government." Senator Hiram Johnson rose in the Senate to declare: "The most ominous thing in our national economic life today is the sit-down strike... down that road lurks a dictatorship." Actually, the situation was not quite that bad, for even many of the fiercest labor-management clashes were soon to be peaceably resolved. Yet, if the industrial strife of 1937 did not constitute outright class warfare and the subversion of orderly processes, it certainly did at times verge on such conditions, and few people who were at all alert could complacently ignore the facts of the prevalence of serious discord between large segments of capital and those who opposed unions, on the one hand, and organized labor on the other.

However, sit-downs and picket line encounters, while perhaps the most arresting aspects of the labor picture for the general public, were not by any means the only salient subjects which prompted vigorous and numerous expressions of opinion. Nor was it, at least for

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3Congressional Record, Proceedings and Debates of the First Session of the Seventy-Fifth Congress (Washington, 1937), Vol. 82, Part 2, 2337; Part 3, 2379. Hereafter, this source will be cited as Congressional Record with the appropriate volume and part.
many of the articulate, simply a question of either accepting or de­nouncing labor's newly acquired power. For example, many moderately
minded persons recognized the need for the extension of unionism into
mass production areas and accepted the new sense of power within the
ranks of organized labor as a natural accompaniment of such a develop­ment, but they deplored eruptions of violence and resort to overly
militant tactics and called for a more responsible exercise of power
by labor leaders as well as the rank and file. In some quarters there
was a conviction that when labor came up against employers who refused
to recognize and deal with unions it should forsake the traditional
strike weapon and rely upon the NLRB as a means of obtaining recog­
nition. But, in fact, the establishment of the new Labor Relations
Board had been followed by a tremendous increase in labor-management
turmoil, and some commentators were quick to blame deficiencies in the
legislation itself for this state of affairs. Others felt it was
only a transitory stage, more or less to be expected, and would soon
give way to amicable and satisfactory relations between management and
organized labor. Conversely, there was the opinion that much of the
trouble stemmed from the fact that unions in many cases were making
demands beyond the rights guaranteed labor by the Wagner Act—for
example, by insisting that employers sign written collective bar­
gaining contracts. These were some of the attitudes and interpreta­
tions which, along with the reactions to strikes and outbreaks of
violence, made up that context of manifold opinions in which the
Little Steel strike would be viewed and judged.
At the same time, however, this general climate of opinion was noticeably affected by the events of the steel strike. With the exception of the sit-down strikes in the automobile industry, the struggle between Little Steel and SWOC attracted greater public attention than any other labor dispute which occurred during the decade of the thirties. Because the strike involved an almost unbroken succession of violent incidents and focused more attention on several controversial aspects of the new national labor policy, it heightened public interest in the activities of unions, their relations to government, and the possible consequences, economic, political, and social, of the new and ambitious role they were rapidly assuming in national life. Thus the Little Steel strike itself served to increase public awareness of, and concern about, the broad complex of problems and issues regarding organized labor.

In this brief review of public attitudes toward organized labor as a whole during 1937, the writer has attempted to point up two aspects: (1) that what editors, columnists, politicians, and laymen generally thought regarding the steel strike was to an important extent determined by their pre-existing opinions, ideas, apprehensions, or expectations about union; but (2) that these, in turn, were often to be modified, changed, and in some cases intensified by the events and circumstances of the Little Steel strike.

In the prestrike period, while negotiations were being carried on and both SWOC and Little Steel were preparing for a possible strike, public opinion on the whole supported the union's position. The average observer of the steel labor scene found it difficult to
accept the proposition that the SWOC request for signed contracts was, as the companies asserted, out of order, unreasonable, and totally unacceptable. In the opinion of many, the reasons why the companies should sign—or at least make a more sincere effort to effect a compromise—seemed to outweigh the rationale for not signing.

Murray and his associates repeatedly underscored the point that their request was moderate, that they were merely asking the independent companies "to sign the same kind of a contract as have 110 other firms—", a contract according recognition of SWOC as representative for its members only. The SWOC leaders were also quick to point out that the contracts already concluded were proving satisfactory, bringing an improvement in labor-management relations to a vast segment of the industry, including Big Steel. Although obviously used as a kind of propaganda device to swing public sentiment against the holdouts of the industry, the argument was simple, straightforward, and undeniably contained considerable truth. And apparently many individuals reacted favorably to it. They seemed to feel that, since Big Steel as well as numerous small firms had signed, Little Steel was mistakenly engaging in a reckless and obstructive policy in refusing to follow the emerging pattern of labor relations in the steel industry. Others thought that, whatever the merits of SWOC's case, the independents who continued to oppose the union were simply and foolishly attempting to resist the inevitable. From Cleveland, for

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instance, it was reported that "... considerable sentiment has
followed the premise that if C.I.O. could take Pittsburgh, it could
take Cleveland."\(^5\)

Furthermore, the public in the main was not too impressed with
the companies' contentions that the Wagner Act did not require signed
agreements, and that SWOC, being a CIO union, was irresponsible as
such, could not be expected to stand behind its contracts, and sought
to saddle the steel industry with the closed shop.

The question of whether or not signed contracts were required by
the Wagner Act was in fact a controversial issue. As some perceptive
commentators noted, the National Labor Relations Board had not specif-
ically said that signed contracts were not required. Quite the con-
trary, the Board in several decisions had come close to ruling that
signed agreements were necessary to facilitate the type of collective
bargaining Congress had contemplated in passing the legislation.\(^6\)
And about the middle of the month the chairman of the NLRB was quoted as
saying "... I cannot see why such contracts should not be signed.

\(^5\)Washington Post, May 22, 1937, 6; Youngstown Vindicator, May 6,
1937, 10; Cleveland Plain Dealer, May 16, 1937, 22; May 23, 1937, 19;
The Christian Century, LIV, No. 21 (May 26, 1937), 669; Business Week,
May 29, 1937, 18.

\(^6\)New York Times, May 29, 1937, 16; June 13, 1937, E-7; Business
Week, June 5, 1937, 15; Christian Science Monitor, June 9, 1937, 1;
Millis and Montgomery, op. cit., 529-530. In the St. Joseph Stock
Yards Company case (1936) the NLRB said "The act imposes upon employers
the duty to meet with the duly designated representatives of their
employees, to bargain in good faith with them in a genuine attempt to
achieve an understanding. ... , and finally, if an understanding is
reached to embody that understanding in an agreement [writer's italics]\(^7\)"
This was tantamount to saying the act required a signed agreement, for
the Board could scarcely have imagined an understanding embodied in
verbal form.
Verbal agreements are not the customary way to make such important business contracts." Hence, several newspapers considered the loophole in the Wagner Act, in which the steel executives were taking refuge in partial justification of their position, as a factor that hardly warranted the companies' adamant refusal to sign. A comment in a Cleveland paper was typical: "... the employer cannot afford to ride too high a horse in these days of industrial group bargaining. The mere fact that the National Labor Relations Act does not compel him to sign a union contract is not an adequate alibi in the court of public opinion." Also, many people could not understand why the Little Steel concerns, after proclaiming their readiness to recognize, meet, and bargain with SWOC, still refused to conclude contracts incorporating those principles and practices. To The Christian Century the companies' stand seemed "ridiculous." "They will let the men strike before they will put anything in writing! In the name of common sense, why?"^7

As for the charge that the new union was irresponsible, there was a tendency to reserve judgment. Although in certain CIO unions, such as the United Auto Workers, contracts had been followed by strikes and other actions for which there was scant justification, it was rather widely known that SWOC was led by Mine Worker officials and former members of the old Amalgamated Association. Since both of

^7Washington Post, May 28, 1937, 8; New York Times, May 11, 1937, 8; May 18, 1937, 4; Youngstown Vindicator, May 6, 1937, 10; May 19, 1937, 8; May 27, 1937, 14; Cleveland Plain Dealer, May 9, 1937, 9; May 14, 1937, 12; Business Week, June 12, 1937, 14; The Christian Century, LIV, No. 21 (May 26, 1937), 669.
these unions were more or less conservative, there was reason to expect that SWOC would also become a reliable and respected organization. Considering this, some editors felt it would behoove the companies to modify their stand in some way in order to appease the moderates within SWOC. Otherwise, they reasoned, would not persistence in a strong policy of opposition to the union strengthen the hand of the radical, aggressive elements within its ranks?®

An event which bolstered this general attitude was the settlement of the J & L dispute. More than any other development, it helped to enlarge the image of SWOC as potentially one of the more responsible CIO affiliates. Many newspapers looked on the settlement, in which both parties agreed to abide by the verdict of an NLRB election, as an important and successful step in the working out of the Wagner Act, a positive advance which could be attributed in large measure to SWOC. The majority reaction was pretty well summed up by the Christian Science Monitor in one sentence: "Victories by ballot are victories on which the public as a whole may well congratulate labor." Of course, the company too received praise, but most of the favorable comments focused more attention on the union's role.®

Republic's contention that a closed shop would come inevitably as a consequence of any formal contract which SWOC managed to extract

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from an employer fell for the most part on barren ground. For the plain fact was that, while the CIO did not absolutely rule out the possibility of the closed shop, it was not an issue which the steel companies would have to face in the near future.\textsuperscript{10} The Washington Post went farther than most commentators in completely rejecting the anticipated closed shop in steel as a bogie.

\ldots in the contracts already negotiated, they /SWOC leaders/ have not secured these concessions. The C.I.O. abandoned its demand for the closed shop in the struggle with General Motors. There was no question of obtaining it in the dealings with the steel companies.

In many cases the question of the closed shop will cease to seem important, as workers find it to their interest to join unions which bargain for them.\textsuperscript{11}

When it became increasingly apparent, during the latter part of May, that a strike might come almost any day, two major Ohio newspapers and the Washington Post openly called on Little Steel to demonstrate its professed willingness to deal with the CIO and to help avert a strike by signing the SWOC contracts.\textsuperscript{12} Especially significant was the stand taken by the Youngstown Vindicator, the only important paper

\textsuperscript{10}Cleveland Plain Dealer, May 27, 1937, 10; Washington Post, May 22, 1937, 6; Christian Science Monitor, June 4, 1937, 14; Youngstown Vindicator, May 19, 1937, 8.
\textsuperscript{11}May 28, 1937, 8.
\textsuperscript{12}Cleveland Plain Dealer, May 26, 1937, 8; Youngstown Vindicator, May 13, 1937, 8; Washington Post, May 28, 1937, 8. Eight newspapers were used as the basis for the estimate of public opinion. Besides the three papers which actually urged the companies to sign, two others, the Christian Science Monitor and the St. Louis Post-Dispatch, were sympathetic toward SWOC on this issue.
serving an area in which the companies employed 35,000 steelworkers.

The paper amplified its attitude in an editorial of May 13:

Suppose. . . that signing a contract would bring the CIO dominance. If thousands of steady, conservative steel workers should go into CIO, it ultimately would become a different kind of union.

Labor unions. . . follow a left-to-right pattern. Young radicals join first. . . . But later the conservatives come in and in time become the ruling element.

This trend toward stability is hastened by freely granting justified rights, is retarded by withholding them. . . . With the signing of contracts by U. S. Steel, the automobile firms, and Firestone, a public opinion already outraged by sitdowns plainly turned in the direction of requiring union responsibility.

In the present case the companies recognize the union technically, but there is ground for the workers' feeling that a real principle is involved. The companies. . . are putting themselves in a position which looks like resistance to accepted public policy. They seem to be trying to keep labor matters at least partly under their own control—encouraging one labor organization, discouraging another—while the country has accepted the principle of full equality and independence for labor organizations.

Thus the companies' refusal to sign may tend to hamper the evolution of conservatism within the union. . . .13

Obviously, the Vindicator was not espousing a radical solution to the controversy. Recognizing that industrial unionism would inevitably come in Little Steel, it urged the companies to avoid a showdown on the grounds that temperate action would hasten the development of a tractable union. The fact that this paper, in the very heartland of Little Steel, set itself against the no-contract policy of the companies was highly indicative of public attitudes on the eve of the strike.

13May 13, 1937, 8.
On the other hand, however, there were those observers who viewed SWOC policies and ambitions with a jaundiced eye. Their criticisms centered mainly on the belief that flaws in the Wagner Act encouraged SWOC to make exorbitant demands of management, and the assumption that the steel union did indeed intend to introduce the closed shop as soon as it could. In discussing on its editorial page the union triumph in the J & L election, a development which left the editor something less than euphoric, the New York Times saw "little reason to doubt that the C.I.O. will attempt to use the Wagner act to force recognition of the closed shop whenever and wherever it believes that it can do so." At the same time, Little Steel's policy toward contracts was staunchly defended by the paper, to which it seemed "evident that . . . a signed agreement between employer and employees is not an essential condition of collective bargaining." The attitude of the Canton (Ohio) Repository was similar:

The issue is clearcut. Independents are willing to abide by the [Wagner] law. Unionists are anxious to go beyond the law to further their ambitions for organizing steel along the lines of a closed shop. The labor relations act . . . already has fallen short of the requirements for the kind of collective bargaining which CIO wants.

As for the Jones & Laughlin election, the Ohio editor maintained that it gave absolutely no indication of the sentiments of the working force in the other independent steel firms. Another paper which took the side of the companies was the Chicago Daily News. It argued that the "obscure, one-sided and arbitrary" nature of the Wagner Act gave the

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14May 22, 1937, 14; May 29, 1937, 16.
union an opportunity to force a strike for what in effect amounted to a closed shop "in the name of the act."\textsuperscript{15} Notwithstanding the fact that two important newspapers in widely separated sections of the nation supported management, it seems safe to conclude that the opinions they reflected were in the minority.

Thus, in May, 1937, during the two or three weeks preceding the strike, the majority of those who publicly expressed their attitudes definitely tended to view the steel union's case more sympathetically than that of the companies'. Their public relations efforts had obviously failed to turn the general public against the union. There are at least two considerations which can be cited by way of explanation for the limited appeal of the management propaganda and the relatively favorable public relations enjoyed by SWOC. In the first place, the union's argument for signed contracts, enhanced by the epochal victory at J & L, had the virtue of appearing to be logical, reasonable, justifiable, and progressive—but not necessarily radical; the companies, however, rested their case on rather unconvincing grounds involving preservation of the status quo and defense against the spectre of the closed shop, a consequence which they could at best only predict. Second, whereas the steel executives seemed to be aggravating the situation by inflexible adherence to a labor policy which many people were coming to feel was totally outmoded, the union had not as yet taken action or adopted

\textsuperscript{15}Canton Repository, May 15, 1937, 4; May 20, 1937, 4; May 22, 1937, 4; Chicago Daily News, May 28, 1937, 16.
policies that had the effect of antagonizing or alienating any large segments of the general public. Whatever the reasons, as the SWOC leaders girded themselves to wage a strike which did not promise to be a very easy one, they must have been somewhat encouraged by the degree to which their position had won public favor.

Furthermore, once the strike had begun, SWOC continued to retain a sizable body of supporters among the general public. At the same time many people maintained a neutral attitude, believing that there was some merit in the positions and policies of both contestants in the steel struggle, or, as Business Week reported, feeling that "both are pretty truculent." Yet even to have a large segment of the public neutral was a definite advantage for the union.

This becomes all the more apparent when considered against the historical background of American labor struggles, for in the majority of them management had been able to utilize a public opinion essentially antagonistic toward organized labor to aid in the breaking of strikes. But the situation in the summer of 1937 was quite different

16 June 5, 1937, 15.
from the atmosphere in which the steel strike of 1919, for example, had been fought out. At least one editor noted the more favorable position of the union in the Little Steel strike.

While the union bears the responsibility of calling the strike, these differences in the nature of the union demand, the fact that Big Steel had signed, and the J & L election place a heavier burden of responsibility on the managements affected than in the 1919 strike. The contrast between their attitude and that of U. S. Steel lends color to the union's charge that while the independents may not be violating the Wagner act technically, they are departing from its spirit by maintaining antagonism to the bargaining agency which the majority of their workers apparently have chosen.

The Washington Post was even more outspoken in placing the responsibility for the strike on the steel company executives.

In no case... can a satisfactory solution of labor problems result from the tactics pursued by the independent steel companies in refusing unconditionally to sign contracts... They might reasonably refuse to recognize the union as an exclusive bargaining agency unless its right to speak for all employees had been previously established... But the formal announcement of the Republic... is almost equivalent to a declaration of war... Nothing of permanent value will be gained by these die-hard groups that prefer force to reason and persuasion.

Expressions of opinion such as these were certainly in marked contrast to the accusations of bloodthirsty "Bolshevism" and anarchistic "violence" which the overwhelming majority of the press had hurled at the strikers of 1919.

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17 Youngstown Vindicator, May 27, 1937, 14.
18 May 28, 1937, 8.
By the end of the first week of the strike, however, the public support of SWOC which prevailed in many quarters was definitely beginning to waver. One of the first signs of this was the nature of the public reactions—generally unfavorable from the strikers' viewpoint—to the Memorial Day incident, but there were also other factors which adversely affected the public's estimation of the union position.

One was the union's policy of approving and indeed encouraging mass picketing and intensive picket patrolling of the struck plants. From the beginning, many of the steel strikers had resorted to these tactics as a necessary means of preventing the introduction of strike-breakers ("scabs" in the union lexicon) or the shipment of food for those already in some of the steel mills. To an increasing number of publicists and politicians such actions seemed to be unlawful, like the sit-down technique, in the sense that they constituted interference with the legitimate use of company properties—which were of course private properties. And, furthermore, were not free American citizens being arbitrarily denied access to the mills and thereby being prevented from exercising their "right to work?"

Overlooking the fact that steel management was partly responsible for this state of affairs, liberal as well as conservative editors soon became alarmed over these matters. The Washington Post insisted that the "... right of nonstrikers to protection in the peaceful pursuit of their occupations is incontestable. The methods

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20 See below, pages 177-182.
21 These policies are thoroughly described in Chapter VI.
adopted by C.I.O. leaders in certain areas to force these workers to surrender are more disruptive of the peace... than the deservedly condemned sit-down strike." The Youngstown Vindicator did not expect much gemütlichkeit in the strike,

... but not until now has there been a strike in the Mahoning Valley when the tactics of the strikers were so calculated to give offense by making it appear that they considered themselves above the law and that everyone else must step aside for them. Continuance of this policy cannot help alienating public sympathy.

Thus, faced with the dichotomy of labor militancy versus property rights, the very papers that had originally given SWOC some of the strongest support it received were now, insofar as they severely criticized the union policy of sealing off the plants, beginning to favor the position of Little Steel management.\(^22\)

\(^{22}\)Washington Post, June 6, 1937, 6; Youngstown Vindicator, June 2, 1937, 8; Cleveland Plain Dealer, May 28, 1937, 6.
CHAPTER VI

THE FIRST STAGE OF THE STRIKE

MR. MISTER /a steel baron/

Why, you Goddamned skunk!
I'll break you. . . . I'll run you out of town. . . .

LARRY /a union leader/

And give us front page publicity? Would you? Please?

LIBERTY COMMITTEE

Kill him! Lynch him!

LARRY

Yeh, lynch, kill!
Listen once for all, you scared bunch of ninnies!
Outside in the square /of Steeltown/ they're startin
somethin
That's gonna tear the catgut outa your stinkin rackets!
That's Steel marchin out in front!

The people of this town are findin out what it's all
about. . . .
They're growin up!
And when everybody gets together
Like Steel's gettin together tonight,
Where are you then?
Listen, you Black Legions, you Ku Kluxers,
You Vigil-Aunties hidin up there
In the Cradle of the Liberty Committee. . . .
When the storm breaks. . . .
Quietly.
The cradle will fall!^1

This typical passage from the final scene of Marc Blitzstein's

^1Marc Blitzstein, The Cradle Will Rock, A Play in Music (New York,
1937). Written as a WPA Theatre project, it was first produced by
Orson Welles on June 16, 1937, after being rejected by the WPA as too
inflammatory. Though a kind of period piece, it was revived by the
New York City Opera in the spring of 1960. New York Times, June 17,
1937, 1; February 7, 1960, II, 9.
"music drama," *The Cradle Will Rock*, written in 1937, captured in a somewhat exaggerated form the elemental emotions and fierce antagonisms which pulsed through the real life of the strike-bound steel communities during the summer of 1937. For the strike, once it was well under way, opened up a Pandora's box, as it were, releasing a plethora of pent up animosities and passions which in turn engendered implacable hatred, extreme bitterness, and widespread violence. It was not only that the forces of a militant new union were locked in battle with those of a reactionary management group. Before it was over the strike would array middle class against working class, conservative politicians against liberal, foreign born workers against native American workers, and even in some cases father against son. In the cities and towns where the strike raged, local officials were forced at one point or another to choose between labor and management. And, withal, extremists of both the left and the right seized upon the occasion to advance their respective programs, thus compounding the turmoil and malevolence.

However, during the first stage, lasting about two weeks, the strike was relatively calm—with the important exception of the Memorial Day clash. In most of the strike zones observers found conditions "quiet" or "peaceful." Indeed, for the first day or two a kind of festive mood prevailed on many of the picket lines; but this soon disappeared and was replaced by an atmosphere of tension and suspicion, which would continue throughout the rest of the strike.

Although the Labor Department immediately assigned its topnotch conciliator, James Dewey, to observe the strike in Ohio, there was no
move on the part of the Roosevelt administration to intervene directly
during this phase of the strike.\textsuperscript{2} The most significant general develop­ments in the first week were the attempts of Little Steel and SWOC to measure each other's strength and to formulate plans of action for winning the contest.

Republic Steel, contrary to its announced plan to close all installations in the event of a strike, maintained production on a reduced scale at its plants in South Chicago, Buffalo, and Canton, Warren, and Niles, Ohio. Whether this tactic had been planned some days in advance or simply adopted on the spur of the moment is not definitely known, but the surprised reaction of the press to the move, the lack of adequate food supplies in these four plants, and statements of operating officials suggest that the decision to continue operations was made at the last minute.\textsuperscript{3}

According to Republic executives these plants were maintained in partial production in order to provide jobs for the "thousands" of employees who were clamoring to work and to fill some of the many orders for steel which were on hand. Actually, neither solicitude for the employees nor desire for profit prompted the continuation of operations in the face of a strike. In part, the policy was the result of Girdler's approach to labor issues. Just as he had defied the

\textsuperscript{2}Cleveland Plain Dealer, May 29, 1937, 5; James F. Dewey to the Department of Labor, May 27, 1937, and Frances Perkins to Mayor of Warren, Ohio, June 1, 1937, Frances Perkins, Unrestricted Documents in Folder "Conciliation--Steel" in the General Subject Files of Secretary of Labor, National Archives. Hereafter, this source will be cited as Conciliation--Steel.

\textsuperscript{3}New York Times, May 28, 1937, 1, 10.
organizational drive, he was also determined, where possible, to defy the strikers. Thus, a statement explaining the company's action declared that "To shut these plants down and send the men home in order to avoid any possible clashes in the picket lines would be like turning your house over to robbers because you were afraid, if they tried to get in, one of the robbers might get hurt." When this declaration is considered in conjunction with subsequent events at some of the four plants, one is left wondering whether the policy was not deliberately calculated to provoke the strikers into acts of violence. It should be stressed, however, that there is no clear documentary proof that such was the case. But there is no doubt that by maintaining large numbers of workers inside several mills Republic intended to undermine the morale of the strikers and to persuade the public that the strike was not really effective. The corporation boasted that it was operating at 40% of capacity, and invited newspaper reporters into the plants to see for themselves as to the rate of production.⁴

Coupled with this was an attempt to picture the strike as one from which the majority of workers had nothing to gain. In a long statement issued on May 26, Republic employees were reminded of all the manifold evils of the closed shop and the check-off, both of which,

⁴Cleveland Plain Dealer, May 29, 1937, 5; June 1, 1937, 3; New York Times, June 1, 1937, 9; Canton Repository, May 26, 1937, 1. Accepting the figures offered by local plant officials, it appears that 8,000 to 8,500 men remained on the job in Republic plants. Presumably they were not all working twenty-four hours a day. In 1937 the corporation normally employed approximately 42,000 production workers in its Northern installations. This writer finds it difficult to explain how 20% of the working force kept the company operating at 40% of capacity.
it was claimed, would surely follow if the company were to sign a CIO contract. Moreover, considering that the union had made no objection to prevailing wages, hours, and working conditions, the employees were being forced to participate in a strike whose sole objective was "the personal and political ambitions of C.I.O. leaders. Ask the man who tells you to start trouble what more you could get through a strike than you're getting now."\(^5\)

From the very first day of the strike Republic, then, seemed prepared to utilize every possible means to break the strike, regardless of the consequences which such a course of action might entail.

Sheet & Tube and Inland, however, adhered to the policy, previously announced, of suspending operations altogether in their plants at Youngstown and Indiana Harbor. In making plans for winning the strike, these two concerns relied primarily on the anticipated economic impact of prolonged idleness on the steelworkers and other elements of the population whose livelihood was dependent on steel production. They counted on the emergence of strong back-to-work movements once the steel communities, enjoying the first real prosperity since the onset of the depression, had contemplated for a week or two the prospect of payless paydays. Accordingly, Sheet & Tube and Inland announced that 75% of the employees did not support the walkout, but that the mills would not be opened until local authorities guaranteed

adequate protection to the majority of employees who were prepared to cross the picket lines to return to their jobs.\(^6\)

The fact that Sheet & Tube and Inland discontinued operations should not be interpreted as an indication that they were any less determined than Republic to stand firm in refusing contracts and in opposing the strike. In a letter dated May 27 to his employees Frank Purnell asserted that a contractual agreement with SWOC "... would be futile because of the irresponsibility of the other party to the agreement and... it would be used by such other party as a vehicle to coerce and intimidate employees into joining that organization for purposes primarily... of a closed shop..." Inland at the same time made known that it had no intention of compromising. And, when Governor Martin L. Davey, acting rather prematurely, sought to arrange a conference of Little Steel and SWOC representatives, a Sheet & Tube spokesman hastened to point out that there was "... nothing to confer about. Our position has already been stated: We have said we are not signing a contract, and we are not signing."\(^7\)

At this point steel executives were more concerned with another meeting, the annual convention of the American Iron & Steel Institute, which met on May 27 in New York City. There the two most prominent figures in Little Steel held the limelight. Following a rather stormy session of the board of directors, it was announced by Eugene Grace


that Tom Girdler was the new President of the Institute. E. T. Weir, no less a foe of the CIO than Girdler, became a vice-president; W. A. Irvin of U. S. Steel who had been passed over in the presidential race remained as a vice-president. As retiring president, Grace delivered the major address. Although the strike was not mentioned, about half of his speech was devoted to labor issues. The progress of industrial recovery, Grace noted, was being hampered by "outside" forces which sought "control." After eulogizing the company union, he concluded with the argument that, while employees should have the right to engage in collective bargaining, improved working standards and security were of "paramount importance" to them. The conservatives of Little Steel were obviously in command of the situation, and, unlike the occurrence in March when Big Steel had recognized the union, there was not going to be any sell-out to the CIO in the existing crisis.  

The salient feature of SWOC strategy as the strike began was to "close the properties" of the Little Steel firms. Although union leaders declared their intention of keeping strike procedures peaceful and within the law, there was no question of allowing anyone except legitimate maintenance men to cross the picket lines. Obviously, this policy was at odds with the continuation of production at several of the Republic plants, and those employees who chose to remain at work

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soon found themselves in a state of siege. Philip Murray, speaking to
a group of strikers in Youngstown on the twenty-eighth, urged them to:

Put your heart, head and soul into this struggle
and nothing under the blue heavens will stop you.
They sold you Hoover, then tried to sell you Landon
and you replied with Roosevelt [cheers]. Now you
are replying with CIO for a signed agreement which
they must and shall sign.

The most important immediate concern, then, was to keep the mills
surrounded by strong picket lines of enthusiastic strikers.9

At the same time the union moved against the companies—espe­
cially Republic—on two other fronts. First, the propaganda campaign
to discredit them was stepped up. Denying that the union sought the
closed shop, Murray denounced the management of Little Steel for
conspiring to preserve an anachronistic, oppressive labor policy. But
the SWOC leader directed the main part of his verbal barrage squarely
at Republic and its president, Tom Girdler. The corporation was
accused of "planning a reign of terrorism." And, when on the second
night of the strike a Republic foreman was mistaken for a picket and
wounded by a trigger-happy guard, Murray assailed Girdler personally,
charging that he had obviously "... issued orders to shoot to kill,
and before the American public you stand indicted in a deliberate
attempt to murder. ..." This incident, though a minor one in

9Cleveland Plain Dealer, May 27, 1937, 3; Youngstown Vindicator,
May 27, 1937, 8; May 28, 1937, 1; May 29, 1937, 1; New York Times,
May 31, 1937, 5.
comparison to what was to happen, gave some credence to the accusation that the large stock of arms which Republic was rumored to have would be used against the strikers.¹⁰

Also, SWOC called upon various agencies of the Federal government as well as the State of Ohio to intervene in the strike. On May 28 Murray sent telegrams to chairman Madden of the NLRB, Attorney General Cummings, Senator La Follette, and Governor Davey protesting the policies and practices of Republic Steel. Cummings was asked to investigate the existence of "all kinds of munitions of war" in Republic mills. The La Follette Committee was requested to undertake an investigation of Republic's "warlike and barbaric practices" which allegedly violated its employees' civil liberties. The message to Davey demanded that the corporation be forced to "disarm." The wire to Madden merely supplemented the formal complaint which SWOC simultaneously filed with the NLRB charging Republic with violations of Section 8 of the Wagner Act in connection with the lockouts at Canton and Massillon. Because of a combination of factors—Roosevelt's initial hands off policy, Davey's neutrality, and the fact that it would take the NLRB some time to investigate and hold hearings—none of the requests produced any immediate results. But Murray's action did clearly indicate that SWOC was anxious to have the executive

¹⁰New York Times, May 27, 1937, 2; May 28, 1937, 10; Canton Repository, May 27, 1937, 3; Steel Labor, II, No. 10 (June 5, 1937), 5.
branch or at least some instrumentality of the Federal government intervene in its behalf in the struggle with Little Steel.\footnote{Ibid., 4; Youngstown Vindicator, May 29, 1937, 1; Washington Post, May 29, 1937, 1.}

Judging from its various courses of action, SWOC was just as doggedly determined to extract signed contracts as the companies were to refuse such agreements.

All attempts to arrange a top-level conference during this first stage of the strike failed completely. Of course, it probably would not have broken the impasse, for the two sides were so far apart that they could not even reach the common ground of agreement that a strike was in progress. While Murray told Girdler that the "... strike which is now going on at your properties was precipitated by you..." Republic asserted that what it had to contend with was not a strike, but rather a "military invasion" spearheaded by "outsiders." While SWOC claimed that only seven hundred employees remained in the Republic plants, company officials assured all concerned that thousands of employees remained at their jobs and that thousands more on the outside wanted to return to work. Murray declared his union had signed cards from 80% of the employees of the Little Steel firms; at the same time Republic and Sheet & Tube maintained that the vast majority of their employees wanted nothing to do with the CIO.\footnote{New York Times, May 28, 1937, 10; Cleveland Plain Dealer, June 1, 1937, 3; Steel Labor, II, No. 10 (June 5, 1937), 1, 5; U. S. Senate Committee on Post Offices and Post Roads, Hearings, Delivery or Non-delivery of Mail in Industrial Strife Areas, 75 Cong., 1 sess. (Washington, 1937), 75, 209. Hereafter, this source will be cited as Mail Hearings.}
Notwithstanding this acrimonious state of affairs, Murray asked Girdler to enter into a negotiating session. Girdler did not respond. Meanwhile on May 27, and again on the 28th, Davey proposed a conference of Republic and Sheet & Tube executives with union officials. The SWOC leader expressed a willingness to attend, pointing out, however, that he could not settle for anything less than signed contracts. But the two companies made it clear that they were not interested in such a meeting. Undaunted, Davey hoped for an "early" end to the strike, and, in a monumental understatement, cautioned both sides to refrain from actions that might "in the slightest degree create ill-feeling."^13 Thus, once again the chief executives of Little Steel refused to confront the SWOC officials.

Generally speaking the strike was concentrated in the midwest. The Youngstown area, including Warren and Niles, where 32,000 steelworkers were involved, and the Calumet district, that is, Indiana Harbor and South Chicago, where the walkout idled approximately 22,000, were the two major strike centers. Republic, however, had other plants scattered throughout Ohio, Michigan, and New York, which meant that there were several secondary centers such as Canton and Cleveland.

In Youngstown,^14 for eight miles along the Mahoning River, which flows diagonally through the city, the steel mills were silent

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^14Actually some of the Sheet & Tube entrances were located in two suburbs, Campbell on the left side of the valley, and Struthers on the other; both towns were located adjacent to Youngstown.
and gaunt, their towering blast furnaces and open-hearth smokestacks outlined clearly against a sky devoid of its normal pall of soot and ore dust. Although large groups composed of pickets, a few of whom brandished clubs, strike-sympathizers, and curiosity seekers gathered at some of the mill gates, there were no outbreaks of violence or untoward incidents on the first two days of the walkout. The SWOC subregional director, John Mayo, had issued instructions for orderly picketing, and his organizers admonished pickets to conduct themselves accordingly. Nonstrikers made no attempts to cross the picket lines.

On a highway bridge which passed over the Republic plant (a stairway attached to the bridge gave access to the plant below) some pickets sat in folding chairs while others strolled idly about. Municipal officials of Youngstown and Campbell displayed a policy of neutrality, and the few policemen who were on duty in the vicinity of the plant entrances did not interfere with picketing. There were numerous comments on the peaceful manner in which the strike was being conducted. At one of the Sheet & Tube gates, the company police officer in charge congratulated the pickets for their "fine spirit and keeping good order."¹⁵

By the third day of the strike, however, increasing suspicion and hostility had begun to pollute the initial amicable atmosphere. The immediate reason for this development were the failure of company and union officials to arrive at a working agreement regarding

maintenance and the attempts to move large quantities of food and other supplies through the picket lines into the mills.

The question of whether the union or the companies should choose the members of the maintenance crews was the crux of the controversy. Undoubtedly the situation was exacerbated by the fact that union and management representatives never met face to face in a genuine effort to solve the problem. The companies' position was presented by the local mayors, who for their own benefit sought to bring about some kind of agreement, and the sheriff, who was too obviously a partisan of management. ¹⁶

At least three conferences were occasioned by the maintenance issue. The first occurred about a week before the strike when officers of the largest Sheet & Tube lodge told the sheriff that they would gladly issue passes to authorized maintenance men if a strike came. But he informed them that the company reserved to itself the right to designate workmen to maintain the furnaces and other costly installations which required constant attention. ¹⁷

The issue remained in abeyance until Frank Purnell, on May 28, notified the mayors of Youngstown, Campbell, and Struthers that, while the company would not attempt to produce any steel, it expected adequate police protection of the activities necessary to provision its maintenance men and to receive iron ore shipments. Learning that Murray had just returned to the city from Pittsburgh, the mayors and the sheriff arranged for an afternoon conference with the SWOC leader.

¹⁶LFC, Part 29, 11862, 11914. ¹⁷LFC, Part 29, 11864.
Because of conflicting accounts it is almost impossible to establish exactly what happened at this meeting. Apparently, Murray stated that the union would not consent to the movement of ore into the plants. And following the conference he said: "I told them that any time the management felt like discussing these problems with the local lodges or Mr. Mayo... arrangements can be perfected to give these companies a proper number of maintenance men to keep the plants in condition."

It appeared that as long as the steel executives attempted to negotiate through local civic and county officials, who after all had no power to commit either side, the maintenance problem would remain unresolved.

Ignoring Murray's proposition, the companies acted within a few hours to move supplies in defiance of the picket lines. A train crew attempted to switch a freight car into the Republic plant and a truck loaded with "provisions" drove up to one of the Sheet & Tube gates. But in both cases pickets successfully barred the way. By the next day, the 29th, there was a noticeable change in the attitude of the strikers, many of whom carried baseball bats and clubs. Now they were grimly determined to completely cut off the food supply for those employees, presumably maintenance men and supervisors, who were living in the plants. Although mass picketing was not the rule, the union forces were well organized, and at the slightest rumor that a freight

The final meeting of the controversy over maintenance took place during the early morning hours of Sunday, May 30. Late Saturday night Sheet & Tube had informed the mayor of Struthers that the company wanted to move a freight car into its "rod and wire" works, the gates of which were located in his city. As a crowd of strikers formed outside, the sheriff, Mayo, and other organizers arrived at the city hall, and a "heated" discussion ensued. In the course of it the irreconcilable positions of the two sides were clearly delineated. SWOC, fearing there might be "scabs" among the groups in the mills, would allow food only for a specified number of "legitimate" maintenance men. The companies, arguing that any maintenance men approved by the union might engage in acts of sabotage, demanded crews "loyal to their point of view." The meeting broke up about 4 A. M. without any agreements; and the sheriff, whose singular contribution was a lecture on the necessity for the protection of property rights, called the company to report that the car could not be switched that day.

Meanwhile, Sheet & Tube had resorted to another means in attempting to feed its loyal workers and maintenance men. On May 28 there arrived at the Youngstown Post Office a "truck load" of bread, which had been mailed from Cleveland, addressed to the Youngstown

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Sheet & Tube Company. All mail for the company was normally deposited in a post office box where it was picked up by company employees, but as a "special courtesy" the bread was sent to Sheet & Tube's main office in downtown Youngstown. There, however, officials refused to accept delivery, requesting that the bread be forwarded to the Campbell plant. Due to the fact that this plant was not a regular delivery point, the postmaster refused to send the bread on to Campbell. Thereupon the shipment was returned to Cleveland.21

Thus in Youngstown the union had won the first round by successfully sealing off the steel plants. Not only had the companies been unable to marshal enough support from local authorities to breach the picket lines, but the attempt to engage the services of the Post Office as a strikebreaking agency had met with conspicuous failure. The situation, then, began to settle down in a temporary stalemate infused with increasing animosity between the strikers and the steel officials and their partisans.

Warren, Ohio, an industrial center of 40,000 lies fourteen miles northwest of Youngstown. Just outside the city limits is the large, rambling Republic Steel Corporation plant which in 1937 employed some 6,000 steelworkers. Bordering part of the plant was a section of Warren populated primarily by immigrants--Poles, Slavs, and Italians--many of whom worked in the mills. Organized and led by several old hands of the once strong and proud Amalgamated Lodge, the remnants of

21Mail Hearings, 315-316.
which had been recently absorbed by SWOC, this "foreign element" composed the main body of the striking Republic steelworkers. On the first evening of the strike, thousands of them along with their wives and children had swarmed into the street in front of the plant, as if to show their united defiance of management and the one to two thousand employees who remained inside. Many of these nonstriking workers were soon to demonstrate their contempt for the "scum" on the picket lines.22

On the other side of Warren— the city being divided by the Mahoning River— were the business district, the homes of native American workmen, and the middle class residential district. Here most people viewed with increasing apprehension the events that were occurring at the Republic mill— the mass demonstrations, the patrolling day and night of the eleven mile circumference of the plant by sullen, club-carrying "foreigners" and the consequent confinement of nonstriking workers in the plant. Here, the night the strike began, a group of prominent business and professional people met at the Chamber of Commerce and arranged to have the streets around the mill blocked off and the liquor stores closed. And here, a few days later, the same group unsuccessfully demanded the immediate introduction of National Guard troops.23

From the beginning, the situation in the Warren strike zone was tense and grew more so as each side, bent on disabling or subduing its...

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22Youngstown Vindicator, May 27, 1937, 1; LFC, Part 31, 12770, 12965.
opponent, resorted to more dubious stratagems and tactics. To meet the challenge posed by the company's policy of continuing operations on a reduced scale, the SWOC strike committee, staunchly supported by the rank and file, prepared to starve out the nonstriking employees. When on several occasions Republic ordered box cars and Pullman coaches moved into the mills, vigilant pickets either rushed en masse onto the tracks or piled timbers on them as a means of preventing switch engines from delivering the cars. At Niles, where on May 27 one to two hundred workers were housed in the plant, a U. S. mail truck carrying four large packages of food was prevented from delivering its cargo by a crowd of angry pickets.\(^{24}\)

Further interference with mail service occurred the next day in Warren. Postal employees attempted to deliver three truckloads of bread and towels, but pickets, massing in front of the gate, refused to permit passage of the supplies. That evening, Murray, who was in Warren to make a speech, was asked about the mail situation. He is reported to have replied: "Our people have brought this matter to the attention of local authorities, but I do not know what the attitude of the postal authorities will be. We cannot understand how the equipment of the Post Office Department can be used for strike-breaking purposes." The next morning, the twenty-ninth, the Warren postmaster, not knowing exactly what policy was applicable, called the postal inspector at Youngstown and learned from him that the First Assistant

\(^{24}\)Cleveland Plain Dealer, May 28, 1937, 2; Youngstown Vindicator, May 27, 1937, 1; May 28, 1937, 1, 6; May 30, 1937, 1; Washington Post, May 27, 1937, 1; Mail Hearings, 181 ff., 327-328.
Postmaster General had issued instructions that only "regular" mail should be accepted for delivery to the strike-bound steel mills.25

Frustrated in their efforts to utilize railway service and the mails to provision the Warren and Niles plants, Republic officials adopted the novel method of an airlift. On May 29 the company began purchasing several used Waco biplanes, a parking lot within the Warren mill was hastily converted into a landing strip, and the next day planes, taking off from a private field in Cleveland, were landing food and other supplies. Since the Niles plant would not accommodate an airstrip, the pilots simply swooped low over the property and the food bundles were shoved out. Incensed by this development, some of the pickets or their sympathizers armed themselves with rifles and began firing at planes as they came in to land. On the afternoon of the thirty-first, a plane attempting to land was driven off by rifle fire. Immediately, a Republic guard began shooting, apparently at the sniper, but nevertheless in the direction of a New York Times cameraman and several of his colleagues who scurried for cover behind a railway embankment.26

That evening the picket lines were thinned by a heavy rain. At a railway gate approximately one-fourth of a mile from the main entrance of Republic's Warren plant only a dozen pickets were on watch, some of them sitting in their automobiles. About 7 P. M. a half dozen men came

26LFC, Part 28, 11730; Part 31, 12735; Cleveland Plain Dealer, May 29, 1937, 5; Youngstown Vindicator, May 31, 1937, 1; New York Times, June 1, 1937, 9.
down the street; when they reached the railway opening, someone on the inside signaled to them, and they suddenly dashed toward the plant, with a couple of pickets in pursuit. At this point, a throng of two or three hundred nonstriking employees accompanied by several guards with gas guns rushed from the plant and drove off all the pickets in the immediate vicinity with a hail of rocks and bolts. Although the attacking force soon withdrew behind the mill fence, additional strikers quickly arrived on the scene and a general melee ensued for a few minutes as each side bombarded the other with missiles.  

Meanwhile, in the Republic office building, across the street from the main gate, the sheriff, the plant manager, an attorney, and three local SWOC leaders were meeting, trying to reach some kind of mutually acceptable formula for the conduct of the strike on the part of both sides. At the urging of the sheriff and several businessmen similar conferences had been held on two previous days. Company officials wanted a limitation on the number of pickets and free access for food; the union leaders, two of whom were highly respected former Amalgamated officers and the third, a young Communist labor organizer, indicated that such an arrangement might be worked out if the company agreed to disarm its police and to refrain from enticing any additional strikebreakers into the plant. This third meeting, in which some headway toward a *modus vivendi* was apparently being made, was suddenly disrupted by the sound of the battle outside. Dashing into the

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street, the sheriff, who just escaped being hit by a brick, and the union leaders finally restored a semblance of peace on the picket line.28

But there were no more meetings because the strike committee believed Republic guilty of duplicity. Although the firing at planes stopped rather abruptly after Murray again visited the area, there continued to be sporadic outbreaks of violence on the picket lines as nonstrikers hurled epithets and bolts at strikers who retaliated with equally "uncomplimentary remarks" and stones. And, while the union claimed little or no steel was being produced, company officials reported that four open-hearth furnaces were operating.29

In Canton, the first week of the strike was generally peaceful. Except for the wounding of a foreman by a company guard, there were no serious incidents of industrial strife. Company police and nonstrikers tried on a few occasions to provoke the pickets, many of whom carried clubs, but only minor scuffles resulted. Republic maintained operations in the open-hearth division, and perhaps six to seven hundred employees, attracted by double-time pay and free meals, remained in the plant. However, pickets did not interfere with the passage of railway traffic into the mills. As the strike continued into the last weekend of May, the local press reports that "quiet" prevailed, the

28LFC, Part 31, 12692, 12720-21, 12723 ff. The Communist was Gus Hall, now head of the American branch of the party.
29LFC, Part 31, 12726, 12728; Niles Daily Times, June 5, 1937, 1; Cleveland Plain Dealer, June 5, 1937, 1; Youngstown Vindicator, June 5, 1937, 2.
one newsworthy event being a parade past the mills by several hundred strike sympathizers, mostly women and children.\textsuperscript{30}

Yet, beneath the relatively placid surface of events in Canton, Republic and its partisans were assiduously organizing a campaign to break the strike. On the first evening of the strike, a dozen officers of the "Republic Steel & Berger Manufacturing Employees Association" and a foreman, using company money, established themselves in a downtown hotel. There they laid plans for a back-to-work election to be held in the city auditorium on May 27. However, this enterprise was cancelled at the last moment by the mayor who feared it might precipitate a clash between strikers and nonstrikers. Castigating the "radical labor activities" of the SWOC lodge, the back-to-work committee attempted a somewhat different approach. After several consultations between Republic officials and leading members of the Chamber of Commerce, it was decided to hold an election through the mails.\textsuperscript{31}

Accordingly, under the auspices of the Chamber of Commerce ballots with a covering letter reciting numerous platitudes about the good name of Canton and law and order were sent to 6,500 Republic employees on May 31. Approximately half of those polled voted "to go back to work." Although a local court refused to recognize the election as an "official" one, management and its supporters had scored

\textsuperscript{30}Canton Repository, May 26, 1937, 1; May 27, 1937, 3; May 28, 1937, 1; May 30, 1937, 1; May 31, 1937, 1; LFC, Part 32, 13040, 13063, 13137-41, 13289-92.

\textsuperscript{31}N.L.R.B. Decisions, IX, 326-327; LFC, Part 32, 13102-04; Canton Repository, May 27, 1937, 3.
a propaganda victory. A few days later R. J. Wysor congratulated the Chamber of Commerce for having done an 'excellent job.'

The walkout in Cleveland was exceptionally peaceful, despite the fact that relations between strikers and management were anything but amicable. By the twenty-eighth all four of the Republic plants were closed, idling about 7,000 workers. The company union attempted to foster a back-to-work movement, but it failed to win any significant amount of support. At the end of the first week of the strike, no incidents of violence had been reported and the picket lines were being "cut to a minimum."33

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The strike in the Chicago area was directed by Van A. Bittner, a veteran United Mine Workers organizer with twenty years experience in the coal fields of Pennsylvania and West Virginia. Murray had enlisted him in SWOC in 1936, and he had subsequently carried on a highly successful campaign among the steelworkers of the Calumet district.34 Able, outspoken, indomitable, Bittner was a match for any of the Little Steel executives, with the possible exception of Tom Girdler.

32LFC, Part 32, 13319, 13322; Canton Repository, June 1, 1937, 2.
33Cleveland Plain Dealer, May 27, 1937, 1; May 28, 1937, 1; June 1, 1937, 3; June 2, 1937, 4.
34Vincent D. Sweeney, United Steelworkers of America, Twenty Years Later, 1936-1956 (Indianapolis, no date of publication), 83-84.
At Indiana Harbor, where the great majority of the area's Little Steel workers were employed, the situation was peaceful, and the sharp antagonisms which marked the strike in most other places were not as apparent. A National Guard "observer," who visited the strike zone, reported that "The general atmosphere was... that the strike was really called by CIO organizers in Youngstown, Ohio, and would be settled there..." In part, this can be attributed to the actions of Inland and Sheet & Tube managements in closing the plants. Company representatives and the union had reached a satisfactory accord not only regarding general maintenance, but also providing for the operation of three blast furnaces which normally supplied gas to East Chicago and Hammond, Indiana. Furthermore, the mayor of East Chicago announced that police would not be concentrated in the vicinity of the picket lines. Although the strikers voiced their determination to keep the plants closed until contracts were signed and frequently engaged in mass picketing, the picketing was generally routine and orderly. Only one minor incident of violence was reported.\textsuperscript{36}

At the South Chicago plant of the Republic Steel Corporation, the situation was drastically different. There the management announced that enough employees were willing to work to keep several departments in production; and therefore the plant would not be closed.

\textsuperscript{35}Indiana Harbor where the large Sheet & Tube and Inland plants were located was within the corporation limits of East Chicago, which was not a part of Chicago proper. Sheet & Tube also had a smaller plant in South Chicago.

It seems that about one thousand of the 2,500 workers normally employed did not join the walkout. Because of these circumstances the strikers and their leaders were anxious to establish a strong picket line, their intentions being to persuade the strikebreakers already inside to come out and to keep any others from entering the plant. But from the very beginning the strikers' plans were frustrated by the determination of the Chicago police and Republic officials to render the picketing ineffective.

Located in a thinly-populated section of South Chicago, the Republic plant was bounded on the one side by a river and on the other by a large field consisting mostly of waste land. Running along the edge of the field and parallel to the plant was a street, Burley Avenue. About fifty feet off Burley Avenue, and across a railroad track, there was a gate, the only one, which gave access to the fenced mill property.

A few days prior to the strike several Chicago police officers had visited the plant and were informed by officials that a strike was in the offing. When it became certain on the afternoon of May 26 that the strike was going to materialize, a police captain and forty men under orders to "preserve the peace and protect life and property" were rushed to the plant, where they set up temporary headquarters just inside the entrance which they then proceeded to guard. Apparently

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38 LFC, Part 14, 4635-36, 5131.
39 LFC, Part 14, 4641, 4668, 4683, 5159.
the police were expected to rely on their own judgment in determining what would constitute peaceful, lawful picketing and how many pickets should be permitted. 40

During the evening of the twenty-sixth a confused situation developed at the Republic plant. Although the strike was formally scheduled to begin at 11:00 P. M., many employees jumped the gun, and by dusk a disorganized crowd of several hundred strikers and their sympathizers had gathered in the street in front of the plant. From time to time small groups of workers walked out the gate and joined the crowd. In the meantime, a union leader arrived and organized a regular picket line. Then, some of the strikers, apparently aroused by the presence on the mill grounds of the police, began to jeer, calling them scabs and strikebreakers. At that point, a squad of police emerged from the gate, chased the crowd away, broke up the picket line, and arrested a score of people, including two minor union officials, on charges of unlawful assembly and disorderly conduct. A short time later a permanent detail of ninety-six police was assigned to the plant. 41

40LFC, Part 14, 4681, 4684, 5006. A month before the strike the Corporation Counsel of Chicago had advised the police department to "... take no action to interfere with picketing when such picketing is conducted in a peaceable manner. If... relief is necessary, the action indicated is an appeal to the courts rather than to the Police Department, except if there is disorder or clear probability of disorder..." There is no evidence that the police officers acted upon the opinion of their legal counsel that the determination of the proper number of pickets was within the province of the courts rather than that of the police.

The next day, Thursday, police permitted from eight to ten pickets to walk in the street before the Republic plant. At strike headquarters, which had been hastily set up in an abandoned tavern a half mile away from the plant, a group of about three hundred strikers assembled. Having read in the press that Mayor Kelly approved of peaceful picketing, they decided to bolster the small picket force. But, as the group advanced to within two blocks of the plant, it was intercepted, and, without any clash, turned back by a police detachment.42

Meanwhile, SWOC officials began to take action against what they considered to be unwarranted interference with the right of picketing. In an indignant wire to the President, Bittner accused Republic of conspiring to violate the Wagner Act, and demanded an immediate investigation by the Attorney General of the "entire nefarious scheme of Republic... and the collusion of these officers of the Chicago police department." Two union attorneys who called on the police commissioner to obtain his views regarding picketing were told that the strikers could have an unlimited number of pickets "so long as they are peaceful." The commissioner's statement meant little, however, for in fact the police on the scene told the union how many pickets it could station in front of the plant.43

On Friday evening about six or seven hundred strikers, some of them from Indiana Harbor, gathered at strike headquarters. A SWOC

organizer spoke of the right to picket and the necessity for making the walkout at Republic more effective; someone in the crowd made a motion that the body proceed to the plant for a protest demonstration vindicating the right of peaceful picketing. The proposal met with general approval, and most of those present, including several women and children, fell into a column-like formation which moved off in the direction of the Republic steel mill.44

Once again the Chicago police were on hand to prevent mass picketing. When the procession entered an intersection two blocks from the plant, a small police detail attempted to dissuade the group from going any further, but ignoring the officer's admonitions, the demonstrators walked on toward their destination. As the column approached the next intersection, it was halted by a large cordon of police. One of the lead marchers, brandishing a crude flag pole, tried to shove his way through, a scuffle took place, and the police, swinging their clubs, charged the crowd and drove it back down the street to the place of the original encounter. In retaliation some of the strikers threw rocks at their attackers. When the battle ended, the two groups stood confronting each other for a few minutes. Many of the strikers were

44LFC, Part 14, 4884-85.
enraged. Pointing to several of their number who received bloody if not especially serious injuries, they furiously berated and cursed the police.  

As an aftermath of these three encounters in as many days tempers were inflamed and resentment high among both the police and the strikers. Many of the latter felt the police had been acting in league with the company with malicious intent to crush the strike. On their part, many of the policemen evidently believed the crowds they had been dealing with were made up primarily of foreign riffraff and Communist police-baiters who would storm the Republic plant if given half a chance. No doubt there was an element of truth in both views. There were probably a few Communists within the strikers' ranks. While many of the members of the police details were prone to act more rigorously than the circumstances required, certainly not all of them were hired bullies. Still, taking their activities as a whole, it seems obvious that they had little use for picketing of any kind, much less mass picketing, and that the officers in charge were much more solicitous of the welfare of the company than of the rights of the striking employees.

45LFC, Part 14, 4885; Part 15-D, 6755; New York Times, May 29, 1937, 1; Chicago Daily News, May 29, 1937, 1, 28. The Daily News printed a series of pictures depicting the clash. One of them is captioned: "A policeman is shown bringing his riot club back before landing a blow on the head of one of the bolder members of the strike paraders." This bold individual was actually walking away with his back to the police officer, whose club is not an ordinary night stick but a bludgeon about 40 inches long.

All of this, of course, redounded to the benefit of Republic Steel, for while police and strikers were battling each other, attention was diverted from the basic issues underlying the strike to the episodes of violence, which could be attributed to agitators, irresponsible union leaders, and "outsiders."

Saturday, however, turned out to be the first eventless day of the strike. Some of the tension generated on previous days seems to have subsided. In front of the mill half a dozen pickets paraded monotonously up and down. The strikers had been cautioned by their leaders not to make any immediate efforts to reinforce the picket line. At strike headquarters union spokesmen announced that a mass meeting to protest police actions would be held there the next afternoon.47

Memorial Day, May 30, 1937, was a typical Sunday in late spring, bright and warm. Approximately 1,500 people attended the meeting which was held outside strike headquarters. On the whole, the crowd contained a cross section of the working population of South and East Chicago. In addition to Republic employees, there were a couple of hundred striking steelworkers from Indiana Harbor, a few sympathizers from the Carnegie mills, and several unemployed persons. Also present were a score or two of the steelworkers' wives and older children. It being a holiday, a large proportion of the men were dressed up, but many of them removed their coats as they stood in the sun listening to the speakers.48

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48 LFC, Part 14, *passim*. 
At 3:00 P.M. the meeting was called to order by a young organizer, Joe Weber, who introduced the principle speakers, Leo Krzycki, an Amalgamated Clothing Workers organizer on loan to SWOC, and Nicholas Fontecchio, chief organizer of the Indiana Harbor district. According to reporters and other more or less neutral observers, the speakers extolled the CIO, denounced Republic's position, and criticized the Chicago police for interfering with picketing. Fontecchio contrasted the South Chicago situation with that in Indiana Harbor where, he pointed out, the police and the city administration had not intervened against the strikers. When he had finished, resolutions of protest addressed to the Governor of Illinois and Senator La Follette were passed.49

Then, just as the meeting was about to adjourn, a man standing in the crowd moved that the assemblage proceed to picket the Republic plant. This motion was acknowledged by Weber and ultimately approved. Thereupon several strikers with flags and placards took a position on the edge of the field which lay between the meeting place and the plant. Gradually, over a period of ten to fifteen minutes, most of those who had attended the meeting, including several women, fell in behind the flag bearers to form a kind of irregular column. That the march was

49LFC, Part 14, 4852, 4893, 4902; Part 15-D, 6853, 6913; Milton Derber and Edwin Youngs, Labor and the New Deal (Madison, 1957), 104; Walter Galenson, The CIO Challenge to the AFL, A History of the American Labor Movement 1935-1941 (Cambridge, 1960), 84. Krzycki was one of the original officers of SWOC. He was also at the time national chairman of the Socialist party; this proved to be a rather unfortunate circumstance because the super-patriots of Chicago were incapable of distinguishing a Socialist from a Communist.
not an entirely spontaneous affair is indicated by the activities of
the strikers who organized it and the existence of thirty or forty
painted signs attached to boards. However, there would seem to be
nothing especially sinister or unusual about a demonstration, whether
prearranged or otherwise, following a protest meeting.

In the meantime, the police stationed at the plant were prepare­
ing to meet the march. On Saturday, according to the captain in
charge of the strike details, it had been learned from an anonymous
source that the strikers planned to invade the mill and attack the non­
strikers inside. On the basis of this rumor and the knowledge that
some port of demonstration was going to occur, the police forces had
been increased so that nearly three hundred men were on duty Sunday
afternoon. Furthermore, a contingent of company police had been
alerted, and many nonstriking employees armed with ax handles lined
the inside of the fence. About the time the strikers and their sympa­
thizers entered the field, the regular police officers deployed most
of their men in a line at the place where the procession could be
expected to emerge from the field.

At the head of the procession walked two flag bearers. Behind
them stretched a column of people marching six to eight abreast, many
of them holding up placards charging the company with violations of the
Wagner Act and urging the nonstrikers to "come out" and join the strike.

Toward the rear of the column hundreds of marchers had fanned out to

50LFC, Part 14, 4853, 4893; Part 15-D, 6853.
51LFC, Part 14, 4689, 4703, 4861.
the sides, thus giving the formation a rather haphazard appearance. Many of these had come along out of curiosity more than anything else. Also mingled in the crowd were several individuals not directly involved in the strike, a social worker from Hull House, a couple of ministers, a writer, and four or five divinity students. As the strikers had entered the field perhaps fifty of them had picked up stones and tree branches such as were lying around in the field, but the majority walked along empty-handed. For awhile some of them sang a union song; others started to chant: CIO! CIO! CIO! 52

The strikers leading the column continued marching until they were within a yard or two of the police line. There they stopped. Many of the people to their rear and on either sides now moved up as close as possible to the police in order to better observe the scene. Thus the two groups—the police holding a line two and three deep, the demonstrators standing in a crowd—faced each other along a two-hundred-foot front spread across the corner of the field. 53

For six or seven minutes a tense hiatus prevailed. Two police captains, addressing themselves to the front ranks of the crowd, commanded it to disperse. Some of the demonstrators replied that they only wanted to establish their right to picket, as promised by the Mayor. Then, suddenly, from somewhere back in the crowd a crude club and several stones came hurtling through the air toward the right side of the police formation. At the same instant, even while the missiles

52 LFC, Part 14, passim; Part 15-D, 6735-40.
53 LFC, Part 14, 4704-05, 4857, 5141, 5150-52.
were still in the air, the police threw two tear gas bombs, one landing in the left flank of the crowd, which immediately began to retreat. A number of the demonstrators on the right also turned as if to take flight.  

But before the rout really got under way there was a terrific roar of police revolvers. Though it lasted no longer than perhaps fifteen seconds, the fusillade of police bullets mowed down a large number of those in the front tier of marchers as well as several further back in the crowd. Five of them fell dead, scores of wounded crumpled to the ground.

The rest, panicked by the bloody confusion and the billowing clouds of tear gas, were driven primarily by the desire to escape the scene as quickly as possible. By running rapidly back toward strike headquarters, most of them were able to evade the charging police—who by now had generally resorted to clubs as weapons. However, some of the strikers found all avenues of escape blocked, either by groups
of converging policemen or by the heaps of dead and injured. Many of
the police, as if impelled by some atavistic instinct, savagely at-
tacked not only these laggards but, in several instances, persons who
already had been clubbed to the ground. One such attack was later
described by a Congregational minister who witnessed the scene from
the sidelines:

Trying to get across a ditch, the young man fleeing the police stumbled, falling on the other side, and in a moment both policemen were standing over him, taking turns at slugging him with their clubs as hard as they could. I did not count how many times they struck him, but it must have been at least six or eight times... I was close enough to hear the terrible impact of each blow as it landed on his head.

The treatment of the injured was, in general, no less appalling
than the carnage itself. Although union members took some of the
wounded to the hospital, most of them were taken in charge by the
police. A number of the seriously wounded were dragged and carried to
patrol wagons into which they were indiscriminately dumped along with
the less seriously injured and about twenty uninjured persons who were
rounded up by police. It seems fairly clear that one striker--shot
in the leg--bled to death because of such treatment.

As a direct result of the Memorial Day incident ten of the
demonstrators died, six at the site of the encounter, four later in the

56LFC, Part 14, 4858-60, 4926, 5134, 5142, 5154.
57St. Louis Post-Dispatch, June 20, 1937, 3-C; cf. LFC, Part 14,
58LFC, Part 14, 4722, 5138, 5144; St. Louis Post-Dispatch, June
20, 1937, 3-C; paramount Newsreel. It should be pointed out that a
few of the police patrolmen rendered humane assistance to strikers
who attempted to carry off several of the wounded in automobiles.
hospital. The coroner's report revealed that one of them had been shot four times. Thirty persons, including two women and an eleven year old boy, received gunshot wounds, and twenty-eight others were hospitalized mostly for head injuries. Sixteen policemen were injured, of whom three required hospitalization. None of the police casualties were caused by gunfire.  

The "Memorial Day Massacre," as the CIO termed it, stirred up a furor in many quarters in the Chicago area. SWOC leaders hurled serious charges at the police and the Kelly machine; the police, the city administration, and the prosecuting attorney's office responded with countercharges against the union leadership. While the Chicago Tribune praised the police department for stemming the "revolutionary" tide (the entire Chicago press upheld the police), liberal and church groups organized to demand an investigation of the police conduct.

The day following the clash in South Chicago, a mass meeting of approximately five thousand strikers and sympathizers was held at Indiana Harbor. Addressing the meeting, Van Bittner eulogized the dead and wounded strikers as martyrs to the cause of labor and called for the indictment of their police assailants for "first degree murder."  

That evening, the Governor of Illinois, apparently in an effort

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60LFC, Part 15-D, 6858, 6928-36.
to at least ease the situation in South Chicago, arranged for a confer-
ence of Bittner, Republic representatives, and the police commissioner.
Bittner proposed that an NLRB election be held, with the company com-
mitted to sign an exclusive bargaining contract if SWOC polled a major-
ity. Republic officials flatly turned this down and reiterated their
position that, even if the union on its own initiative arranged for
and won an election, the company still would not sign a contract.
Bittner retorted that the strike, then, would continue indefinitely.
Thus, as far as the contract issue was concerned, the conference got
nowhere. Its only positive result was an informal—and rather belated
—agreement by which Bittner gave his assurance that there would be
no more "trouble" in South Chicago and the police commissioner promised
to allow the strikers an unlimited number of pickets at the Republic
mill.62

The next day, June 1, Bittner shifted his attack from the police
to the company. In an unmitigated indictment, he declared that, while
the intention of the Memorial Day marchers had been "peaceful," Re-
public Steel officials had "blood on their hands." The following day,
a SWOC petition requesting the removal of police details from the
plant was presented to Mayor Kelly, who said he would look into the
matter. On June 3, Bittner renewed his castigation of the Chicago
police, accusing them of the "wanton murder" of "defenseless pickets."
On subsequent days it was reported that a team of CIO attorneys were

62New York Times, June 1, 1937, 9; Chicago Daily News, June 1,
1937, 1; Cleveland Plain Dealer, June 2, 1937, 1; LFC, Part 14, 4673.
collecting evidence to be used in seeking prosecution of the police. However, in terms of concrete results all of this came to nought. Throughout the month of June there were at least 150 policemen stationed at the Republic plant night and day. And in July, 1937, a Coroner's jury rendered the verdict that the killing of the ten Memorial Day demonstrators was an act of "justifiable homicide."63

In the meantime, however, there was increasing sympathy for the Memorial Day victims and rising indignation against the police on the part of Chicago labor in general as well as liberals and many clergymen. A mass funeral service for five of the demonstrators, arranged by SWOC and held in South Chicago on June 3, was attended by several thousand persons. The scene was rather melodramatically described by a reporter:

From 10 o'clock on until funeral orations poured out of amplifiers this afternoon to the crowds that filled the street outside a single file of spectators shuffled past the five modest caskets... Mourners for the most part were a cross section of South Chicago. They came in dusty overalls from the mills, and in clean overalls on their way to the mills, squat Croatians with handlebar mustaches, sallow-skinned Poles, awed Negroes, bustling Nordics and phlegmatic Mexicans. Spacing them were tradesmen in shirt sleeves...64

A more widespread reaction in favor of the strikers was clearly manifested at a mass protest meeting which filled the Chicago Opera House on the evening of June 8. After hearing from some of those who had been injured in the clash, the audience was addressed by Paul Douglas,

Carl Sandburg, Van Bittner, Reverend Albert W. Palmer of the Chicago Church Federation, representing one thousand Protestant churches, and A. Philip Randolph, president of the Brotherhood of Sleeping Car Porters. Resolutions were passed condemning the behavior of the police, deploring the "breakdown of democratic processes," and demanding thorough investigations of the entire incident including the "connection" between the Chicago police and Republic Steel.65

Investigations of a quite different order from those contemplated by the Opera House meeting were being pursued by the Chicago police department and the State's Attorney's office in a frantic effort to completely absolve the police of all responsibility for the Memorial Day slaughter. As more of the facts concerning the brutal conduct of the police became public knowledge, the officers who had led the police detail became unalterably convinced that the mob's sole objective had been to invade the Republic mill in order to massacre the non strikers, and that ten dead was a relatively small toll compared to the hundreds of lives that would have been lost had the frenzied marchers gained access to the plant. Numerous affidavits were collected and testimony was given purporting to prove that the strikers had been armed not only with stones and clubs but also with "clubs with mails driven through their heads, meat hooks, crowbars, pieces of iron pipe, slingshots, iron bolts, bottles," "jack handles," pepper, and "automatic revolver," and a "sawed-off shotgun." These charges were presented despite the

fact that a diligent search of the field and of sixty-seven arrested
strikers by police had failed to turn up any guns, slingshots, or meat
hooks. One policeman was fairly certain that "many" of the marchers,
in addition to being "typical agitators," had been "under the influence
of marihuana cigarettes." Furthermore, the police officers maintained
that shots from the crowd had preceded the police charge, and that,
with the exception of some who fired over the heads of the marchers,
the only policemen who fired were those on the ground defending them-
selves from their assailants.66

Meanwhile, the state's attorneys as well as the police were
busily collecting evidence to substantiate their assertions that
"Communists,"67 "professional agitators," and "outsiders" had instigated
the Memorial Day riot and were therefore responsible for all the blood-
shed. On June 1 the First Assistant State's Attorney announced that
many of those arrested at the scene of the riot would be charged with
conspiracy to commit an illegal act. But these were only the rank and
file demonstrators. The people whom the attorney was "particularly"
anxious to investigate were the "outside agitators" who by their
speeches were thought to have inflamed the strikers to riotous behavior.
And, he added, there would probably be sufficient evidence to place a
charge of "conspiracy to commit murder" against some of the

66 New York Times, May 31, 1937, 5; June 1, 1937, 9; LFC, Part 14,
4684, 4712, 4812, 4814, 4821, 5007, 5035.
67 The evidence on which the police department based its "Communist"
theory and the utterly ridiculous testimony of the assistant corpora-
tion counsel of Chicago can be found in LFC, Part 14, 4831 ff., 5009.
demonstrators or their leaders. A few days later Joe Weber and another SWOC organizer were picked up by police and arraigned on charges of conspiracy to do an illegal act. Beyond providing welcome copy for the reactionary press and affording the public a distorted view of the circumstances surrounding the Memorial Day incident, the net result of all this sound and fury was that in December, 1937, fifty of the demonstrators were fined $1.00 apiece on technical pleas of guilty to charges of unlawful assembly. The remainder of those who had been arraigned, being outsiders, were fined $10.00 apiece. All conspiracy charges were nol-prossed.68

From the nation's press and the public generally the Memorial Day incident brought forth a diversity of initial reactions. Moreover, they were for the most part rather restrained, which is surprising, considering that for sheer drama and bloodletting the clash at the Republic Steel plant in South Chicago was the most spectacular of the labor battles of the thirties.

When analyzed, public reactions seem to fall into three categories. A few editorials placed the blame for the whole affair squarely and exclusively on the strikers and their leaders. For example, the Chicago Daily News had no difficulty in determining who must bear the ultimate responsibility for the unfortunate bloodshed. The mob, after all, had outnumbered the contingent of police, and "It was the strikers who marched on them." The local strike leaders, however, were

singled out as the real instigators of the mob's action because they were the ones who told the strikers "... that they must fight for their rights." There was no intimation that the police might have been guilty of indulging in excessive and uncalled for measures in coping with the alleged belligerence of the crowd. The Youngstown paper also concluded that the Chicago police had done their duty in putting down the "tyranny of lawlessness." "The... strikers evidently felt that the police would be subservient as Governor Murphy's were in Michigan. True Americans were relieved that this proved not to be the case." Although it went on to deplore the fact that the incident had besmirched the "cause of labor," taken as a whole the editorial amounted without doubt to an outright denunciation of the union and a vindication of the police department.

A more widely held opinion was that of the commentators who, after viewing the conflicting accounts of the circumstances of the clash, concluded that neither the strikers nor the company (and its police defenders) were entirely blameless. The adherents of this theory were certain, on the one hand, that the demonstrators had courted "trouble" by their defiant challenge of duly constituted authority. On the other, they criticized the police for their mala-droit handling of the crowd whose "attitude of lawlessness" was

69 New York Times, June 3, 1937, 16; Chicago Daily News, June 2, 1937, 18. The same idea was expressed by the Chicago judge before whom several of the demonstrators were brought for a brief hearing.

70 Youngstown Vindicator, June 1, 1937, 18.
doubtless a result in part of the reactionary labor policy of Republic Steel. But, as the Washington Post summed it up, granted that the company's actions and attitudes gave the strikers and their sympathizers some provocation, "... violence is no cure for arbitrary conduct... This ill-advised resort to force has put the union in an even more indefensible position than that assumed by the company." From the labor point of view such interpretations were probably preferable to the unreasoned and unmitigated denunciations to which strikers had been subjected so often in the past. Still, they were expressions of opinion in which the CIO could find little consolation.

Finally, there existed a minority opinion which for a variety of reasons held back from passing immediate judgment. The Christian Science Monitor lamented the resort to polemic and force rather than reason and the provisions of the Wagner Act, but it pointed out that exactly "... what happened at Chicago... may never be satisfactorily known." There was certainly truth in this, for amidst the plethora of impassioned charges and equally vehement denials it was not--nor is it now--easy to take an unbiased view of the encounter. The Commonweal was not interested in even attempting to assign guilt to either side. It was concerned with the broader implications of the Memorial Day clash. Actually, what occurred on the field in South

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71 Cleveland Plain Dealer, June 1, 1937, 10; The Christian Century, LIV, No. 24 (June 16, 1937), 763.
72 Washington Post, June 1, 1937, 8.
Chicago was not too untoward; it was symptomatic of a general threat of "class war" which seemed increasingly evident to this journal.\(^7^3\)

One of the reasons for the diversity of opinion and the reluctance of some editors to render any judgment at all was the nature of the information available. The confusing mass of facts, half-truths, suppositions, and accusations which appeared in the nation's press in the period immediately following the Memorial Day incident provided ample basis for several different views of the events at South Chicago. The first Associated Press dispatches, which were used by innumerable papers, gave top billing to the police department's account of how the riot began; and according to the officers who were quoted, the marchers had fired first, causing the police to return that fire in self-defense (a contention which still remains to be proven beyond a reasonable doubt).\(^7^4\) The New York Times "Special" report of May 31, 1937, stated: "The union demonstrators were armed with clubs, slingshots, cranks and gear-shift levers from cars, bricks, steel bolts and other missiles. Police charged that some of the men also carried firearms." In reports of this nature there was little real basis for an outpouring of sympathy for the dead and wounded strikers.

\(^7^3\)Christian Science Monitor, June 4, 1937, 14; Commonweal, XXVI, No. 7 (June 11, 1937), 171; St. Louis Post-Dispatch, June 12, 1937, A-4. The Post-Dispatch did not comment at any length on the incident until the latter part of June, but when it did, the paper unequivocally condemned both the Chicago police and the Republic Steel Corporation.

\(^7^4\)New York Times, May 31, 1937, 5; Washington Post, May 31, 1937, 1; Akron Beacon Journal, May 31, 1937, 1; The Literary Digest, CXXIII, No. 23 (June 5, 1937), 5, reported that "... 1,000 C.I.O. strikers... engaged in a mass assault on the gates of the Republic Steel." Boss Ed Kelly helped to obfuscate matters by attributing the Memorial Day incident to "outside mobs who came into Chicago to make trouble."
But meanwhile quite different accounts also made their way into the press. For example, a Midwestern paper quoted one of the demonstrators as saying: "I was in the war and I fought in France, but I never heard so many bullets as those coppers fired. Women and children were screaming all over the place." Then there were divergent reports as to the objective of the marchers. While some stories had them executing a premeditated plan to storm the Republic plant, others suggested that they only sought to engage in mass picketing. Thus, those observers who were so disposed could find sufficient grounds for sympathizing with the unionists as against their antagonists.\(^7^5\)

In retrospect, one aspect of the general public's reactions to the "Memorial Day Massacre" stands out more than all others. There was no great nationwide upsurge of public excitement, as one might expect to follow in the wake of such a violent, dramatic, and widely publicized occurrence. There was neither a wave of hysterical condemnation of labor radicalism, nor a tide of public sympathy for the deaths and injuries inflicted by the police. CIO leaders, especially Van A. Bittner, undertook a supreme effort to make of the police action a cause célébré, and of the dead strikers martyrs to the cause of industrial unionism.\(^7^6\) But while these efforts met with considerable success in Chicago, they failed to ignite any important fires of indignation in the nation at large.

\(^7^5\)Cleveland Plain Dealer, May 31, 1937, 4; Chicago Daily News, June 2, 1937, 4; Washington Post, June 1, 1937, 8; Commonweal, XXVI, No. 7 (June 11, 1937), 185.
How can this apparently anomalous situation be explained? The public was vitally concerned about labor problems and issues, yet at the same time it reacted in a relatively indifferent way to the Chicago massacre. First, from the initial reports he received, the average layman was not likely to form the opinion that the police were clearly at fault, that their actions did indeed amount to unjustified slaughter. Perhaps more decisive was the atmosphere of the period in which the incident took place. The Memorial Day clash happened at a time when eruptions of violence on picket lines, in one section or another of the country, were almost daily occurrences, when hardly a week passed that the public did not hear of serious injuries or a death resulting from labor-management turmoil. People were becoming so inured to the prevailing climate of strikes and industrial strife that one more outbreak, even though more serious than most, did not have the kind of traumatic effect it would have produced in normal times, when such an event would have been something quite out of the ordinary.

Even after more than two decades it is extremely difficult to assign the ultimate responsibility for the terrible drama which was enacted on that marshy field in South Chicago on Memorial Day Sunday, 1937. In a sense, the union, the police, and the company must all share in the blame. Probably the marchers did not harbor any ideas about storming the plant; especially one as well protected as the

77 The complicity, prejudice, and irresponsibility of the Chicago police department were revealed in special hearings conducted by the La Follette Committee, but the hearings did not begin until June 30, 1937.
Republic plant was; nor was there anything necessarily illegal or wrong about their desire to engage in mass picketing. Nevertheless, it can reasonably be argued that, instead of approving the rally at strike headquarters, Bittner and his subordinates should have discouraged all such mass meetings and demonstrations in South Chicago, for surely they must have—or at least should have—been aware of the potentially explosive circumstances which existed there.

Regarding the police, it would be rather presumptuous to attempt to judge the scores of patrolmen involved. On the whole, their behavior was reprehensible, but they were led by highly prejudiced and bigoted officers who, if they possessed any knowledge about or experience in the handling of crowds, certainly did not display it on that day. Equally at fault was the Republic Steel Corporation, which had requested police protection even before any serious disturbance or violent incident had occurred. What happened in South Chicago was the most disastrous consequence of the company's policy of enlisting the aid of law enforcement agencies ostensibly for the purpose of protecting property and preserving order but in fact for the purpose of breaking the strike, a policy which would be followed with tenacious consistency throughout the Little Steel strike.

The larger historical importance of the Memorial Day Massacre is that it appears to have been the last in the long series of clashes

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78LFC, Part 14, 4693 ff., 4769.
between labor and capital which had accompanied the emergence and maturation of a modern industrial economy. Beginning with the railway riots of 1877 and the Haymarket bombing, they had continued over a half-century, with Homestead and the great strike of 1919 in steel; Lawrence and Gastonia in textiles; the Ludlow massacre and the West Virginia coal wars in mining. In many of these encounters not only the partisans of management but also the workers had armed themselves. It was perhaps indicative of the new order which was rapidly developing in labor-management affairs during the 1930's that the Republic Steel strikers had gone forth unarmed to challenge their employer.

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In the week following the Memorial Day incident, the most important developments in the strike occurred on fronts other than the picket lines. While generally continuing to adhere to its original strategy, each side engaged in a number of maneuvers calculated to disarm the other. Furthermore, both SWOC and Little Steel began to exert increasing pressure on the Federal government to intervene directly in the strike.

It was not surprising, then, as the strike entered its second week, that Tom Girdler and John L. Lewis, the two major figures involved, both spoke out personally for the first time.

On the morning of June 1, reporters filed into a room in the executive suite of the Republic office building in Cleveland where Tom Girdler was holding a press conference, an action which in itself was news. Surrounded by his chief aides, Girdler faced the reporters. Was it true, as Murray had charged, that Republic had stockpiled arms
and munitions in anticipation of the strike? "I wouldn't say in anticipation of a strike. . . . I never knew a steel plant that didn't have guns and ammunition to protect its property and its employes," replied Girdler. Did the company still maintain its original attitude toward the Carnegie-type contract offered by SWOC? "We won't sign a contract," replied the Republic chairman. What about a different type of contract? "We are not committed on anything else." One of the reporters then asked why Republic had not kept its Youngstown and Cleveland plants open. Vice-president White explained that the company had refrained from such action due to the fact that these plants were situated in more highly populated areas than the others. But, he quickly added, "We expect to open them when enough employes want to work and can get to work safely." Another reporter wanted to know whether the report that the Memorial Day marchers sought to invade the plant was based on anything more than an assumption. "I don't know. Most of them had clubs and weapons. . . . Maybe they were out to catch butterflies," quipped Girdler. Had there been any attempt to arrange a meeting between Republic executives and the head of the CIO? "No," snapped Girdler, "I have never seen John L. Lewis, except at a distance, and I hope to God I never do see him."80

The same day, the CIO chieftain delivered himself of a statement about the Memorial Day clash and the Republic Steel Corporation.

80Cleveland Plain Dealer, June 2, 1937, 1; Youngstown Vindicator, June 2, 1937, 1; New York Times, June 2, 1937, 11.
Asserting that in the encounter the strikers had fought with no more than their "naked hands," Lewis continued.

This company and the police force are guilty of planned murder.

Somewhere in this nation should be a force strong enough to bring these uniformed killers and their co-conspirators to justice. Somewhere in this nation should be a force greater than a steel company. Somewhere in this nation should be enough earnest and honest citizens to compel action by the Federal and state authorities. . . .

Is the blood of our American workers less valuable than that in Spain, for which we weep; Is labor to be protected or is it to be butchered? 81

In spite of their histrionics, the chairman of Republic and the head of the CIO had made two things clear. Republic, far from contemplating any retreat from its original position, was preparing to fight the CIO to the bitter end. On his part, Lewis had indicated that he expected the Roosevelt administration to step in to aid the CIO steel union, and that the time for such intervention was fast approaching.

While Lewis was insinuating that the Federal government should somehow restrain Republic Steel, SWOC officials in Pittsburgh were taking definite action to invoke the aid and authority of the NLRB in the hope of vindicating their assertion that within the broad meaning of the Wagner Act the companies were required to sign contracts. On June 1 either Lee Pressman or Philip Murray called the national office of the NLRB and requested that a representative of the board be sent to Pittsburgh for consultation with regard to additional charges which

81 Steel Labor, II, No. 10 (June 5, 1937), 1; New York Times, June 2, 1937, 11.
SWOC was contemplating filing against Little Steel.\textsuperscript{82} Even though the union had not yet placed a formal charge, the board decided to send a member of its staff, Nathan Witt, assistant general counsel, a rather unfortunate choice for such an unusual mission considering the circumstance that Witt and Pressman were good friends.\textsuperscript{83}

Arriving in Pittsburgh by plane the next day, Witt immediately went into conference with Pressman and Murray. They informed him of their intention to invoke the machinery of the NLRB on the grounds that, in declining to embody the terms agreed upon during negotiations in signed agreements, Little Steel was in effect refusing to engage in collective bargaining and therefore was guilty of an unfair labor practice. In short, SWOC sought a test case on the central issue of the strike—the question of whether or not the obligation to bargain in good faith required an employer to sign a contract once employer and union had arrived at an understanding on the terms of employment.\textsuperscript{84}

Pressman's main concern was to obtain a decision as rapidly as possible, for even under the best of circumstances board procedures were rather cumbersome and time-consuming. Since the union's case would hinge, in the first instance, on its ability to demonstrate that it did in fact represent a majority, Witt inquired as to which of the

\textsuperscript{82}SWOC had already charged Republic with violations of the Wagner Act but these previous charges involved alleged discrimination rather than a refusal to bargain.


\textsuperscript{84}Ibid., 897, 903.
Little Steel companies was most solidly organized. Murray indicated Inland, where, he claimed, 85% of the employees belonged to SWOC.

This being so, I \textit{Witt} suggested that the quickest way of getting a decision is for S.W.O.C. to modify its approach on the majority question and instead of asking for bargaining for its own members only, ask for exclusive bargaining on the basis of its claim to majority representation. At the same time, it could ask for negotiations looking toward a written agreement. . . . Inland would probably refuse the request on the ground that collective bargaining does not require a written agreement. . . . If at the same time as it makes the demand, S.W.O.C. also offers to prove to Inland before the conference that it represents a majority, then Inland's refusal to negotiate on such a basis would lead to a claim by S.W.O.C. that Section 8(5) had been violated.

From this point on there was an understanding, apparently an informal one, that SWOC would adopt this strategy and that the board would cooperate to facilitate it. Before leaving Pittsburgh, Witt obtained approval of the arrangement by phone from one of the board members, Edwin Smith; and also requested the Chicago office of the NLRB to begin gathering materials for a complaint "so that it will be ready for issuance upon charges filed." Simultaneously, Murray instructed Bittner to prepare his membership lists for possible presentation to Inland. Because of the time required to complete these preliminaries, however, the plan could not be set in motion immediately.\textsuperscript{85}

In the interim, SWOC moved against Little Steel on another front. Following a conference of union leaders and organizers from Cleveland, Buffalo, Canton, and Youngstown, Murray announced on June 3 that, through the efforts of its own organizers and the help of the

\textsuperscript{85}Ibid., 897, 903, 906.
Mine, Mill and Smelters union, SWOC intended to tighten the blockade of the steel plants, especially those in the Youngstown-Warren region; this would be done by cutting off the companies' supply of ore at the sources in the mines of the Mesaba and Calumet ranges. Pointing out that the action was aimed especially at Republic Steel, Murray asserted that Girdler and his associates, who were "morally guilty" of the loss of life at South Chicago, now admitted that their plants were bristling with guns. "It is high time," added the SWOC leaders "that the power of the federal government be invoked to prevent wholesale murder such as occurred at Chicago."\(^8\)

Later in the day, Murray was reported closeted with officers of the railroad brotherhoods, and, apparently, some kind of agreement was reached whereby train crews would make only nominal attempts to move cars into the mill yards.\(^7\)

The companies immediately responded to this challenge. On June 5 Republic attorneys petitioned the common pleas court in Warren for an injunction restraining the union from impeding the free access of employees to the Warren and Niles plants and from interfering with the operation of the mills. The common pleas judge was not inclined to hand out injunctions on the spur of the moment, and instead of granting a temporary restraining order, he issued an alternate writ which ordered the union to appear in court on the tenth.\(^8\)

\(^8\)New York Times, June 4, 1937, 1; Cleveland Plain Dealer, June 4, 1937, 1.
\(^7\)New York Times, June 5, 1937, 1; June 7, 1937, 1.
\(^8\)New York Times, June 6, 1937, 6; Youngstown Vindicator, June 6, 1937, 7.
Sheet & Tube employed a somewhat less formal approach. During the evening of June 4, the mayor of Struthers received a call from R. M. Welch, assistant to Purnell, requesting protection for the movement of a railway car of food into the "rod and wire" works. Thereupon, Struthers officials contacted the sheriff, who, it appears, was only too happy to render assistance for such an enterprise. At 3:00 A. M. the sheriff raced to Struthers with forty-five deputies in an armoured truck. With both main streets leading into the city blocked off, and deputies armed with tear gas guns guarding the railway gate, the sheriff was fairly well in command of the situation; and in spite of a crowd of angry pickets which had gathered on the scene, the food car was moved into the mill.89

This incident touched off the first crisis of the strike in Youngstown. Not only did the breaching of the picket line provoke a storm of protest from local union leaders but it further exacerbated the relations between SWOC and Sheet & Tube and increased tension generally in the city. One SWOC organizer expressed the reaction of his colleagues and many of the strikers when he declared that the "... next carload that goes into the rod and wire plant will go in over our dead bodies." In the meantime, a group of pickets, using an acetylene torch, cut out a section of the rails over which the car had passed into the mill. The SWOC subregional director indignantly wired the governor charging that in view of the union's repeated offer to

89LFC, Part 29, 11903-13; Youngstown Vindicator, June 5, 1937, 1, 2.
supply maintenance men, the sheriff's action was "strike-breaking" pure and simple. Republic and Sheet & Tube spokesmen retorted that in order to assure protection of mill properties it was necessary to have their "own men" for maintenance purposes.90

The companies immediately seized upon the violent reactions of SWOC organizers and local union officers as the basis for an attack on the union. In a signed statement, which appeared in the press on June 7, Frank Purnell, charged that a crew of "non-resident" agitators, which had descended upon the city, was attempting to force issues with threats of "riots and civil commotion." While these agents of the CIO were creating a "reign of terror," the local steelworkers were being kept from their means of livelihood. "Our home-owning, tax paying citizens," noted Purnell, "will recognize certain communistic phases in all of these unveiled threats of tragedy in our community of quiet and peace."91

This attempt to conjure a picture of the strike as an affair of the minority led by "outsiders" but opposed by a majority of the employees was one of the main themes of the back-to-work movement which the companies had begun to foster in many of the steel towns. Simultaneously, citizens' committees, which were usually adjuncts of the back-to-work drive, were also beginning to emerge in some places. About June 1 the former head of the Republic ERP at Massillon began to circulate a back-to-work petition, and the district manager asked

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90 New York Times, June 6, 1937, 6; Youngstown Vindicator, June 5, 1937, 1, 2; June 6, 1937, 7.
91 Youngstown Vindicator, June 7, 1937, 4.
the chief of police "... why the hell we didn't take action such as the Chicago police did in putting them [the strikers] where they belonged." At Indiana Harbor, the company unions were also coming alive, with representatives of the Inland independent conducting a house-to-house campaign to engender support among striking employees.

In Canton, on June 4, several of the individuals who had been instrumental in sponsoring the "harmony ads" took action looking toward the organization of a "law and order" league. In Warren, meanwhile, a group of professional and business people organized the John Q. Public League which immediately demanded that "law and order" be impartially enforced in the strike zones, but the sheriff, who was somewhat partial toward the strikers, retorted that he was enforcing the law to the extent that his manpower and circumstances would permit.  

In Youngstown, Sheet & Tube assumed the leading role in initiating and promoting the back-to-work campaign, while Republic's activities in behalf of it were closely coordinated with those of the former company. On June 2 Frank Purnell announced that Sheet & Tube was willing to resume operations as soon as the gates were "free from interference." His statement concluded with a suggestion as to how that could be accomplished. Purnell pointed out that "... as citizens of the community, our employees have the right to demand protection from the proper law enforcement officers in their right to work." Taking this as their cue, the company unions immediately went into

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action. The next morning, about one hundred employees representing the Independent Society of Sheet & Tube Workers appeared at Purnell's office and asked him when the men could return to work. Purnell replied that he could do nothing about the situation. "We have no way to influence the officials to open the gates. That is up to you. When enough of you express yourselves to the mayor and the sheriff, maybe they will listen to you." Acting on this sage advice, the committee proceeded forthwith to see Lionel Evans, the mayor of Youngstown. Evans was not prepared to declare war on the strikers at that particular time, but he indicated that, if it were demonstrated that a majority of the employees wanted to go back to their jobs, he would unflinchingly carry out his duty by providing police protection. As the next step, obviously, was to show some concrete evidence of the majority support which it claimed, the leadership of the Sheet & Tube independent began sending out form letters—the companies provided mailing lists—urging all employees who wanted to work to appear at the Society's office where they could register and sign a back-to-work petition. The Independent Federation of Republic Employees, whose chairman was "sure" that a majority of the company's employees did not favor the strike, took corresponding action.93

Having gotten off to what appeared to be a rather auspicious start with its back-to-work drive, the Independent Society of Workers decided to hold a mass rally on June 4. Here was precisely the kind

93Youngstown Vindicator, June 2, 1937, 1; June 3, 1937, 1; New York Times, June 3, 1937, 1; June 4, 1937, 1; LFC, Part 29, 12122; N.L.R.B. Decisions, IX, 345; N.L.R.B. Transcripts, C-184, 4685-86/
of situation which two of the SWOC organizers, Bob Burke and "Shorty" Stevenson, leftists shrewd in the ways of tactical maneuver, knew how to exploit to the advantage of their union. When, at the appointed hour, the independent employees entered the auditorium, they found it already half filled with CIO men. After requesting all "gentlemen, scabs and deputy sheriffs" to be seated, Burke led the strikers in singing "The Scabs are Having a Helluva Time" and "Solidarity Forever." At this point, one of the independent leaders made himself heard long enough to declare the meeting adjourned. Then, Stevenson, determined to make the affair a complete fiasco for the back-to-workers, led the strikers to the office of the independent where they demonstrated with signs inscribed: "You Can't Make Steel in the Dollar Bank Bldg."

Though a decisive union victory at the time, this was to prove in the long run to be little more than a temporary setback for the back-to-work forces.94

For the most part, then, by the second week of the strike the various back-to-work and citizens' groups had still not reached an effective stage. Yet some of the necessary groundwork for a back-to-work movement all along the strike front had come into existence.

In the meantime, an aspect of the strike to which hardly anyone had paid much attention was suddenly forced to the forefront. Though it had perhaps little intrinsic significance, the issue was to assume the dimensions of a major controversy before the public. Not

surprisingly, the fuse that triggered this bombshell was lighted by a Republic attorney, Louis Guarnieri.

On the morning of June 4, Guarnieri walked into the Warren post office. Accompanying him were two Republic office employees carrying four bulky packages of food; also present was the head of the company's purchasing department. It seems that Guarnieri wanted to mail the food to some of the workers in the Warren plant. However, upon presenting the packages at the parcel post window, he was informed by the postmaster that the parcels could not be mailed because they were in the category of "irregular" or "unusual mail" which the post office, acting under orders from Washington, was not prepared to accept for delivery. 95

In Guarnieri's words, "We then proceeded to the post office at Niles." There he asked the assistant postmaster, Bert Flaherty, to inspect four packages of food addressed to the superintendent of the Niles mill. Flaherty advised Guarnieri that the packages in question must be considered irregular mail and therefore could not be sent. The attorney wanted to know the distinction between regular and irregular mail. In trying to explain the policy of the post office, the assistant postmaster related an occurrence of the preceding day. A non-striking worker who wanted a bottle of medicine mailed into the plant had called the assistant postmaster and requested him to open the package so that it would not be mistaken for a food parcel. Later, while Flaherty was checking the package of medicine, a postal inspector

arrived and instructed the assistant postmaster to call in the two local SWOC leaders for a conference. When they arrived, the postal inspector had notified them that the post office intended to continue delivering all types of mail which the Republic plant normally received. He also stressed that in the event of any question as to whether a particular shipment was of a normal or unusual nature the post office, not the union or the pickets, would make the decision. Pointing to the open package of medicine as an example, the postal inspector said it was going to be delivered to the addressee in the mill. Expressing the opinion that the medicine should go through, the union officials said they understood and accepted the position of the post office and would inform the union membership of it. And so, Flaherty told Guarnieri, he was sorry, but it was not within the policy of the post office to accept Guarnieri's packages since they were obviously of an unusual nature. Furthermore, the postmaster unwittingly added, the pickets "would not allow delivery" of food packages.96

Shortly after leaving the Niles post office, Guarnieri gave out to reporters, of which there were plenty nearby, a statement

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96 ibid., 30, 104 ff., 190 ff., 327-330.
which appeared in some of the country's leading newspapers the next day. His statement read in part:

Flaherty then went on to tell me and others with me that yesterday a man brought in a package to the post office saying that it was medicine for one of the Republic employes. Mr. Flaherty said he sent for Mr. Payne and Mr. Galloway of the union, that the package was opened...that Mr. Payne and Mr. Galloway then gave permission to allow the package to go into the mills.

A postal inspector was present at the time and he reached an understanding with Mr. Payne and Mr. Galloway...that no irregular mail would be permitted to go into the plants...and Mr. Flaherty said: "You see we cannot take these packages because they would not allow it." I asked who he meant by "they" and Mr. Flaherty said: "...the union leaders."97

Thus, according to Mr. Guarnieri, the CIO was not only interfering with the mails but it was also censoring them.

The next day, June 5, Tom Girdler wired James Farley:

Local postmasters at Warren and Niles, Ohio claiming to be acting on instructions from your First Assistant have refused to accept staple food products for delivery through the United States mails...Postmaster at Niles submitting mail packages addressed to these plants to inspection of C.I.O. organizers for approval as to acceptance and delivery. Sanctity of United States mails and authority of your Department being flagrantly flaunted. I protest this situation and request that you take steps to remedy it immediately.98

The Deputy First Assistant Postmaster General, J. M. Donaldson, replied that, in view of the fact that normal mail service to the Republic plants was being maintained, the Post Office Department was not contemplating any action. In a supplementary statement to the

98Mail Hearings, 19.
press, Donaldson elaborated the position of the department. He pointed out that for thirty years it had been the practice of the Post Office to maintain a policy of neutrality toward strikes, that the Post Office was not an industrial delivery service, and that in the then current strike the department would continue to adhere to its traditional policy because of the desire to remain neutral and because of the risk to post office equipment and personnel which would be involved in an attempt to run food through the picket lines.99

On June 8 the Postmaster General received another communication from Republic in the form of a lengthy letter from John S. Brookes, member of the board and counsel of the corporation. Noting the department's telegraphic answer, which he found "obviously unsatisfactory," Brookes said he could find nothing in the Postal Laws and Regulations to justify or sustain the refusal to deliver food to the Republic Steel plants. The corporation, Brookes went on, had been forced to seek the use of the mails to provision its nonstriking employees because it was not willing to "match force with force" in order to transport supplies through the picket lines. Considering these circumstances and the reason behind the department's refusal to accept food packages for delivery, "... this corporation stands ready to be deputized to function for your department in making deliveries of mail to its plants at Niles and at Warren, Ohio, and will place both means of transportation and personnel to man the same at your

disposal." Concluding, Brookes said that if the Post Office did not forthwith "accept for delivery and deliver all matter submitted for mailing to addressees at the plants" the company would take "legal steps" to establish its right to have such mail service.100

This astonishing letter did not elicit any formal reply from the administration. Donaldson remarked that, as far as he was concerned, if Republic was capable of trucking in food for the postal service the company agents might just as well "do it for themselves." Asked about the strike and the mail situation at his weekly press conference, Roosevelt declined comment, saying that all he knew was what he had seen in the newspapers. The administration's reaction to Republic's attempt to drag the government into the strike through the mail situation underscored Roosevelt's determination to maintain a hands off policy regarding the strike. For it seems fairly clear that the refusal of the Post Office to run food and other supplies across the picket lines was motivated not only by the desire to avoid what would have amounted to strikebreaking but also by a desire to keep from becoming directly involved in the struggle.101

The question arises as to exactly what Girdler and his attorneys were attempting to accomplish by their agitation of the mail situation in the Warren area. While there is not an abundance of documentary evidence available, the circumstances and the actions of the corporation suggest that Girdler was concerned about something more than the

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100Mail Hearings, 19-20.
101Ibid., 20; New York Times, June 8, 1937, 1, 2.
sanctity of the United States Mails. Probably a complex of motives was involved. First, by insinuating that SWOC was censoring the mails and by drawing public attention to the fact that there had been certain instances of interference with the mails, Republic hoped to embarrass the union. Second, it would be far less expensive to mail rather than to fly food into the Niles and Warren plants. But beyond this, the company seems to have wanted to force a mail crisis on the picket lines, apparently hoping that either the administration would adopt on its own initiative a policy approximating that of President Cleveland, or that Congress would put pressure on the Roosevelt administration to take some such action.  

Although Guarnieri’s trips to the post office failed to elicit the desired response from the administration, they did produce a senatorial investigation, a tremendous amount of publicity, and a storm of protest from the press about the way in which the CIO was violating the sanctity of the United States Mails.  

The senatorial reaction came almost immediately. When Senator Styles Bridges sat down to read his copy of the New York Herald Tribune on Saturday, June 5, one of the first items that caught his eye was the statement Louis Guarnieri had released the day before. On Monday Senator Bridges introduced a resolution for a “... complete investigation (1) of all cases of alleged interference... with the acceptance or delivery of mail... and (2) of all cases of agreements

102Mail Hearings, passim.
103For the press reaction see below, pages 265 ff.
between postal authorities and persons or organizations... not to accept mail tendered for delivery..." to industrial plants. Bridges declared that if what he had read were true it would be "a disgrace to this country." At that point, the Senate majority leader, Alben Barkley, spoke up in defense of the position of the Post Office.

Senator Vandenberg, however, argued that so long as the companies mailed the supplies in the normal manner the Post Office had no right to refuse such mail. But Barkley retorted "Does the Senator think a subterfuge should be permitted to be taken advantage of in order to make the United States a party to the controversy by delivering hams and barrels of flour and suits of clothes... within the factory, when no packages of that kind were ever delivered there before?" Barkley's rhetorical question pointed up once again the desire of the administration to refrain from involvement in the strike. Nevertheless, Bridges was ultimately to have his investigation.104

SWOC, meanwhile, had taken additional action intended to bring the President squarely into the picture. That the union still counted upon the administration for substantial assistance was indicated by Murray who told a group of strikers in Canton that "We have... a sympathetic government which believes in our right to a signed contract." The appeals for Federal intervention voiced by Murray and Lewis earlier in the week had been echoed by Bittner when, in a radio address, he challenged the companies "to carry their case to the Chief

Executive of the United States. . . ." Following a meeting on June 6 of all the SWOC organizers in the Calumet district, a wire was sent to the President requesting him to settle the strike. "We," it read, "appeal to you to act at once to bring the strike to a peaceful end by having a joint wage agreement written and signed by the steel corporations and the S.W.O.C." Although Roosevelt read the wire, he merely sent copies to the NLRB and the Labor Department, an action which the White House described as "routine." The NLRB announced that the union had not yet taken any steps which would give the board a basis for asserting its jurisdiction in the strike situation. In fact, by this time it had become quite apparent that, with the exception of the NLRB whose policy determination was not subject to direct presidential control, none of the various governmental departments and agencies which had been pressured by either one or the other party to the strike was planning any immediate action.105

It appeared that SWOC as well as Little Steel were going to have to rely primarily on their own wits and resources to resolve the strike. While both of their efforts to involve the Roosevelt administration directly in the strike had met with failure, it was a much more bitter blow for the union which had counted on such intervention more heavily than the companies. Thus far, SWOC had managed to wage an impressive fight, even without government intervention. At the end of the second week of the strike most of the plants were effectively

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sealed off. Some of them were producing a little steel, but it was not being shipped; nor were ore and coal supplies being received.106 However, the question was whether SWOC could maintain its strangle hold much longer. For during the course of the first stage of the strike it had been clearly demonstrated, with some startling effects and one horrible incident, that in striking the Little Steel bloc, captained by tough, shrewd Tom Girdler, SWOC had challenged a group of employers whose antipathy toward unions was every bit as deeply ingrained as that displayed by such legendary antiunion steel barons as Frick and Gary.

106Youngstown Vindicator, June 3, 1937, 1; Cleveland Plain Dealer, June 5, 1937, 1; Canton Repository, June 6, 1937, 1; The Iron Age, June 3, 1937, 90, 96, 105; June 10, 1937, 92.
CHAPTER VII

THE BACK-TO-WORK MOVEMENT

As the strike entered its third week, both the union and the companies proceeded along the broad lines of strategy which had been adopted in the first stage of the walkout. While pickets maintained their constant vigil around the besieged steel mills, the SWOC high command intensified its efforts to bring the Federal government into the struggle. Management continued to anticipate the attenuating effect of economic hardship on the morale of the strikers, and to rely largely on the subsequent rise of strong back-to-work movements as the best potential weapon for breaking the strike. Hence the companies utilized every possible means, short of covert sponsorship, to foster the emergence and fruition of such movements. However, due to the fact that conditions for back-to-work movements were much more propitious in some of the strike centers than in others, there was little uniformity in the timing of these activities.

Having found the President unwilling to step into the strike situation, SWOC now acted to take its case before Congress as well as the NLRB. In both of these moves the objective was essentially the same—to enlist governmental support behind the union’s interpretation of the collective bargaining provisions of the Wagner Act. If either the labor board or a Congressional committee found that collective bargaining required a signed contract, the companies would probably be forced to accede to SWOC’s demands.

As soon as he learned of Senator Bridges’ proposal to
investigate the reports of interference with the mails, Murray, on June 8, wired several senators requesting that the investigation be widened to include consideration of the union's charges against the steel companies. Specifically, he demanded that the Senate consider the question of whether or not the refusal to conclude a written agreement was a violation of the Wagner Act, and investigate SWOC's allegation that Republic had amassed arms and imported strikebreakers in violation of the Federal firearms statute and the Byrnes act. "In absolute fairness to all concerned," Murray concluded, "we believe it necessary and to insist upon a senatorial investigation being conducted sufficiently broad in its scope to enable the Federal Government to have the fullest amount of information concerning this situation." When Bridges replied that the Post Office Committee would probably confine itself to matters concerning the mails, the SWOC chairman sent off another wire demanding that the Senate undertake a "complete sweeping investigation" of the "flagrant, brazen violations of Federal statutes" by the Little Steel corporations. By this time, Senator Guffey, who was quite sympathetic toward SWOC, entered the fray and introduced a prospective amendment along the lines which Murray had requested. The committee began its turbulent, rambling investigation on June 11; but Murray would not be called to testify until the seventeenth.¹

In Chicago, meanwhile, Van A. Bittner was springing the trap for

¹Mail Hearings, 7-8; Congressional Record, Vol. 81, Part 5, 5522.
Inland; it was to go off precisely according to the plan which had been projected at SWOC headquarters in Pittsburgh a week before. On June 8 Bittner addressed a telegram to P. D. Block:

The Steel Workers Organizing Committee claims to represent a majority of the workers in your plants. . . and is prepared to prove it to you by a check of its own books and membership cards against your payroll. Since [SWOC] . . . represents a majority it is entitled under the National Labor Relations Act to bargain collectively with you as the exclusive representative of all your employees. We therefore demand that you immediately set a time and place for collective bargaining negotiations looking toward a signed agreement as required under said National Labor Relations Act. Please advise.

Just as Witt had predicted, Inland took the bait by immediately replying that, while company representatives had already and were again prepared to engage in collective bargaining negotiations with SWOC, the company "did not propose to make a signed contract" with the union because the Wagner Act did not require one.2

The next day, June 9, Bittner filed with the Chicago regional office of the NLRB a brief charging that by refusing to consider a signed agreement Inland Steel Company had violated subsections (1) and (5) of Section 8 of the National Labor Relations Act, which respectively guaranteed employees the right of collective bargaining and forbade employers to refuse to bargain collectively. Since the personnel of the regional office had been anticipating the SWOC charge, they were prepared to take it up with a minimum of delay, and two days later the NLRB issued its complaint alleging that Inland's refusal to sign a

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2N.L.R.B. Decisions, IX, 795-796.
contract, the substance of which was acceptable to the company, con­stituted an unfair labor practice within the meaning of Section 8.

Hearings on the complaint were scheduled to begin on June 21 in Chicago.3

Thus began the famous Inland Steel case, the most important of several which arose out of the strike. To be sure, the NLRB acted with the utmost dispatch, but the chances that the case would be decided in time to materially affect the strike situation must have appeared problematical, even to its SWOC sponsors.4 Yet in initiating the case Murray and Pressman had nothing to lose. It seemed fairly certain that the board would ultimately rule in their favor. And, if the union could only prolong the strike until the decision was rendered, it would almost certainly knock the props out from under the strained legalistic position on which the companies had based their refusal to sign written agreements. But the Inland case, hastily conceived and optimistically undertaken, was destined to become bogged down with an endless stream of witnesses and a mass of tortuous testi­mony.5


4Just a few days before, when Pressman was asked why SWOC did not petition the NLRB for an election at Republic, he is reported to have replied: "Supposing we win an election and the company still refuses to sign a contract; then if we file a complaint, the board would not make its decision for six months. Then the company could appeal an adverse decision to the United States Circuit Court of Appeals and probably none of us would be alive to hear the final verdict." But at the very same time he was apparently counting on a quick decision in a similar case involving Inland.

5See below, pages 396-397.
The public at this time was far more interested in events which were taking place on the picket lines. And, indeed, these events were to prove much more decisive in determining the course and outcome of the strike than the Inland case and the complicated legal circumstances surrounding it.

The strike development which captured public attention and which was played up by the press during the period June 9-13 was the launching of a highly successful back-to-work movement at Monroe, Michigan. Monroe, a small industrial city halfway between Detroit and Toledo, was the site of the Newton Steel Company, a wholly-owned subsidiary of Republic Steel Corporation.

Monroe was a minor outpost of the open shop completely surrounded by an area which, because of the phenomenally successful organizing drives of the UAW, was fast becoming one of the most important concentrations of industrial unionism in the nation. This fact seems to have made the city fathers all the more determined to keep Monroe an open shop town. By making several municipal improvements and pledging their continuing cooperation, the prominent citizens of Monroe had induced Newton Steel to build the plant in 1929. Soon after the company was acquired by Republic in 1935, the Amalgamated lodge, which had never been very strong, broke up following an unsuccessful strike. When SWOC finally established a lodge in the spring of 1937, the management immediately displayed its displeasure with the resuscitation of the union. At the same time, it was rumored that due to obsolescence the plant might close. Faced with these circumstances,
city officials and local businessmen were apprehensive, to say the least, over the activities of CIO organizers in their city. The onset of the strike compounded their alarm.  

Monroe was one of the weakest sectors of the far-flung strike front. Of the 1,200 employees at the Newton Steel plant, not more than two or three hundred were SWOC members. Nevertheless, union organizers took the position that, because SWOC was striking against the corporation in general, the Monroe plant should be included, and a walkout was authorized for May 28, two days after the strike had been effected in other places. Perhaps three to four hundred Newton employees supported the strike once it was called. Although the pickets were responsibly led, orderly for the most part, and made no physical effort to prevent nonstriking employees from entering the plant, the company closed the entire plant at midnight May 28.  

Considering Republic's general labor policy, the devices used to combat the strike elsewhere, and subsequent developments in Monroe, it seems quite likely that the plant was shut down in order to arouse the nonstrikers and the local open shop advocates against the strikers and to create an appropriate background for a dramatic reopening of the plant.

Of one thing there is no doubt: Republic officials deliberately chose to stage the first back-to-work movement at Monroe because of the conditions which prevailed there. It would be relatively easy to marshal public support behind a back-to-work campaign, the local officials

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7LFC, Part 27, 11356-57, 11359-61; Part 28, 11522, 11544, 11751.
could be counted on to cooperate, and the union forces were simply too weak to put up effective resistance. This favorable combination of circumstances made it virtually certain that, with no more than a week of preparation, the strike could be completely broken.

At no time prior to June 10 was there any serious disorder or untoward incident at the picket line. On two occasions the road leading to the plant, along which the pickets had stationed themselves, was congested by strikers and spectators, but in both cases they quickly complied with police requests to clear the highway. Generally speaking, then, it was possible for anyone who so desired to enter the plant. In fact, maintenance men and white collar employees passed through the picket line at will, and on one occasion all of the non-striking workers went through to receive their pay checks.\(^8\)

Notwithstanding the peaceful nature of the strike and the inability or unwillingness of the pickets to cut off access to the plant, the officers of the independent union, the Newton Steel Worker's Association, began to agitate for the removal of the picket line. Claiming that its members were being prevented from going to their work because of the possibility that they would be intimidated or molested by the strikers, the independent asked state and local authorities to disperse the picket line. Governor Murphy politely ignored

\(^8\)LFC, Part 27, 11356 ff., 11368, 11475; Part 28, 11544. The sheriff, who visited the picket line frequently, testified that, with the exception of the two instances mentioned above, he did not observe any occasion on which pickets stopped traffic or prevented workers from entering the plant prior to June 10.
this demand, but the mayor of Monroe, Daniel Knaggs, was amenable to it.\textsuperscript{9} For the purpose of demonstrating for the mayor that a majority of employees wanted to return to work, the independent union held a mass rally on June 2. Knaggs attended and emerged to report that he believed that most of the men were in favor of going back to their jobs. In order to underscore the minority character of the strike the mayor decided to conduct an official back-to-work election, using the municipal election machinery. On the election eve, he was heard to exclaim that the citizens of Monroe "are getting tired of this strike."\textsuperscript{10}

In the meantime, the plant manager announced that "... if the men want to come to work, and can come to work without trouble, we will open the mill."\textsuperscript{11}

Held on June 7, the poll simply indicated what was already obvious: most of the employees did not support the strike and were ready to return to work.\textsuperscript{12} Of much more concern to the management and the mayor was the fact that with the successful conclusion of the election the basis was established for advancing the back-to-work plan to the next stage. That very evening Republic put out a news release stating that elections at six of its mills--the election held in Canton a few days previous was included--revealed that the vast majority of

\textsuperscript{9}Indeed, the evidence strongly suggests that from beginning to end of the back-to-work campaign Knaggs was a willing tool of the Corporation.
\textsuperscript{10}New York Times, June 9, 1937, 1; LFC, Part 28, 11527-29, 11544, 11545, 11751, 11755-56; Part 42, 16314.
\textsuperscript{11}LFC, Part 28, 11750.
\textsuperscript{12}LFC, Part 28, 11753, 11756.
employees in those plants favored ending the strike and returning to work. Focusing on the Monroe election, the announcement stressed the point that it had been conducted in the same manner as a regular city election. "The results were interpreted by members of the independent workers' organization as substantiation of their claim that the Newton plant was closed by pickets imported from outside Monroe."  

The next day, June 8, Knaggs, armed with the election results as certified by the city board of elections, proceeded to Lansing and requested that either state police or national guardsmen be sent into Monroe to provide protection for the men when they returned to the plant. Murphy declined to interfere in this way, pointing out that nothing had occurred to justify the introduction of state forces into the city. Thereupon, the mayor returned to Monroe and set about swearing in a small army of "special police." Although the city commission apparently stood behind Knaggs' every action, the municipal officialdom did not want to assume the risk involved in arming the police with guns, and therefore it was decided that clubs and tear gas would be sufficient. The only hitch was that the city did not have enough such equipment available. But the management of Newton Steel soon solved the problem by turning over to city officials

\[13\]LFC, Part 29, 11790; Part 42, 16314-15; New York Times, June 10, 1937, 12; June 11, 1937, 4; New York Herald Tribune, June 8, 1937, 1. Although rumors were current that UAW members from Detroit and glass workers from Toledo were coming to bolster the Monroe picket line, there is no available evidence that the picket line was manned by anyone other than Newton employees and their local sympathizers. One UAW organizer was involved in the clash on the tenth, however.
several hundred dollars in cash—a kind of long-term loan presumably—for the purchase of tear gas guns, shells, and clubs.\(^{14}\)

During the evening of June 9, the day before the plant was scheduled to reopen, there was a mass meeting of the members of the independent union. The head of the union announced that all those who desired to go back to work should rendezvous the next day at a certain point, from which they would be escorted to the plant by the police. The remarks with which the chairman ended his address were indicative of the main purpose underlying the effort to break the strike at Monroe:

> We have reached a point in this situation where the CIO is on the run and we are not going to back down one inch. The CIO stand is one big bluff and it is time someone made an effort to stop it. The eyes of the whole country are on Monroe tonight. You're going back to work tomorrow and there are going to be 400 or 500 men there to see that you are able to do it. . . .\(^{15}\)

By this time Governor Murphy, fearing that the impending crisis might get completely out of hand, had intervened to the extent of asking representatives of the company, of the union, and Knaggs to meet in Lansing at noon on the tenth to see if some more civilized way of returning the employees to work could be arranged. The conference got nowhere. The company's representative—an executive officer of the Corporation who had been sent from Cleveland to direct affairs at Monroe during the strike—rejected Murphy's suggestion that the


\(^{15}\)LFC, Part 28, 11779-80; writer's italics.
reopening be postponed for a few days. The SWOC representative, arguing that the strikers were merely engaging in lawful picketing, refused to disband the picket line.\textsuperscript{16}

While these futile negotiations were going on in Lansing, the situation in Monroe took a new and ugly turn. About 11:00 A. M. a Negro organizer for SWOC, who had been living and operating in the city for several weeks, was suddenly attacked, as he emerged from the post office, by a group of townsfolk. While the police stood around with their hands in their pockets, the organizer was dragged from his car and beaten. Only when he reached the city limits was the bruised and bleeding organizer able to elude his assailants. Whether this incident was a spontaneous manifestation of the tense atmosphere which prevailed in the city or was deliberately staged to incite the strikers is not known.\textsuperscript{17}

In any event, as soon as word of the outrage reached the picket line, composed of approximately 150 men and twenty women, it was transformed into an angry, unruly crowd, determined to hold its position at all cost. The men armed themselves with branches hastily torn from trees and the women gathered bricks and rocks. Meanwhile the leaders and proponents of the back-to-work movement were organizing their forces for an assault on the strikers. The two hundred special police


\textsuperscript{17}Washington Post, June 11, 1937, 1. For voluminous testimony concerning this attack see Senate Report No. 151, 151-154.
formed ranks at the city hall and marched toward the picket line, followed by an automobile caravan of several hundred nonstriking employees. Toward 4:00 P. M., the police took up a position a hundred yards from the pickets. For the next two hours, however, the situation remained in abeyance as Murphy made a last hectic effort to avert a clash by carrying on a three-way telephone conference with the chief of police and the picket captains. The pickets, it developed, were willing to allow the caravan to pass on condition that its escort be restricted to regular police; otherwise, they said, the nonstrikers would go through "Over our dead bodies."

Finally, at 6:00 P. M., the police began to advance, firing tear and nauseating gas into the ranks of the strikers; who at the same time were attacked from the rear by company police armed with gas guns. The special police were fairly well disciplined and stopped their attack as soon as it was evident that the picket line was broken; but the fleeing strikers were pursued by a gang of self-appointed vigilantes who were egged on by townspeople shouting "Throw them in the river. Chase the damned Reds out of Monroe and right out of the United States." Then, with the picket line gone, the nonstrikers sped down the road--back to work.
About the time the campaign to break the strike was reaching its
denouement in front of the plant, there arrived in Monroe a Mr. Bower-
find of Hill & Knowlton, a public relations firm retained by Republic
to handle, among other things, certain aspects of the corporation's
industrial relations policy. Bowerfind temporarily ensconced himself
in the local newspaper office. Four Newton employees were then rounded up
by their supervisors and taken to the office, where they were asked
to sign a telegram addressed to John L. Lewis. The message noted that
the CIO chieftain was reputed to be "a friend of the working man."
Yet as a result of his orders Newton Steel employees had been idle
for two weeks against their own wishes; and, in spite of an election
which had conclusively demonstrated their desire to get back on the
job, they had been prevented from doing so by an "army" of outside
pickets which had invaded Monroe.

You /Lewis/ are saying that American workmen have
the right to work only if you give them permission.
It's up to you to show your hand. Either let us
go back to work, or come out like an honest man and
admit that your real purpose is to rule the workers
by force.

Why are you doing this? It it because you want
to set up a dictatorship in America?

Copies of this telegram were immediately transmitted, by Bowerfind, to
several leading newspapers, popular newscasters, such as Lowell Thomas,
and news wire services. 21

The smashing of the Newton Steel picket line, as well as the
back-to-work campaign which had prepared the way for it, were both

21LFC, Part 28, 11579, 11776-78.
played up beyond their actual importance by the press. Not only many midwestern newspapers but three leading eastern papers ran the Monroe story as front-page news. For example, the New York Times of June 11 carried it as the main article under the headline: "Monroe Deputies Smash Picket Lines and Allow 500 Men to Return to Jobs."22 By giving such publicity and coverage to the situation in Monroe, the papers helped to make it a much more significant aspect of the strike than it had in fact originally been, and this served the purposes of the Little Steel concerns, especially the Republic Steel Corporation.

Ironically, the CIO itself helped to magnify the importance of the strike at Monroe and to focus public attention on events there. No sooner had word of the attack on the picket line reached Pontiac, Michigan, than the United Automobile Workers local in that city militantly proclaimed a "labor holiday," the then current euphemism for a general strike, so that CIO members could march upon Monroe to demonstrate against the destruction of the SWOC picket line and, if possible, to restore it. Late in the evening of June 10 the Fisher Body plant in Pontiac closed and workers in the other G. M. plants were set to walk out the next day. Then, during the morning of the eleventh, Homer Martin, president of the UAW, moved swiftly to cancel the ill-advised protest march. A short time later, however, he issued a call for thousands of automobile and glass workers from Michigan and Ohio.

to assemble at Monroe on Sunday, June 13, for a peaceful demonstration against the "brutality" of Republic Steel.23

In Monroe, city officials had issued another call to arms and were frantically deputizing and arming additional special police to defend the city from the impending CIO invasion. In all, about five hundred special police were recruited, many of whom were paid by Newton Steel Company. While they were stationed at strategic points throughout the city, most of them seem to have been on guard at the approaches to the Republic plant. Because these five hundred police were not deemed an impressive enough force for the occasion, Knaggs asked several small Michigan cities to send volunteers to bolster the ranks of the embattled citizenry of Monroe. But by this time the situation had been brought partially under control through the intervention of the Governor, who persuaded the UAW to hold its rally in a state park three miles outside of the city, and arranged for National Guard units and state police to be on hand to keep the forces of the CIO and the open shop from engaging each other.24

On Sunday afternoon approximately twenty thousand CIO members, many accompanied by their families, streamed into the meeting place. While police and vigilantes armed with deer rifles, shotguns, and machine guns stood guard at the point where the SWOC pickets had been routed, union leaders addressed the crowd of workers, demanding the

right to picket and inveighing against Republic, the mayor, and his army of strikebreakers. Van A. Bittner had come to Monroe to address the meeting and he fired an oratorical broadside at Republic management and the local foes of the CIO. "Do they imagine," he shouted, "that they will keep up out of Monroe forever? We are going to make those hoodlums in Monroe as decent as some of the good citizens of the city. We are going to bring our union into Monroe." Finally, both the leaders and rank and file unionists having let off sufficient steam to preclude the possibility of an explosion, the meeting broke up, the workers quietly drove away, the troops were withdrawn, and Monroe gradually began to recede into the state of placid obscurity befitting a small, normally peaceful industrial city in the Middle West.

But some Congressional critics of organized labor were not content to allow Monroe to return to normality that easily. In the Senate, Arthur Vandenberg, one of those rare individuals whose criticisms of the CIO and the New Deal labor policy grew out of some integrity of conviction, thought the defense of Monroe so important and the stand of the nonstriking workers so noble that he read into the Congressional Record the results of the back-to-work election and a resolution passed by the city commissioners pledging their full support to the mayor and all his actions. In the House, Representative Clare

25Cleveland Plain Dealer, June 14, 1937, 1; Washington Post, June 14, 1937, 1; New York Times, June 14, 1937, 1. The Republic representative at Monroe was reported to have said: "There will be no picketing along the River Basin [the approach to the Newton plant] tomorrow or any other day."
26Cleveland Plain Dealer, June 14, 1937, 1.
27Congressional Record, Vol. 81, Part 5, 5634.
Hoffman of Michigan, one of the most raucous and vitriolic of labor-baiters, fulminated against the CIO and proceeded to send a provocative telegram to his Michigan office. "Have reliable citizens," it read, "who are willing to go to Monroe to aid in defending the city from invasion. . . . leave names. . . . lists of arms. Have Carl [his son] locate 200 rounds 12-gauge No 1 chilled, 100 rounds 30-30 automatic."

In fact, the Monroe situation was no longer critical. Tempers had begun to cool, the threatened invasion never materialized, and on June 15 the city told the CIO that it could soon resume peaceful picketing. Yet the point was that gestures and actions such as those of the UAW and Hoffman tended to keep the example of the Monroe back-to-work affair alive in the minds of people in areas where the strike was still very much a reality.28

Thus, the back-to-work movement at Monroe was something much more than merely an isolated effort to defeat SWOC at the place where its forces would be least able to resist a strikebreaking campaign. It was also a grandiose publicity stunt subtly engineered so that the course of events in the obscure Michigan city would have ramifications and implications throughout the nation but especially in the industrial sectors of the Midwest. Republic's campaign to give national publicity to the Newton Steel strike and the eagerness of the press to put it in the limelight focused the attention of millions of Americans, most of whom had never even heard of Monroe, Michigan, on the situation there. The public learned how the workers and citizens of that community had

28Cleveland Plain Dealer, June 15, 1937, 1, 9.
closed ranks to defend themselves successfully from the encroachment of the tyrannically led CIO monolith. Their feat was made to appear even more amazing and heroic by the threats of CIO leaders, indignant at the destruction of the picket line, and the reports that union legions were preparing to invade the city. As it turned out, then, Monroe was not only a local defeat for SWOC, but it was an important factor in turning public opinion against the steel strikers elsewhere and in stirring up indignation about the CIO as a whole.

Moreover, Republic executives considered the Monroe back-to-work drive as the prototype of a strikebreaking formula that could be effectively applied to other cities where the employees of Little Steel were on strike. Two aspects of this formula were looked upon as of prime importance. R. J. Wysor, the newly elected president of Republic, wrote on June 11, 1937, that the "keystone" of the back-to-work formula was the election device, because it could be used to convince the public that the majority of workers did not support the strike. Wysor knew whereof he spoke, for there is ample evidence that not only partisans of management but many commentators and other persons who were more or less neutral put great stock in the elections as reliable indicators of worker sentiment. In their naive willingness to accept the results of such a democratic device at face value, they apparently overlooked the fact that the manner in which the elections were conducted made it virtually impossible to determine how many

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29LFC, Part 32, 13322.
office employees and supervisors, in addition to production workers, voted to return to work.\textsuperscript{30} Another salient feature of the strike-breaking plan, as it was first perfected at Monroe, was the complete cooperation and participation of city and county officials. For a successful back-to-work drive, this was essential. That Republic executives had expected officials of other strike-bound communities to observe and then to emulate the conduct of the mayor, the police chief, and the city commissioners of Monroe is indicated by vice-president Charles White's comment in a letter of August, 1937, to Mayor Knaggs. After praising Knaggs for having so admirably carried out the duties of his office, White wrote, "The example which you set had, I know a real influence on other governmental officers throughout the strike areas."\textsuperscript{31}

Thus, during the course of the tremendously successful Monroe back-to-work campaign there were thoroughly developed two of the essential features of a strikebreaking pattern which, it was felt, would be universally applicable. And, indeed, it was soon to be either launched or carried to completion in many of the other Little Steel communities. In most cases, the program would be worked out in conjunction with citizens' committees, which, though helpful, were not absolutely necessary for success.

\textsuperscript{30}Literary Digest, CXXIII, No. 25 (June 19, 1937), 5; New York Herald Tribune, June 9, 1937, 1; New York Times, June 8, 1937, 1; June 13, 1937, B-7; June 15, 1937, 22; Canton Repository, May 27, 1937, 3; LFC, Part 28, 11535, 11545. SWOC officials usually instructed union members not to participate in these elections.

\textsuperscript{31}LFC, Part 42, 16314.
In Canton, where the anti-CIO elements were well organized, there had been an election and also some discussion of founding a law and order league in the second week of the strike.32 A more decisive step toward the formation of the back-to-work campaign was taken on June 9 when several hundred business and professional people met to foranize the Citizens' Law and Order League. One of the League's first tasks was to conjure up some justification for its existence. Despite the fact that, outside of the areas adjacent to the mills, there had been only scattered reports of violence or damage to the property of nonstriking employees, the main theme of the speakers who addressed the meeting was that law and order were breaking down, that Canton was "under mob rule," and that nonstrikers were being subjected to wholesale intimidation. Consequently, as a Protestant minister pointed out, the workers were denied their "God-given right to work."33

The group then proceeded to a discussion of how best to cope with such a deplorable situation. The chairman read a telegram which had just been received from Monroe relating how the champions of law and order there were organizing to facilitate the reopening of the Newton Steel plant. Thereupon a Citizens' Protective Committee was designated for the purposes of pressuring Canton officials to increase the manpower of the regular law enforcement agencies and of recruiting a band of "armed volunteer" to supplement the police and the sheriff's deputies. "This committee," said the chairman of the Law and Order

32See above, page 158.
33Canton Repository, June 6, 1937, 1; June 10, 1937, 1.
League, "will undoubtedly insist that part of the enforcement means opening up of all barricaded streets which had been closed by the Canton police department; that the strike zone be cleared of pickets armed in any manner; that trouble makers from out of the city be forced to leave and that Canton workmen be permitted to go to work peacefully." After two visits from this committee on June 10, the mayor and the sheriff agreed to increase the strength of their respective forces.34

However, Canton was no Monroe, and it soon became apparent that the back-to-work movement would have to be more carefully planned and cautiously executed. As soon as local CIO officials got wind of the activities of the Law and Order League they acted to spike its program. On June 10 the Stark County CIO Council warned, in unequivocal terms, that any attempt to break the Republic Steel strike would result in a "general strike" by sixteen thousand CIO members. Another illustration of the unity of organized labor in Canton was the action taken the next day by the Canton Federation of Labor. With all AFL locals approving it, a resolution was passed denouncing the Law and Order League and all its works. "And be it further resolved," the resolution concluded, "that this Federation and its affiliated unions support the strike at Republic and defend the picket lines from an attack by whatever action may be necessary." Aware that an immediate move to break the

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34Canton Repository, June 10, 1937, 1; June 11, 1937, 1.
strike would only have strengthened the position of the strikers, the Law and Order League confined itself to enlisting additional members and propagandizing against the union.\textsuperscript{35}

At Indiana Harbor, the back-to-work drive, launched by the independent unions about June 4 with considerable fanfare, had almost come to a standstill in the face of the excellent morale of the strikers and the alertness of their leadership. When, on one occasion, it was rumored that loyal employees might try to run the picket lines, four to five thousand strikers massed in a peaceful demonstration in front of the gates of the Inland and Sheet & Tube mills. No strikebreakers appeared; but to be on the safe side SWOC leaders scheduled rallies at the plants three times a week. Although independent leaders declared that they intended to "whip" the CIO, they were reluctant to make any estimates as to what percentage of the employees had been signed up by the independent organizations. Another factor which helps to account for the weakness of the back-to-work effort at Indiana Harbor was the feeling of management as well as of workers that the fate of the strike would be decided largely by events in Ohio.\textsuperscript{36}

The back-to-work campaign in Youngstown was of particular significance because both sides had come to view the contest in that city as the key to the outcome of the strike in general. If the 25,000 Sheet & Tube and Republic employees at Youngstown were to return to

\textsuperscript{35}Canton Repository, June 11, 1937, 14; June 12, 1937, 1; LFC, Part 32, 13089.

work without a contract, it would probably be only a matter of time before SWOC went down to defeat all along the strike front. By the same token, as long as the union could keep the Youngstown mills closed, its prospects of winning the strike were fairly good. With the issue of ultimate victory or defeat hinging largely upon developments in one area, SWOC would seem to have been at a tactical disadvantage.\textsuperscript{37}

Offsetting this circumstance, however, was the strength of the union in this vital center of the strike. Underlying its favorable position were two factors. First, just as in Indiana Harbor, the strike was well organized and admirably led. With a majority of employees in favor of the union and a militant, sizable minority ready to devote endless hours to picket duty, local organizers and lodge officers had been able to organize the strike very effectively. On short notice, they could mobilize their reserves and concentrate massive strength at practically any point along the miles of picket posts and defences which surrounded the mills. Thus even an attempt to supply the few hundred loyal employees and supervisors living in the mills—not to speak of an attempt to open the gates to strike-breakers—was sure to meet with vigorous opposition, was feasible at

\textsuperscript{37} New York Times, June 6, 1937, 6; New York Herald Tribune, June 8, 1937, 1; Business Week, June 12, 1937, 14.
all only at night, and involved the risk of violence regardless of what time of the day or night it might be undertaken. 38

More important was the nature of popular opinion in Youngstown. Though prior to 1936-37 the city's main industry had not been successfully unionized for any length of time, the open shop psychology had not really taken hold among most of the tens of thousands of working class citizens, especially the foreign-born and first generation Americans, who made up the bulk of the population. Consequently, except for a vocal minority, community opinion did not consider the SWOC request for a contract to be exorbitant, and was generally sympathetic toward the strikers in their efforts to win recognition for their union. Evidences of such sentiment are abundant. On June 8, the city council of Struthers, whose mayor had cooperated with the sheriff to hold off pickets while a freight car was switched into the mill, resolved that, in view of the workers' right to strike and to picket and "... in order to best serve the interests of the citizens of Struthers, the city administration maintain an absolute position of 'hands off' neutrality in the present controversy." Although pro-union sentiment was considerably less, proportionately, in the Youngstown city council, in part because of the fact that one of the council-men was a Sheet & Tube foreman, one of the ablest CIO partisans in the city sat on the council, where he exerted every possible influence in favor of the strikers. The Youngstown Vindicator, though definitely

critical of some of the tactics employed by SWOC organizers, pointed out more than once editorially that local public opinion did not support the companies' stubborn refusal to grant the steelworkers a signed contract. Even the AFL began to manifest a certain amount of sympathy for the strikers, a development which first became apparent when AFL locals publicly condemned the sheriff for his part in interfering with the picket line in Struthers.  

Perhaps the best evidence of the strong support which SWOC enjoyed in Youngstown was the simple fact that neither Sheet & Tube nor Republic made any effort to continue operations there. In the case of the former, this might be attributed to the company's general policy, announced as the strike began, of closing all plants until the employees showed a desire to return to work. But that Republic, which went to great trouble and expense to maintain partial production at several of its installations, made no such move at its Youngstown plant was highly suggestive of a vigorous current of pro-SWOC sentiment. The company, of course, said the plant had been closed to obviate the possibility of violence, an inadequate explanation considering that Republic officials seem to have condoned violence elsewhere. More than any other consideration, what seems to have been mainly responsible for keeping the gates of the Youngstown mills closed was the realization of the virtual impossibility of sustaining operations on any but the most insignificant scale.

Aware of its strong position but at the same time anticipating an intensification of the back-to-work drive sooner or later, the union began about the end of the second week of the strike to shore up its defenses and rally its followers for a fight to the finish. John Owens, chief of the UMW in Ohio, took over direction of the strike in the Youngstown-Warren area. He immediately set out to counter the effects of the companies' propaganda and publicity campaigns. Declaring that events in Monroe would have no bearing on the situation in Youngstown, Owens arranged for a full-page advertisement in the Vindicator portraying the union's stand on the contract issue as one which no fair-minded person could fail to appreciate. To bolster the morale of the strikers a horde of CIO officials kept up an interminable flow of oratory at innumerable picket line rallies and meetings in Youngstown, Warren, and Niles. 40

In addition to SWOC leaders such as Murray, Golden, David McDonald, and Harold Ruttenberg, all of whom spoke confidently of victory, officials of other industrial unions came to pledge the support of their organizations to the striking steelworkers. For example, J.B.S. Hardman of the Amalgamated Clothing Workers told a group of Sheet & Tube employees: "I am here to tell you that 175,000 members of the Amalgamated... are back of you to the finish. The union will contribute its last dollar to see you win." Sherman Dalrymple, head of the Rubber Workers, also campaigned actively in behalf of SWOC in

40 New York Herald Tribune, June 8, 1937, 1; Youngstown Vindicator, June 8, 1937, 1; June 10, 1937, 32.
the Youngstown-Warren sector. With several of the larger CIO unions beginning to champion the steelworkers' cause as if it were the cause of industrial labor as a whole—and indeed it seemed to be—taking on that aspect—any further full-scale attempt to break the strike, especially in Ohio, would almost certainly have engendered fierce opposition from the CIO. 41

As the strike entered its third week, then, the shape of affairs in Youngstown was not propitious for a major effort to break open the picket lines. Still, preparations for the implementation of the back-to-work movement in the not too distant future were being carried on not only by the companies and the independent unions but, now, also by the city administration.

Publicly, the companies consistently tried to disassociate themselves from the actions and policies of the independent unions. Their activities supposedly sprang from the spontaneous desire of a large number, if not the majority, of employees to get back to their jobs under the aegis of a labor organization whose primary purpose was to benefit the workers rather than, as the CIO, to aggrandize itself and oppress the rank and file. As a matter of fact, there was a close link between the companies and the independents, which were essentially nothing more than reconverted ERPs. As we have seen, the back-to-work strategy followed by these groups was suggested by management; furthermore, the leaders of the Sheet & Tube independent were carried on the company payroll as "men on special duty outside the plant," while some

41Youngstown Vindicator, June 10, 1937, 1; June 11, 1937, 1.
of the lesser figures in the movement received compensation in the form of promises of better jobs when the mills reopened. All this leaves no doubt that the back-to-work scheme, though ostensibly the work of the independent unions, was inspired, guided, and partially financed by the companies themselves.

In addition to advertisements and letters inviting employees to sign petitions at the union's headquarters, back-to-work organizers, including several Sheet & Tube foremen, circulated petitions among employees at their homes. SWOC leaders charged that the independents were a sham, that many workers who signed the petitions did so only because they were given to understand that otherwise they might lose their jobs, and that the whole sordid affair was doomed to failure. But, by one means or another, the independents at Youngstown continued to obtain signatures, preparing for the day when the petitions could be presented as evidence that the majority of employees were eager to return to the mills in spite of the strike. On June 9, Frank Purnell, reflecting increasing optimism about the back-to-work drive, declared that his company was "satisfied with the situation" and was ready to reopen, "but," he went on, "we won't until the men willing to work receive protection."^43

That protection, so necessary for the perfection of the

^42Youngstown Vindicator, June 2, 1937, 1; N.L.R.B. Decisions, IX, 345; LFC, Part 29, 11888, 12015, 12032; see above, page.

^43LFC, Part 29, 11887, 11891, 11895, 12035-37; Part 31, 12661; Youngstown Vindicator, June 4, 1937, 1; June 8, 1937, 1; New York Times, June 9, 1937, 4. A back-to-work election was not conducted in Youngstown, but the petition device served the same purpose as an election.
strikebreaking plan, was soon to be forthcoming. During the first two weeks of the strike, the city administration, though hardly sympathetic toward the strikers, had been unwilling to take any overt action that would alienate them. But on Tuesday, June 8, the mayor announced that henceforth pickets would be prohibited from carrying clubs and from congesting bridges and thoroughfares. The entire police department was ordered on the alert for the remainder of the strike and instructed to enforce the ban without delay. As such, the ban would seem to have constituted a perfectly justifiable law enforcement procedure; and most of the clubs were thrown away, although some of them not so far that they could not be retrieved. Yet the question arises as to why, after allowing clubs on the picket lines for two weeks, the authorities decided that such activity would have to cease at once. 44 This sudden shift in policy can be attributed to two things, the criticism, appearing in the press with increasing frequency, that local authorities were too lenient toward unlawful behavior on the part of strikers, and the rising clamor, emanating from the back-to-work leaders and the companies, that something be done to render the picket lines ineffective. Strike leaders vainly suggested that it might also be appropriate to disarm the company police. 45

44Youngstown Vindicator, June 8, 1937, 1; June 9, 1937, 1; New York Times, June 9, 1937, 8; LFC, Part 29, 11915-21. Prior to June 8 the chief of police and the mayor had toured picket lines and requested the pickets to discard their clubs. Some did, others did not. What percentage of the pickets were still wielding clubs when the mayor decided to impose the ban is impossible to say, but judging from press reports and pictures it was a minority. Prior to June 9 there were no arrests in connection with club-carrying.
More alarming to the strikers at this particular point than the actions of the mayor and the chief of police were those of Sheriff Ralph Elser. Already suspected in union circles of being a man with an inordinate propensity for strikebreaking, Elser was feverishly engaged in amassing an army of special deputies and augmenting his supply of tear gas, riot guns, and armoured trucks. When the city began to clamp down on the pickets, he also undertook an anticlub crusade among the pickets within his jurisdiction. At the same time, Elser, who was slightly given to hyperbole, announced that he had one hundred special deputies, but that he could "get 10,000 more if I need them." They would be used, he went on, for the purposes of "preserving the peace" and controlling "outside agitators." The anger and apprehension which the sheriff's force aroused among the strikers and their sympathizers was perhaps not wholly unwarranted—especially considering the fact that more than half of the special deputies which he had rounded up were nonunion employees of Sheet & Tube and Republic.\footnote{\textit{LFC, Part 29, 11860, 12074; Youngstown Vindicator, June 8, 1937, 1; June 9, 1937, 1; New York Times, June 9, 1937, 4; June 10, 1937, 12; New York Herald Tribune, June 10, 1937, 1.}}

The sheriff was soon to be afforded another opportunity to manifest his enthusiasm for the preservation of law and order in the strike zones. Late in the evening of June 9, a city police captain and five or six patrolmen arrived in the vicinity of one of the Republic gates, which was located in a kind of cul-de-sac under a bridge, close to the downtown section of the city. About twenty pickets were huddled around a coke-jack under the bridge where they had sought shelter from
the rain. Within a few minutes, a food truck accompanied by a police cruiser car sped past the startled pickets and into the mill.\(^{47}\)

A short while after word of the incident had reached strike headquarters, approximately five hundred strikers streamed into the area under the bridge. The crowd, infuriated by the unannounced entry of the food truck with a police escort, got out of control of the fifteen policemen who were present. When two of their number were attacked and slightly injured by some of the strikers, the police put in a call for help to Elser who was standing by a few blocks away. The sheriff and fifty of his deputies rushed to the scene in their armoured trucks and dispersed the crowd by firing tear gas shells. Fourteen of the pickets were arrested. Several would-be pickets who appeared at the gate the next morning were informed by police that they could not "loiter" in the area.\(^{48}\)

Of the initial reactions in labor circles to the encounter, the most pronounced and vehement came not from the CIO but from the AFL. The morning following the melee, the Teamster's local resolved "... that if they [the sheriff or the mayor] or their deputies use or attempt to use any of this war material to maim or slaughter innocent workers, we, in conjunction with other workers, will call a general strike." The Teamster's president said he intended to investigate the food truck affair in order to give his executive committee a


basis for deciding whether the police action warranted an immediate walkout. Two other locals, the Building Service Employees and the Automobile Mechanics, passed similar resolutions; and it was reported that a number of other AFL locals were considering such action. Apparently, all these moves were made quite apart from any prompting or entreaty by SWOC.49

By way of contrast, the reactions of the strikers and their leaders were rather mild. Local SWOC leaders (John Owens happened to be out of the city) blamed the riot on the sheriff, but Lee Pressman, who came from Pittsburgh to appraise the situation, had no comment. Although the picket lines were tightened somewhat, in anticipation of any further attempts to run the blockade, the general situation in the vicinity of the plants was reported to be quiet and uneventful.50

Some time later, probably in the afternoon, it became known that an ordinance granting the mayor broad emergency powers to enlarge the police force and to purchase additional equipment had been drafted and would be presented to a special meeting of the city council the next day. This turned what had been a spontaneous and somewhat impulsive reaction within individual craft unions into a concerted protest movement on the part of the entire AFL community in Youngstown. Furthermore, it aligned the AFL and SWOC in a temporary alliance, directed against the city administration and the back-to-work forces.

Coordinating his action with SWOC, the president of the United Labor Congress of Youngstown, which represented sixty-five AFL locals with a total membership in excess of fifteen thousand, issued a call for a meeting of the Congress on the afternoon of June 11. The president, Anthony Hubbard, revealed that this special session would consider "the course of action to be taken by organized labor" in opposition to the strikebreaking activities of the mayor and the sheriff.51

The next day, an atmosphere of tense uncertainty overhung the city. In the downtown area, groups of strikers paraded with signs characterizing Sheriff Elser and Mayor Lionel Evans as "strikebreakers," while deputies with gas guns stood guard in front of the police station, the city hall, and the county jail, in which several of the pickets arrested during the riot were incarcerated. The arrival of several Pullman cars of Pennsylvania Railway police interjected even more ominous element.52 The B. & O., Erie, and Pennsylvania had filed suit in Federal District Court in Cleveland to enjoin strikers in the Youngstown-Warren area from interfering with rail traffic, and, presumably, the police had been sent to aid in enforcing the injunction, which, the railroads hoped, was about to be granted. Whatever their

51New York Times, June 11, 1937, 1; June 14, 1937, 3; Youngstown Vindicator, June 11, 1937, 1. The central labor body of Youngstown, composed of representatives from the various AFL unions in the city, referred to itself at this time as the "United Labor Congress."
52Youngstown Vindicator, June 12, 1937, 1; New York Times, June 12, 1937, 1.
purpose, the presence of the railway police helped to keep the strikers and their partisans on edge.53

However, the focal point of immediate concern as far as labor was concerned was Evan's proposal for strengthening the police force. At its afternoon meeting, the United Labor Congress, deciding to defer the question of a general strike for the time being, directed its executive committee to try to thwart the mayor's plans by protesting to the city council. When the council convened that evening, it found itself confronted by the entire twenty-five-man AFL executive committee, a delegation of SWOC organizers and local officials, the president of the Ohio State Federation of Labor, Michael J. Lyden, and David J. McDonald, secretary-treasurer of SWOC. The two labor delegations expected to present their argument—that the emergency ordinance which the council was being asked to consider was nothing more than a move by city officials in behalf of the companies' efforts to break the strike.54

As soon as the ordinance, replete with generalities about the "public welfare" and the "constitutional rights of the citizens of

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53 New York Times, June 7, 1937, 1; June 12, 1937, 1; New York Herald Tribune, June 6, 1937, 1; Youngstown Vindicator, June 1, 1937, 1. It was believed in some quarters that Republic had pressured the railroads to go into Court. However, the attitude of the railroads' executives suggests that they did not need much prompting to attack the union. For example, on June 6 executives of B. & O., N.Y.C., Pennsylvania, and P. & L. E. sent a joint wire to Governor Davey. Indignantly referring to the "state of riot" at Youngstown, Warren, and Niles, the message demanded the use of troops to allow rail carriers to ship raw materials into the plants.

54 Youngstown Vindicator, June 12, 1937, 1; New York Times, June 12, 1937, 1.
Youngstown," was read, two of the union representatives requested permission to speak against it. But their request was promptly denied, and after a brief statement by the one prolabor councilman, the ordinance was passed without further ado. Led by Hubbard and Lyden, the irate labor officials surged to the front of the council chamber, protesting the "gag rule" and demanding to know why they had not been given an opportunity to present their position. The council chairman's rejoinder that anyone who wanted to speak had to give notice ahead of time and McDonald's efforts to "quiet" the indignant labor delegates were of little avail. Finally, they were unceremoniously herded out of city hall by the police.55

While the SWOC officials went off to participate in huge strike rallies which were in progress at several mill entrances, the AFL contingent caucused for the purpose of deciding what to do next in light of the council's action. Angry about the passage of the ordinance and resentful over the cavalier treatment which they had received in city council, the AFL leaders laid plans for a mass meeting of the United Labor Congress on Sunday, June 13, at which time some definite course of action would presumably be adopted. Although Hubbard said that the topic had not been discussed, it was quite obvious that several locals, especially the Teamsters, favored a "labor holiday."56

55Youngstown Vindicator, June 12, 1937, 1; New York Times, June 12, 1937, 1.
56Youngstown Vindicator, June 12, 1937, 2; New York Times, June 12, 1937, 1; June 13, 1937, 1.
It may seem paradoxical that local and state AFL officials went to the aid of the embattled CIO steelworkers, while at the very same time the national officers of the two labor organizations were engaged in an internecine struggle which, in some ways, was just as bitter as the steel strike. The explanation for this seemingly anomalous situation is simply that AFL unionists in Youngstown, as well as Canton, viewed the attempts to break the SWOC strike as an unmistakable sign of a tendency which, if unchallenged, could quite easily develop into an attack on trade unionism as such in those communities. As the executive committee of the United Labor Congress put it, in a wire to Davey, "... the strike is no longer a CIO fight alone but a fight of all organized labor in the Youngstown district." After all, if county and municipal officials could spend public funds to break up CIO picket lines with impunity, what would stop them from meting out the same kind of treatment to AFL pickets?57

In the air of heightened antagonisms which enveloped the strike in Youngstown, caused by the conversion of the city administration to the back-to-work program and the consequent formation of a kind of common front by organized labor, it appeared that some sort of showdown or crisis was in the offing. Rumors persisted that the companies might move to open the plants on Monday, and the strikers foresaw the possibility of a coup similar to the one that had just been effected at Monroe.58

57Youngstown Vindicator, June 12, 1937, 1; New York Herald Tribune, June 13, 1937, 1.
Actually, the final crisis was still a week away. At least two considerations served to prolong the deadlock. One was the companies' strategy. Another week of idleness for the steelworkers would result in an important accretion of support for the back-to-work campaign, while the union would suffer the effects of attrition. Since there was no reliable indication that Washington planned to intervene, the companies could well afford to wait. The other involved Governor Davey's attempt to mediate a settlement.

Davey, anxious to end a situation which he felt had become fraught with "grave possibilities," resumed his role as mediator on June 9. On that date he sent telegrams to Girdler, Purnell, Murray, and Owens requesting them to attend a "joint conference" in Columbus on the eleventh.59

The responses of the steel executives were not encouraging. Assuring the Governor that all the challenges to "law and order" were on the side of the strikers, Girdler declined to attend personally but agreed to send a representative. Although willing to send a "personal representative," Frank Purnell, the president of Sheet & Tube, pointed out that, of course, his company's attitude toward a signed contract had not changed in the least.60

SWOC leaders, who had displayed slight interest in Davey's earlier attempt to intervene, were thought to be only lukewarm toward his second and highly skeptical that it would achieve anything.

60Ibid., 1.
Nevertheless, Murray immediately made known his unqualified acceptance of the Governor's invitation.61

Other than Davey, no one had much faith in the ability of the Governor to arrange a settlement mutually acceptable to SWOC and the companies. The apparent determination of both sides to adhere to their original positions created a problem whose solution, it was felt, would have severely taxed the power of a man with far more adroitness and statesmanship than the Governor was reputed to possess. Yet, granted that he was not Ohio's greatest chief executive, Davey must in this instance be given credit for having more perspicacity than some of his critics. As soon as he was certain that a meeting would take place, the Governor called Secretary Frances Perkins who ordered her chief conciliator, James F. Dewey, to go to Columbus to assist in the negotiations.62

The conference, which took place at the Governor's Mansion, proceeded fruitlessly for five hours and then adjourned temporarily for a steak and sturgeon dinner. While union and steel officials were enjoying the Governor's hospitality, he was consulting with Dewey, who remained in the background of the proceedings. When the conference resumed, Davey had ready for the consideration of the deadlocked conferrees a seven-point formula. Although basically similar to the Carnegie-Illinois contract, which was the basis from which Murray and

61Ibid., 1.
Pressman had been negotiating, the Governor's proposal went beyond that agreement in affording management insurance against all possible strikes or demands for additional concessions which could conceivably arise from union recognition. In addition to proposing a signed contract recognizing SWOC as representative for its members only, the formula contained the following salient points:

4.—The union shall give assurances that no demand shall be made for the closed shop or the check-off. . . .
5.—The union shall agree to police its own organization and guarantee protection, not only against illegal and unauthroized strikes, but against all strikes during the life of the agreement.
6.—The union shall agree there will be no strike at the end of the agreement period and that operations shall continue during negotiations for a new agreement.

The recorded responses of the negotiating teams to this compromise proposal are valuable for what they reveal about the respective approaches of the union and the companies at this juncture of the strike.

Murray declared that SWOC was "... prepared to negotiate a written signed agreement... on the basis of the Governor's suggestions and recommendations made in the conference here this evening."
The only point on which Murray and Pressman hedged was number four, the proposed renunciation of the closed shop and the check-off. Their main

63Youngstown Vindicator, June 12, 1937, 1; Cleveland Plain Dealer, June 12, 1937, 1; A Copy of Agreement between Carnegie-Illinois Steel Corporation and Steel Workers Organizing Committee, March 17, 1937, courtesy of the U. S. Steel Corporation.
64New York Times, June 12, 1937, 1.
cause for concern seems to have been that, unless the provision were given some time limit, the union in accepting it would presumably forego in perpetuity the right to broach the issues of the closed shop and the check-off, an obligation which hardly any bona fide trade union could be expected to undertake. Yet, had the steel executives been willing to enter into genuine give-and-take negotiations, this issue would not have been an insurmountable one, for there is no convincing evidence--nor was there then--that SWOC seriously considered these practices, especially the closed shop, as attainable in the near future. Thus, the conference revealed that the union's sole preoccupation at that time was a signed contract and that, furthermore, it would make substantial concessions regarding content so long as the agreement was signed and amounted to formal recognition.

Voss for Republic and Argetsinger for Sheet & Tube refused even to consider the Governor's peace proposal, in spite of the fact that it had obviously been designed to remove two of the objections which the companies had repeatedly raised as the chief reasons for their refusal to sign agreements. What the session in Columbus revealed about the companies' position, then, was that fear of unauthorized walkouts and the closed shop, though reiterated ad nauseam, were not the real objections to the signing of SWOC contracts. For, if this had been the case, then surely Voss and Argetsinger would have seized upon the opportunity afforded them to negotiate these issues. But

65Ibid., 1; New York Herald Tribune, June 14, 1937, 3; Cleveland Plain Dealer, June 15, 1937, 9.
they did not. Argetsinger left the Governor's Mansion saying that he hoped Davey could devise some solution which did not involve the signing of contracts "because our position in that respect is entirely unchanged."^66

The only practical result of the Governor's conference was that the companies and the union pledged to maintain the "status quo" in the Ohio strike zones pending a second conference on Tuesday, June 15. The status quo was interpreted to mean that Republic and Sheet & Tube would not open their plants, and that SWOC would not interfere with any food shipments into the plants.^67

While the status quo was maintained in Ohio, the steel strike spread to Bethlehem Steel's Cambria Works at Johnstown, Pennsylvania. On June 10 a strike was called by two of the railway brotherhoods against the Conemaugh & Black Lick Railway, a Bethlehem subsidiary, because of the railroaders' failure to obtain written contracts. The strike contagion soon spread to SWOC members, already restive over the corporation's refusal to consider a contract, and the SWOC lodge struck the Cambria plant at the end of the second shift on June 11. Extension of the strike to Bethlehem was the result of local rank and file pressure. It had not been planned by Murray and his lieutenants,

^66^New York Times, June 12, 1937, 1; New York Herald Tribune, June 11, 1937, 2. On the same day that his emissary was rejecting a chance to negotiate with regard to the closed shop Girdler declared: "Our employees know that the real issue of the strike is not the mere refusal to sign a contract, but that such a contract, by admission of C.I.O. officials themselves, is but the first step toward a closed shop. . . . In other words, before getting a job a man must first have a card bearing John L. Lewis' O. K."

who had their hands full elsewhere, but once the strike was a fact they
had no choice except to support it and try to make the best of the
situation.68

From the very beginning, the circumstances of the strike in
Johnstown were confused, chaotic, and potentially disastrous for the
union. Ignoring the formal strike call, Bethlehem kept several depart­
ments of the sprawling Cambria works in operation. How many of the
fifteen thousand employees continued at their jobs was, as Governor
Earle put it, "anybody's guess." The plant manager claimed that be­
tween 70 and 80% of the men were not participating in the walkout.
The SWOC subregional director, while admitting that the walkout was
not totally effective, asserted that the strikers numbered at least
ten thousand. And, he hinted, they might be supported by the workers
in the corporation's captive mines. Although feeling between strikers
and nonstrikers was to become extremely bitter, during the first two
days pickets did not attempt to keep nonstriking employees from
entering the mills.69

The strike had hardly begun when the partisans of the company
began to marshal their forces in the interests of "law and order"
and the rights of nonstriking workers. One of the key figures in the
strikebreaking campaign was Mayor Daniel J. Shields, a former boot­
legger who had been pardoned after serving two years in a Federal

68New York Times, June 11, 1937, 5; June 12, 1937, 1; see above,
pages 90-91.
69Washington Post, June 12, 1937, 1; New York Times, June 13,
1937, 1; New York Herald Tribune, June 14, 1937, 2.
penitentiary. On Saturday, June 12, the second day of the strike, Shields ordered $5,000.00 worth of tear gas, the bill for which was taken care of by Bethlehem. The next day, the mayor went on the radio to uphold the "... right of any man to work to earn a livelihood for the support of his wife and family." Meanwhile, a minister, who was guardian of the spiritual and economic welfare of the Chamber of Commerce, took the initiative in founding the Johnstown Citizens' Committee. Composed primarily of leading businessmen and local industrialists, the Committee was to attain national notoriety. 70

On Sunday, Governor Earle came to Johnstown to observe the situation. While he was conferring with company and union officials, there was a minor eruption of violence at one of the plant gates. Despite the fact that the Governor immediately ordered seventy-five state police to stand by for strike duty, Shields hastened to swear in one hundred special police. In the wake of these events, with miners planning to reinforce the picket lines, and the company preparing to resume operations on an extended scale, the stage was set for a more serious clash on Monday morning. 71

The walkout at the Cambria works was a mistake on the union's part. In the first place, to strike only one plant of the second largest steel corporation was to court disaster. Second, in spite of the Earle administration's partiality toward the CIO, SWOC's position

was vulnerable from the beginning. More significantly, the Bethlehem strike brought Eugene Grace, inveterate foe of organized labor, and Charles Schwab, veteran of Homestead, directly into the fight alongside of Girdler and Purnell. That "unholy alliance" of which Murray had spoken was now a formidable reality.

It was this development, following closely on the Monroe decade and the acceleration of the back-to-work drive at Youngstown, that caused John L. Lewis to step foursquarely into the picture. Until this point, the CIO leader had remained on the sidelines, except for his remarks ten days before that the government would do well to take some form of action. But now, in an "unusual" Sunday press conference, Lewis delineated a CIO counteroffensive and a more specific suggestion for government action.

A strike which would affect seventeen "captive" mines of Bethlehem, Republic and Sheet & Tube had just been ordered, the president of the United Mine Workers announced. He went on to explain that, since the corporations had refused to grant contracts to the ten thousand miners involved, the work stoppage would not constitute a violation of any contractual obligations. As far as the regular coal operators were concerned, they were to be informed that individual UMW members would not load tonnage destined for any of the Little Steel plants. Exactly what Lewis hoped to accomplish through this move is not entirely clear. For one thing, it was intended as a graphic warning to Little Steel that the CIO would bring the full weight of its recently acquired power and influence to bear in support of the striking steelworkers. But the coal stoppage could have little
immediate effect, especially on Sheet & Tube which was not using much coal and had already furloughed about a thousand miners. On the other hand, if the steel strike were to continue for several more weeks, the coal blockade might spike the back-to-work drives at Sheet & Tube and Inland and force Bethlehem and Republic to close down completely.72

The CIO chieftain also addressed himself to the causes and nature of the steel strike. His massive countenance glowering with indignation, Lewis declared that several of the independent steel firms had formed a "combine" to oppose the CIO. Bethelhem was singled out as the leader of the antiunion bloc. As a low wage corporation, with sources of cheap iron ore abroad, Bethlehem was struggling to maintain its competitive advantage over Big Steel by suppressing the wages of American miners and steelworkers. Eugene Grace had enlisted the help of William Potter of Guaranty Trust to finance the resistance, especially on the part of Republic, to the employees' contract demands.

"That," said Lewis, "is the financial side of it."73

As for the situation in the strike-bound steel towns of the Midwest, it appeared "very, very serious," Lewis declared. Events in Monroe and Youngstown had demonstrated that in order to end the strike in their favor the companies were prepared to slaughter the workers.

73Washington Post, June 14, 1937, 1. There was obviously a close connection between the steel strike in Johnstown and the "captive" mine problem, for if SWOC obtained a contract covering the Cambria works, Bethlehem could hardly refuse to sign with the UMW.
Then, reading from a prepared statement, Lewis excoriated the chairman of Republic Steel as the man mainly responsible for this alarming situation.

Tom Girdler is a heavily armed monomaniac, with murderous tendencies, who has gone berserk. Potter and Grace have turned him loose upon the unarmed steel workers. Girdler should be restrained and disarmed by the Government before he turns the steel districts into a bloody shambles and looses all the pentup forces of human passion.

Too much gas is being bought and used and labor is not going to swallow it. . . .

Labor, the CIO leader continued, was making known the facts of its adversity, how it was menaced by the homicidal policies of these rapacious corporations, in the expectation that "... public opinion and Government can begin to function before another massacre takes place." As a means of averting any more such occurrences, Lewis thought it feasible for the "Government" to ask the governors of the states affected by the strike to close the steel plants until a settlement was reached. When asked whether he intended to request presidential intervention, Lewis replied wryly that he was merely "presenting the facts for any one who might be interested." But the implication was plain that the head of the CIO felt the time had definitely come for the Roosevelt administration to take a hand in the steel strike. 75

Lewis had not acted too soon, for by the beginning of the week the situation in the Youngstown area had begun to change in

favor of the companies, and SWOC leaders there found themselves being forced on the defensive.

SWOC's position was weakened by the actions of the United Labor Congress which, contrary to expectation, refused to sanction a general strike by the AFL locals. When the Congress met on Sunday afternoon, Coleman Claherty, AFL organizer for northern Ohio, was present in a "supervisory capacity." Claherty, who was no friend of the CIO, informed the body that it lacked authority to call a general strike and reminded the delegates that the locals could not do so on an individual basis without the permission of their respective international officers. To placate the delegates, most of whom demanded some kind of affirmative action, the Congress passed a resolution commending the strikers for "peaceful and legal" conduct and castigating the sheriff and the mayor for organizing "gangs of strikebreakers." The executive committee prepared to take legal measures to prevent the mayor from enlarging the police force under the powers granted him by the city council, and there were rumors that several locals, including the Teamsters, contemplated an informal "labor holiday." However, it was
now evident that the strikers could not count on a united, city-wide labor defense in the face of the anticipated attack on their picket lines.76

It is important to note that at this time the local press still supported the contract demand of the union. In a courageous and perceptive editorial, which appeared on the front page of its Sunday edition, the Youngstown Vindicator urged the companies to sign the SWOC contract.

In view of what has happened /In labor relations/, in the last six months it is reasonable to assume that public opinion will not support the companies' position. Although the Wagner act does not specifically require a contract, it necessitates the duty of bargaining which in itself implies a contract, and it does not make sense to say that while a company must bargain collectively it need not take the final step to which such bargaining logically leads.

The transition from the old order, "under which officials did not need to persuade and convince, but only to command," to a system of industrial democracy would, the paper acknowledged, not be an easy one. Yet

76Youngstown Vindicator, June 14, 1937, 1; New York Times, June 14, 1937, 3; Walter Galenson, The CIO Challenge to the AFL, A History of the American Labor Movement 1935-1941 (Cambridge, 1960), 1, relates how Claherty tried to break an ILGWU strike in Cleveland in July, 1937. But in the case of the United Labor Congress it seems improbable that Claherty was acting on the orders of the Executive Council, in view of William Green's statement that: "Situations such as those in Youngstown and Canton are of the kind which will develop during strikes. They are due entirely to the local situation and the bond of sympathy which exists between workers no matter what formal group they may be associated with. They instinctively support and help those who are in distress, and it is a good thing. They will not be punished." New York Times, June 17, 1937, 1. On the other hand, Green did not say that the "support" of AFL members could take the form of participation in general strikes.
it would behoove the steel executives to face up to the inevitability of the change, to help guide it along positive lines, and to bear in mind that the rash of irresponsible actions on the part of CIO recruits was only a "temporary" phenomenon.

Doing so, they will do well to sign. They should sign for the good of the community, for the good of those who have their capital invested in the plant, of those who work in them, and of citizens in general—for no one can help being affected by the civil war that is going on in our midst. For the sake of all concerned the strike should be settled speedily and peacefully. This can only be done through the signed agreement which the workers consider their essential right.77

Although reflective of at least a large segment of local public sentiment,78 the Vindicator's stand had no retardatory effect on those who were preparing to resolve the strike through brute force rather than reasonable adjustments. Nor did the Governor's status quo. On the contrary, the back-to-work campaign rapidly gained momentum.

While strike leaders and organizers admonished pickets to conduct themselves in a peaceful and orderly manner, the mayor began on the thirteenth to reorganize and to enlarge the police department. An assistant chief of police was appointed. A two-way radio was installed in the police captain's car, and all patrol cars were equipped with tear gas. Also, by Monday morning the chief of police had sworn

77Youngstown Vindicator, June 13, 1937, 1.
78According to the New York Times, June 14, 1937, 1, the editors of the Vindicator reported "... they had received almost uniformly favorable reactions, even from manufacturers and business men, but executives of the steel companies involved expressed indignation and anger, charging that the editorial would 'prolong' the strike by raising the morale of the strikers and 'deluding' them into believing they had a chance to win."
in fifty special police, a large percentage of whom were nonstriking employees of Republic and Sheet & Tube. Thus, another partisan contingent was added to the armed forces which were being mobilized in Youngstown in anticipation of the day when the plants would reopen.\(^79\)

In the meantime, the back-to-work movement suddenly became infused with an entirely new élan. Ray Thomas, former county prosecutor, was retained as legal counsel by the Sheet & Tube union, and he immediately assumed leadership of the back-to-work campaign. How the officers of the independent happened to choose Thomas is not known, but they could hardly have made a better choice. Arrogant, contumacious, endowed with a knack for organization add a shrewd sense of timing, he was admirably suited to the task at hand. His objectives were to give wider publicity to the cause of the nonstriking employees, to organize as many as possible of them into a mobile force, and, by one means or another to "break" through the picket lines.\(^80\)

On Monday, June 14, in a lengthy manifesto issued in behalf of the independent union, Thomas announced that nine thousand Sheet & Tube employees had signed petitions indicating their desire to return to work. While these men recognized the right of the minority to strike for the sake of a contract, they resented the denial of their "right to work" by the CIO pickets, the majority of whom were unruly young hooligans. The nonstrikers, the manifesto went on, were even more incensed at the "professional agitators" from out of town who

\(^{79}\)New York Times, June 14, 1937, 3; Youngstown Vindicator, June 14, 1937, 1, 2; LFC, Part 29, 11977, 12136.
\(^{80}\)LFC, Part 29, 11996-97, 11999, 12010.
were responsible for instigating the whole affair. The men were willing to await the outcome of the second Governor's conference. However, in the event that it did not produce a settlement—and the entire manifesto was predicated on the assumption that the conference would fail—company officials would be informed of the "temper" of the nonstrikers and local authorities would be asked to "clear away the picket lines." Thomas further revealed that he had advised the members of the independent union that they had "the legal right to take adequate measures to protect themselves." So far it had been possible to restrain the men from resorting to violence, but they could not "... be expected to continue forever to sit idly by and twiddle their thumbs, jobless and payless, knowing that all that stands between them and their jobs are picket lines made up mostly of irresponsible boys."81

David J. McDonald, who seems to have been temporarily in charge of the strike in Youngstown, retorted that Thomas' threats and accusations conclusively demonstrated that the company was utilizing the services of Pearl Bergoff, the professional strikebreaker. The back-to-work petitions, McDonald charged, did not contain the "legitimate" signatures of enough men to operate the smallest steel mill in existence. "We are calling our reserves out to the picket lines to

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81Youngstown Vindicator, June 14, 1937, 1; The Iron Age, June 17, 1937, 90.
supplement our demand for a signed contract, to see that no strike-breaking plot succeeds, and to be ready for whatever action is necessary."82

In Warren, there were also signs that the strikers were not as firmly in command of the situation as they had been a week before. For the first time since the strike began, pickets were unable to prevent rail deliveries to the besieged Republic plant. Early Sunday morning an Erie Railroad crew switched fifteen cars of raw materials into the plant. Pickets were on the alert to stop any further shipments, but on Tuesday they were held off by seventy-five heavily armed railway police while the Pennsylvania delivered thirty-five cars of limestone and manganese for the Republic furnaces. Destruction of railway tracks following both of these incidents only served to substantiate the company's charge that strikers were defying "all law and decency."83

With the President adhering to his original hands off policy and the back-to-work drive picking up momentum, the position of the SWOC leadership became an increasingly difficult, if not precarious, one. By this time, it was fairly apparent that the administration would not intervene in the strike while there was still the possibility, however faint, of a settlement being achieved through Governor

82Youngstown Vindicator, June 15, 1937, 1.
Davey's mediatory efforts. SWOC officials, still hopeful that Roosevelt would enter the picture, were not very enthusiastic about the meeting in Columbus on the fifteenth. But, if the union displayed tepidity toward the Governor's second conference, the companies' attitude practically foredoomed it to failure.

While their representatives were going through the motions of negotiations in Columbus, Girdler and Purnell were signing statements which reaffirmed their determination not to sign any CIO contracts. The two executives' letters, addressed to their employees, were identical in substance and tenor. The arguments set forth in justification of the companies' refusal to sign were essentially the same as those previously invoked in negotiating sessions and statements. The CIO was characterized as an irresponsible organization, incapable of enforcing contractual obligations entered into by its affiliates. And once again aversion to the closed shop was cited as a major objection to formal relations with the CIO, although now it had become necessary to shift the argument concerning this issue on to somewhat new ground. Murray's willingness to accept Davey's seven-point formula as a basis for negotiations had come dangerously close to destroying the companies' contention that a CIO contract was the prelude to the closed shop and the enslavement of the workers by John L. Lewis.

\[84\] Cleveland Plain Dealer, June 15, 1937, 1; M. H. McIntyre, Assistant Secretary to the President, to Frank Stewart, June 11, 1937, Conciliation-Steel. In reply to an appeal from a SWOC lodge for presidential intercession, McIntyre answered cryptically that "the statements contained therein will have every consideration."

Consequently, it was necessary to point out that even if SWOC agreed to renounce the closed shop management could not afford to sign, because John L. Lewis and his cohorts had already irrevocably committed the CIO to this principle. However, according to Purnell, should "the C.I.O. leaders become willing to drop the closed shop... in the steel industry, let them join in a request to Congress to amend the National Labor Relations Act so as to prohibit the closed shop and the check-off... only by law can we be given assurances that C.I.O. will not demand them."\(^86\)

Another purpose of the announcements—the main one perhaps—was to give public endorsement to the back-to-work drives and to urge employees to participate in them. Purnell, for example, notified his employees that if "... enough of you make it plain that you do not wish to make an issue of a signed contract, but that you wish to work, then... you have the right to demand and receive full protection in your return to work." Finally both executives referred to the Communist

\(^86\)On April 14, 1937, Lewis had been asked in a press conference about his attitude concerning the closed shop in the automobile industry. According to the Washington Post, Lewis "said he felt that all beneficiaries of the union activities should belong to the union." A week after the strike began Bittner was quoted as saying "... the closed shop... really means control of employment. There is no intention of controlling employment in the steel mills. Even the United Mines Workers of America do not have a closed shop clause in their contracts." Chicago Daily News, June 2, 1937, 4.
influences within the CIO. Girdler's letter was the more extreme in this regard, concluding:

So, when you get all through, the present controversy sums up somewhat like this: MUST REPUBLIC AND ITS MEN SUBMIT TO THE COMMUNISTIC DICTATES AND TERRORISM OF THE CIO? IF AMERICA IS TO REMAIN A FREE COUNTRY THE ANSWER IS NO.87

When the Governor's second conference met, James F. Dewey was on hand with a proposal which combined the union demand for a signed agreement with a face-saving arrangement for the companies. Patterned in part on an expedient used to end a "captive" mine dispute of 1933, it provided that the officers of SWOC and the companies should sign an agreement based on the seven-point formula; however, this agreement would become operative as a formal contract between the union and the corporations only if and when the NLRB and the U. S. Supreme Court definitely ruled signed contracts mandatory under the Wagner Act. Murray indicated that he was amenable to such an arrangement, and that if the company were genuinely interested, the union would gladly call off the strike. Voss and Argetsinger, unmoved, as they had been in the previous conference, refused to consider the proposition, stating that the position of their companies was "unchanged." In a last desperate attempt to avert the outbreak of the industrial warfare which seemed imminent, Davey urgently requested Girdler and Purnell to meet personally with him to further explore the possibilities of reaching an amicable solution.88

87LFC, Part 29, 12090.
88New York Times, June 16, 1937, 1; Cleveland Plain Dealer, June 16, 1937, 1; Mail Hearings, 60.
The collapse of the Governor's conference cleared the way for the implementation of the next step in the development of the back-to-work scheme. Shortly after the news that the conference had ended reached Youngstown, on the afternoon of the fifteenth, Ray Thomas announced that he had scheduled a conference with Purnell on the sixteenth. "Our men," added Thomas, "are ready to go at any time. They'll be back day after tomorrow if the conference comes out right."

Following the lead of the Sheet & Tube independent, the head of the Independent Federation of Republic Employees, which now claimed to represent 70% of the employees, said that he planned to meet soon with company officials "with the idea of returning to work immediately."

At 10:00 A. M. the next morning, in a room lined with reporters and photographers, Thomas and a delegation of twenty members of the Sheet & Tube independent presented Purnell with a thick volume of back-to-work petitions. The strike, said Thomas, was an "initial absurdity;" and now, speaking in behalf of the nine thousand men who had signed the petitions, he was formally requesting the company to open the gates. The nonstrikers were "getting jumpy and impatient." If they were kept from their jobs much longer there would be "serious trouble." After examining the petitions, the president of Sheet & Tube replied that the company would gladly reopen the mills as soon as those employees who wanted to work were guaranteed adequate

protection. Purnell promised to take up this matter with local authorities, and give his answer within a day or two.\textsuperscript{90}

Now that the back-to-work campaign had entered such a promising stage there was no longer any reason for the companies to maintain the pretense of even nominal cooperation with Davey in his mediatory endeavors. Moreover, the steel executives wanted to avoid the danger, however slight, of being maneuvered into a position in which they could be forced to accept some form of compromise solution. Since it was clear that what Davey, though not a "labor" governor, had in mind was a settlement involving concessions on both sides, Girdler and Purnell had no intention of acceding to the Governor's request for a further conference. Excusing himself because of a "commanding engagement" elsewhere, Purnell informed Davey that Sheet & Tube employees had evidenced a desire to return to work and would do so as soon as they were assured of protection. The chairman of Republic answered the Governor in a similar vein.\textsuperscript{91}

SWOC reaction to the Thomas-Purnell conclave was sharp but ineffective. Since Murray was in Washington to testify before the Post Office Committee, Owens undertook to state the union position vis-à-vis the intensified back-to-work drive. Girdler and Purnell, he charged, were so desperately anxious to resume production that they had no qualms about resorting to "bloodshed" to end the strike. If

\textsuperscript{90}Youngstown Vindicator, June 16, 1937, 1; New York Times, June 17, 1937, 1.
\textsuperscript{91}Cleveland Plain Dealer, June 16, 1937, 1; New York Times, June 17, 1937, 1.
Sheet & Tube wanted to learn the real sentiments of the majority of its employees, the company should consent to an NLRB election or a cross-check of payrolls with union cards. As for the claim that nine thousand workers wanted to go back to work, it was "spurious" and many of the signatures were "faked," Owens declared. But this was really not the point. It was, rather, that while the company had the petitions, the union had nothing to substantiate its claim to represent a majority of the employees. The assertion that many of the signatures were not genuine—which may well have been true—was merely a negative rejoinder and could not be used effectively by the union in arguing its case before the public. Thus, there is no doubt that Thomas had executed a tour de force which, by turning what had been a rather ineffectual back-to-work movement into a seemingly dynamic, aggressive force, aided the companies immensely.

The events of June 15 and 16, the indifference with which the companies viewed the Columbus conference, their encouragement of the back-to-work drive, and their avoidance of chances to compromise underscored the unwavering determination of these two concerns to stand firm on their original position. Besides that, their actions and attitudes suggested that they welcomed the apparently insoluble deadlock because if afforded an opportunity to break the strike and smash the steel union at the same time.

Meanwhile, developments in the Johnstown strike indicated that Bethlehem was following the same kind of policy as Republic and Sheet

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& Tube. With Mayor Shields and the Citizens' Committee actively opposing the strike and miners pouring into the city to reinforce the picket lines, the strike became a fierce struggle which threatened to turn into the worst kind of industrial conflict. Fighting broke out between strikers and nonstrikers on June 14 and continued sporadically for the next two days, during which both sides resorted to extremes. Mounted state police finally took over policing of the picket lines on the fifteenth, leaving the regular police and Shield's vigilantes to patrol the rest of the city. Financed by the corporation, Shields and members of the Citizens' Committee mounted a full-scale strike-breaking campaign. They pressured the state police to employ more stringent measures on the picket lines, called for the reduction of the pickets to "a few solicitors... at the gate," and carried out a systematic campaign of propaganda against the strikers and the union.

On June 16 Shields sent a wire to the President: "I earnestly appeal to John L. Lewis, through you as our President, to withdraw the murderous element that now infests our city. Will you not, please, save our homes by discouraging Mr. Lewis from such un-Americanism?"^3

Meanwhile, on June 16, Murray in a telegram to Eugene Grace, president of Bethlehem, proposed a corporation-wide NLRB election, with the stipulation that if SWOC won the corporation should sign a contract recognizing the union as exclusive bargaining agent. The company's assistant general manager replied that an election was not

^3LFC, Part 19, 8253-54, 8402, 8458, 8639; Part 37, 14801-02; New York Times, June 15, 1937, 1; June 16, 1937, 1; June 17, 1937, 1.
necessary because the company was prepared to engage in collective bargaining with SWOC at all times. The company, however, had no intention of lending any assistance to the union's nefarious scheme to force the employees to pay tribute for a "chance to work." The reply concluded with the assertion that SWOC was intimidating the workers and that its "armed pickets" were attacking non strikers who wanted to work, thus bringing "disorder and anarchy" to Johnstown.\footnote{N.L.R.B. Decisions, XIV, 612-613.}
CHAPTER VIII
PUBLIC OPINION DURING THE STRIKE

It has been pointed out in a previous chapter how public concern about strikes and labor-management relations had reached an apogee during the summer of 1937, and how the steel strike, erupting in that context, became for a time the focal point of public attitudes regarding labor matters. Apart from the general concern already existing, the strike itself generated enough issues and incidents—outbreaks of furious industrial warfare, besieged plants, alleged interference with the mails—to sustain widespread public interest in the struggle between the steel unionists and Little Steel management. Also, the publicity efforts of the steel companies were responsible in no small measure for the attentiveness with which the public and Congress followed every new turn of the strike. Of these various issues it was the wrangle over mail deliveries to struck steel mills which evoked a volume of comment all out of proportion to its intrinsic importance. And this mail controversy also provides one of the best illustrations of the highly volatile state of public opinion during the strike.

The Senate Post Office Committee began on June 11, 1937, to hear testimony pertaining to incidents of interverence with mail service to the mills and the Post Office Department's policy toward such incidents. The hearings gave both SWOC and management a convenient forum from which to assail each other.

The common reaction to this entire mail situation is quite instructive about the general inclination of public opinion after the
first week or ten days of the strike. It reveals that many supposedly well informed people were either very confused as to the real nature of the strike, or harbored a disposition to magnify trivial things when they reflected unfavorably on the strikers, while ignoring fundamental issues which, if closely examined, might reflect unfavorably on the companies. More importantly, it revealed a mounting opposition to the use of governmental power or influence in any way to aid the strikers or the cause of the CIO as a whole.

With a single voice the newspapers and many members of Congress not only condemned obstruction of the mails by strikers, but also the Post Office policy of refusing to maintain other than regular and reasonable mail service into the steel mills. Although in fact a minor aspect of the strike which had little direct bearing on the outcome, the mail situation assumed considerable importance in shaping public attitudes because it became symbolic of several things—of the rampant militancy of the strikers, of their defiance of constituted authority, and, above all, of the alleged disinclination of the Roosevelt administration to observe neutrality toward the strike.

Thus it was government policy toward the situation, rather than the actual interference with the mails, which became the main object of much of the criticism. The main objection was that the administration, insofar as it sanctioned the postal officials' refusal to accept food parcels addressed to the mills or the men inside, was plainly favoring the union as against the companies. Even papers that were critical of the companies' refusal to come to terms with the union
took the administration to task for its handling of the mail imbroglio.

The comment of the St. Louis Post-Dispatch was typical.

Bread can be sent through the mails in St.
Louis, but it cannot be sent through the mails to
the CIO-picketed plants of Republic... in
Youngstown, Ohio, on the theory that "the Govern­
ment won't take sides in a labor dispute."
As a matter of fact, is not the Government
doing just the opposite...? Is it not taking
sides when it refuses to accept for shipment items
which it would accept in other communities or for
other addresses in Youngstown? We hold no brief
for the Republic Steel Corporation; its tactics
are out of place in this day and age. But the
Postoffice Department should scrupulously avoid
everything that even suggests paying back John
L. Lewis for the money he collected for the
Roosevelt campaign fund last year.1

As for the equally plausible argument that shipment of truck­
loads of food and other supplies into the plants, by the Post Office,
which was the kind of service that Republic and Sheet & Tube wanted,
would constitute favoritism toward management, it was conveniently
ignored by the critics of the government. What seemed really dis­
tressing to them was that individual workers who had chosen to remain
in the mills were being denied mail service. Was this not a case of
the government withholding a public service from certain individuals
in order to benefit a particular group? Several Senators were appalled.
"When a poor woman whose husband works in the plants in Warren... when he needs clothing and when he needs medicine—he is a sick man—he offers in good faith a package... and it is returned undeliverable

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1June 11, 1937, 2-E; The Public Opinion Quarterly, July, 1938,
379. In a poll taken in July, 1937, 58% felt the Post Office should
"deliver food and other packages" to workers in strikebound factories.
undeliverable..." then it was time to subject the policy of the Post Office to Congressional scrutiny, according to Senator Bridges.\(^2\)

Actually, most of the nonstrikers in Republic plants were not quite as badly off as the company and the press made it appear. Many of them, it seems, were more desperately in need of liquor than food. Between June 3 and 14 postal officials removed from the mails seventeen packages of liquor which had been mailed to employees living in the plants at Warren and Canton. A package sent in Canton on June 3 contained "one Colt's automatic revolver and bullets 22 long and clothing." Unfortunately for the union, however, this abuse of the mails by nonstrikers was not public knowledge at the time.\(^3\)

It was later established that on "several occasions" pickets had unlawfully impeded mail service, although not with the acquiescence of the Post Office, and they were prosecuted by the Justice Department.\(^4\) But, in the meantime, the companies benefited because the distorted and incomplete picture of the situation which had gained currency lent itself to the popular American custom of championing the cause of the underdog. That the underdog in this case happened to be the victim of a labor organization which many people felt was becoming too overbearing undoubtedly made the public's sense of outrage all the more acute.

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\(^2\)Cleveland Plain Dealer, June 5, 1937, 8; Cincinnati Enquirer, June 6, 1937, 6; Youngstown Vindicator, June 8, 1937, 8; Christian Science Monitor, June 11, 1937, 14; Washington Post, June 13, 1937, 6; Mail Hearings, 15, 17; Congressional Record, Vol. 81, Part 5, 5356.

\(^3\)Mail Hearings, 330-332.

\(^4\)Ibid., 312 ff.
Top postal officials made the mistake of candidly admitting that one of the reasons why the Post Office refused to deliver food and clothing to the struck plants was the temper of the pickets which made it dangerous for postal employees to attempt such deliveries. Critics seized upon this as proof that all the trouble stemmed from the fact that strikers were being allowed to violate the sanctity of the mails and to defy the law of the land. If this was the reason for the Post Office policy, then the obvious solution was for the Roosevelt administration to stop kowtowing to the CIO and to curb the strikers, whose defiance of governmental authority made it dangerous for mailmen to maintain service to the mills. As one editor immediately pointed out, there was a famous precedent for such action: "Grover Cleveland kept the mails moving and history reveres his memory as that of a man true to his oath of office. Some of the 22nd president's courage and clear thinking is needed in high places today." Other observers also recalled Cleveland's action in breaking the Pullman strike. In the House, Representative Lamneck of Ohio read Cleveland's proclamation of 1894 ordering Federal troops to maintain the mails. Representative

Cox of Georgia expressed his conviction that, if local authorities were not able to rectify the situation,

... every soldier of the Republic should be summoned to be used as civil instruments to enforce the Federal power and uphold the majesty of the law. This lawlessness of the CIO... and this cringing of government to them is not only wrecking the great labor movement, as guided by the A. F. of L. but, unchallenged and unchecked, will wreck the Government as well.  

To be sure, a few commentators and some members of Congress spoke out in defense of the administration, although their arguments were barely audible above the din of critical oratory. Senator McKellar, chairman of the Post Office Committee, concluded that the whole affair arose from the fact that each side was attempting to align the government alongside it in the struggle to win the strike. Senator O'Mahoney was of the opinion that, in view of Republic's effort to make a test case in Niles and its subsequent offer to aid the Post Office in delivering food to the mills, the corporation plainly sought "to use the Post Office Department for the purpose of breaking a strike." Both senators felt the Post Office was perfectly justified in the policy which it had adopted regarding mail service in the strike zones.

The furor over the mail situation graphically pointed up the narrow range of choices to which the Roosevelt administration was restricted in dealing with the strike. The President, of course, was

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6 New York Herald Tribune, June 5, 1937, 14; Congressional Record, Vol. 81, Part 5, 5751; Vol. 81, Part 6, 6058.
7 Mail Hearings, 35, 111, 116; Christian Century, June 23, 1937, 796.
not going to call out the army; nor was he going to have the Post Office run according to the lights of the Republic Steel Corporation. But the mere fact that he refused to adopt such policies was not necessarily an indication that the administration was leaning over backwards to favor the strikers. The troops were not used because Roosevelt was not Cleveland and because 1937 was not 1894, although the New York Herald Tribune attributed the President's inaction to a want of "courage" in the executive branch. In fact, Roosevelt was trying to remain as neutral as possible without completely alienating his labor supporters.

Yet, ironically, even while the administration was striving to avoid involvement in the strike it was being accused of lending aid and comfort to the union. Considering this, one can imagine the uproar that would have ensued had the President intervened directly to help the CIO out of its predicament in the steel strike. Given Roosevelt's practice of paying close attention to public opinion, and his ability to gauge the vagaries of public sentiment, it may safely be presumed that the generally adverse reaction to the administration's handling of the mail issue was taken into consideration in the formulation of presidential policy regarding other aspects of the strike.

As for public opinion toward the strike in general, it was considerably more diverse and complex than the majority reaction to the mail hassle. During the second phase of the strike there were

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8 June 5, 1937, 14.
at least three fairly distinct points of view. One was highly critical of the strikers' tactics, although sympathetic toward their purpose. A second was opposed to the union's goal as well as its methods and used this as a point of departure for an attack on the entire CIO along with the New Deal labor policy. A third group of observers rather staunchly defended the position of SWOC vis-à-vis the companies. While there were nuances of opinion that are not easily classified, most expressions of opinion fell into one of these categories.

The first point of view was articulated mainly by a number of newspaper editors; and, though the documentary evidence is fragmentary, it seems to have been shared by a segment of the urban middle class which had come to accept the necessity for industrial unionism. From the beginning, this group had expressed disapproval of Little Steel's refusal to sign collective bargaining contracts, pointing out that such a policy was not only outmoded but untenable, especially in view of the fact that Big Steel and various other firms had recognized the union. However, as the strike degenerated into outright industrial warfare, and as it became apparent that many of the strikers were determined to make the strike effective, with force if necessary, these editors became increasingly aroused about the manner in which the union was conducting the strike. They continued to acknowledge the legitimacy of the strikers' goal, but came to feel that their tactics were completely out of bounds.¹⁰

The main concern of these observers, then, was the prevalence of "lawlessness" and industrial strife which had come to characterize the plague of strikes which the nation had witnessed since the beginning of the year. Manifested most conspicuously in the steel strike, this resort to force as the ultima ratio seemed to be the most serious aspect of the troubled labor scene. Was this the proper way to usher in the new era of industrial relations, as contemplated by the Wagner Act? "Are Americans," asked the Christian Science Monitor, "going to leave the adjustment of labor rights and wrongs to be decided according to the number of clubs, guns, gas bombs or airplanes strikers or employers may possess? We do not believe the community can long tolerate this kind of warfare."\(^{11}\)

The Little Steel companies, it was admitted, were partially to blame for this deplorable state of affairs. Their use of industrial espionage and their consistent rejection of all compromise solutions had given the steel strikers "real grievances." But the dubious policies of management had been "... overshadowed by inexcusable resort to violence on the part of irresponsible labor groups." In their desperate struggle to win the strike, these unionists had challenged the "supremacy of law." Insofar as the strikers had adopted coercive methods to keep nonstrikers from either entering or leaving the plants which Republic continued to operate, to insure against the success of back-to-work movements, and to prevent the stockpiling of

\(^{11}\)Cleveland Plain Dealer, June 10, 1937, 10; Washington Post, June 8, 1937, 8; June 10, 1937, 8; Youngstown Vindicator, June 9, 1937, 8; Christian Science Monitor, June 17, 1937, 14.
raw materials, they must bear primary responsibility for the industrial
cflict and the "grave threat of anarchy" which faced the strikebound
communities. Some critics went on to assert that the picketing tech-
niques being employed by the steel strikers and sanctioned by their
leaders were just as irresponsible and unlawful in principle as the
sit-down strike. Whereas the striking automobile workers had seized
control of the plants from within as a means of applying economic
pressure to their employers and preventing them from opening the fac-
tories to nonstrikers, now the steel workers were using an equally
coercive tactic by sealing off the plants from the outside. As one
editor noted, "Peaceful picketing is one thing; armed blockading of
'struck' factories is something else."12

Of all the issues thrown up by the strike, this was without
doubt the most controversial. In a sense it was an even more thorny
issue than the much denounced sit-down technique, for while the sit-
down involved merely the temporary seizure of property, the picketing
methods used by the steel strikers involved not only a restriction on
the exercise of property rights but the risk of injury and perhaps
death to nonstrikers as well as strikers. Stripped of rhetoric and
emotion, the problem was essentially this: given a staunchly antiunion
employer who was bent on breaking the strike and driving the union out
of the shop, were strikers justified in substituting for "peaceful"

12Washington Post, June 6, 1937, 6; June 8, 1937, 8; Youngstown
Vindicator, June 11, 1937, 14; Cleveland Plain Dealer, June 8, 1937, 8;
June 11, 1937, 8; June 17, 1937, 8; Christian Science Monitor, June 17,
1937, 14.
picketing methods mass picketing, intimidation of nonstrikers, and various other coercive tactics in order to win the strike? The question was complicated by the legal ambiguities in which the law of picketing was still shrouded. The most recent decisions of the Supreme Court had not really defined "peaceful" picketing—if indeed any satisfactory definition is possible—the Court having fallen back on the rule that when a picketing practice was in question the circumstances of the particular case would determine whether it was lawful or not. Applied to the steel strike, this formula would have offered little in the way of a satisfactory solution, for whereas mass picketing at Warren and Youngstown was accompanied by violence, at Indiana Harbor it seemed to be no less peaceful than ordinary picketing. On the other hand, the Supreme Court had proscribed picketing which in any way interfered with the right of nonstrikers to have free access to their place of employment.13

The union's critics argued that in addition to court decisions, with which the picketing in many instances could not be squared, there were three other reasons why the strikers should have confined themselves to the usual techniques of peaceful persuasion of nonstrikers. First, resort to more stringent methods was disruptive of the public peace and created a situation of "open warfare." Second, such tactics involved abridgement of the rights of nonstrikers who were willing to accept employment in the struck mills. Third, the strong-arm approach

would only serve to turn public opinion against the union, and thus in the long run impede the fulfillment of industrial labor's legitimate organizational aspirations.\(^{14}\)

These critics pointed out that, if the CIO leaders were not adroit enough to realize this and curb arrogant and irresponsible behavior on the part of their followers, then it was incumbent upon local governments to reassert the supremacy of law. Also, it was suggested that the Federal government should at least speak out against lawlessness, for to remain silent might convey the impression that Federal officials tactfully approved of it.\(^{15}\)

Some editors saw in the rise of vigilante groups one of the more ominous consequences of the union's reckless conduct of the strike. The routing of SWOC pickets at Monroe was cited as an example. There the strikers had taken an "utterly unreasonable position." Even after an election which indicated that a majority of the workers did not support the strike, the CIO minority tried to assert a "dictatorship" by forcibly preventing the nonunion men from returning to work, a situation which resulted in the smashing of the picket line.\(^{16}\)

Those who accepted this version of the Monroe crisis displayed considerable naivete. For actually, as we have seen, rather than a

\(^{14}\)Christian Science Monitor, June 11, 1937, 14; Youngstown Vindicator, June 9, 1937, 8; Washington Post, June 12, 1937, 8; Cleveland Plain Dealer, June 8, 1937, 8; June 17, 1937, 8.

\(^{15}\)Washington Post, June 6, 1937, 6; June 10, 1937, 8; Youngstown Vindicator, June 8, 1937, 8; Cleveland Plain Dealer, June 10, 1937, 10; June 17, 1938, 8; Akron Beacon Journal, June 10, 1937, 4.

\(^{16}\)Washington Post, June 12, 1937, 8; June 17, 1937, 8; Cleveland Plain Dealer, June 16, 1937, 8; June 17, 1937, 8; Christian Science Monitor, June 11, 1937, 14.
case of outraged citizenry stepping in to uphold the law in the face of unruly pickets, the Monroe incident was the product of a subtly planned scheme to break the strike there. As for the various vigilante and citizens' groups which emerged in other strike centers, none of them was truly reflective of a great wave of public concern about the preservation of law and order. On the contrary, in every case the evidence reveals that the group was organized by a relatively small number of persons whose interests were identical with those of management and whose views were fiercely antiunion even before the strike began. Thus in interpreting such activity as indicative of a general trend of public opinion, many observers were apparently taken in by the companies' propaganda releases.

Another score on which this group criticized SWOC was its apparent reluctance to petition for an NLRB election. It was pointed out that, insofar as the dispute between the union and the companies involved the question as to whether SWOC represented a majority, there would seem to have been no excuse for a strike. The Wagner Act, after all, provided a peaceful procedure for the determination of such disputes by a secret poll of the workers themselves. The crux of the criticism of the union, then, was that before calling a strike it should have demonstrated its claim to speak for a majority of the employees by invoking the electoral machinery of the NLRB. "Its failure to do this," noted one editor, "has been a weak point in its

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17 See above, page 209 ff.
position, which can only be taken by the public as indicating that it
is not confident of having sufficient numbers to win." When on June
10 SWOC received 90% of the vote in an NLRB election at the plants of
the Pittsburgh Steel Company, the Christian Science Monitor praised
the union for the "orderly and legal" way in which it had achieved
victory. "Yet this brilliant success was obscured because union
leaders could not or would not . . . " employ the same approach in their
struggle with Little Steel.19

Generally speaking, the observers whose point of view has been
examined in the last few pages were critical of the dubious tactics
employed by the strikers and seemingly approved by SWOC and the
Roosevelt administration. At the same time, however, they remained
convinced that regarding the basic issue of the strike the CIO rather
than Little Steel management was in the right.

The same can hardly be said of the group of critics whose view-
point we shall examine next. The interpretation which this group put
on the steel strike seems to have reflected primarily the sentiments
of two elements in American society. Though divergent in practically
all other regards, they harbored a common aversion to the advance of
organized labor. One was the ultra-conservative upper class whose
hatred of everything New Dealish sprang, to use Arthur M. Schlesginer,
Jr.'s apt phrase, from "an emotion of irrational violence." The other
source of hostility were the thousands of citizens who lived in the

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19 June 12, 1937, 14.
rural, small-town milieu of the Midwest, and who looked on all CIO organizers as "hired gangster from the slums of some great city," as Representative Clare Hoffman put it, come to disrupt the social and economic order.  

These anti-CIO elements were well represented in Congress and the press. Outstanding in Congress were Senator Vandenberg and Representative Hoffman. Among journalists, Arthur Krock, David Lawrence, and the editors of the New York Herald Tribune and the Times, took up their pens in defense of the "right to work." Most of these spokesmen of the antilabor view paid lip service to the principle of collective bargaining, but generally speaking their idea of a good union was, to paraphrase Finley Peter Dunne, one which had no leadership, damn few members, and never went on strike. They were unhappy with the Wagner Act, alarmed by the rise of the CIO, and appalled by the sit-down strikes by which the UAW had entrenched itself at G.M. and Chrysler. Then came the steel strike, in which the SWOC members displayed, in their own way, just as much militancy as the auto workers.

A rash of wildcat strikes by overly zealous UAW members in Michigan coincided with the steel walkout and seemed to underscore the severity of the labor-management crisis in the Midwest. During the spring, G.M. alone had 170 unauthorized work stoppages, and on June 15 it was reported that fifty thousand G.M. auto workers were idle due to wildcats. On top of this came a general strike in Lansing; called by

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20 Schlesinger, op. cit., 567; Congressional Record, Vol. 81, Part 5, 5745.
local UAW firebrands after some of their colleagues were jailed for violation of an injunction, the "labor holiday" paralyzed the capital city for a day. Two days later, the entire Saginaw Valley was deprived of electricity for several hours when a handful of striking power house employees, members of a catchall Flint UAW local, pulled the switches.21

Homer Martin, who had been trying for some time to daunt his more impetuous followers, now acted with increased vigor. He moved to expel the power employees from the UAW, and the union's executive board warned that henceforth instigators of wildcat strikes would be severely disciplined. Also, as noted previously, it was the UAW president who had acted swiftly to cancel the ill-advised expedition of Pontiac auto workers to Monroe following the attack on SWOC pickets there.22

The UAW strikes, especially the Lansing and Saginaw affairs, elicited an immense amount of adverse comment, even from observers who were essentially sympathetic toward the CIO. For example, the Akron Beacon Journal, which supported the Rubber Workers' struggle for recognition, called the Lansing strike a "prime display of jackassery," which only served to arouse public opinion against the UAW.23 But, of course, the antilabor observers were even more exercised over the Michigan situation. Ignoring Martin's efforts to curb the unruly elements in his union, they cited the UAW strikes and the steel...


23June 8, 1937, 4.
strike as proof that the CIO had gotten completely out of hand and was fomenting "civil war" in the Midwest.

In connection with the steel strike, their principal complaint was the besieging of the steel mills by SWOC pickets. Their chief bete noire was John L. Lewis. Thus the Herald Tribune declared that

Lewis' picket lines have thrown to the winds every consideration of law, order or fair play. With no bones about it whatever, they have adopted terror as their weapon. Lewis, deprived of a written contract to bludgeon the steel workers into line, has adopted the strike instead, reinforced with the full power of his autocratic position to cripple cognate industries and to recruit and order his pickets about as he would a military force.

In choosing to aggrandize itself by such ruthless, bellicose means, the CIO leadership was held responsible for having created an intolerable situation which verged on "anarchy." With the approval of their leaders, the strikers had destroyed property, interfered with the mails, subjected nonstrikers to coercion of unprecedented "scope and brutality," and indulged in violent and riotous actions, all of which posed an arrogant challenge to those responsible for the maintenance of law and order. Indeed, it seemed to some editors, politicians, and clergymen, that the CIO-inspired reign of terror had become so serious and widespread that it might subvert the nation's political and economic institutions. A Democratic Congressman from Ohio expressed his conviction that "... the very foundations of our National Government
are threatened by the sinister implications which these strikes carry.\textsuperscript{24} By their vehement attacks on the union, by attributing all of the industrial strife to the strikers and accusing their leaders of deliberately encouraging a policy of terrorism, these critics clearly aligned themselves in support of the management of Little Steel.

Furthermore, they asserted that Little Steel was more than justified in refusing to sign contracts, and they unequivocally endorsed the reasons given by management for its opposition to contractual relations with the CIO. Echoing the companies' lawyers, they pointed out that under the Wagner Act there was no legal or logical reason why collective bargaining should result in written agreements. They were also of the same mind as Girdler and Purnell in believing that a SWOC contract would be the first irrevocable step along the road to the closed shop. Indeed, they portrayed the steel executives as selfless benefactors of the employee, heroic fighters for the "... principle that their workers and all workers shall have the right and the opportunity to work regardless of union affiliation." Thus, the "right to work" became the shibboleth of virtually all those who championed the cause of the companies.\textsuperscript{25}

From various quarters were heard cries of anguish for those


thousands of industrious steelworkers who were kept from their jobs by the lawless CIO minions who had closed off access to the mills.

David Lawrence deplored this situation, in which pickets were violating that "age-old right to work" which was "the most sacred of human rights." It was in danger of being "premanently abolished." Several members of Congress called for legislation to protect the right to work of employees who did not choose to join unions or to strike. A New York State Assemblyman praised those steelworkers at Warren who were continuing to exercise their right to work in defiance of the "un-American, un-Christian, unscrupulous" CIO ruffians.26

It was also pointed out that, in view of the plethora of contract violations with which the automobile industry had had to contend after recognizing the UAW and the utter lack of responsibility displayed by the union at Lansing and Saginaw, Little Steel had good reason to fear the consequences of a contract with a CIO union. "What good are written contracts," asked Senator Vandenberg, "when there is no assurance that they will be lived up to by the workers?" Considering the experience of G. M. how can employers be expected to look kindly toward written contracts in the absence of any restraints on the violators?" Arthur Krock argued that since there were no restraints on unions, which were not required to incorporate, a CIO union could violate its contract with impunity, while the steel firm, as a

corporation, could be held legally responsible. The basic reason the companies had refused to sign, he concluded, was the fact that the Wagner Act was a "one-way" affair.27

Of all the charges hurled at the CIO in connection with the steel strike, perhaps the most serious and telling was that SWOC was conducting an organizational strike, that is, a strike the main purpose of which was to procure membership. Based on the assumption that only a minority of the steelworkers actually favored the union, this argument seemed to have considerable merit in view of SWOC's reluctance to invoke the election machinery of the Wagner Act. The fact that it had not, declared the New York Times,

. . . can only be interpreted as evidence that it has been unsure of its own position and skeptical of its own claims. Unwilling to run the risk of an election which might show that it spoke only for a minority, it has chosen instead to use the strike itself as a means of obtaining a majority.

Other critics carried this analysis even further. They argued that, insofar as its main purpose was to garner members, the steel strike was no different in nature than most of the strikes which had been staged by the CIO since its inception. As the CIO leaders set out to unionize various industries, they had been hampered by the fact that the majority of workers did not relish the prospect of wearing the "Lewis yoke." Finding it difficult to convert these workers by legitimate organizational procedures, CIO leaders and organizers had resorted to the practice of instigating strikes, for strike situations afforded

an opportunity to combine cajolery, intimidation, and economic pressure as means of forcing industrial workers to join the unions. In the minds of these critics, the steel strike was only the most alarming example of an approach which had become standard with the labor agitators in their effort to herd reluctant workers into the CIO fold.\footnote{New York Times, June 14, 1937, 22; New York Herald Tribune, June 16, 1937, 20; June 21, 1937, 14; Steel, C, No. 25 (June 21, 1937), 22.}

According to the companies' apologists, it was difficult for Americans to reconcile their traditions of freedom, fair play, and respect for law with a situation in which labor agitators had license to call unwarranted strikes, pickets were free to besiege plants and coerce workers, and unions felt no compunction about subjecting large areas of the nation to industrial warfare. But these observers did not find it very hard to account for this alarming state of affairs. The ultimate responsibility for the turbulence of the labor scene rested, they alleged, with the Democratic state governments and the Roosevelt administration.

They asserted that, when violations of the canons of peaceful picketing by CIO pickets brought on industrial crises, New Deal governors, instead of enforcing the law against the strikers, attempted to resolve the issues either by appeasing the strikers or by persuading employers to keep their factories closed a little longer. Governor Murphy was alleged to have followed such a policy so often that one
editor concluded "... that if the cities of Michigan are to best the C.I.O. terror they must stand up to it themselves, as in the case of nery little Monroe." 29

As for the Federal government, its policies toward strikes and industrial strife were held to be even more devious than those of the state officials. Instead of condemning the illegal sit-down strikes, the Secretary of Labor had encouraged its use by defending the technique. Instead of upholding governmental authority and the sanctity of the mails, the Postmaster General had acquiesced in interference with the mails by SWOC pickets. But, of course, the government official who more than any other single individual must bear the responsibility for governmental immobility and abdication of duty, both at the state and Federal levels, was the President of the United States. Instead of using the immense prestige of his powerful office to publicly denounce the unlawful activities of CIO pickets and the irresponsible policies of their leaders, he had simply remained silent on these vital issues. As Arthur Krock contended, Roosevelt's "studied silence on violations of law and order has served to stimulate" violence and irresponsibility until they have assumed a national phase." With the New Deal's general backing of the CIO and its legitimate aspirations Krock had no quarrel. But when organized labor went too far, demanding concessions not granted in the Wagner Act, and ignoring the law and the public welfare in its drive for power and membership, it

was incumbent upon the President to speak out against such excesses and to repudiate those who associated his name with the CIO program. The fact that he had not, Krock concluded, conveyed the impression that Roosevelt was a partisan of the CIO and approved of its reckless course. 30

Some critics went further, charging that the Federal government was in "alliance" with the CIO, and that Roosevelt by his "cultivation" of Lewis and his denunciation of industrialists in the recent campaign had stirred up class antagonisms. The consequences of this policy were all too apparent in the spectacle of pickets threatening nonstriking steelworkers with violence and storming factory gates. 31

Perhaps the most vociferous of Roosevelt's detractors was Clare Hoffman. Hoffman, a demagogue a la Huey Long, filled page after page

of the Congressional Record with his scurrilous attacks on the CIO and the administration. On June 15, he informed the House that while it was debating some trivial issue

... men armed with clubs, bricks, guns, and knives under the leadership of John L. Lewis and his crew of wreckers, without a word of disapproval from FDR... are going about the country smashing the faces, breaking the limbs, and sending to the hospital honest laboring men, whose only sin is the desire to work.

* * *

Well may Franklin D. Roosevelt boast of the achievement of his purpose to beat industry to its knees. By the aid of his Secretary of Labor... with the assistance of his traitorous tool, Murphy, and the aid of the flying squadrons of John L. Lewis, the President has become the master of industry in Michigan and in thousands of other localities...

* * *

His actions, his failure to act, his violation of his constitutional oath of office, his refusal to uphold the laws of the United States... render him responsible for the 'red' terror which has come to Michigan.

* * *

It is almost inconceivable, nevertheless the facts seem to indicate that the President... intends to let this violence, this bloodshed... continue until the psychological moment arrives. Then he will call in the reporters and... will boldly declare that the law must be obeyed, and so reap political prestige.

* * *

My visit to Monroe convinced me that, unless we give aid and assistance to communities who are willing to fight for their liberties, we will all go down together to destruction.32

Two days later, Hoffman appeared at a meeting of the Johnstown Citizens' Committee where he urged the citizens to "appoint themselves

as deputies" to stop the spread of "Red Communism" which had been introduced into their city by the CIO.

To Hoffman's outcry were soon joined other voices, producing a chorus of hysterical condemnation of Roosevelt and Lewis. It was asserted that as a result of the administration's "direct partisanship" in favor of SWOC and other CIO unions the people's "faith in the integrity of government" was being undermined. A widely publicized editorial accused the New Deal of fostering labor radicalism and "un-American" labor legislation, and urged citizens to write "... your Senators and Congressmen you are tired of this strife and class warfare encouraged by the administration." A prominent Harvard alumnus, upon learning that Lewis was slated to speak at the School of Business Administration, wrote president Conant that the university could not afford to associate itself with the chief of a "gang of radicals" which was striving to "subjugate" free Americans. In a fashionable suburb of Youngstown, a Catholic priest branded Lewis and Murray as Communist puppets who had incited a minority of workers to riot, to seize factories and to destroy the morale of the majority of workingmen. The New York Herald Tribune seized upon Lewis' vague threat to stop coal shipments from regular mines to Little Steel as additional evidence that the CIO was thoroughly irresponsible. Some observers, the paper noted, had argued that it was only a minority of CIO recruits who violated contracts. "But alas! now we know that contempt for these instruments pervades the Lewis army from its autocratic commander
to its humblest rookie and that to the extent that Lewis continues to dominate organized labor. . . we can whistle for any sign that it recognizes its obligations."33

At the same time, there was a rather sizable group of journalists, politicians, and interested laymen who viewed the steel strike as well as the general labor scene from quite a different perspective. As they saw it, the CIO had not emerged simply because a prominent labor leader and a president had willed it so. Rather, it was the result of something more fundamental, of certain social, economic, and political transformations which had occurred in American society. However much some people might inveigh against it, the drive for industrial unionism was practically inevitable and probably desirable. In the steel industry, the major employer and several others had wisely adjusted their labor policies to the new social and economic scheme of things. But a group of reactionary employers had unwisely decided to try to resist the new order. It was this policy of resistance which appeared to be the root cause of the steel strike.

Unlike many observers, those who held this view of the strike were, for the most part, not preoccupied with the industrial warfare. It was, of course, deplorable, but they considered it as of secondary importance, something which more or less had to be expected in any bitterly fought strike. It should not be allowed to obscure the more basic issues involved. What concerned these commentators most was

that the Little Steel companies seemed determined to avoid their obligations to recognize and bargain in good faith with representatives freely chosen by their employees. For example, the minister of the First Presbyterian Church of Brooklyn, New York, who denounced violence by "strikers, police or company employees," told his congregation that it was the duty of American churches to "reiterate the right of labor to organize and bargain collectively. . . ." However, he warned, "there are still some who would deny labor that right, and would make each man stand helpless and alone" against gigantic corporate employers.34

That this was management's purpose was certainly indicated, if not conclusively demonstrated, these observers concluded, by its adamant refusal to sign collective bargaining contracts as such. Thus, in striking for written agreements, which were, after all, simply the normal instruments for formalizing and facilitating the collective bargaining process, the union was doing no more than attempting to force a group of employers to acknowledge a right which had been granted to labor as the salient feature of the Wagner Act. In the final analysis, then, not the union but the companies appeared to be responsible for the strike and the industrial turmoil which accompanied it.

While the statements of numerous politicians, journalists, and

clergymen could be cited to illustrate these generalizations, they may perhaps be more effectively elucidated by confining the discussion to the opinions expressed by four individuals, Senator Robert F. Wagner, Justice John H. Clarke, Walter Lippmann, and Representative Michael J. Kirwan of the Nineteenth Congressional District of Ohio. Three considerations were used as the basis for the selection of these particular individuals. First, all of them left fairly detailed statements of their views of the steel strike; second, all of them had more than a passing interest in the labor movement; and third, in each case the individual's position in public life made his opinion of special significance or interest.

As previously noted, the steel strike focused public attention on the question as to whether or not under the National Labor Relations Act employers could be required, as a part of their obligation to bargain collectively, to conclude written agreements with unions. The fact that a controversy over this point alone seemed to have occasioned a major strike called for a definitive disposition of this issue, which had not been explicitly dealt with in the Wagner Act. It was with this aspect of the strike that Senator Wagner, as the man mainly responsible for the passage of the Act, was most concerned.

In defending their side of the contract controversy, the Little Steel companies on occasion cited a letter, written in 1935, in which

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35 New York Times, June 2, 1937, 12; June 21, 1937, 9; Christian Science Monitor, June 14, 1937, 1; Cleveland Plain Dealer, June 15, 1937, 24; St. Louis Post-Dispatch, June 12, 1937, 4-A; Commonweal, XXVI, No. 7 (June 11, 1937), 171; Youngstown Vindicator, June 20, 1937, B-2; Congressional Record, Vol. 81, Part 5, 5523-24, 5659.
Wagner had indicated that signed agreements were not mandatory under the new national labor policy. After the steel strike began, however, he intimated that refusals by employers to sign contracts violated the spirit of the legislation.36

On June 16, the father of the National Labor Relations Act spoke out forthrightly on this issue. Nothing the consistency of his position all along, Wagner explained that Congress could not compel employers to conclude collective bargaining agreements for the sake of agreements, as Chief Justice Hughes had pointed out in the Jones & Laughlin case. What the act did require employers to do was to bargain in good faith, looking toward an agreement embodying whatever terms might be mutually agreed upon during the course of collective bargaining. "Whether the refusal of the employer to enter into and sign a written contract with his workers' representatives constitutes a violation of the act therefore depends on the facts of the particular case." If the failure to conclude a contract was preceded by bargaining which reached an impasse over terms of employment, the employer had fulfilled his obligations within the meaning of the act, Wagner stated. If, on the other hand, the employer "... announces or shows that he will not sign a written contract even if a collective bargaining agreement should be reached, then he is not trying in good faith to reach an agreement and he is violating..." the act.37

Because of the complexity of wage rates and working schedules

in large industrial corporations a verbal agreement, Wagner pointed out, would be a "mere chimera," an impractical arrangement which would be almost impossible to implement. Therefore, for an employer to announce that he did not intend to sign a contract regardless of the outcome of collective bargaining was an "act of bad faith." Not only did such action constitute a "clear violation" of the Wagner Act, but it was "certain" to bring on industrial disputes and strife. Traditionally, diehard antiunion employers had refused to sign contracts and to grant recognition as a means either of breaking existing unions or of preventing the initial organization of the employees. Apart from revealing an extremely "anti-social industrial" attitude, such a policy was clearly in conflict with the principles embodied in the National Labor Relations Act. 38

Although Wagner denied that his remarks were directed to any particular labor dispute then in progress, it was obvious that his interpretation of the act as it applied to contracts had been prompted by the steel strike and was directly applicable to Little Steel's unbending refusal to consider contractual relations with SWOC. Thus, according to the view of the principal author of the Wagner Act, who presumably knew as much about its intent as anyone, the companies had assumed a position which put them in violation of the national labor policy.

Mr. Justice Clarke's interest in the strike derived from several facets of his career and background. If for no other reason, Clarke, 38

Ibid., 20.
as a former member of the Supreme Court, would naturally be concerned with the strike because it underscored an aspect of the Wagner Act which undeniably involved significant legal and constitutional considerations. Also, the early years of his career had been spent in Youngstown where he had entered the practice of law, become part owner and sometime contributing editor of the Vindicator, and established the family home. He held a considerable number of shares of Sheet & Tube stock. But the crucial factor in determining his attitude toward the strike was Clarke's deeply rooted sympathy for organized labor and its aspirations, a sentiment which had been amply demonstrated during his six years on the high bench. An old Wilsonian progressive, his undying zeal for social and economic reform had found a new outlet in the New Deal program.39

Clarke's view of the strike was set forth in an exchange of letters with H. G. Dalton, board chairman of Sheet & Tube. In his first letter, the former associate justice expressed the belief that the issue of reducing terms which the company found acceptable to written form—which seemed to be the "sole point of difference" between SWOC and Sheet & Tube—was not "... a sound, sufficient reason for closing the mills indefinitely and for taking the risk of the loss of life and property so certainly involved in the course the Management"

39From the viewpoint of organized labor, Clarke's record on the Court could hardly have been better. He dissented in all of the numerous antilabor decisions—such as the Hitchman and American Steel Foundries cases—which were rendered during his six years on the Court. Hoyt L. Warner, The Life of Mr. Justice Clarke, A Testament to the Power of Liberal Dissent in America (Cleveland, 1959), passim.
had adopted. From a strictly legal angle, it was always more satisfactory for all parties to an agreement to have it in written form. Moreover, it was "... in the interest of justice and fair dealing that such an agreement should be susceptible of definite proof. ..."

In short, the advantages of a written contract over a verbal agreement were so obvious that it should not be necessary to argue in favor of the former. As for the arguments on which the company had based its refusal to deal with the union, Clarke found them"... inadequate and unsound, particularly having regard to the social and political outlook in our country with respect to the relations of employers and employees which are so changed from the days of Frick, Carnegie. ..." The underlying cause of the strike, as Clarke saw it, was not the fear of the closed shop but the unwillingness of the companies' officials to treat with the union leaders "as equals."40

In reply, Dalton vigorously defended Sheet & Tube's refusal to sign contracts, and castigated Lewis for turning Youngstown into a "battlefield" in his attempt to impose the closed shop on the industry. To this Clarke retorted that it was his observation that public opinion condemned the companies' position. "I must add, my dear Mr. Dalton... that Girdler and Lewis are two of a kind and neither is fitted to a wise exercise of the power which a strange turn of the wheel of fortune has given them... I am surprised that you have selected such a leader and spokesman for the Sheet and Tube Company."41

40LFC, Part 27, 11428-29.
41LFC, Part 27, 11430-32.
Michael J. Kirwan had been elected the new Representative from the Nineteenth Congressional District, which included Youngstown and Warren, during the Democratic landslide of 1936. A former steelworker and a native of Youngstown, he took a keen interest in the strike. He had visited the Youngstown area on Sunday, June 13. The following Tuesday, after Representative Lamneck had delivered an attack on SWOC and the administration's strike policy, Kirwan spoke out in defense of the strikers and their cause.42

In every major strike since Homestead and Pullman, Kirwan declared, organized labor had been confronted with a hostile government which had either helped to break the strikes or had stood aside while employers bludgeoned workers back into submission. Over the years, successive attempts by labor to assert itself had been branded as anarchism, Socialism, or Communism. Once again many people were alarmed by the sight of workers struggling to secure their rights. But, Kirwan noted, times had changed. "For 50 years labor has been chasing the ball. It begins to look like labor is beginning to have its turn at bat."43

The steelworkers were striking for the singular purpose of vindicating their right to have a signed contract. The Vindicator, Kirwan pointed out, had called on the companies to sign with the workers' representatives. As for the reports that strikers were resorting to violence, he asserted that they were simply engaged in peaceful picketing of the mills, as the law allowed. "I say that

42Congressional Record, Vol. 81, Part 5, 5753. 43Ibid., 5753.
from my observations, from what I saw in Ohio, everything is moving along all right. I admire those men who are striking for their rights. . . ."44

Needless to say, he was somewhat biased in favor of the union. However, it is scarcely conceivable that Kirwan, whose political acumen is evidenced by his twenty-three consecutive years in the House, would have come out in such strong support of the strikers had the vast majority of the steelworkers opposed the strike, as the companies asserted.

Perhaps the most incisive and perceptive analysis of the strike was the one presented by Walter Lippmann in his widely syndicated column, "Today and Tomorrow."45 While the explosive atmosphere in the steel towns, the picket line skirmishes, and the deaths in Chicago were all deplorable, "there never was," Lippmann pointed out, "a bitter strike in which both sides did not act in a lawless spirit. . . ." Therefore, it would seem to be a waste of time to try to determine which side must bear primary responsibility for the violence and bellicosity. Yet public opinion was becoming so "excited" about "atrocities" and lawlessness that it was not paying sufficient attention to the more important issues which had produced the strike and continued to underlie the industrial warfare.

The "immediate" issue was the fact that both the Little Steel companies and the CIO hierarchy believed that signed contracts,

44Ibid., 5754.
45Cleveland Plain Dealer, June 12, 1937, 7; St. Louis Post-Dispatch, June 16, 1937, 3-C.
involving formal recognition of SWOC, would pave the way for complete unionization of the steel mills by the CIO. This explained why the companies were so resolutely determined to avoid a written agreement, and why the CIO leaders were just as determined to obtain one.

The "larger" issue raised by the strike, Lippmann continued, was the question as to which of two possible approaches should be used in order to achieve and maintain "industrial peace." One of these was to extend unqualified recognition to unions so that they would be forced to assume a degree of responsibility commensurate with their increasing power. This approach, which had been adopted by Big Steel, had the two-fold advantage of providing employers with some assurance that union contracts would be observed and affording an "orderly" framework for labor-management relations. The other approach was the one to which Girdler and the rest of the Little Steel executives were committed. It sought to cope with the labor problem by keeping unions disorganized and impotent.

This policy Lippmann condemned as "foolish" and "reactionary," It was "foolish" because, though certain employers might not like Mr. Lewis, the fact of the matter was that the CIO chieftain was "here" and he commanded an increasing following within the ranks of industrial labor. In short, the time had arrived when the industrialists would have to "learn to deal with organized labor," and there was nothing to be gained by conjuring up schemes "for holding back the tides of history."

It was "reactionary" because it encouraged extremists on both sides and thus delayed a satisfactory solution of the problem of
reconciling corporate management and industrial unionism. Insofar as some of the CIO unionists were arrogant and irresponsible, it was due in large part, at least, to the policies and attitudes of recalcitrant employers such as Girdler. Lewis, Lippmann was convinced, was essentially a moderate and responsible leader of labor, and there was reason to believe that, given an opportunity, he would sincerely attempt to enforce all contracts entered into by his organization. However, by treating Lewis and his lieutenants as "public enemies to be resisted at all cost," antiunion employers forced the top CIO leaders to resort to strikes and to depend upon the more militant elements within the CIO. The net result of this policy was the aggravation and embitterment of the labor scene, which made it all the more difficult for enlightened employers, reasonable labor leaders, and government to arrive at a "constructive solution" of the problems posed by the rise of a full-blown industrial union movement in the United States.

The solution which Lippmann envisioned would have provided for strict regulation of unions, for their incorporation, and for the prohibition of unfair labor practices on their part. Of course, the Little Steel executives called for the same general type of regulations; but—and the distinction is crucial—whereas they wanted regulation to keep the CIO weak, Lippmann's regulatory plan presupposed the existence of a strong, viable industrial union organization. Granted that regulated, responsible unions were the solution, how was it possible, Lippmann asked, to move toward that goal when numerous "powerful" employers were still "resisting the real recognition of unions as established factors in industrial management?"
Lippmann's ultimate solution for the labor-management problem was perhaps too pat, his program for regulating unions too reminiscent of the New Nationalist panacea of regulated bigness. Certainly his endorsement of incorporation was scarcely calculated to endear him with trade unionists, who were almost as fearful of that as the industrialists were of the closed shop. Yet neither labor leaders nor unbiased laymen could easily take effective issue with Lippmann's conclusions regarding the basic forces which had produced the steel strike. His ability to discern the overriding motives of both sides, his immunity from the cant and furor which preoccupied many observers, and his ability to see beyond the din and turmoil of industrial battles to the heart of the struggle—all of these made Lippmann's one of the most trenchant analyses of the strike.

Characteristically, Lippmann did not claim that he spoke for public opinion. Rather, he conceived his task as that of awakening the public to the underlying basis of the then current wave of labor disputes, which seemed to have reached a high point with the steel strike. Despite this, it seems safe to assume that some of his readers already held the general view that he was expounding.

In summarizing this discussion of public opinion at the height of the strike, it can be said that, while the majority of observers sympathized with the objective for which SWOC was striking, many of them were becoming alienated by what they felt were reckless and irresponsible tactics used by the strikers. The remainder of this larger group—a sizable and articulate minority—continued to support the union cause, feeling either that the companies were equally to
blame for the violence or that it was not too germane to the real issues of the strike. At the other extreme of the range of opinion was another minority which not only unreservedly took the side of management, but also used the occasion of the steel strike as a springboard for a slashing attack on the CIO in general and the entire New Deal labor policy. It must be concluded, then, that a majority of the general public had, for one reason or another, definitely turned against the strikers. Furthermore, such was the public's mood that any policy of government intervention that seemed in the slightest degree to favor SWOC would probably meet with an adverse reaction.
CHAPTER IX

GOVERNMENT INTERVENTION

In view of the temper of public opinion, Roosevelt's hesitancy about involving himself in the strike is understandable. When it finally came, his decision to authorize Federal intervention was taken reluctantly and only after all other avenues of approach to a settlement had proved futile. Secretary of Labor Frances Perkins had urged the establishment of a steel mediation board in the second week of the strike, but the President had flatly refused to involve the administration. Davey's mediation program, announced at that time, had given Roosevelt some slight basis for hope that he might be able to avoid direct intervention altogether. However, after learning of the failure of Davey's first conference and conferring again with Secretary Perkins, who reported that there had been no change in the situation, the President on June 14 made the tentative decision to set up a mediation board in the event that the governor's efforts collapsed completely.\footnote{New York Herald Tribune, June 14, 1937, 2; June 18, 1937, 1; New York Times, June 18, 1937, 1, 2; Christian Science Monitor, June 9, 1937, 1.}

At his regular press conference the next morning, the President made his first public comment on the strike. Asked whether he felt the steel companies' refusal to sign contracts might be a violation of the Wagner Act, Roosevelt replied that, while he could not say "categorically" as far as the law itself was concerned, "common sense"
would seem to dictate "that if a fellow is willing to make an agreement verbally" he should be prepared to "put his name to it." "Now," he went on, "that is just plain common sense and not a law. . . ."

Although he deftly parried a question about possible intervention by his administration, Roosevelt revealed that he had just conferred with Miss Perkins. They hoped the situation would "straighten out." In breaking his long silence with these measured remarks, Roosevelt was trying to make his influence felt in the interest of a settlement without directly interjecting himself into the strike picture. He believed, apparently, that his remark on the contract issue, though circumspect, and his display of concern over the lack of any progress toward a settlement might be enough to dislodge Little Steel from its stand.

If this was the President's strategy, it failed, for there is no evidence that his words had the slightest effect on the steel executives. As we have seen, they steadfastly adhered to their original position throughout Davey's prolonged endeavor to mediate the strike. Therefore, on June 17, the Governor made an appeal for Federal intervention. Pointing out that the state had invoked every possible means to try to effect a settlement, and that the strike was interstate in scope, Davey "most earnestly" requested Roosevelt "to intervene on behalf of the Federal Government and undertake in such a manner as you may deem best to find some basis on which this costly and

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threatening strike can be settled." The Governor expressed his readiness to cooperate fully with the administration. 3

Immediately this message was received at the White House, Roosevelt called in Secretary Perkins and a short time later she issued an administrative order establishing the Federal Steel Mediation Board. Charles P. Taft, a young Republican of liberal bent, who had served as a mediator in the Toledo Auto-Lite strike, was appointed chairman. The other two members were Edward F. McGrady, First Assistant Secretary of Labor, and Lloyd K. Garrison, Dean of the Wisconsin Law School and former head of the first NLRB. The Board's power and jurisdiction were rather narrowly limited. It was authorized to investigate the issues and circumstances surrounding the strike, to make findings of fact regarding them, and to recommend formulas as a basis for settlement. But, though the peacemakers could hold hearings, they had no power of subpoena, and they could arbitrate only if requested to do so by both union and management. In announcing her action to the press, Miss Perkins indicated that the Board would be confined to mediation by saying that it would function in a "cooperative" capacity. She also stressed the point that it should not be considered as a formal instrumentality of the Federal government. Rather, it was "merely a group of private citizens who" would "investigate to see if they" could facilitate a settlement. 4 The vague and restrictive nature of the Board's authority, the fact that it was clothed only with the moral authority of the Labor Department, which meant that it lacked

effective power to enforce its recommendations and decisions, underscored, once again, the President's reluctance to become directly involved in the struggle.

At the same time, however, the government's action in setting up the Mediation Board did in effect amount to direct intervention at a crucial juncture in the strike. For the plans of Sheet & Tube and Republic to reopen their Youngstown area plants would, presumably, be temporarily suspended while the mediators went about their task of trying to narrow the area of difference between the disputants. Since it was common knowledge that the companies were preparing to reopen sometime within the next few days, chairman Taft hastened to announce that he hoped Girdler and Purnell would see fit to discuss the strike situation with the Board before proceeding any further with their plans to resume operations. Taft's position was reinforced the next day, June 18, by Miss Perkins who made it unequivocally clear, in a telegram to Governor Davey, that the government expected the companies to cooperate with the Board. Her vigorously worded message requested the Governor to "maintain the 'status quo' with regard to operations during mediation." Under such conditions, she added, the Board could be expected to go into action very quickly.5

The administration's insistence upon the 'status quo' may have been a completely justifiable policy, as a board of mediation could hardly be expected to function satisfactorily, if at all, in the face

5New York Times, June 18, 1937, 2; June 19, 1937, 1; June 20, 1937, E-3; Frances Perkins to Governor Martin L. Davey, June 18, 1937, Conciliation-Steel.
of an active strikebreaking campaign; but the fact remained that, insofar as mediation involved cessation of the back-to-work drive, the government's plan for settling the strike ran athwart the companies' strategy of breaking it. In a sense, then, Roosevelt's decision to intervene could be interpreted as a boon to the union, for at the very least mediation would probably delay or avert the consummation of the back-to-work scheme, a development which had seemed imminent.

Accordingly, the strikers and their leaders were in general favorably inclined toward the government's effort to make peace. Lewis, although he would undoubtedly have preferred a more positive and forceful form of presidential intervention, cancelled a trip to Chicago, where he was to have addressed a mass rally of steel strikers, so that he could hold himself in readiness to appear before the Mediation Board. Murray and Pressman, both of whom were also in Washington at the time, conferred with Miss Perkins and expressed their desire to cooperate with the mediators. This willingness to negotiate and at least to consider all compromise proposals was consistent with the approach which the SWOC leadership had manifested from the very beginning.6

In the interim, while the Board was organizing itself— it was scheduled to begin its work on the nineteenth— Murray and Pressman were engaged in publicly defending the union's case and in filing new charges against Little Steel with the NLRB.

On June 17 and 18, the mild-mannered chairman of SWOC appeared

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before the Post Office Committee and read a long, ringing indictment of
the Little Steel companies. He charged, among other things, that they
had flagrantly violated the spirit as well as the explicit provisions
of the Wagner Act, that they were bent on obstructing genuine collective bargaining, and that their professed fear of the closed shop was nothing more than a "subterfuge" to conceal their real motives.

Pressed by Senator Bailey of North Carolina as to why SWOC had not petitioned for an NLRB election, Murray contended that the union had not called for an election during the strike because the companies were engaged in a reign of intimidation and coercion of union members. When the Senator asserted that in the absence of an election showing a SWOC majority management was not obligated to recognize or to bargain with the union, Murray unhesitatingly retorted that he had in his office signed membership cards from 80% of the employees of Little Steel.⁷

Meanwhile, Lee Pressman filed a new charge with the NLRB in Washington, accusing Republic Steel of employing a plethora of unfair labor practices against SWOC members in several of the company's Ohio plants, both before and during the strike. The charge maintained, for example, that through its supervisory employees the company had threatened to fire workers who refused to sign back-to-work petitions.

Regarding an election, Pressman asserted that, while SWOC was "extremely desirous" of having one to prove its majority, the union was of the opinion that the policy of "discrimination, coercion, and intimidation"

⁷Mail Hearings, 41-45, 52, 55, 72.
being followed by Republic precluded the holding of a "fair, impartial" election at that time. The SWOC counsel, therefore, suggested that the NLRB investigate the unfair labor practices and conduct a hearing regarding them as soon as possible and preparatory to an election. Although the NLRB did in fact immediately send a team of investigators into Ohio to look into the union's complaint, the Republic case was to have no direct bearing on the outcome of the strike; but by initiating it Pressman added another valuable weapon to the legal arsenal with which SWOC was ultimately to bring Little Steel to terms.®

As for the companies, a few hours after the Mediation Board had been appointed, John S. Brooks, Republic counsel in Washington, assured Miss Perkins that his company was extremely anxious to settle the strike and would "cooperate" with the mediators. However, the attitude of the steel executives themselves was something less than cooperative. Refusing to say whether he would meet the Board, Purnell declared in Youngstown that his immediate concern was to resume production and payrolls and that the mills would be reopened as soon as sufficient police protection was assured to the "large number" of employees who wanted to return to their jobs. The next day, after it had become known that the administration wanted the companies to agree to a status quo, Tom Girdler announced the policy which Republic would follow toward the situation created by the establishment of the Board. Strongly intimating that he would treat the Board in the first instance as an investigatory rather than a mediatory body, Girdler stated

that its "first duty" should be to look into the "intimidation and terrorism of the CIO" which had kept "thousands" of Republic employees living in the mills and other "thousands" from entering their places of employment. As for the request to maintain the status quo, it was rejected outright as an "unwarranted and impossible" proposition, because of the circumstance that "thousands" of employees wanted to return to work. To subject these workmen to "weeks" of idleness would be intolerable. Therefore, the company would proceed with its plans to reopen the plants just as "rapidly" as local authorities could assure safe access to returning employees.9

Thus, it must have been fairly evident to the administration that it could expect little real cooperation from the side of management, whose leaders had voiced a stubborn refusal to be diverted one iota from their plans to break the strike. Their coolness toward further peace talks and their aversion to negotiations on the substantive issue of the dispute, even at the risk of perhaps inviting more stringent government intervention, was a consequence of the strategy which they had adopted at the beginning of the walkout and which they had never shown any signs of abandoning. The essence of that strategy was to concentrate on means and methods designed to crush the strike, while at the same time avoiding any compromise on the issue which had caused it. Now that strategy was on the verge of paying off, and if it could be swiftly and successfully carried through

9New York Times, June 18, 1937, 1; June 19, 1937, 1; Cleveland Plain Dealer, June 18, 1937, 6.
to completion, neither would there be anything for the Board to mediate, nor would there be a possibility of the steel executives finding themselves in a position where they might have to give in somewhat on the contract issue.

In Youngstown, there was a growing conviction that, in order to avert the violence which would surely accompany any effort to force the picket lines, the mills ought to remain closed while the Board tried to work out a settlement. The sheriff, the mayor, the county commissioners, the Campbell City Council, and the Citizens' Conciliation Council, an ad hoc group composed of several religious and civic leaders, all urged the companies to abide by the status quo. Despite this public pressure, company officials and back-to-work leaders went right ahead with preparations to break the strike. Thomas, the bellicose leader of the back-to-work movement, declared that the Board could go its own merry way but that his group would ignore it and all its works. "We don't want mediation," he snapped. "What we want is work and our program is going to continue." Thomas could speak with such confidence because the sheriff and the mayor, though they hoped to avoid "trouble" by having the whole thorny strike problem shifted into the lap of the Board, remained committed to provide "protection" if the back-to-work legions attempted to defy the pickets and enter the mills.10

Another indication that the back-to-work campaign was not going

to subside was the formation, on June 18, of a Citizens' Committee in Youngstown. That this body was little more than a puppet organization of the steel corporations is amply evidenced by the nature of its leadership and the source of its funds. Carl Ullman, president of the Dollar Savings & Trust Bank, who had helped sponsor the Civic Progress meeting and the "harmony ads" the previous year, and whose bank provided free office space for the independent unions and loaned the sheriff $18,000 to help pay for special deputies, was the moving force behind the Committee. The bulk of the contributions came from businessmen who were closely associated with the companies and persons who had participated in the antiunion propaganda campaign of 1936. Two of the most generous contributors were directors of Sheet & Tube.\(^{11}\)

Although it claimed to be neutral toward the strike, the Committee's main function was to place advertisements supporting the companies' position and encouraging the back-to-work movement. Its first ad, which appeared on June 19, deplored the incidents of "mob rule" which had characterized so many recent strikes and which "imported outsiders" were now trying to incite in Youngstown. All public-spirited citizens were urged to join with the Committee in exerting pressure on local officials to adhere to a rigid policy of "law enforcement" in the strike.\(^ {12}\)

Meanwhile, in Warren, where Republic had contributed $15,000

\(^{11}\) LFC, Part 29, 12015, 12025, 12152-53, 12185; Youngstown Vindicator, May 2, 1937, II, 1.

\(^{12}\) Youngstown Vindicator, June 19, 1937, 3.
to the county for the purpose of maintaining a large force of deputies, the John Q. Public League was not only actively supporting a back-to-work drive but was in the process of organizing a group of self-appointed vigilantes to attack the picket lines. Local SWOC leaders, fully aware of the activities of the League, publicly warned, on June 20, that if it persisted in its plan to aid nonstrikers by assailing the pickets all CIO and AFL members in Warren would be called out for a general strike. 13

In Canton, there was an actual attempt to break through the picket lines on June 18. With the blessing of the Canton Law and Order League, the leader of the back-to-work movement tried to lead a group of about fifty nonstrikers into the plant, but this coup was frustrated by a contingent of strikers which intercepted the back-to-work force. Police were required to quell the ensuing encounter, in which one person was seriously injured. 14

General public reaction to the peacemaking efforts of the Roosevelt administration was rather sharply divided into two schools of opinion.

One viewed government mediation as a positive and appropriate approach to the solution of a strike which had seemingly exhausted practically all other available means of settlement, and praised the President for authorizing the establishment of the Board. It was also felt that the Board was composed of judicious and impartial men.

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Lippmann, for example, wrote that it was representative of the "range of opinion within which moderate men stand." Particularly the choice of Taft as chairman elicited favorable comment in the press. Since the Board was interpreted as a kind of expression of the growing public insistence for a peaceful termination of the strike, its processes and recommendations could be ignored by either side only at the risk of alienating a large segment of the public, according to this school of thought. Therefore, it was incumbent on both the union and the companies to cooperate fully and sincerely with the mediators. Above all, both sides should refrain from all actions which might further aggravate the strike situation or prejudice the Board while it went about the difficult job of trying to arrange an amicable solution.  

The other view was that Roosevelt's appointment of the Board amounted to a partisan action, a move calculated to assist the union by imposing its interpretation of the contract issue upon the companies. While not opposed to the principle of Federal mediation, these critics charged that the usefulness of this particular board was in doubt because Roosevelt, by inferring in his press conference that management ought to sign contracts, had prejudged the main issue with which the Board would be dealing. As Arthur Krock put it, the Board would begin "under the impressive shadow of its creator's opinion."  

Here was incontestable proof, according to Roosevelt's  

15Washington Post, June 18, 1937, 8; June 22, 1937, 8; Cleveland Plain Dealer, June 17, 1937, 8; June 19, 1937, 9; June 20, 1937, 18-A; Wase 21, 1937, 6; Christian Science Monitor, June 19, 1937, 14; Youngstown Vindicator, June 18, 1937, 12.
detractors, that he was working hand in glove with the CIO. Senator Vandenberg declared that, rather than "talking about written contracts the President might have done better to have followed the course of Grover Cleveland and demanded respect for the law of the land."

Vandenberg went on to criticize the Board itself, saying that all of its members had at one time or another expressed themselves in favor of signed contracts. In a speech on June 20, the retiring President of Yale, Dr. James R. Angell, lashed out at the New Deal labor policy in general and Roosevelt in particular for encouraging "much of the existing disorder" by his tacit acceptance of lawlessness on the part of strikers and by his "criticism of employers for failing to sign contracts with labor groups whose good faith they regard as open to question." Other critics denounced the administration for trying to impose a status quo. By what right, the Chicago Daily News wanted to know, did the president undertake to abrogate the right to work of thousands of steelworkers while he sought to mediate in favor of the CIO.17

The steel Mediation Board, which established its headquarters in Cleveland on Saturday, June 19, could hardly have begun under more inauspicious circumstances. With each side in the strike manifesting increasing animosity toward the other and management threatening to ignore the whole mediatory process, Taft and his associates were faced

with an almost insuperable task. Nevertheless, they shunned all actions which might have suggested a defeatist attitude and went about their duties with all deliberate speed and every indication of complete conscientiousness. In an effort to expedite the peace discussions, the mediators asked company and union representatives to confer with them sometime during the weekend, but the steel executives declined to attend that soon. Finally, it was arranged that the top steel and CIO leaders would meet the Board on Monday morning in Cleveland.  

Meanwhile, during the week end, there were several developments which made the whole strike situation more exigent and the problem of mediation more difficult. In the first place, extremists on both sides indulged in statements which exacerbated the prevailing bitterness. On Saturday, Girdler publicly stated that, while he was quite willing to appear before the Board, he had absolutely no intention of meeting in the same room with either Lewis or Murray. The next day, Bittner, who was in Cleveland to participate in the peace talks, addressed a mass meeting of SWOC members and sympathizers. In a torrent of angry oratory, he denounced the head of Republic Steel as the man who was the leader of Little Steel because he had "less sense" than the other steel executives. Then the United Mine Workers leader declared that

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his union would "stop every coal mine in the United States" if it were necessary to keep Republic from breaking the strike.19

More arresting than either of these verbal outbursts were the events taking place in the actual strike zones at Johnstown and Youngstown. In the former city tension between the strikers and their partisans, on the one side, and the nonstrikers and Mayor Shields' vigilantes, on the other, had reached a critical point. What made the situation seem especially ominous was a rumor that forty thousand miners, scheduled to attend a CIO rally outside Johnstown on Sunday, were planning to march on the city to demonstrate their support of the striking Bethlehem steelworkers. Such a demonstration, it was feared, might trigger a full-scale clash between the contending forces. Late Friday evening, the sheriff of Cambria County urged Governor Earle to send in National Guard troops to insure the peace.20

The next day, Earle requested Eugene Grace to suspend operations in the interest of preserving order and "pending action of the recently appointed Federal mediation board." The Governor warned that if the company did not comply he would declare martial law and exercise his

19New York Times, June 20, 1937, 1; Cleveland Plain Dealer, June 21, 1937, 2; B. J. Damich, SWOC Field Director, to President Roosevelt, June 16, 1937, Conciliation-Steel. SWOC asked Roosevelt to extend "greetings" to and make an "endorsement" of this meeting. There is no evidence that he did so.
20LFC, Part 19, 8260; New York Herald Tribune, June 20, 1937, 1.
police power to close the mills. He also sent a message to John L. Lewis requesting the CIO leader to cancel the meeting of miners at Johnstown.21

When the president of Bethlehem refused to shut down the mills, the Governor forthwith put Johnstown under martial law and ordered additional state police into the city, with orders to "close and evacuate" the plant. Despite the vehement protest of Grace, who called on Earle to redirect his energies "against the agitators who are responsible for the difficulties. . . and whose aims are to overthrow government," and the refusal of local company officials to close the mills, by early Sunday morning state police had sealed off the giant Cambria works and disbanded the vigilantes. By this time, Lewis had called off the dreaded meeting and SWOC pickets had been withdrawn from the mill gates. Naturally, strikers and union officials heartily approved of the Governor's action, for it accomplished at one stroke what they had been unable to do in the week since the strike began: completely close the Bethlehem plant.22

Whatever justification there may have been for Earle's policy, it touched off a storm of protest and condemnation. Mayor Shields—who was receiving large sums of money from Bethlehem officials—was almost overcome with indignation, and chastised the Governor for

21 New York Times, June 20, 1937, 2; New York Herald Tribune, June 20, 1937. After visiting Johnstown on June 18, several state officials informed Earle that vigilantes were fostering the back-to-work movement by appearing at workers' homes and inviting them to return to work.

refusing to crush "mob rule" and disrupting the "orderly conduct of our social and business life." On Sunday, twenty-four Johnstown ministers petitioned Earle to allow the mills to reopen and to use the state police to protect the "large majority of substantial workers who were . . . satisfied with their conditions and . . . eager to work." Newspapers throughout the country denounced the forcible closing of the Cambria works; it was variously described as "unprecedented," "partisan," "unjust," "arbitrary," "unpalatable," and "a far cry from Calvin Coolidge and the Boston police" strike. It was rumored that Earle was being considered as the Democratic presidential candidate in 1940, and some observers saw a political motive involved in the Governor's action. The New York Herald Tribune noted how "Mr. Grace has forced Governor Earle, the rich and lily-handed exploiter of class warfare, who hopes to succeed Mr. Roosevelt, . . . into the camp of the C. I. O. terrorists." In Congress there was also considerable consternation. Senator Bailey declared that in "aiding" lawless pickets Earle had given a good indication of the kind of President he would be. And Representative Hoffman seized upon the occasion to introduce a resolution directing the President to proclaim the sanctity of the right to work and to employ the Army in cases where state or local officials failed "to give protection to any person desiring to work."  

While martial law was being imposed on Johnstown, Youngstown was in the throes of one of the bitterest eruptions of industrial warfare of the entire strike. This encounter, which began Saturday evening and continued intermittently until early Sunday morning, occurred in the vicinity of the Stop 5 gate of the Republic Steel plant.

The Republic plant at Stop 5 was bounded on the one side by the river and on the other by a railroad embankment, which formed a kind of parapet along the front of the mill. An underpass gave access to the mill gate. Between the embankment and the street, Poland Avenue, was a company parking lot. Here, during the early part of the strike, pickets had parked their cars and erected a crude soup kitchen. However, at the insistence of company officials and Ray Thomas, city police had ordered the strikers to vacate the lot and to stay off it. Across the street from the parking lot were several buildings—a cafe, two filling stations, and an oil company warehouse. Rising behind these was a fairly steep hill on which were located the homes of several hundred immigrant steelworkers, many of whom were employed in the mill below.\(^{24}\)

Following the announcement of the Mediation Board, the picket lines in Youngstown had been relatively quiet. On Saturday afternoon the picketing at Stop 5 was taken over by the wives of some of the strikers who lived in that area. Instead of walking the picket line, the women, of whom there were about twenty, seated themselves in chairs on the sidewalk and the driveway leading to the underpass. A dozen

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\(^{24}\)LFC, Part 30, 12275, 12304, 12308-10.
or two strikers were loafing around on both sides of the street. Shortly after 8:00 P. M. a city police captain accompanied by a sergeant and six patrolmen arrived on the scene. Informing the women that they were obstructing traffic in violation of the law, the police officer gave them five minutes to remove their chairs and get the picket line in motion. The officer, who had been involved in the Market Street riot, apparently became the object of some abusive language; and, when the women did not move fast enough to suit him, he returned to his cruiser car, took out a bag of tear gas grenades, and discharged two or three of them a few feet from the picket line.25

This action created a highly volatile situation which soon exploded into a full-blown riot. With tear gas enveloping the picket line, the panic-stricken women fled across the street. Behind the cafe, where many of the strikers had gone to escape the gas, a SWOC organizer apparently attempted to calm the milling crowd. But, hearing a sudden cry for "help" from the street, the enraged strikers rushed around the building and onto Poland Avenue, hurling stones, paving bricks, and imprecations at the police. The latter, greatly outnumbered, retreated toward the railroad embankment where they began to use their gas guns, firing shells at the crowd and into the cafe in which many of the women and children had taken cover.26

Word of the battle soon spread and with it a rumor that a woman

25LFC, Part 30, 12223 ff., 12235 ff., 12262 ff., 12537-38, 12588; Youngstown Vindicator, June 19, 1937, 1; June 21, 1937, 1; Cleveland Plain Dealer, June 20, 1937, 1; Washington Post, June 19, 1937, 2.

and her baby had been killed by police. Strikers from Campbell and Struthers began pouring into the area. Meanwhile, additional police, deputy sheriffs, and Pennsylvania Railroad police augmented the small band of police who had barricaded themselves behind their cruiser cars close to the underpass.\(^{27}\)

As darkness descended, Stop 5 became a no man's land. In an effort to prevent the police from receiving reinforcements and supplies of tear gas, groups of strikers put a city bus across Poland Avenue at one point and blockaded it with timbers at another. Other strikers armed themselves with rifles and shotguns and, after shooting out the street lights, began firing from the hill toward the police and the mill. Although the city police and the deputies probably confined themselves to firing repeated salvos of tear gas, Republic guards, using the mill side of the railroad embankment as a shield, started shooting at the strikers on the street and the snipers on the hillside. The only light in the battle zone came from a police car which had been set afire and from parachute flares which the police occasionally fired into the air over the street. About 10:30, while one of these flares was burning, a striker, John Bogovich, who was crouching next to a gasoline station was hit and killed instantly by

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\(^{27}\text{Cleveland Plain Dealer, June 20, 1937, 1; Washington Post, June 20, 1937, 1; LFC, Part 30, 12588-89.}\)
a large caliber rifle bullet. Sometime later another striker, James Eperjesi, was felled and fatally injured by a shotgun blast.\textsuperscript{28}

Although John Mayo, the SWOC subregional director made three attempts to disperse the strikers, the battle continued unabated until 1:00 A.M. Sunday. Finally, toward morning union organizers and the sheriff arranged a one day truce under which the deputies and police were to leave the scene of the riot and the strikers agreed not to hold demonstrations around the mill gates. Besides the two men who were killed, eighteen strikers, two bystanders, and three deputies were wounded either by bullets or buckshot. Several other persons, including the labor journalist, Mary Heaton Vorse, were injured by stones and bricks.\textsuperscript{29}

This savage outbreak of class warfare served to intensify the tension and ill-feeling which had been somewhat mitigated by the news on Friday of government intervention. The bloodshed did not deter

\textsuperscript{28}LFC, Part 30, 12271, 12279, 12287 ff., 12501-02, 12515, 12517, 12538, 12555, 12585; Part 31, 12591-99, 12624-25, 12831-36; New York Herald Tribune, June 21, 1937, 1; Cleveland Plain Dealer, June 21, 1937, 1; Youngstown Vindicator, June 21, 1937, 1, 5. Republic officials maintained that company guards did not participate in the battle. However, twenty bullet holes were found in the front of the gasoline station beside which Bogovich was killed. After visiting the scene of the riot and reading several accounts of it, the writer feels safe in concluding that shots were fired from the Republic plant. There remains the possibility, however, that the strikers were shot inadvertently by other strikers firing at the police. It was never officially determined who was responsible for their deaths.

\textsuperscript{29}LFC, Part 30, 12502, 12516-17; New York Times, June 21, 1937, 1; Youngstown Vindicator, June 21, 1937, 1.
either side from its course. The companies went ahead with their plans to reopen; the strikers were equally determined to resist any attempts to break their picket lines.

It was a dramatic scene in Cleveland, on Monday morning, as the Mediation Board prepared to meet with representatives of SWOC and Little Steel in an endeavor to find some formula which would be acceptable to both sides. The Board, going into action against a background of bloody industrial violence, with the not unlikely prospect of more in the offing, hoped to bring the antagonists together in a face-to-face parley as swiftly as possible. What made the mediators' task especially noteworthy—and difficult—was the fact that they were dealing with something more than a fiercely fought strike. For it was now clear that the steel strike had developed into a broader struggle between the aggressively dynamic CIO, supported by its surging legions of militant recruits, and the most powerful remaining antiunion coalition in American industry, a group amply fortified with financial resources and able to count upon the moral support of the NAM. Indeed, to many observers it seemed that the fate of the entire CIO movement would hinge on the outcome of the organization's contest with Little Steel. On hand for the showdown were the two leading figures involved, John L. Lewis, the seemingly invincible head of the CIO, and Tom M. Girdler, implacable foe of the CIO and everything it stood for.30

The Board met first with the union delegation, which included Lewis, Murray, Bittner, McDonald, and Pressman. They said it was their impression that, while management was averse to a signed agreement, it had no objections to the substance of the proposed agreement, which was similar to the Carnegie-Illinois contract. This being the case, the Board suggested various devices which, though avoiding the hurdle of a formally signed contract, would have given SWOC some kind of assurance in writing that the companies would abide by the terms of employment mutually agreed upon in negotiations. These proposals the CIO leaders took under consideration without committing themselves.\(^3\)

Shortly before noon, when the mediators were scheduled to confer with the steel executives, the Board learned much to its dismay that Republic and Sheet & Tube had just announced that their Youngstown plants would reopen at seven o'clock Tuesday morning. The formal announcements, which appeared in the newspaper, notified all employees who wanted to work in spite of the strike to enter the mills at certain gates, including Stop 5, where adequate protection would be provided by local law enforcement agencies. As an inducement to return to their jobs, employees were assured that, temporarily, operations would be on the basis of two twelve-hour shifts with time and one-half pay for all work over eight hours per day.\(^3\)

Thus the Board had no more than gotten under way than it was


\(^3\)Mediation Board, 2; Youngstown Vindicator, June 21, 1937, 1, 2, 3.
faced with a deliberate attempt to frustrate its purpose. It responded by appealing to Girdler and Purnell to delay for at least a day or two their plans for reopening the plants in order to forestall the resumption of industrial warfare and to give the Board time in which to explore the possibilities of bringing the strike to a peaceful conclusion. This the chief executives of the two concerns refused to do, justifying their course of action on the grounds that it would be unfair to the employees to keep the mills closed any longer.33

Then Girdler proceeded to lecture Taft and his associates on the necessity for keeping in mind the fact that the "fundamental" issue of the strike was the right of employees to work without being harassed or threatened by a union. The controversy over a signed agreement was a mere "technical" issue, according to the Republic chairman. But, insofar as it was involved, Republic could not and would not conclude a "contract, oral or written, with an utterly irresponsible party" such as the CIO. Hence, "any discussion" of that subject would be "futile." The company, Girdler added, would not submit voluntarily to arbitration. Purnell, Grace, and William Sykes, President of Inland, indicated that they were in general agreement with the position presented by the chairman of Republic.34

33Mediation Board, 2, 3; Walter Galenson, The CIO Challenge to the AFL. A History of the American Labor Movement 1935-1941 (Cambridge, 1960), 100. It is possible that another was also involved. A general decline in steel orders occurred during the strike, and the companies may have been anxious to resume production in order to avoid the loss of existing orders. However, it would seem that a few more days of idleness would not have made very much difference in terms of Little Steel's share of orders.

34New York Times, June 22, 1937, 2; Cleveland Plain Dealer, June 22, 1937, 1.
Contrary to the belief which had come to be commonly held, all of the companies asserted that they had never reached any kind of agreement with the union regarding the terms of the Carnegie-Illinois type contract. Among other things, they objected to the time-consuming grievance procedures which were provided for in the contract. Furthermore, Girdler told the Board that he "positively" refused to sign a "term contract," for such an agreement would deprive the company of the ability to meet fluctuations in the price of steel by lowering wages if that became necessary. Bethlehem, in a rather narrow interpretation of "collective bargaining," reserved the right to alter wages, hours or working conditions "without any reference" to the union.\(^{35}\)

Finally, as the meeting was about to end the Board invited the heads of the four companies to participate with Murray and Lewis in a joint conference, a step without which there could hardly be any real negotiations. Adhering to their original policy of dealing with SWOC exclusively through their subordinates—it will be recalled that Girdler had twice expressed an aversion to meeting face to face with Lewis—the steel executives said they would not take part in such a conference. They did, however, consent to meet again with the Board.\(^{36}\)

Little Steel's rejection of the Board's requests destroyed practically all hope of a mediated settlement and underscored, again, the companies' unswerving determination to crush the strike regardless

\(^{35}\)Mediation Board, 3, 4; New York Times, June 22, 1937, 2.
of the consequences. The Board's more immediate concern was to prevent Republic and Sheet & Tube from going through with their scheme to break the strike. Since this presented a situation with which the mediators were not empowered to deal directly, they moved quickly to invoke the assistance of the White House. Early in the evening, soon after the end of the day's sessions, Taft called Secretary Perkins and asked for presidential action to back up the Board's unsuccessful appeal for an extension of the status quo in Youngstown. Miss Perkins indicated that, while the administration was contemplating an endorsement of the request which the Board had made regarding the status quo, the President preferred to take such action in conjunction with a similar move on the part of Governor Davey.37

Immediately, Taft informed the Governor of the companies' intention to go ahead with the reopening and urged him to exert his influence in the interest of the status quo and industrial peace. The Board had been reliably informed, Taft told Davey, that if the gates were thrown open in the morning "somebody was going to get killed." The Governor, almost overwhelmed by the gravity of the situation, asked Taft to advise him as to whether the National Guard should be sent into the strike zones to preserve the status quo. The Board replied that that was something the Governor would have to decide for himself.38

While the Board was desperately trying to salvage something from the shambles of its first mediatory venture, which had floundered

38Mediation Board, 4.
on the rocklike intransigence of the steel executives, the two principals in the day's proceedings were making public their estimations of the situation. Girdler, emerging from the conference in a jocular and flippant mood, declared that Republic's position was "unchanged."

Asked whether he would return for a further session, the president of Republic replied cryptically that he could not be sure because the "Great White Father" had not yet asked him to do so.39

Somewhat later, Lewis held a brief press conference in his hotel suite. His face drawn and pale, a condition partly due to a bad cold, Lewis declared in somber tones that, in view of the companies' obstinate refusal to consider an oral or written agreement, negotiations would be a "futile enterprise." The strike would continue until Little Steel signed contracts similar to those concluded with over 250 other steel firms. The CIO leader also revealed that he had just called Miss Perkins and Governor Davey and told them that "the steel workers believe that somewhere in this nation there should be authority to prevent the contemplated butchery of our people in the mills tomorrow. . . ." The CIO had already counted a dozen dead and scores wounded due to the companies' defiance of the law, Lewis went on.

"Labor will await the position of the authorities on whether more of our people will be protected or butchered."40

Though not explicitly stated, it was clear that the principal

39New York Times, June 22, 1937, 1; Cleveland Plain Dealer, June 22, 1937, 1.
40New York Times, June 22, 1937, 1; Cleveland Plain Dealer, June 22, 1937, 1, 5.
"authority" from whom Lewis expected aid was the President. The precarious circumstances in which SWOC now found itself would serve a crucial test of the informal, unwritten alliance between the CIO and the New Deal—a pact whose existence was assumed at least by Lewis and his lieutenants, as well as by their critics.

Meanwhile, the situation in Youngstown was rapidly moving toward what promised to be a dreadful climax, for there was every indication that, unless something occurred to change the expected course of events, the morning would witness a sanguinary clash between the strikers and the back-to-work forces. When no word came from Cleveland of any break in the deadlock and the companies continued to prepare the mills for production, thousands of strikers began to congregate in mass formation at the four gates which, according to plant officials, would be flung open at 7:00 A.M. Displaying signs reading "they shall not pass," the strikers seemed intrepidly determined to stand their ground despite the hundreds of police and deputies who would be on hand in the morning. Moreover, the strikers were not alone in opposing the reopening. Following the Stop 5 encounter, the Teamsters had called a sympathy strike, announcing that they would continue to tie up local transport facilities until either the status quo were assured or the companies abandoned plans to break the strike. Also, it was reported that large numbers of rubber workers, from Akron,
and steelworkers and miners from western Pennsylvania, were on their way to Youngstown to help defend the picket lines. 41

The grim tenacity with which the strikers manned the picket lines can not be explained simply as a manifestation of loyalty to the new union. Many of them had come to believe that not only the chances of obtaining a contract but also their very jobs were dependent upon their ability to keep the mills closed until management came to terms with the union. They suspected—and quite rightly as it was to turn out—that if the companies had fired workers for union activity they would not hesitate to dispense with workers who had played an active part in an unsuccessful strike. Their apprehensions on this score could scarcely have been allayed by the announcement of Sheet & Tube that it reserved the right to fire employees "guilty of serious violations of law" and Republic that it would not "rehire anyone who has been guilty of violence or guilty of provoking, condoning or instigating acts of violence against the Corporation, its employees, their homes or their families." Thus, to the striking steelworkers it seemed that the best way to protect their jobs was to make sure that the mills remained closed and that the strike was a success. 42

At the same time, the back-to-work leaders were completing their plans for the entry of the nonstrikers into the mills. The men

41Cleveland Plain Dealer, June 21, 1937, 1; June 22, 1937, 1; Youngstown Vindicator, June 21, 1937, 1, 2; June 22, 1937, 1; New York Times, June 22, 1937, 1, 3; New York Herald Tribune, June 22, 1937, 1; LFC, Part 31, 12842-46.
42Cleveland Plain Dealer, June 22, 1937, 1; New York Times, June 22, 1937, 1; Youngstown Vindicator, June 21, 1937, 1, 2; LFC, Part 29, 12563.
were urged to rendezvous at specified points so that they could march through the gates en masse. Sheet & Tube contributed by making available five hundred helmets for the use of the back-to-workers. Ray Thomas, the generalissimo of the back-to-work forces, had advised his followers that they had a right to take up arms if it seemed necessary to protect themselves while going through the picket lines, and rifles, pistols, and shotguns were on hand at the headquarters of the Sheet & Tube independent union.\

During the evening the heads of the three SWOC lodges sent a last minute appeal for presidential intervention. "In the name of God and the overwhelming majority of the steel workers of Youngstown," the message read, "we urge you to immediately intervene in this critical hour and avoid a calamity and disaster that Ohio may remember for decades to come." A similar wire had already been sent to the Governor. About 10:00 P.M. the sheriff called Davey and told him that local authorities would be unable to cope with the consequences if the companies persisted in reopening the mills.

Soon thereafter Davey telephoned the White House to inform the President of his tentative decision to employ National Guard forces to maintain the status quo during the deliberations of the Mediation Board. Roosevelt expressed his belief that the Governor's contemplated action was "very fair and proper." Moreover, in view of the exigencies of the situation, and to support his Secretary of Labor and the policy

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43Youngstown Vindicator, June 22, 1937, 1; LFC, Part 29, 11999-12003, 12043, 12044-45.
44Youngstown Vindicator, June 21, 1937, 1; Mediation Board, 5.
of the Ohio Governor, the President now decided to intervene personally and directly in the strike situation. Shortly after 11:00 P. M. the White House made public a copy of a telegram which had just been dispatched to Girdler and Purnell. Dated 11:00 P. M., June 21, it read:

The Secretary of Labor has advised me that the Steel Mediation Board... has requested you not to open your Youngstown plants tomorrow. In the promotion of public safety and in the interest of a reasonable and peaceful settlement which should be expected and can be attained, I earnestly join with the Board in this request to you.

Franklin D. Roosevelt

This appeal seems to have had no effect on the steel executives. What really prevented them from opening the mills was Davey's use of the National Guard.

The Governor's orders directed the State Adjutant General to mobilize five thousand National Guard troops; the advance units were scheduled to deploy in the Youngstown military district, which included Warren and Niles, at dawn on June 22. The troops were instructed to keep the peace, to prevent any invasion of the area by nonresidents, and to disarm all persons except law enforcement officers. The steel mills which had been closed since the beginning of the strike were to remain closed until the Mediation Board completed its work, provided that could be accomplished within a "reasonably limited" period of time.

45Cleveland Plain Dealer, June 22, 1937, 1; New York Herald Tribune, June 22, 1937, 1.
46LFC, Part 34, 13935.
47The next morning Purnell replied to the President: "Your telegram has been received. The Governor of Ohio has by military force kept our plants closed. His order is being obeyed by this company..." Writer's italics. LFC, Part 41, 15980.
Mills which had not been closed would be allowed to continue in production.\textsuperscript{48} Thus the crisis was passed without the eruption of violence which most observers had expected. Moreover, the new, if somewhat qualified, lease on life which Davey had granted to the Mediation Board meant that for the next few days the companies would at least have to go through the motions of submitting the dispute to peaceful determination.

Four to five hundred nonstrikers who appeared at the mill gates in Youngstown about 6:00 A.M. were turned away and told to go home by police. Meanwhile, John Owens, acting on orders from Lewis, instructed all picket captains to discourage strikers from massing at the gates and to see that they cooperated with National Guard officers. By the time the first detachments of the Guard arrived, about 9:00 A.M., the rancorous, defiant mood displayed by the strikers the previous evening had completely ebbed. Now, relieved and jubilant, they cheered and waved at the troops who marched through the steel districts to take up positions in the vicinity of the mill gates. Judging from their reaction, it was clear that the strikers viewed the entry of the Guard as a decisive factor in their favor and believed that the strike was all but won.\textsuperscript{49}

Actually, this was not necessarily the case. Since the laws of Ohio did not provide for a formal declaration of martial law, it would

\textsuperscript{48}LFC, Part 31, 12850; New York Herald Tribune, June 22, 1937, 1.
\textsuperscript{49}Youngstown Vindicator, June 22, 1937, 1; Cleveland Plain Dealer, June 22, 1937, 1; Washington Post, June 23, 1937, 1. As soon as word of Davey’s action reached Youngstown, the Teamsters called off their strike.
be left up to the sheriffs to determine the specific measures necessary to implement the broad lines of policy outlined by the Governor. Accordingly, Sheriff Elser on the morning of June 22 issued a proclamation which, among other things, suspended the right of assembly, except by special permit, and limited the number of pickets to ten at each of the mill entrances. One of the main functions of the National Guard would be to assist the sheriff in the enforcement of these regulations. 50

With the approval, if not always the assistance, of the National Guard commander, police and deputies began a campaign of harrassment of the strikers. One of the union's strike headquarters was closed, another was raided and records were confiscated. Scores of strikers and picket captains were arrested and held incommunicado and without arraignment. The homes of several strikers were raided on the flimsiest of pretexts. However, in one case police found a box of crude smoke bombs. Don Knowlton of the public relations firm of Hill & Knowlton, which was retained by Sheet & Tube, arranged to have the box of bombs photographed. Captioned "dynamite bombs," the picture found its way into the press and Life magazine. More damaging were the repeated arrests of three of the key SWOC organizers, an action which deprived the strikers of effective leadership for considerable periods of time. 51

The crisis in Warren, which had led Davey to order troops into that city as well as Youngstown, had been precipitated on the morning of June 21 by the issuance of an injunction in the Court of Common Pleas. Requested by Republic to restrain SWOC pickets from engaging in "illegal conduct," the injunction enjoined pickets from carrying weapons of any kind, from obstructing streets and interfering with rail traffic, and from using "intimidation, threats, abuse, or violence" as a means of preventing nonstrikers from entering the mills at Warren and Niles. Furthermore, the strikers were to be allowed no more than sixty-two pickets, to be stationed at the several gates of the Warren plant, and twelve at the Niles mill.\(^2\)

Although it would hardly have been considered onerous in a normal strike, in this case the injunction would have the effect of depriving the strikers of the only weapons by which they had been able to keep Republic from introducing additional strikebreakers and stepping up production. Hence, neither the strikers nor their local leaders were disposed to abide by the provisions of the judge's order, and rather than pacifying the pickets and diminishing their numbers, it infuriated the strikers and increased the size of the picket lines.\(^3\)

Because enforcement of the letter of the injunction would have

\(^2\)LPC, Part 31, 12978-79. Noting in his decision that the plaintiffs' hands were "not clean," the judge also enjoined Republic Steel from permitting any of its nonstriking employees to hurl "bricks, stones, bolts, nuts, rivets, or any other missiles" at strikers, and from permitting any of its policemen to "assault, attack, or manhandle" pickets.

\(^3\)Cleveland Plain Dealer, June 22, 1937, 5; New York Times, June 22, 1937, 2, 3.
given officials of the Warren and Niles plants an opportunity to attempt to resume full production, while the Governor's policy was simply to maintain the status quo, Davey instructed the sheriff to enforce the injunction only insofar as was necessary to afford unobstructed passage for those workers who had been working and living in the plants since the beginning of the strike. However, even this raised a thorny problem, because the strikers were in no mood to see any workers enter the mills. To compound an already complicated situation, the sheriff issued passes for the cars of nonstrikers, and the strikers claimed this arrangement allowed supervisory employees to smuggle strikebreakers into the plant.\footnote{New York Herald Tribune, June 24, 1937, 1; Washington Post, June 24, 1937, 1.}

On the morning of June 23, local CIO leaders called a general sympathy strike of all CIO members in Warren and Niles. Displaying a remarkable degree of solidarity, several thousand factory and WPA workers walked off their jobs in support of the striking steelworkers. After parading through Warren, two thousand workers, many joined by their wives, congregated in the area of the main Republic entrance. When a group of two hundred nonstrikers left the plant, they were greeted with jeers. But the strikers' main concern was to prevent any "scabs" or "strikebreakers" from getting into the mill. Two automobiles driven by supervisory employees were overturned before the troops, who were a block or two away, arrived on the scene, and two newsmen had to be rescued from the unruly crowd at the point of
National Guard bayonets. However, serious violence was averted when local Republic officials decided not to try to increase the size of the working force that day.  

The next day, following a conference of Gus Hall, SWOC leader in Warren, the sheriff, and the National Guard commander, the general strike was called off. Although the reason given for ending the strike was the sheriff's agreement to issue picket line passes only to individual workers, it seems highly probable that the strike was abandoned on the orders of top SWOC leaders in Cleveland who did not want to run the risk of prejudicing the union's position while they were appearing before the Mediation Board.  

The Board had been striving mightily to arrange a top level conference of SWOC and steel officials. In a move to try to facilitate such a meeting, Lewis had retired from the scene, returning to Washington on June 22. His withdrawal was based on the presumption that the heads of the companies might agree to meet with the SWOC leadership if the head of the CIO, toward whom they had a special aversion, were not present. In a four hour session on June 23, the Board tried to get the management delegation to agree to a joint conference between the chief executives of Little Steel and Murray and his lieutenants. This proposal the steel representatives rejected, stating, as they had all along, that "duly authorized" subordinates of the company heads would

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confer with SWOC officials at any time for collective bargaining purposes. Informed of this, Murray replied that there was no purpose in his meeting with the companies' "second-string" executives.\(^5^7\)

The next day, June 24, the Board proposed as a means of settlement that SWOC call off the strike, that each company sign an agreement with the union, and that NLRB elections be held in the steel mills, "the agreement to go into effect if the union wins, and to be torn up if the union loses." Although the SWOC leaders did not "definitely accept" the Board's formula, "they did say that they would be glad to negotiate on that basis."\(^5^8\)

The companies' collective answer came by way of a long statement which was handed to the Board as the management representatives departed from what they considered the "final" meeting with the mediators. The substance of the statement was that the four companies still refused to enter into contractual relations with a CIO union because that organization was "totally irresponsible." "In its effort to impose its will upon industry and employees of industry throughout the nation," the CIO had thoroughly demonstrated this. Surely no "responsible" industrial management could be expected to sign a contract with an organization which had a record of "persistent disregard of contracts, flagrant violation of the law of the land and intimidation of the public authorities to prevent the enforcement of those laws," the statement concluded. Plainly, all this amounted to more

\(^{5^7}\)Mediation Board, 5; New York Times, June 23, 1937, 1; June 24, 1937, 1; New York Herald Tribune, June 24, 1937, 2. 

\(^{5^8}\)Mediation Board 6, 7.
than simply a refusal to deal with a particular CIO union. Little Steel had used the occasion to make a blanket denunciation of the CIO. 59

In Washington, meanwhile, the CIO was being denounced in much more emphatic and unvarnished terms by one of the main protagonists of the steel strike drama. Tom Girdler, testifying before the Senate Post Office Committee, branded the CIO "the most dangerous threat to the preservation of democracy in the United States." As for Philip Murray, he was an inveterate "liar." 60 Further testimony was quite revealing of the inner nature of Girdler's aversion to the CIO—that basically he objected to the CIO not because of the type of labor organization it was, nor because of its policies, but rather because of the fact that it was a labor organization. At this point Senator Green was questioning the chairman of Republic.

SENATOR GREEN. Do I understand you to make the distinction that you would not make a contract with a labor organization you thought was irresponsible—are you listening?
MR. GIRDLER. Yes, sir.
SENATOR GREEN. But would make a contract with a union that you thought was responsible?
MR. GIRDLER. I didn't say that.
SENATOR GREEN. Well, I will ask you, then, would you make a contract with a union you thought was responsible?
MR. GIRDLER. I said I would cross that bridge when I came to it. The Wagner Act says you don't have to... 61

After further questioning by various Senators concerning the conditions under which Republic might sign a collective bargaining contract,

60 Mail Hearings, 208, 211-212.
61 Ibid., 228.
Girdler minced no words in making his position unmistakably clear. "I am trying to tell this distinguished committee," he blurted out, "that I won't have a contract, verbal or written, with an irresponsible, racketeering, violent, communistic body like the C.I.O., and until they pass a law making me do it, I am not going to do it."62

Even in the face of such pointed rebuffs the Board refused to give up hope of somehow arranging a settlement. Its next move was an attempt to force the companies to modify their position by an appeal to public opinion. During the evening of the twenty-fourth Taft released an interim report of the Board's proceedings. Though the union was reprimanded for not having requested NLRB elections, the brunt of the blame for the impasse was placed on management. Underscoring the repeated refusals of the top steel executives to meet with the chief union leaders, Taft expressed his conviction that only through a "man-to-man discussion around the conference table" would the two sides be able to resolve their conflicting positions. "We now publicly urge the heads of the four companies to accept our invitation, to meet at once with the union representatives and our board, and to discuss terms of settlement. . . ." The Board planned to remain in session for a day or two more, prepared to resume mediation should the steel executives change their minds.63

Because the prospect of a change of heart on the part of Girdler, Grace, and their associates was slight indeed, Taft wanted President Roosevelt to take a hand in the situation either by investing the Board

62Ibid., 244.  63Washington Post, June 25, 1937, 2.
with the authority to force some kind of settlement or by calling the steel and union heads to a White House conference. In a telephone conversation with Secretary Perkins, Taft said the Board members were prepared to fly to Washington immediately and report directly to Roosevelt as a preliminary to presidential action. SWOC was also anxious to have Roosevelt intervene. Before leaving Cleveland, Murray declared that his union would be glad to accept any terms of settlement which the President, acting as "final arbiter," might set forth.64

Although some Washington observers were of the opinion that, in the event the Board failed to end the strike, the President would take some decisive action, there was in fact no real possibility either of additional mediatory efforts by the Board or of presidential arbitration. In another of his rather intemperate utterances, Girdler rejected the suggestion of any further dealing with the Board. Talking to reporters in Washington on the twenty-fifth, he characterized the Board as "incompetent and unfair," Taft as "a man who likes to talk about the things his father did," and Edward McGrady as an "office boy" for Perkins and Lewis. Asked if he would accept Roosevelt as an arbiter, the ebullient chairman of Republic responded with a booming "No!"65

As for the President, he had no intention of becoming personally involved as the arbiter or mediator of the continuing struggle between

65Washington Post, June 23, 1937, 1; June 26, 1937, 5; New York Herald Tribune, June 26, 1937, 1; June 27, 1937, 2. Girdler later denied that he had ever made any such remarks, saying that his statement had been distorted and misquoted by the press.
the CIO and Little Steel. For this reason, Miss Perkins "vetoed" Taft's proposal for further government intervention in the strike. Powerless to force a resumption of peace talks, the Board terminated its existence on June 26. Its final report, issued five days later, concluded that the companies' adamant refusal to sign contracts, even if the union were to win NLRB elections, was "not the way to industrial peace."66

When the Federal government stepped out of the picture, the responsibility for handling the tense strike situation reverted to the state authorities. The most urgent problem confronting them was the question of what policy to adopt regarding the mills at Johnstown, Youngstown, and Warren, which had been put in status quo pending the outcome of the Board's attempt to mediate the strike. Should governors Earle and Davey use their police power to continue the status quo, hoping that there would soon be some break in the deadlock, or should they rescind their original orders and instruct the state police and the troops to protect returning workers from the wrath of the strikers, thus permitting the companies to reopen their plants and break the strike through the back-to-work movements? With no sign of a negotiated settlement in sight, the situation called for some kind of action because, obviously, the mills could not be kept closed indefinitely.

In Johnstown, the Citizens' Committee and the city administration had been agitating incessantly against Earle's declaration of

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martial law. With the financial backing of Ernest Weir, head of National Steel, and the president of the Mellon National Bank, and the editorial assistance of a New York public relations firm, the citizens' group placed a full-page advertisement protesting Earle's action in thirty-six newspapers throughout the eastern and midwestern sections of the country. Appearing on June 24, the ad described the strike as an "organizing strike" designed to force the majority of Johnstown steelworkers to join a union they did not want. To appease John L. Lewis, Earle, an "ambitious" politician, had declared martial law, a policy which abrogated the right of local self-government and deprived thousands of citizens of an opportunity to earn a livelihood. Warning that if such an outrage could happen in Johnstown, it could "happen anywhere," the ad urged readers to write their Senators and Congressmen. It concluded with an appeal for contributions for the "defense of the right to work."67

The same day, Governor Earle announced that at 7:00 A.M., June 25, martial law would be lifted in Johnstown and the Cambria plant would be free to resume operations. However, state police would remain in the city to keep a watchful eye on the situation. Pickets were to be limited to six at each gate. Company officials said it would be a few days before the plant could be returned to normal production. Whether this delay was due to the fact that the furnaces had been

banked or the desire of management to wait until the back-to-work movement was better organized is not quite clear.\textsuperscript{68}

Just as suddenly, the Governor of Ohio also executed a volte-face. On June 24, as soon as he could confirm the report that Taft's peacemaking endeavors had failed, Davey ordered the commanding general of the National Guard to permit the steel mills at Youngstown and Warren to open, and to employ his forces for the protection of employees returning to work through the picket lines.\textsuperscript{69} In justifying his action, Davey borrowed one of the main themes of management's argument, which suggested that the Governor's course of action had been partially affected, if not entirely determined, by Little Steel's propaganda campaign. Davey's instructions read in part:

\begin{quote}
The right to work is sacred. The right to strike is equally valid. Those who want to return to their employment shall enjoy that privilege without being molested. Those who wish to remain on strike certainly are entitled to do so, and to continue any and all lawful practices.\textsuperscript{70}
\end{quote}

The Governor's order was decisive. It was the beginning of the end of the Little Steel strike.

Behind Davey's decision to commit the National Guard to a policy of assisting the companies in breaking the strike were several considerations. He had been highly reluctant in the first place to utilize force to prevent the companies from reopening their plants, having done so only at the last minute in order to avert the threat of a

\textsuperscript{70}LFC, Part 43, 16396.
costly clash. Anxious to avoid the impression that his action was partial to either side, the Governor seized the earliest opportunity to demonstrate that in closing the mills he had not acted in the interest of the strikers. There was also a more practical aspect, the problem of staving off further violence; for, with management free to open the gates, the possibility of a renewal of industrial warfare loomed. If the troops were abruptly withdrawn from Youngstown and Warren, nonstrikers would almost certainly have to run a gauntlet of enraged strikers, a situation which could only end in bloodshed. The most readily available means of preventing such outbreaks was to restrain the pickets from interfering with the movements of nonstrikers. 71

Probably more crucial, however, was the pressure to which Davey had been subjected by the companies, their allies, and their partisans. Frank Purnell, the Independent Federation of Republic Employees, the Youngstown Citizens' Committee, and the mayor of that city bombarded the Governor with letters and telegrams decrying his maintenance of the status quo and urging him rather to use the troops which had been dispatched to the strike zones to guarantee the "constitutional rights" of nonstrikers by making it possible for them to enter the mills. Not only did such protests emanate from the areas and groups immediately affected by the Governor's action, but they also came from other Ohio cities and even from other states. Republic district managers were in some cases instrumental in engendering keen interest in

the Youngstown-Warren situation among businessmen and management groups. For example, the manager of the corporation's Birmingham, Alabama, district worked assiduously to get business executives, members of trade associations, and civic officials "throughout Alabama and Tennessee" to send telegrams to Davey "in order to stiffen his back." The day after he revoked the status quo, the Governor received one thousand messages commending his most recent move.72

On the morning of June 25, following a conference of the National Guard commander, company officials, and the sheriff, the Youngstown plants of Republic and Sheet & Tube were permitted to reopen.73 Probably not more than two thousand steelworkers went through the gates the first day. On successive days, however, several more thousand workers donned their work clothes and crossed the picket lines to resume the task of making steel. With the troops imposing a "vigorous regulation" of picketing and maintaining a "continuous roving motor patrol" of the city, pickets and strike leaders were powerless to stem the swelling volume of employees who joined the march back to the mills. Inexorably, then, the ranks of the strikers dwindled as the back-to-work movement rapidly picked up momentum. By June 26 the National Guard headquarters announced that the vast majority of

73The La Follette Committee Hearings contain numerous intelligence reports and other confidential records of the Ohio National Guard. These proved to be a valuable source of first-hand information about the activities of the troops and the conduct of the strikers in Youngstown, as well as in the other Ohio cities where the Guard units were on strike duty.
Youngstown workers, approximately eighteen thousand, had reported for work, although this figure was emphatically denied by John Owens who asserted that not more than 25% of the working force had entered the mills. The next day, Sunday, June 27, the Vindicator headline proclaimed: "Mills Push to Pre-Strike Peak;" and the mayor confidently declared that, barring further intervention from Washington, the troops could probably be withdrawn within a week. "I guess we showed the CIO what Youngstown thinks of it," he added.74

At Republic's Warren works, National Guard forces had also implemented Davey's order of June 24 ending the status quo. Although employees were free to enter the heavily guarded mill gates, the reopening did not proceed as smoothly in Warren as in Youngstown. Company officials encountered considerable difficulty in obtaining the crews of men necessary to resume normal operations throughout the various departments of the sprawling plant. It was not until July 6 that enough rollers and other mill hands were rounded up to begin operating the "hot mills," which were a vital link in the overall functioning of the plant. However, in spite of the delay in getting the mills back into full production, the strike in Warren was definitely on the wane.75

Notwithstanding the undeniable fact that the strike was

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75 LFC, Part 31, 13008; Part 33, 13576; Part 43, 16461; New York Herald Tribune, June 26, 1937, 2; Youngstown Vindicator, July 6, 1937, 1; July 7, 1937, 1.
collapsing in the Youngstown-Warren area, SWOC leaders were unwilling to admit publicly to defeat. On the contrary, they announced quite pointedly that the union would not call off the strike. "The steel workers in this valley are not going back into those plants without a contract," declared Owens on June 25. And the next day Murray sent wires to all SWOC lodges informing them that the union's policy was to continue the strike until victory was attained and to give "support of every kind" to the thousands of steel workers still on strike.

Apparently undaunted by the precarious situation in which the union found itself, the SWOC chairman felt there was "every reason to believe that the strike will be won." Characteristically, Murray's optimism sprang in part from the conviction that because of the moral and legal righteousness of their cause the strikers could not fail to win in the end. 76

But, quite obviously, faith alone would not suffice to overcome the tremendous advantages which Republic and Sheet & Tube had gained as a result of Davey's new policy. In the week and a half following the reopening of the mills, the union took certain definite steps in an effort to consolidate its position and to resuscitate the strike in the Youngstown area.

A few thousand steelworkers had not yet gone back to work, and SWOC leaders tried desperately to rally them as a cadre for making the strike effective again. Murray, Golden, Owens, and local union leaders,

76Washington Post, June 26, 1937, 1; Steel Labor, II, No. 12 (July 7, 1937), 8.
speaking at numerous mass meetings, urged their followers to remain on 
strike, promised them strike relief, and assured them of the support 
of other CIO unions. By the beginning of July, local SWOC organizers 
and lodge officers began to talk about "restrikes" at both Republic 
and Sheet & Tube mills. But these never materialized for the hard 
fact was that the union simply no longer had sufficient rank and file 
support to effectuate a strike. When the Roosevelt administration 
refused to act on the recommendations of the Mediation Board, and when 
it became apparent that the President was not going to aid the CIO 
leadership, as he had in the General Motors strike earlier in the 
year, the steel union suffered a loss of face among its membership 
in Youngstown. Demoralized, cowed by the presence of the National 
Guard, doubtful of the union's ability to regain the initiative, and 
fearful that they would jeopardize their jobs by staying away from the 
mills any longer, most of the steelworkers really had no choice. 
Ignoring the reports of another walkout, they remained on the job.77

In order to appease public opinion, SWOC leaders suddenly 
purged the union of certain radical organizers and called a halt to 
the militant tactics to which the strikers had frequently resorted. 
That a genuine feeling of hostility toward SWOC was spreading rapidly 
throughout the general public, and that it was playing a part in the 
precipitous decline of the union's fortunes were facts too apparent to 

77Youngstown Vindicator, July 1, 1937, 1; July 5, 1937, 1; July 
7, 1937, 1; Washington Post, June 27, 1937, 6; New York Herald Tribune, 
June 27, 1937, 2; June 28, 1937, 1; LFC, Part 43, 16459, 16469, 16474, 
16490-91, 16501; Part 33, 13576.
be ignored any longer. Even some of the CIO's staunch supporters now felt compelled to admit that the industrial unions had sometimes gone to unwarranted extremes in their drives to win recognition from recalcitrant employers. Governor Frank Murphy expressed the belief that the spread of vigilantism in Michigan was partly a reaction to the agitation of "Communist Cliques" operating within the CIO. Speaking to a July 4 rally of miners and steelworkers at Johnstown, Governor Earle, whose basic sympathy for the CIO was unquestioned, noted that in its conduct of the steel strike the CIO had been "careless" of public opinion. The way to win back public respect, he suggested, was through the elimination of the "damned Communists" and scrupulous observance of contracts where they had been obtained. Walter Lippmann, while still highly critical of Girdler's antagonism toward organized labor as such, observed that the leader of Little Steel was succeeding in his struggle with the CIO because the bulk of "moderate opinion," forced to make a choice between Girdler's "arbitrary methods... and the no less arbitrary and much more disorderly tactics" of the union, had chosen the former because they seemed to involve the least disruption of community life. Several bombings which occurred at Warren, Canton, and Johnstown and which were attributed to disgruntled strikers made it all the more imperative for the SWOC leadership to publicly disavow the extremist elements. 78

In their speeches in the Ohio steel towns, SWOC leaders, as well as other CIO officials, began to warn that "radicalism" and "unlawful" actions would not be tolerated. The strikers were also urged to avoid sit-downs, unruly demonstrations, and the heckling of National Guard troops. In Akron, Sherman Dalrymple, the eminently responsible head of the URW, made it unequivocally clear that members of his union should maintain discipline and refrain from any further "invasions" of Youngstown for the purpose of aiding the steel strikers. In Canton, where AFL leaders were alarmed by the strikebreaking activities of the National Guard, Harold Ruttenberg, SWOC's research director, headed off a move for a general strike. The height of the campaign to stamp out radicalism came on July 3 when Owens announced a purge of SWOC organizers. Two leading organizers, one a Communist, the other known for his militancy, were removed in Youngstown. At the same time, Gus Hall, a Communist who had played the leading role in directing the strike at Warren, and who had become implicated in an attempt to bomb a National Guard truck, was replaced by a former Amalgamated official. All these measures, which amounted to a tacit admission by SWOC that it had allowed the extremists too much leeway, possibly helped to stave
off a further alienation of public opinion, but they could not turn back the tide of public feeling which was now running so strongly against the strikers. 79

In the meantime, Owens and other CIO leaders in Ohio had begun to lodge vigorous protests with Davey and the Roosevelt administration against the use of the National Guard as a strikebreaking agency. And, on June 26, a large delegation of CIO and AFL unionists descended upon Columbus to appeal for withdrawal of the troops. But the Governor was unmoved, defending his policy on the ground that the troops would have to remain as long as their presence was necessary to preserve order and protect all parties involved. The labor delegates had to console themselves with a resolution describing Davey as a "low-type" politician who had sold out to the steel barons. The same day, CIO lawyers sought an injunction from the U. S. District Court to prevent the Governor from using troops to police the strike zones at Youngstown and Warren, but this proved to be little more than a futile gesture. 80

The attempt to gain the aid of the President turned out to be even more disheartening. On Saturday, June 25, the officers of SWOC lodges at Youngstown addressed urgent appeals to Roosevelt, requesting

79LFC, Part 43, 16473, 16497, 16500, 16516; New York Herald Tribune, June 26, 1937, 1; Youngstown Vindicator, July 1, 1937, 1, 2; July 3, 1937, 1, 2; July 5, 1937, 2. To add to the union's predicament, while SWOC speakers were denying that the CIO tolerated Communists, the secretary of the party cell in the Mahoning Valley (Youngstown and Warren) was boasting that party members had taken an active part in organizing the steelworkers.
80New York Herald Tribune, June 26, 1937, 1; June 27, 1937, 2; June 28, 1937, 2; Washington Post, June 27, 1937, 6; Youngstown Vindicator, July 1, 1937, 1.
him to exert his influence to insure neutrality on the part of the Guard, and to "intervene in order to work out a wage agreement in line with the recommendations of the Steel Mediation Board." Over the week end the President was in conference with Democratic Congressional leaders at his Jefferson Island retreat, where, it was reported, one of the principal topics of discussion was the convulsed labor situation. Upon returning to Washington, Roosevelt gave his answer to the CIO at his Tuesday press conference. It was his feeling, he said, that the public was becoming disgusted with both sides in the steel strike and that the general attitude could be summed up in the phrase: "A plague on both your houses." So as to leave no question about his position, the President waived the rule that his remarks be kept off the record and permitted the press to quote him directly.

It has already been pointed out how, throughout the strike, Roosevelt had manifested a reluctance to intervene. However, his latest action went far beyond that, amounting in effect to an outright repudiation of the CIO steel union in its bitter contest with Little Steel. No doubt the trend of public opinion, which was going against the union, played a part in his decision to take the CIO to task publicly, but an even weightier consideration was the revolt within the ranks of the Democrats in Congress. Touched off originally by the President's ill-starred Judiciary Reorganization Bill, the revolt had broadened

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out to include an attack on the administration's policy toward the strike epidemic which reached its apogee in the steel walkout. Increasingly, insurgent Democrats were demanding that the President explicitly renounce the CIO for its irresponsible militancy. J. Hamilton Lewis, Democratic whip in the Senate, declared that as a result of labor troubles the nation was on the verge of "insurrection," and he demanded that the government "assert itself" in order to preserve the "domestic security of the Republic." A number of Democrats in Congress were reported contemplating a fund to pay back the $500,000 which Lewis had given to the party for the 1936 campaign. Faced with the exigencies of the Congressional furor, and still entertaining some hope for the passage of his Court bill, Roosevelt had little choice except to make some statement to meet the criticism emanating from within his own party. Of course, since the President had called down a "plague" on both union and management, his rebuff to the former was not as strong as some politicians would have liked. Still, the CIO could find little solace in this, for Roosevelt's statement worked primarily to the detriment of the union rather than the companies.\(^{83}\)

By the first week of July, there was no longer any doubt that the strike in the Republic and Sheet & Tube plants at Youngstown had been crushed, even though the strike leaders still refused to concede defeat. In a report dated July 7, the officer in charge of the G-2

section of the National Guard forces wrote that the strike was "definitely broken," and that there would probably "not be a strong reoccurrence of union activities for some time." On this basis, he suggested the withdrawal of the troops from the city.\footnote{LFC, Part 43, 16487.} With the collapse of the walkout in this main citadel of Little Steel, with back-to-work movements progressing at Johnstown, Warren, and Canton, and with no prospect of further intervention by the Roosevelt administration, the companies had for all practical purposes won the strike. To be sure, thousands of employees of Republic and Sheet & Tube remained away from the mills in other Ohio cities and at Indiana Harbor; but, now that the backbone of the strike had been broken, the steel executives could relax while they proceeded to break the strikes in the remaining centers of resistance one by one.
CHAPTER X
THE END OF THE STRIKE

After the debacles at Youngstown and Johnstown, SWOC leaders were not able to sustain the strike on an effective basis at other points beyond the middle of July. During the two weeks following the reopening of its Youngstown works, Republic Steel progressively and systematically crushed the strike at its mills in Canton, Massillon, and Cleveland. At Indiana Harbor, meanwhile, the CIO executed a tactical retreat which at least enabled it to avoid the kind of debilitating and demoralizing circumstances—militiamen, broken picket lines, and successful back-to-work campaigns—in which the strike had ended in Ohio and Pennsylvania.

In Canton, Massillon, and Cleveland, just as in Youngstown, it was the presence of National Guard contingents which made it possible for Republic to reopen the mills with the assurance that the remaining strikers would not be able to marshal sufficient strength to thwart the back-to-work movements. In each case, as soon as company officials announced the date of reopening, and local law enforcement agencies declared their inability to cope with the situation, the State cooperated fully by ordering in Guard units which then proceeded to aid local police in restricting or dispersing picket lines and in jailing pickets and strike leaders.

The officer in command of the Canton military district, General Marlin, worked hand in glove with Republic officials to facilitate the
reopening of the Canton mills on June 30. On the twenty-fifth, Marlin had been assigned to the Canton area where he had about seventy-five guardsmen at his disposal. The same day the back-to-work leaders had obtained a temporary restraining order limiting picketing. Despite intelligence reports that the strikers were abiding by the injunction and that "organized resistance" was not expected when the gates were opened, Marlin responded to the pleas of the mayor and the sheriff by requesting four hundred additional troops. They arrived on June 29, the day before the mills were slated to resume full-scale operations.¹

The next morning, when stones were hurled at the automobiles of several nonstrikers, the troops went into "aggressive action" against the remaining strikers, most of whom were, according to a military intelligence report, of the "ignorant Latin and Balkan" nationalities. Not only did the troops break up the picket line, but, using tear gas, clubs, and bayonets freely, they terrorized the working class neighborhood adjacent to the main Republic plant. Seventy-five strikers and bystanders including the SWOC subregional director and the president of the union lodge were rounded up, arrested, and held without arraignment. Later in the day, an automobile caravan of nonstrikers sped through the gates into the mills. The great majority of the 164 persons who had been jailed were soon unconditionally released—CIO lawyers had threatened habeas corpus proceedings—but the élan had

¹Washington Post, June 26, 1937, 5; LFC, Part 32, 13330; Part 33, 13555-56, 13558-60, 13570, 13573.
gone out of the strike. By July 1 about half of the Canton steelworkers had returned to their jobs. The troops were withdrawn from the strike zone a week later.2

With a battalion of National Guard troops standing by, the gates of the main Republic plant in Massillon were opened on July 2 without incident. As several hundred employees remained on strike and gave no indication of giving up the struggle, General Marlin, leaders of the Law and Order League, and company officials pressured the city administration to augment the Massillon police force so that it would be fully prepared to take over the job of policing the strike zones when the Guard withdrew. On July 7 the city hired forty special policemen. The majority of them were nonstriking Republic employees and foremen who were retained on the company's payroll. The self-appointed commander of the special police was Major Curley, a World War veteran who was a prominent member of the American Legion. Two days after the organization of this force, the National Guard units left Massillon.3

On Sunday evening, July 11, the chief of police, after touring the strike zone and finding it quiet, drove out into the country for some recreation. Thereupon, Curley assumed de facto command of the entire Massillon police force. He immediately ordered a squad of police to accompany him to the vicinity of the SWOC headquarters, a building located near the main entrance of the Central Alloy Division.

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3Youngstown Vindicator, July 2, 1937, 1; LFC, Part 33, 13436-43, 13622.
As had become customary on Sunday evenings since the beginning of the strike, a crowd of strikers, their wives, and sympathizers were gathered at the union hall which housed a soup kitchen and the office of the New Deal Lodge. On this particular occasion some of the strikers were dancing to the music of a small orchestra outside of the hall. Others were merely standing about watching and talking.4

Toward 11:00 P. M. a striker drove up and stopped his automobile on the opposite side of the street from the CIO building. Several policemen who were deployed across the street a half block away were caught in the glare of the automobile headlights. There were shouts to "turn those damn lights out." When the lights were not turned off, one of the regular policemen fired a burst from a submachine gun at the automobile. Immediately, the other policemen, who were variously armed with pistols, shotguns, and tear gas weapons, laid down a barrage in the direction of the crowd of strikers. The firing continued intermittently for twenty minutes or a half hour. By the time it ceased, two strikers lay dead on the street, a third was wounded critically, and several others were seriously injured.

4LFC, Part 33, 13443-44, 13475, 13503, 13499-13500.
There were no casualties among the police, although some of them later claimed that they had been fired upon by unidentified persons in the crowd.\(^5\)

Meanwhile, reinforcements in the form of deputy sheriffs and a company of National Guardsmen, which had been held in reserve at the Canton Armory, arrived on the scene. With no more strikers at which to shoot, the police and deputies advanced on the union hall and fired volley after volley into it. They spent the balance of the evening breaking into private residences and rooming houses in search of strikers or sympathizers. A total of 165 persons were loaded into National Guard trucks and taken to the county jail. The next morning, observers found the CIO headquarters a shambles: all the windows in the building were broken, the office equipment was smashed, and the union's records were gone. On its daily radio program the Canton Law and Order League was able to announce that in nearby Massillon, with "the diminished CIO's 'New Deal Lodge' headquarters closed indefinitely, picket posts have been abolished--all pickets cleared from the area surrounding Sunday night's battle-field."\(^6\)

With Republic plants at Youngstown, Warren, Canton, and

\(^5\)LFC, Part 33, 13484, 13491-94, 13505-08, 13600; Youngstown Vindicator, July 12, 1937, 1. For extensive testimony and comment about this incident see Senate Report No. 151; N.L.R.B. Decisions, IX, 273-318; Robert R. R. Brooks, As Steel Goes,...Unionism in a Basic Industry (New Haven, 1940), 130-134. All of these accounts conclude that no shots were fired by the strikers and that the police assault on union headquarters was unjustified.

\(^6\)LFC, Part 32, 13197; Part 33, 13485, 13496-97, 13510, 13513, 13514, 13601-06.
Massillon open and either in full or partial production by July 2, the only one of the corporation's steelmaking complexes which remained strikebound was the one located in Cleveland. Throughout the strike, even after its collapse elsewhere, the rank and file strikers at Cleveland had displayed good morale and an unflagging drive to hold out, a condition attributable largely to the capable leadership of local SWOC officials and the neutrality of the municipal authorities. Confronted with such a situation, Republic had let the strike drag on without making any serious attempt to reopen the plants, which included one steel mill and three fabricating units employing a total of seven thousand men. But, now that all of their other Ohio plants were back in production, company officials were anxious to make their victory over the union complete by a successful back-to-work movement in Cleveland.

In the summer of 1937, Cleveland was a hotbed of labor unrest and industrial strife, to say the least. During the latter part of June, there were about twenty strikes going on simultaneously in the city. To add to the intensity of the situation, the Cleveland Federation of Labor and the CIO became embroiled in a series of fierce jurisdictional disputes and picket line skirmishes. For the first three or four weeks of the steel strike, the city administration had professed a formal policy of neutrality. Actually, its refusal to interfere with picketing worked to the advantage of SWOC. And, indeed, when Mayor Harold Burton and the majority of the city council had forced Republic to abandon its heavily guarded, private air base, from which supplies were being flown to Warren, they had been accused of openly
siding with the strikers. Whether because of adverse public sentiment or the desire to minimize the possibility of violence, the city's attitude toward the steel strike had changed radically by the sixth week of the strike.7

On Friday, July 2, Republic announced that it intended to reopen the plants at 7:00 A.M. the following Tuesday. Immediately, the mayor and the sheriff, expressing fear that the police would be unable to keep order, urgently requested the Governor to send troops into the strike zone. On Saturday Davey ordered 1,500 National Guard troops to take up positions in the city. The next day the sheriff issued a proclamation which limited picketing and prohibited unauthorized assemblages within Cuyahoga County. When the plants reopened Tuesday morning, the few dozen pickets permitted by the sheriff's order could hardly be seen among the 1,500 Guardsmen, four hundred policemen, and seventy-five deputy sheriffs who were stationed around the gates. Company spokesmen claimed that three thousand men returned the first day. Although SWOC officials said this was a gross exaggeration, they admitted that perhaps 1,500 went through the picket lines. The reopening was accomplished without violence, and on July 10 the troops were withdrawn and demobilized.8

However, a large contingent of police remained on duty at

7 Cleveland Plain Dealer, May 2, 1937, 8; June 8, 1937, 1; June 11, 1937, 1, 7, 8; Youngstown Vindicator, July 8, 1937, 1; August 7, 1937, 1; August 9, 1937, 5; Walter Galenson, The CIO Challenge to the AFL, A History of the American Labor Movement 1935-1941 (Cambridge, 1960), 314.

8 Cleveland Plain Dealer, July 4, 1937, 1; July 5, 1937, 1; July 7, 1937, 1; July 9, 1937, 3; Youngstown Vindicator, July 6, 1937, 1; July 10, 1937, 1.
Republic's Corrigan-McKinney steel works where several hundred SWOC militants refused to end their walkout. During the afternoon of July 26 about one thousand strikers and sympathizers, who were engaged in mass picketing at the main entrance, clashed with police when the latter attempted to escort nonstrikers through the crowd. In the course of this encounter a striker was hit and killed by an automobile driven by a nonstriker (the driver later claimed that stones striking his automobile had caused him to lose control). Convinced that the death of their colleague had not been an accident, the pickets became increasingly angry and belligerent as the day progressed. That evening furious fighting broke out. The automobiles of night-shift workers were stoned by pickets. In retaliation, an organized band of five hundred nonstrikers suddenly issued forth from the mill, assailed the retreating pickets with "clubs, pick-handles, and eight-inch iron pipes," and completely wrecked the union's strike headquarters.

Before the police managed to quell the fighting, which continued sporadically all night, approximately one hundred persons were injured seriously enough to require medical treatment. While there is no evidence that Republic instigated the Corrigan-McKinney riot, there is at the same time no question but that the company benefited from it. The next day the city safety director ordered the picket lines removed five hundred yards from the plant gates.⁹

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Contrasting with the total defeat of SWOC in Ohio, Illinois, and Pennsylvania, at Indiana Harbor, where about eighteen thousand steelworkers were affected, the strike was terminated in such a manner that neither the union nor the companies could lay claim to a real victory. Although SWOC received only an ambiguous agreement from Inland and no agreement at all from Sheet & Tube, the union at least had the consolation of seeing most of the steelworkers return to work at its behest rather than that of the management. In short, whereas elsewhere the strike was broken, at Indiana Harbor it was called off. Underlying this outcome were three things: (1) the policy of Governor M. C. Townsend of Indiana; (2) the determination of the CIO to salvage something, if nothing more than face, from the strike; and (3) the reluctance of Inland to fight unionization to the very bitter end. Before the strike was finally ended, both companies tried to break it, but their plans were thwarted by Townsend's adroit diplomacy and Lewis' realistic disposition to compromise.

During the last week of June, Townsend worked unabatedly at the thankless task of trying to narrow down the area of dispute between union and management in the hope that the two might accept some kind of formula which, though short of what each side wanted, would serve as a practical and fair basis for ending the walkout. Displaying impartiality throughout the negotiations, the Governor seems to have been concerned primarily with finding a solution that would avoid the strife and military intervention which had accompanied the strike in other states. One of his proposals was that the strike should be
called off pending the NLRB's decision in the Inland case, the hearings on which opened in Chicago on June 28. However, this the CIO rejected, arguing that it might be several months before the final decision was handed down and reviewed by the courts. Neither Inland nor Sheet & Tube did anything to encourage such a solution.\(^{10}\)

While participating in fruitless conferences with the Governor, the companies went ahead making plans for a showdown on the picket lines. Apparently, they were prepared to use the same strategy that had worked so successfully in Ohio: announcements that the plants would reopen as a means of pressuring the governor to introduce troops in order to prevent serious strife and possible bloodshed on the picket lines. On June 28, Inland officials indicated that within a day or two they would inform the employees exactly when the gates would be opened. Fully aware of this, SWOC organizers and picket captains were rallying their forces, preparing to use mass picket formations against any nonstrikers who attempted to enter the mills. Reopening under such conditions would almost inevitably result in a bloody clash or riot.

On Tuesday, June 29, Wilfred Sykes, assistant to the president of Inland, announced that the Indiana Harbor plant would be opened at 8:00 A. M. Thursday. The company was "confident," Sykes went on, that public officials would provide returning workers with adequate protection. Following the lead of Inland, Sheet & Tube officials let it be

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\(^{10}\)Chicago Daily News, June 26, 1937, 1; June 28, 1937, 1; June 29, 1937, 3; June 30, 1937, 3.
known that the big mill across the ship canal from Inland would also resume operations if protection were assured for nonstrikers.\textsuperscript{11}

Although the companies, the back-to-work leaders, and local law enforcement officers besieged the Governor with urgent requests for troops, he declared that the National Guard would not be ordered into the strike area unless all hope of a negotiated settlement had faded and a clash was imminent. Since the twenty-eighth Townsend had been dealing directly with John L. Lewis through the chief of the Indiana Labor Commission, Thomas R. Huston, who had been sent to Washington. Early Wednesday evening Huston arrived back in Indianapolis with a copy of a tentative "truce agreement." Now, with the crisis only hours away, Townsend informed Lewis by telephone that four thousand Indiana Guardsmen were being mobilized. Later in the evening, Van Bittner appeared "unexpectedly" in Indianapolis and went into conference with the Governor. Within a short time, Townsend announced that a settlement ending the Inland strike had just been reached.\textsuperscript{12}

Bittner and his lieutenants hailed the Inland settlement as a great "victory" for the union, and urged the steelworkers to return to their jobs the next morning. At Indiana Harbor, news of the settlement touched off a spontaneous victory celebration. The large picket

\textsuperscript{12}Chicago Daily News, June 30, 1937, 3; New York Times, July 1, 1937, 1; Youngstown Vindicator, July 1, 1937, 1.
lines which had formed during the evening dissolved as thousands of erstwhile strikers and their families snake-danced through the streets chanting "CIO won! CIO won!"\textsuperscript{13}

The settlement aroused considerably less enthusiasm among Inland executives. "We signed nothing," asserted vice-president Clarence B. Randall. "We made no agreement with anybody."\textsuperscript{14}

In a sense, Randall was correct, for the settlement was not in the form of a regular union-management agreement. Rather, it took the form of a written statement of policy governing labor-management relations which, though mutually agreed upon by the company and the union, was not jointly signed by them. Two identical copies of the statement (Memorandum of Agreement) were involved, one bearing the signatures of Bittner and the Governor, the other signed by Sykes and the Governor. Both copies were to be deposited with the state labor commissioner, to whom unresolved disputes arising under the agreement would be referred for arbitration. This ingenious arrangement allowed the company to maintain that it had not concluded a formal contract. Yet, at the same time, it gave the union some basis for claiming that it had won a signed "contract." On the other hand, SWOC tacitly acknowledged that it had not in fact obtained a signed contract, for the Inland Steel

\footnote{\textsuperscript{13}New York Times, July 1, 1937, 1; July 2, 1937, 2; Youngstown Vindicator, July 1, 1937, 1; Cleveland Plain Dealer, July 2, 1937, 6; \textsuperscript{14}Youngstown Vindicator, July 1, 1937, 1.}
Company did not appear on the list of companies "under contract" which was published weekly in the union's journal, Steel Labor. 15

As for the content of the Inland agreement, it was in most respects similar to the U. S. Steel contract signed earlier in the year. Significantly, Inland agreed to "recognize" SWOC as bargaining agent for those employees who belonged to the union, and not to discriminate between strikers and nonstrikers when they returned to their jobs. This settlement, though something less than a victory for the union, represented a substantial concession on the part of the company and was probably all the CIO could reasonably have hoped for considering the disastrous course of the strike against the other Little Steel concerns. 16

While Inland workers were returning to their jobs, the Sheet & Tube plant in Indiana Harbor remained strikebound. On the evening of June 30, after he had arranged the Inland agreement, Townsend had called the president of Sheet & Tube to suggest that his concern accept the Inland formula as a basis for returning the remaining strikers to work. Purnell replied most emphatically that the company did not intend to be lured into making an agreement "either directly or indirectly" with the CIO. In the face of this outright rejection of his peace proposal, the Governor immediately demobilized the National

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15 Youngstown Vindicator, July 1, 1937, 1; New York Times, July 3, 1937, 1; Steel Labor, II, No. 12 (July 7, 1937), 1, 5. Bittner was quoted, by Steel Labor, as saying that Inland "capitulated to our demands and agreed to sign a contract."

Guard units, whose presence, the company had declared, was essential before the plant could be reopened. The next day, Sheet & Tube informed its Indiana Harbor employees that whenever the Governor of Indiana decided to uphold their "right to work unmolested" by providing sufficient protection operations would be resumed.17

On subsequent days Huston conferred several times with the Sheet & Tube's general counsel, J. C. Argetsinger. In the course of these conferences, Argetsinger submitted to the Governor an unsigned "memorandum" of the company's labor policy. Far from representing any concession, it was merely a reiteration of the professed willingness of Sheet & Tube to discuss conditions of employment with representatives of the steel union. Moreover, Argetsinger told the labor commissioner that Sheet & Tube "... would not make any agreement of any kind with any person or organization and... would not do anything which CIO or SWOC might claim as any arrangement or settlement with them."18 Thus, as from the beginning, the company appeared to be primarily interested not in a settlement of the walkout but in a defeat for the strikers, not in arriving at an accommodation with the union but rather in denying to it the slightest concession in the direction of recognition.

By July 10 Sheet & Tube decided to try again to force the

17Youngstown Vindicator, July 1, 1937, 1; July 3, 1937, 1; New York Times, July 2, 1937, 1, 2.
18Cleveland Plain Dealer, July 3, 1937, 1; New York Times, July 2, 1937, 1; Youngstown Vindicator, July 3, 1937, 1; July 7, 1937, 4; July 9, 1937, 1; July 12, 1937, 1; Steel Labor, II, No. 13 (July 23, 1937), 8.
Governor's hand with an announcement that the Indiana Harbor plant would be reopened on the thirteenth. Still reluctant to employ the militia, Townsend quickly resorted to a stratagem calculated to provide the union leaders with a means by which they could call off the strike without openly admitting to defeat. Without informing the company of his plans, the Governor strongly urged Van Bittner to accept Sheet & Tube's "memorandum," as well as its assurance that there would be no discrimination against strikers, as a basis for ending the walk-out. Sheet & Tube management, Townsend added, would probably feel obligated to abide by "... these declarations as though the Company had signed an agreement." When Bittner agreed to this "truce," Townsend immediately announced that the strike was over.19

Sheet & Tube executives were incensed by this fait accompli. Thoroughly outraged by the Governor's action and manifestly chagrined by the reports that the union had ordered the picket line disbanded, they berated the Governor for having misused and distorted their "memorandum" and for having implied that the company had entered into some "arrangement or agreement" with SWOC. When the steelworkers reported at the plant on the thirteenth, they were greeted by large signs, posted at the gate, which read: WE HAVE NOT MADE ANY AGREEMENT OR CONTRACT WITH ANY OFFICIAL PERSON OR ORGANIZATION. THIS PLANT IS OPEN FOR WORK ON THE CONDITIONS WHICH EXISTED WHEN WORK WAS STOPPED ON MAY 26th 1937. Townsend subsequently acknowledged that the only

19 New York Times, July 12, 1937, 1; Youngstown Vindicator, July 12, 1937, 1; Steel Labor, II, No. 13 (July 23, 1937), 8; writer's italics.
agreement involved in his "truce" was that on the part of the union
to accept Sheet & Tube's "memorandum" of labor policy.\textsuperscript{20}

Despite the undeniable fact that by the middle of July the
majority of workers in Little Steel were back on the job, SWOC stub-
bornly refused to call off the strike against two of the companies.
Picket lines were maintained at the Republic plants in Ohio, and Sheet
& Tube's Youngstown mills. Union officials both high and low issued
statements to the effect that SWOC would continue its efforts to ex-
tract signed agreements from Bethlehem, Republic, and Sheet & Tube.

\textit{Steel Labor} asserted that the three concerns were having a difficult
time trying to sustain profitable levels of production. Republic
Steel, the paper claimed, was "still suffering staggering losses" due
to the strike. Philip Murray sanguinely observed that as far as the
union was concerned the strike was in "excellent condition."\textsuperscript{21}

Actually, the remaining pickets were hardly more than a token
force, intended to indicate that SWOC had not completely given up its
goal of unionizing the entire steel industry. With the exception of
the Republic plant at Warren, which was not able to resume normal
operations for several months, the mills were rapidly approaching the

\begin{footnotes}
\footnote{\textit{Youngstown Vindicator}, July 12, 1937, 1; July 13, 1937, 1;
July 16, 1937, 21.}
\footnote{\textit{New York Times}, July 4, 1937, E-3; July 10, 1937, 2; \textit{Steel
Labor}, II, No. 12 (July 7, 1937), 3, 5; No. 13 (July 23, 1937), 4;
\textit{Youngstown Vindicator}, July 8, 1937, 1; July 19, 1937, 1; August 9,
1937, 1; August 23, 1937, 5. According to one authority, in October
1937, there were still 12,800 Republic employees on strike. However,'\nthis estimate is rather deceptive unless qualified by the notation that
of this number probably half were workers whom Republic refused to
rehire and had replaced. \textit{Brooks}, \textit{op. cit.}, 149.}}
high operating rate at which they had been running just prior to the beginning of the walkout. Meanwhile, John L. Lewis tacitly acknowledged that the CIO's initial encounter with Little Steel had come to an end by ordering several thousand coal miners, who had been called out in support of the steelworkers, back to the pits at the captive mines of Bethlehem and Sheet & Tube in western Pennsylvania and West Virginia. 22

As a matter of fact, then, the Little Steel strike was over. The CIO now had to contemplate the bitter fruits of the first major setback of the entire series of dynamic organizing campaigns which had been initiated since the previous summer. It remained to be seen whether the momentum generated by the CIO's unprecedented advances in Big Steel and other industrial sectors was strong enough to overcome the debacle in Little Steel, or whether the effects of that defeat would materially impair the cause of unionism in the steel industry, as the failure in the Homestead and 1919 strikes had done.

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22 Youngstown Vindicator, July 26, 1937, 2; August 9, 1937, 1; LFC, Part 31, 12813-14.
The Little Steel strike stands out as the most intense and violent labor dispute of the decade of the 1930's. While both union and management voices sustained a drumfire of invective, the strike progressed in an atmosphere emotionally supercharged and heavy with grave potentialities. Bloody and fatal picket line encounters followed one upon another until finally, its picket lines rendered ineffective or threatened with dispersal, SWOC was forced to give up the struggle. Thus, the strike was a prime example of the bitter relations which existed between the CIO and that segment of industrial management which was unalterably convinced that unionization had to be resisted. The main purpose of this final chapter is to summarize these aspects of the strike, to examine several of its important consequences, and to explain why the union lost the strike.

The Memorial Day incident, the sanguinary result and the dramatic quality of that episode, alone would have been enough to mark the steel strike as the most bitterly waged strike of the period and one of the classic struggles in the history of American labor. But
in addition to the ten persons killed in South Chicago, seven other deaths occurred during the course of the walkout.\footnote{The deaths were distributed as follows: three at Massillon; two at Youngstown; one at Cleveland; and one at Beaver Falls, Penn. The one at Beaver Falls occurred when a deputy guarding the gate of the Moltrup Steel Products Company, a Republic subsidiary, fired a long-range gas shell which hit a striker, who had come to the picket line to sell tickets to a CIO dance. \textit{LFC, Part 15-D, 7028-31.}} Furthermore, approximately two to three hundred persons— strikers, nonstrikers, and policemen suffered injuries of varying degrees of severity. As to the responsibility for all these causalties, the report of the La Follette Committee concluded that the \textit{... riots in which the deaths and many of the injuries occurred} can be traced to the biased or intemperate conduct of local law-enforcement authorities, acting frequently under the pressure and clamor directed against the strike by company officials and citizens' committees.\footnote{\textit{Senate Report No. 151, 329. According to the NLRB, Republic \"... committed or was responsible for acts of violence during the strike far more serious than those attributed to the strikers.\textellipsis\" \textit{N.L.R.B. Decisions, IX, 391.}}} While this accusation is perhaps too sweeping, it comes closer to the truth than the companies' assertions that all of the blame lay with the strikers and their leaders.

Notwithstanding their stated desires to avoid industrial strife, the companies— but especially Sheet & Tube and Republic— made no positive moves to avert the possibility of disturbances and clashes in the vicinity of the mills. On the contrary, many of management's actions and policies during the strike, as well as during the organizing campaign which preceded it, contributed greatly to the creation of situations in which violence was never very far beneath the surface
of events. The extensive use of industrial espionage, the threats to fire enthusiastic union members, the fostering of back-to-work movements, the encouragement of strong-arm tactics by plant guards and regular local police, the amassing of huge stockpiles of arms, munitions, and gas—all these policies simply served to intensify the ill-will between SWOC leaders and rank and file unionists, on the one hand, and the companies, their supervisory employees, and nonstrikers, on the other.

Of the four steel concerns involved, Republic and Sheet & Tube were the most prone to use such practices and policies. Both companies instigated back-to-work movements whose main and immediate objective was to create situations so fraught with the danger of serious bloodshed that the state authorities would, it was hoped, intervene and either forbid picketing altogether or drastically restrict it. Equally provocative was the maintenance of unnecessarily large supplies of arms, munitions and gas equipment. According to records of the La Follette Committee, which were obtained from the companies, Republic and Sheet & Tube had on hand in their various plants at the time of the strike twelve machine guns with forty thousand rounds of ammunition, 433 rifles, 435 shotguns, 978 revolvers, and approximately $100,000 worth of tear and nauseating gas projectiles, grenades, and gas guns.\(^3\) Granted that any management has the right to keep arms for the protection of property, there would seem to have been scant justification

\(^3\)Ibid., 319-320.
for maintaining such large quantities and even less for brandishing
guns in the faces of pickets and strikers.

On the other hand, SWOC officials and their followers cannot
be completely absolved from responsibility for the industrial strife.
In trying to refute union charges in an NLRB hearing, Republic attor­
neys accused the strikers of "many and repeatedly wholly unpro­
voked and unjustified acts of violence, coercion and intimidation
against" the corporation and its employees. Though admitting that he
had not witnessed any of the picket line battles, Tom Girdler declared
in his memoirs, that in their frantic effort to become the "masters"
of the steelworkers, Lewis and Murray had made extensive use of gangs
of "mobile rioters," which employed the methods of "practical revolu­
tionaries." The Republic chairman also observed that Lewis and his
cohorts had many "Communist allies" who made of the strike a "cool
blooded conspiracy" to incite the rabble among the workers against
the companies. While these assertions cannot be accepted as the
final judgment, criticisms of the union's conduct of the strike can
be made. Lewis, Murray, and their lieutenants could have acted more

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4 N.L.R.B. Transcripts, C-184, 4559; Tom M. Girdler in collabora­
tion with Boyden Sparks, Boot Straps, The Autobiography of Tom M.
Girdler (New York, 1943), 229-241. It seems more than coincidence
that all of the deaths occurred in riots or disturbances at Republic
mills. In 1945 the Corporation paid $350,000 in damages for deaths
and injuries to strikers. Vincent D. Sweeney, The United Steelworkers
of America, Twenty Years Later, 1936-1956 (Indianapolis, no date of
publication), 39.
decisively and swiftly to condemn and curb the resort to force by strikers and pickets.⁵ Their failure to do so probably worked to their own disadvantage in the end. Aside from this aspect, clubs and intimidation are not adequate substitutes for organizational strength and firm but peaceful persuasion.

Still, after all this has been said the fact remains that all of the deaths and the vast majority of the serious injuries were among the strikers and their sympathizers. On balance, then, insofar as men rather than circumstances were responsible, the major portion of the responsibility for the strife in the strike rests heavily upon the executives and managers of Little Steel.

The contest with the independent steel bloc was the only major strike called by the CIO, during its initial organizational phase in the years 1936-1941, from which it failed to emerge either victorious or with at least some significant concession from management. This makes it especially important to attempt to present an adequate

⁵There is definite evidence that some of the strikers believed they were fighting for their very jobs. However, the evidence is not comprehensive enough to generalize regarding the majority. LFC, Part 29, 12559-63.
explanation for the defeat in Little Steel. While other things might be cited, there were three main reasons for the loss of the strike. The most important was the almost compulsive desire of Girdler and his associates to prevent a CIO union from gaining anything approaching a real foothold in their plants. Secondly, the attitudes and ultimate actions of Governor Davey and President Roosevelt materially weakened the position of SWOC vis-à-vis the Little Steel concerns. Thirdly, certain policies and assumptions on the part of the union itself helped to prepare the way for its defeat. Each of these factors merits some individual elaboration.

As has already been thoroughly explained, the highly individualistic leaders of the independent companies, inured in the tradition of the open shop and extremely jealous of their managerial prerogatives, had from the very beginning of the SWOC drive in 1936 displayed not the slightest sign of any disposition to accept unionization. Then, Big Steel's unexpected decision to recognize SWOC, about which the

6For example, a contemporary observer wrote that he found it "difficult to believe that had the Ohio State Federation of Labor and the local union councils given the steel strike whole-hearted support, it could have failed." On the other hand, Meyer Bernstein, who was a SWOC organizer during the strike, believes that the AFL's support would not have affected the outcome. Unfortunately, confirmation of either of these views would require a degree of investigation and documentation beyond the plan of this dissertation. The writer's impression is that while there was sympathy for the strikers among the rank and file, the top AFL leaders in Ohio were, with one or two exceptions, not willing to aid SWOC. Walter Galenson, The CIO Challenge to the AFL, A History of the American Labor Movement 1935-1941 (Cambridge, 1960), 101, 658; see above, pages, 224, 228, 234-239, 250.

7See Chapter II.
independent executives were quite "bitter," served to heighten their determination to hold out against the new steel union.8

Moreover, once the strike was under way it became apparent that another motive was operative: the executives of Little Steel were anxious to take advantage of the strike to deliver a crushing defeat to SWOC. For, they believed, not only would such a defeat thwart the advance of the CIO in steel, but it would undercut and perhaps destroy the position of Lewis' new movement in industry generally.9

There was considerable logic to the scheme. From a realistic point of view, the independents, which comprised only one-third of the total steelmaking capacity, could hardly hope to hold off the union for any extended length of time if the bulk of American industry were solidly organized. Obviously, then, the best approach to the problem of keeping the CIO out of their mills was for the independent executives to aim at breaking up the entire CIO. Thus they reasoned that against the background of an enervating failure in Little Steel, the CIO might well find itself unable to renew contracts with General Motors (the G. M. contract was up for renewal in August, 1937) and other key companies which had only recently and often reluctantly recognized CIO unions. And, if employers who had not yet given in to

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8Girdler, op. cit., 226.
9Ibid., 374-375; New York Times, June 6, 1937, E-7; June 20, 1937, 6. A dispatch from Cleveland, dated June 20, had reported that the steel executives were confident that Lewis was already "down on one knee" and that barring administration intervention in his behalf the CIO leader would meet his end in the steel strike.
the CIO saw it successfully fought off in steel, they probably would be encouraged to take an equally firm stand against recognition.10

From the vantage point of nearly a quarter century later, it may seem rather far-fetched for the leaders of a minority of the steel industry to have convinced themselves that they could turn back a surging, national movement such as the CIO. But the chances for success must have appeared much better in 1937, for there were several factors in their favor. In their fight to break the steel strike, Girdler and Purnell had the unstinted backing of their boards of directors; and, though it is not definitely known, it may be fairly well presumed that Eugene Grace was in a similar position.11 They could count on the support of several important industrialists outside as well as within the steel industry. Within, there was, for example, Ernest T. Weir, head of Weirton Steel Company. Weir, who ruled over his domain of Weirton, West Virginia, in the manner of a feudal baron, was himself engaged in a most energetic campaign against SWOC. Outside, there were apparently numerous executives and financiers who were joining in the anti-CIO movement spearheaded by Little Steel.12

Early in June, 1937, the Christian Science Monitor reported that according to "... the highest business circles... the vigorous resistance of the Republic... to unionization of its labor is the

11LFC, Part 27, 11435; Part 34, 13945.
12New York Times, June 20, 1937, 6; Cleveland Plain Dealer, June 16, 1937, 1; Business Week, June 12, 1937, 13; Arthur M. Schlesinger, Jr., The Coming of the New Deal (Cambridge, 1959), 148; Galenson, op. cit., 113; see above, page 343.
opening act in a nation-wide-counter-attack against labor forces which, until now, have been riding a tide of successive victories. . . . A comprehensive plan of strategy has been worked out which calls for observance of legal collective bargaining requirements, but absolute refusal to sign contracts. . . ."  

13 There is some evidence that one of the corporations interested in the "plan" was E. I. Du Pont de Nemours & Co.  

14 The independent producers also had the moral support, as well as the propaganda facilities, of the National Metal Trades Association and the National Association of Manufacturers. In conjunction with the activities of these powerful trade associations, they contemplated molding public opinion in their favor—and, as has been related, they were rather successful in that endeavor. Finally, they realized that the CIO was not as firmly entrenched in industry generally as its series of stunning victories made it appear on the surface. The dramatic and novel nature of the agreement by which U. S. Steel had recognized SWOC somewhat obscured the fact that many of the lodges in the corporation were not very well organized. Also, the UAW had only just begun the formidable task of breaching the wall of resistance surrounding the Ford Motor Company; and the United
Rubber Workers had not yet obtained formal recognition from Goodyear Tire & Rubber Company, the largest firm in the industry.16

Thus, to the nation's most intransigent antiunion employers the Little Steel strike appeared as a good opportunity—and perhaps the last one—to destroy the CIO before it became a firmly implanted and generally accepted institution. This goes a long way toward explaining why Girdler, Grace, and Purnell were bent not only on refusing SWOC a signed agreement but also on breaking the strike through back-to-work drives and state intervention. In turn, it helps to explain why SWOC was not able to win the strike, for the steel executives and their sympathizers were determined to deny the CIO even a partial victory regardless of what it might cost them. J. C. Argetsinger, Sheet & Tube vice-president, summed up this attitude very concisely when he wrote in a personal letter that "We would have kept our plants down all summer rather than to have made an agreement with the C.I.O."17

Yet, barring the use of the troops as strikebreakers by Governor Davey and the indifferent attitude of Roosevelt toward the outcome of the strike, SWOC might have succeeded in keeping the mills closed long enough to have convinced the leaders of Little Steel that the

17LFC, Part 41, 15946.
tremendous losses in profits and strike expenditures were really too high a price to pay for the preservation of the open shop.\textsuperscript{18}

If any single action was decisive in dooming the cause of the striking steelworkers, it was Davey's order to the Ohio National Guard to break the picket lines at Youngstown and Warren. Not only did this action serve the purpose of Republic and Sheet & Tube by enabling them to open their mills in this crucial sector of the strike front, but it undermined the morale of the remaining strikers and pickets, who found themselves helpless in the face of military force. From that point on the union's chances of effectively maintaining the walkout were slight indeed.

Following closely upon Davey's move came Roosevelt's famous denunciation of the strikers and the union in his press conference of June 30. The President's reluctance to become personally involved in the struggle, a position which he had held from the beginning, was one thing. His public repudiation of the strikers was something far more damaging. It put them on notice that they could not expect any support, either moral or otherwise, from the New Deal administration. It revealed to the companies that they no longer had to be concerned about possible direct intervention from the White House.

\textsuperscript{18}It was estimated that at the height of the strike Republic was spending $35,000 per day to guard and maintain its plants just in the Youngstown district. Youngstown Vindicator, June 17, 1937, 1. In an interview shortly after the strike, Girdler declared that it was "a situation which could admit of no compromise whatsoever, because the least sign of concession, however slight, would have been seized upon by the wis and the CIO as a smashing victory and used as another club to coerce the men." New York Times, August 1, 1937, II, 3.
An important consequence of this aspect of the strike situation was that it clearly revealed for the first time the growing estrangement of Roosevelt and Lewis. Actually, the basic causes of that development lay largely outside the strike itself. But, as far as Lewis was concerned, the strike was the anvil on which the bond between the CIO and the President, supposedly forged during the presidential campaign of 1936, was subjected to its ultimate test. The metal of that bond gave way with a sharp ring. Shortly after Roosevelt made his "plague on both your houses" remark, Lewis is reported to have shot back "Which house, Hearst or Du Pont?"\(^\text{19}\)

The CIO's formal reaction to the policy which Roosevelt had adopted toward the strike came on July 24, 1937, when SWOC submitted to the executive board of the United Mine Workers a report regarding the attitude and conduct of Federal and state officials. "The Federal government," read the salient passage, "throughout the entire situation has not displayed the slightest interest in protecting the rights of the steel workers on strike, which have been so flagrantly disregarded." The report went on to elaborate the displeasure with which SWOC leaders viewed the President's recent position by charging that, while the administration had been oblivious to the plight of the strikers, the Attorney General's Office had been quick to bring indictments against the pickets who were supposed to have interfered with mail service. After adopting the SWOC report, the UMW officers

supplemented it with one of their own, which chided the administration, as well as state officials, for their "complete lackadaisical and unconcerned attitude" toward the cause of the strikers. As shown by subsequent developments, Philip Murray's basic loyalty toward the President was not destroyed by his policy on the strike. For the head of the CIO, however, it was an entirely different matter. In September Lewis would go on a national radio hook-up to chastise the man who, after partaking of the CIO's generosity, had chosen to lash "with equal fervor and fine impartiality" the steel executives and the steelworkers.20

In the strike post-mortems, some observers singled out the aspect of organizational deficiencies in Little Steel as the basic cause of the union's defeat. They argued that the strike had been called prematurely, that SWOC officers and organizers had neither adequately organized the steelworkers nor fully educated them to the significance of a signed agreement as the essential basis of collective bargaining.21

To be sure, in the wake of the U. S. Steel contract and the phenomenally successful Jones & Laughlin strike, Murray and his assistants had overestimated their strength. In some of the Little Steel plants SWOC had failed to sign up a majority of the workers. And, even where the union had clear majorities, part of the membership

was of an ephemeral nature.\textsuperscript{22} Still, it is very doubtful that these circumstances alone were of overriding importance in giving Little Steel its victory. In 1937, the mills of Little Steel were, on the whole, just as well organized as those of Big Steel. Furthermore, it was not absolutely necessary to have the vast majority of workers in a plant or industry enlisted as activist union members in order to extract contracts from powerful, antiunion employers. As had been vividly demonstrated in the General Motors strike, CIO unions could win strikes with no more than a sizable, dedicated minority of the workers participating in work stoppages.\textsuperscript{23}

Insofar as the loss of the strike can be attributed to the organizational aspect, it was not simply a case of insufficient numerical support. Rather, the crucial thing was the fact that, although the new steel union had tremendous appeal for most of the "foreign" workers, SWOC had not gained wide acceptance among the "American" steelworkers. This latter group, though it comprised only a minority of the working force in most plants, was important because within its ranks were many of the more highly skilled employees and the "straw" bosses. Usually more individualistic and generally better paid than the immigrant steelworkers, and often favored in regard to promotions by foremen and superintendents, the "American" workers saw little to be gained from disruption of the status quo in the mills, something which would surely result if the CIO became entrenched. By

\textsuperscript{22}See Chapter III.
\textsuperscript{23}Harbison, \textit{op. cit.}, 128; Galenson, \textit{op. cit.}, 148.
identifying the privileged status which these employees enjoyed with
the open shop, and by exploiting the traditional antagonism—born of
linguistic, racial, and religious differences—between them and the
immigrants of the steel communities, the companies immunized the major­
ity of the native Americans against the doctrines and promises of CIO
trade unionism. Many of the independent union officers, most of the
back-to-work leaders, and the majority of the nonstrike workers who remained
in Republic plants were "American" workers. Thus, while SWOC was
unable to rely on an important segment of the steelworkers, which in
virtue of its higher educational level and its position in the work
hierarchy could have provided valuable rank and file leadership during
the strike, the companies were able to utilize this group in various
strikebreaking activities.24

More costly, however, were mistakes involving the strike strategy
followed by SWOC leaders. They made two major miscalculations. One
was the assumption that the technique of mass pressure, the use of
relatively large groups of devoted union members as pickets or

24 This paragraph is based on widely scattered documents and testi­
mony appearing in the La Follette Hearings, the N.L.R.B. Transcripts
and Decisions; numerous letters-to-the-editor; and a few newspaper
articles (see especially the Youngstown Vindicator, July 2, 1937, 14,
in which the editor noted that "One of the most disturbing symptoms of
the discord which the steel strike has aroused in the community is
the revival of prejudice against foreigners."). A nonstriker at
Republic's main Cleveland mill told a Christian Science Monitor re­
porter that "When the plant reopened, the Americans came back to work,
but few of the foreign element returned. The truth is that for once I
could walk through this mill anywhere and speak English and be under­
stood. Any time I hand my money out for union dues it will be to a
man who can talk English." Also see pages 152-153. Definitive treat­
ment of this facet of the strike would involve a lengthy sociological
analysis.
sit-downers, which had been efficacious in many previous strikes, could be applied with equal success to the recalcitrant sector of the steel industry. As it developed, the steel executives were able to turn this approach to their own advantage. Minor picket line scuffles, not to mention serious riots, were magnified by management and certain portions of the press into major engagements and blamed entirely on the strikers. Not until it was too late to rectify the situation did SWOC leaders realize that incidents of mass picketing and violence, however unavoidable some of them might have been, were affecting public attitudes so adversely that the union's cause was being materially injured.

Thus in the sphere of public relations and opinion the union leadership failed to capitalize on the advantage which it had had at the beginning of the strike.

The second assumption, in which Murray and his associates were even more naive, concerned the probable role of the Roosevelt administration. They took it for granted that if Little Steel went to extremes in combating the walkout the President would either intervene to restrain management or to align himself directly behind the embattled steel strikers. As has been pointed out, this assumption proved to be entirely false. By calling the heads of Little Steel to a White House conference or by applying other pressures, Roosevelt probably could have ended the struggle in a manner that would have allowed the

25Lewis later claimed that he had been aware of Roosevelt's "rank" perfidy since the G. M. strike, earlier in the year. However, the CIO head's statements during the steel strike—see pages 185-186, 328-329—would seem to indicate that he, too, was hopeful of Presidential intercession.
CIO to claim victory. But he did not. At most, his actions were only palliative. Although originally the President seems to have sympathized with the union on the theoretical issue of a signed contract, he never made a really harsh, specific criticism of Little Steel for its refusal to extend formal recognition to SWOC. The mediation board which he arranged gave the union a breathing spell, not a way out of the precarious situation in which it found itself. In the end, he felt constrained to publicly castigate the strikers and SWOC leaders for their conduct of the strike. Completely deprived of the presidential support it had expected to fall back upon as a final resort, the union had no real alternate method of coping with Little Steel's counteroffensive. Now the organizational deficiencies became paramount weaknesses. And, in the face of troops and the mounting back-to-work fever fostered so assiduously by the companies, SWOC was not strong enough to sustain an effective strike.

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"Is the struggle... in the Ohio and Pennsylvania steel mills only a skirmish for the C.I.O. or is it a major battle that will spell defeat and extinction? Has Mr. Lewis met his Waterloo in the Mahoning Valley [The Youngstown-Warren area] and will he soon retire to some labor leaders' St. Helena... ?"26

The author of this interesting speculation, Louis Stark, the New York Times labor affairs analyst, reserved his judgment as to whether or not the CIO had lost its staying power. But, in the aftermath of the

strike, various other journalists, the independent steel executives, certain avid labor-baiters, and, withal, the chiefs of the AFL either believed or at least hoped that the CIO would fail to weather the effects of its turbulent defeat in the steel mills.

The steel executives were convinced that their scheme to destroy the CIO had worked, that in crushing the steel strike they had dealt the new union movement a blow from which it could not recover. The manager of Republic Steel's Alabama district reported to President Wysor, in a letter of July 9, 1937, that the corporation's "stand" in the strike had been very well received in the South. There was being formed, he added, "... a movement to down the CIO and Communistic activities in the state of Alabama. The temperament and spirit of the times have changed to the extent that I feel our opportunities and possibilities are almost unlimited. ... All feel Mr. Girdler has done a remarkable job." No one was more convinced of that than Mr. Girdler. On August 1, he informed the press that John L. Lewis' organization was "definitely on the down grade." While the CIO might make a few desperate attempts to save itself, the "big fight is won," the leader of Little Steel confidently concluded.

Several other industrialists agreed with Girdler, pointing out that as a result of

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27For example, Frank R. Kent. Walter Lippmann observed that "for the time being the advance of the CIO has been checked." Youngstown Vindicator, July 1, 1937, 12; July 14, 1937, 9. See also: New York Herald Tribune, August 2, 1937 and The Digest, I, No. 1 (July 17, 1937).
28LFC, Part 24, 10296.
the ebb of the CIO's steel organizing campaign U. S. Steel and General Motors would probably refuse to renew contracts and Ford would remain impregnable to the CIO.30

Aside from the steel executives themselves, there were many other interested individuals who in their euphoria over the outcome of the strike looked forward to a new day in industrial relations. Most numerous and active were the officers and leading members of the various "citizens'" committees which had fought the CIO tooth and nail in the steel towns of Ohio and Pennsylvania and in the auto centers of Michigan. The strike was hardly over when one of the more successful of these organizations, the Johnstown Citizens' Committee, became the nucleus of a national committee. The chief architect and idea man of this movement was John Price Jones, head of the New York publicity firm which had prepared and placed the advertisement protesting Governor Earle's closing of the Cambria plant. Doubtlessly driven by deep concern for the rights of nonstrikers everywhere, Jones suggested to the leading lights of the Johnstown group that the achievements and lessons of their back-to-work campaign should be coordinated with the activities of other similar organizations on a nationwide basis.31

Accordingly, on July 15, 1937, two hundred delegates from seventy cities and towns converged on Johnstown to compare notes on the steel strike and to preside over the birth of Jones' brain child. Most of the nation's citizens' committees, several company unions,

numerous chambers of commerce, a few farm organizations, and the "League for Industrial Rights" were represented. Amidst great fanfare, enriched by picturesque descriptions of the CIO and the New Deal—one spellbinder eulogized Girdler for "smoking out the Communistic activities brought on by Lewis, Secretary Perkins, and Franklin D. Roosevelt"—the delegates formally launched the National Citizens' Committee. According to resolutions adopted by the Committee, it was dedicated to the preservation of the right to work, as well as to strike, committed to the principle of union incorporation, and opposed to violence and "activities which are un-American, Communistic, and destructive to the welfare of our Nation." Simultaneously, an ambitious program to propagandize the general public and solicit funds from the rich was approved. It went into effect the next day with the insertion of a large advertisement in major newspapers across the nation. The ad, entitled "Common Sense," pointed out that the "unnecessary organizing strike" in Little Steel was a consequence of the nation's "unsound and impractical" labor policy and urged those who wanted that policy revised to write and wire their representatives and senators.32

The high command of the AFL also lost no time in trying to capitalize on the CIO's misfortune in Little Steel. Goaded and alarmed by Lewis' successes in organizing workers in steel, autos, aluminum, and other industries, the AFL had declared open "war" on the CIO in

the spring of 1937. The Executive Council had threatened to expel the dissident unions from the Federation and had initiated an organizing campaign of its own among industrial workers. Although it is questionable that the AFL leaders seriously believed that the CIO was actually tottering on the brink of disaster as a result of the defeat in Little Steel, they did feel the situation afforded an opportunity to strike a blow that might well push their rival closer to such a fate.

On July 9, William Green made public a long statement in which he asserted that the CIO had "failed to meet its first major test successfully." The CIO had lost the "ill-advised and untimely" steel strike because the majority of the workers had not been organized and because public opinion had been offended by resort to the sit-down technique in automobiles and violence in the steel industry. As a consequence of the CIO's "stupid mistakes," it was now incumbent upon the AFL to defend the legitimate rights of American workingmen from the restrictive legislation which was being contemplated in Congress and passed in some of the states. The AFL president concluded with the sweeping charge that "No hostile employer in America has done the cause of organized labor more harm than those who formulated, executed and administered the policies of the Committee for Industrial Organization. . . ."34

The objects of this charge immediately fired back. Murray

declared that the statement reflected its author's "stupidity." Lewis dismissed Green's words as "merely the droolings from the pallid lips of a traitor." As for public opinion, the CIO head indicated that his organization would proceed with its program regardless of whether the public liked it or not.\(^35\)

Having been taunted by Lewis the previous year with the assertion that they had shown an "utter incapacity" to organize steel, Green and the other members of the Executive Council must have derived considerable satisfaction from the plight of the CIO in Little Steel. In any case, a few days following Green's outburst, it was announced through the office of the Chicago federation of Labor that the steel-workers who had been led astray and betrayed by SWOC would now be organized by the AFL! On July 13 a federal charter was issued, creating a new international union, the American Federation of Steel Workers. The independent unions, especially those in the Calumet area, were to form the nucleus of the new steel union.\(^36\)

The AFL's ingenious plan for raiding the CIO province in steel never got off the ground. And, indeed, none of the plans and hopes of the various groups and individuals who believed they could profit from the Little Steel strike ever materialized. The National Citizens'...
Committee turned out to be a complete fiasco. Likewise, Girdler's vision of the CIO collapsing like a house of cards, because of the buffeting it received in the steel strike, was dissipated within a few months. Not only did the CIO survive the setback in Little Steel, but during the balance of the year it went on initiating new organizing committees and gaining thousands of new members. U. S. Steel agreed in February, 1938, to extend the original SWOC contract; and the G. M. contract with the UAW was renewed in March. By the end of 1937, the CIO consisted of thirty-two national unions and organizing committees with an approximate membership of four million, at least equal to that of the AFL.

As for SWOC, the loss of the strike merely delayed rather than prevented the conquest of Little Steel. It is true that in the year following the strike the union experienced a rather difficult time, with a drop in membership. Although this decline was largely due to the sharp recession of 1937-38, it was also partly attributable to the strike. As part of its effort to destroy SWOC, Republic arbitrarily refused to rehire about six thousand erstwhile strikers, contending that by reason of their conduct on the picket lines they were not fit

37After extracting a handsome fee for his services, Mr. Jones terminated his connection with the organization which he had been so instrumental in creating. In the fall of 1937, two of its prominent executive officers left, one of them declaring that the Committee had become too "narrow" a group with fascist tendencies. Senate Report No. 151, 289-290.
38Harbison, op. cit., 122-123; Derber and Young, op. cit., 67; New York Times, July 4, 1937, E-3; Galenson, op. cit., 158.
39Harbison, op. cit., 57-61; Derber and Young, op. cit., 21.
employees. Sheet & Tube took similar action, firing and/or demoting about two hundred men including the president of the important Campbell Lodge. Because of this policy and the demoralizing effect of the collapse of the strike, some SWOC lodges in Little Steel retained only a handful of their prestrike members. However, by making extensive use of the NLRB and undertaking a systematic re-organization drive, SWOC leaders proceeded within four years to revive the union to a remarkable degree.

In addition to the cases initiated against Inland and Republic during the strike, SWOC lodged charges of unfair labor practices against Bethlehem and Sheet & Tube with the NLRB. All of these cases were decided in favor of the union during the period 1938-41.

Of broadest significance was the Inland case, in which the union contended that the company's refusal to sign a contract violated the Wagner Act. In its decision, the Board emphatically declared that Inland's refusal in advance to enter into a signed agreement, incorporating terms which might be mutually agreed upon in bargaining

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40Supervisors in some cases fired employees seen carrying clubs on the picket lines merely on prima-facie evidence that they had committed acts of violence. Of about 250 union members indicted in connection with the strike at Republic's Ohio plants, eighteen were convicted of felonious crime. One hundred twenty six were convicted of misdemeanors, principally assembling to commit an illegal act. N.L.R.B. Transcripts, C-184, passim; N.L.R.B. Decisions, IX, 389-391; Youngstown Vindicator, July 6, 1937, 1.
42Robert R. R. Brooks, *As Steel Goes,...Unionism in a Basic Industry* (New Haven, 1940), 147; Youngstown Vindicator, July 9, 1937, 1. A former officer of Lodge 1418, the lodge which encompassed Sheet & Tube's big Campbell works, told the writer that at the first regular lodge meeting after the strike there were only eleven men present!
43See above, pages 205-207.
sessions, was in effect a refusal to bargain collectively. Although this interpretation easily demolished the theoretical position taken by the companies regarding signed contracts, it had little immediate, practical effect, for the decision was reversed by a federal circuit court. The issue was ultimately resolved by the U. S. Supreme Court three years later in the H. J. Heinz Co. case, when the Court said that employers, if so requested, were required as part of the collective bargaining process to conclude signed contracts containing the point of agreement.44

In terms of the basic human elements involved, the Republic case was the most important. For upon its outcome hinged the livelihood of several thousand persons. SWOC charged, among other things, that before, during, and after the strike the corporation violated Section 7 of the Wagner Act by firing employees merely for joining the union and participating in the strike. In an attempt to refute the charge and have the case dismissed, Republic attorneys conjured up an interesting countercharge. They maintained that from the time some of the pickets took up clubs the strike as a whole was an illegal conspiracy against the company, and that "each and everyone of those strikers" was "responsible for the conduct of each and all of the others. . . ." Therefore, they argued, the company would have been justified in refusing to rehire all of the strikers. Rejecting this contention outright, the Board found that the strike at Republic "was caused

44 N.L.R.B. Decisions, IX, 783-820; Joel Seidman, American Labor from Defense to Reconversion (Chicago, 1953), 68; Brooks, op. cit., 144-145.
fundamentally by the respondent's unfair labor practices" and ordered over five thousand former employees reinstated with back pay. The Board also ordered the disestablishment of the Republic independent union. In 1939 the Third Federal Circuit Court sustained the Board's decision and order, which had been appealed by the company.45

The Bethlehem and Sheet & Tube cases were disposed of in a similar manner. The crux of the former was the union's charge that the long established Employee Representation Plan was dominated by management. This the Board found to be so, and ordered the corporation to withdraw all support and recognition from the Plan.46 According to a stipulation entered into by Sheet & Tube, SWOC, and the NLRB in 1941, the company disbanded its independent union and reinstated with back pay all workers who had been fired or demoted following the strike.47 Thus, several years after the legislation prohibiting them had been passed, two of the oldest and most deeply entrenched of the

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45N.L.R.B. Decisions, IX, 220-221, 385-388, 393, 400-404; N.L.R.B. Transcripts, C-184, 4559, 4563, 4571-73; Harry A. Millis et al., How Collective Bargaining Works (New York, 1942), 531. Shortly after the strike, SWOC filed suit to collect $3,000,000 in damages from Republic for injuries and deaths. The company paid $350,000 to satisfy these claims in 1945. Meanwhile, Republic went to court against the CIO, SWOC, and numerous officers and members of the union. The suit maintained that the organizations and persons named in it had either committed or abetted acts of violence and destruction of property, and had perpetrated a conspiracy to restrain trade and to force the company to sign a contract. The company's attorneys requested the court to award triple damages, amounting to $8,000,000. Brooks, op. cit., 149-150; Sweeney, op. cit., 39.


company unions in the steel industry finally came to their demise.
This in itself, aside from the other aspects of the NLRB cases, was a major victory for SWOC.

When SWOC leaders began the job of rebuilding the union in Little Steel, they decided to direct the main thrust of their campaign at Bethlehem, largest of the independents. In 1939, a "special" task force of top-notch organizers, headed by Van Bittner, set out to create a network of strong lodges and grievance committees. Eschewing the haphazard methods that had been used at Bethlehem in 1937, Bittner and his colleagues proceeded slowly and assiduously, emphasizing the indoctrination of members in trade union principles and the creation of able leadership in each lodge. Meanwhile, in Republic, Inland, and Sheet & Tube lodges were revived and membership increased. Thus, by 1941 SWOC was well prepared to challenge Little Steel management again.48

The revitalization of SWOC, the Supreme Court's decision in the _H. J. Heinz_ case, the destruction of the independent unions, and Henry Ford's sudden capitulation to the UAW combined to create a situation in which the Little Steel concerns had no alternative other than to accept unionization and to come to terms with SWOC. Inland was the first of the companies to consider a signed contract. Then, in June, Bethlehem agreed to enter conferences looking toward a contract, after NLRB elections in the Corporation's plants had given SWOC an

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48Millis, _op. cit._, 530-531; Sweeney, _op. cit._, 49. Interview with Clarence Irwin, who n participated in the Bethlehem campaign.
overwhelming majority. In July, Republic Steel undertook to do what Tom Girdler had vowed it would never do: sign a formal CIO union contract, if a cross-check demonstrated that a majority of the company's production employees belonged to the union. The cross-check revealed that 70% of Republic steelworkers were union members. Sheet & Tube followed suit, thus finally ending the resistance of the Little Steel concerns as a group.49

Viewed from the perspective of 1961, when labor-management relations proceed in a relatively amicable atmosphere, the Little Steel strike of 1937 with all its violence and acrimony tends to take on a very dated, almost unreal quality. But, as this analysis has attempted to show, the blood that flowed was all too real, the harsh words were uttered in all seriousness, because 1937 was a violent year, a year of extreme bitterness, of deep social and economic tensions, a time when passions were easily aroused and restraints were often conveniently ignored.

Yet the violence of the strike seems to have had a positive effect on the industrial relations situation. For one thing, it demonstrated to the CIO that neither the government nor the public would tolerate the militant approach which until the steel strike had been used so successfully in the CIO's campaign to organize industrial workers. From the summer of 1937, as reflected by SWOC's extensive

49Formal contracts were concluded during the summer of 1942. The delay was occasioned by a deadlock over the terms of the contracts and the War Labor Board Hearings, which produced the "Little Steel wage formula." Millis, op. cit., 532-533; Sweeney, op. cit., 50-54.
reliance on the NLRB, the CIO did resort increasingly to more acceptable pressures against recalcitrant employers. The aftermath of the strike also helped to bring home to many industrial employers the futility of trying to obstruct or to evade the national labor policy by utilization of the old, traditional antiunion devices, which either directly or indirectly encouraged force and violence. Though SWOC sustained a real defeat in the battle with Little Steel in 1937, within a few years the union had won its campaign against the companeese by entirely peaceful means.
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I, Donald Gene Sofchalk, was born in Youngstown, Ohio, July 28, 1928. I attended public schools in Youngstown and vicinity until 1946. After eighteen months in the United States Army and two years' employment in a factory, I entered The Ohio State University in the Autumn Quarter, 1949. In 1954 I received my Bachelor of Arts degree with a major in history. In 1956 I received my Master of Arts degree, again from The Ohio State University. From the fall of 1956 until June, 1958, I worked toward fulfillment of the requirements for the degree Doctor of Philosophy; during this period I was a graduate assistant in the Department of History. From September, 1958, to August, 1959, I was employed as an instructor in political science and history at Morris Harvey College, Charleston, West Virginia. In the fall of 1959, I returned to Ohio State to do research for my dissertation. Since September, 1960, I have been teaching history and western civilization at California State College, California, Pennsylvania.