Labor Moves to New Property Concepts

By JAY LOVESTONE

VAGUELY, blindly, not always consciously, has labor begun to grope for new rights. In the process of this groping it is developing, again not always consciously, new attitudes, new conceptions of property. The "Financial Observer" of February 9, 1937—during the General Motors strike—was quick to see this significant phenomenon:

"That this new technique is important and that it is illegal is not open to question. But it is not the real issue in this strike. The real issue grows out of a new attitude toward jobs and toward property on the part of an increasing element of American labor.

"Until comparatively recently, American labor took it for granted that it could have no say in the offering or withdrawal of employment. Increasingly, however, within the past two decades, and particularly since the depression, the feeling has developed both among union leaders and union men, that hours of labor, wages and the various miscellaneous grievances for which they had in times past gone on strike, are only incidental to the major consideration—the proper concept of property. A more and more powerful segment of labor has been coming to the conclusion that the traditional idea of property is antiquated. It holds that labor has a moral right in the conduct of industry. It insists that just as capitalists have a vested interest in the conduct of industrial enterprises, so labor has a vested interest in its jobs in such enterprises. It is its conclusion, therefore, that if it is to protect this vested interest, industry must be unionized. In comparison with this necessity, grievances of workers who have lost their seniority rights, and the issue of shorter hours and increased wages are relatively unimportant."

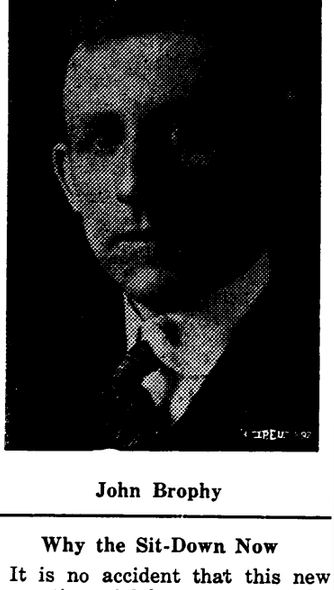
In a sense, the outcome of the last election is bound up with the present strike wave. The workers feel they have won and General Motors, U. S. Steel, General Electric and their like have lost in the last election. From a fundamental class point of view this feeling is unfounded—only an illusion. However, even illusions or unfounded notions are sometimes stimuli to actions by the masses. Such a situation we had in France last June, after the election successes scored by labor. Such a situation we now have in the U. S. after Roosevelt scored a smashing victory primarily because of solid labor support. The average American worker cannot associate or combine the old industrial slavery—the life-sapping control of labor—with what he thinks is his new political freedom, with his supposed control of the political machinery. The latter, he believes, he has won at least to some extent; the former he must eradicate.

J. Allen Smith in his instructive volume, "The Spirit of American Government", put his finger on this complicated inter-relationship when he said:

"A society organized as a political democracy cannot be expected to tolerate an industrial aristocracy. As soon, then, as the masses come to feel that they really control the political machinery, the irresponsible power which the few exercise in the management of industry will be limited or destroyed . . . " (p. 308).

Given the capitalist system, given the changes in the structure, in the organic composition of private property, a whole raft of problems arise from the fact that labor power is a commodity. The right to a job under such conditions can very appropriately be considered by the overwhelming propertyless majority of the population as the only property to which they can make some claim, intangible as its form may appear to be.

C.I.O. DIRECTOR



John Brophy

Why the Sit-Down Now

It is no accident that this new conception of labor arises after a great economic crisis in which millions of workers were thrown out of employment, were forcefully disemployed, torn out of industry and thrown into the arms of miserable relief agencies. It is no accident that this new conception of property develops in the ranks of labor in a period of so-called prosperity—when many millions are still disemployed—in a period which is really an interlude, a moment of transition, between one crisis and another. Homer Martin, President of the United Automobile Workers of America, put the case for labor very clearly when he said:

"It is our contention that the sit-down strike as such is a strike intended to stop production. The stoppage of production through strikes has been recognized for years as legal in the United States. This right to strike involves the property right of the worker's job, which is, in our opinion, the most sacred and the most vital property right in America."

Permanent mass unemployment or organic, chronic mass unemployment is really a new type of mass permanent lockout—with millions of workers not merely momentarily locked out of the factories, but permanently thrown out of jobs. The sit-down is, in one respect, an instinctive answer by the workers gathered in the mass production industries to the threat of the temporary and permanent lockout. Nor is it an accident that the sit-down has been resorted to so often amongst the unorganized workers. The latter are gathered in great numbers in the worst underpaid mass distributive and mass production industries. Thru the sit-down these hitherto non-unionized workers are organized on a mass basis, as it were—almost on a whole factory basis instead of on the old one-by-one basis. Even the bigoted open-shop propagandist Russell B. Porter could not desist from saying in the **New York Times** of April 4, 1937:

"This wave of tremendous force, rising from the submerged depths of workers who regard themselves as underpaid, overworked and badly treated, has swept the country, but nowhere has it broken with greater force than here in the sit-down capital of the nation. Hotels, department stores, five and ten stores, many varieties of retail stores and small manufacturing plants, and even public relief offices, as well as the mammoth auto factories, which dominate the center of the motor industry . . . have been forced to close."

Strategic Value of Sit-Down Strike

In the "sit-down," workers lock themselves in or sit in by the thousands in order to ward off a boss lockout in the raw. Here is an additional strategic value inherent in the sit-down strike technique. Mr. T. C. Thompson, special correspondent of **The Financial Post of Toronto**, well said on February 13th, in the course of the General Motors strike, that: "The answer to a strike is normally a lockout, but that measure is relegated to the past in the light of the new technique of 'sit-down' strikes."

And Mr. Landis, in his noted address before the Third Annual Eastern Law Student Conference, at the School of Law of the Catholic University of America, displayed real foresight when he said, on March 20th:

"In recent months we have seen the advancement of a new claim to take measures that will effectively prevent all production until grievances are satisfied—action that in its economic effects is the counterpart of the lockout, but because of the absence of any relationship such as the lockout possesses to property, finds itself with doubtful traditional legal justification.

"The eventual outcome of such a claim will depend in part upon the emphasis that law will give to the concept of property and its inviolability in its industrial and corporate setting to economic pressure of this type—and in part, perhaps, on the capacity of our law to devise new concepts and mechanisms to meet the needs out of which this type of economic pressure has been born."

While lawyers may rush to denounce the sit-down (or the self-lock-in) by labor, no really respectable well-paid corporation lawyer would ever dare to denounce the employer's lockout as illegal. No such law, no legislative enactment to abolish the lockout would today be considered constitutional. However, in a class society, in a society dominated by the capital-

(*Continued on Page 6*)

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LABOR MOVES

(*Continued from Page 2*)

ists, there is law and law—law against labor and law for capital. That is why Justice Miller of New York could very well thunder: "The court won't recognize any property right in their jobs. Absolutely not."

William Allen White has recently done a little thinking on the larger aspects of the sit-down strike. Some of his observations we will discuss in a subsequent article. At this point, it is necessary, however, to emphasize that Mr. White is all wrong when he talks about workers getting hold of Mr. Chrysler's "tool." American economic life has long ago passed from the "tool" stage to manufacturing and from manufacturing to mass production. Socially as well as economically, there is all the difference in the world between a tool and a machine and between a small and medium machine shop and the huge plants employing tens of thousands of workers.

The growth of the demand for enlarged rights for labor is almost parallel to the growth of industry itself. The evolution of industrial development is clearly reflected in significant changes in the organic composition of capital. The sit-down may today be used in small scale production units, that is, in small plants, or even in offices. But, as a problem, it grows out of the relations of mass production. Its social and economic implications assume significant dimensions only in that stage of capitalist economic development in which the mass production industries predominate. Labor is awakening in 1937. Labor was beginning to wake up in 1837. But a hundred years ago we had no sit-in or sit-down strikes as problems challenging frozen conceptions and ruthless ruling class authority.

The use of the sit-down obviously has nothing to do with the degree of progressivism harbored by the workers or their leaders. In recent weeks, members of the most conservative A. F. of L. unions have been scoring quick successes by sitting down. It is because of the economic roots and potency of the sit-down strike that conservative as well as progressive unions are beginning to resort to it. That is why the opponents of judicious use of the sit-down strike are strike-breakers in effect. This is true whether they get paid as editors of trade papers or as president of the American Federation of Labor. It is because of Chrysler's role in the war against the sit-down that he is now being hailed as a new Messiah of big business. For example, we find the following by Chris Sinsabaugh in the **Automotive Daily News** of March 27, 1937:

"But one thing seems certain—the sit-down frontal attack, labor's greatest asset to-date, seems to be on the way out and Walter P. Chrysler is the man of the hour, the head of the corporation which has stuck by its guns and which has refused to yield an inch its determination to hear everyone in a labor squabble regardless of affiliation.

"Maybe this present labor controversy, which has had the sit-down for its foundation stone, has been a blessing in disguise for the country as a whole. Emboldened by its success in tying up production in General Motors and Chrysler plants by the kidnapping process, unions have tried similar tactics in other cities and towns throughout the United States, producing an epidemic of sit-downs, a machine-gun that mowed down all resistance."

This same issue of the **Automotive Daily News** features Chrysler's picture with the caption: "He ate the canary."

Towards A Sound Labor Movement

It's folly to look upon the "sit-down" as a passing fad or as a mania. The job of every worker, the job of every labor organization, the task of the working class as a class is to make the Chryslers and the Sloans, the Freys and the Greens eat crow in their opposition to the sit-down precisely because it is an effective weapon of labor rooted in the soil of the economic life of the country, in its present stage of development. That is why we cannot repeat too often: let no one ask "is the sit-down legal?" Rather, let all workers in the big industrial plants of the country act and organize so as to make the sit-down legal through its practical widespread and effective use. This will aid the primary interests of the workers as a class. This will help lay the foundation of a sound labor movement. Here we have all the justification we need for hailing the sit-down or any other weapon of working class struggle.

ternational union will start a concerted drive among Ford workers. Henry Ford is not bigger than the United States Government. The Supreme Court has given its decision and the law will act. Henry Ford can do but one thing—recognize and deal with the union, even at the price of changing his mind. Others changed theirs including the Supreme Court.

* * *

CLINTON S. GOLDEN, regional director for SWOC in Pittsburgh: The decision to our minds does the following things: Brings to an automatic end company unions in the steel industry because, as we