Book Reviews

New Looks at Workers' Response to Industrialism

CASE, THERESA A. *The Great Southwest Railroad Strike and Free Labor*. College Station: Texas A&M University Press, 2010. xii + 279 pp. $40.00 (cloth), ISBN 978-1-60344-170-4.

ENYEART, JOHN P. *The Quest for "Just and Pure Law": Rocky Mountain Workers and American Social Democracy, 1870–1924*. Stanford: Stanford University Press, 2009. xvi + 326 pp. $65.00 (cloth), ISBN 978-0-8047-4986-2.

SCHMIDT, JAMES D. *Industrial Violence and the Legal Origins of Child Labor*. New York: Cambridge University Press, 2010. xiv + 279 pp. $85.00 (cloth), ISBN 978-0-521-19865-3; $27.99 (paper), ISBN 978-0-521-15505-2.

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The "labor question" was central to the Gilded Age and Progressive Era, and historians have devoted much attention to explaining why labor activism shrank from mass producers' movements in the late 1800s to narrowly focused trade unionism by the 1920s. Historians have sometimes stressed the role of industrialists, judges, and governmental officials in confining worker agitation. At other times they have emphasized the internal dynamics of the working class itself, particularly workers' ideological shift from free labor producer values to modern consumerism; their struggles to unite across skill, ethnic, racial and gender lines; and their attempts to develop organizational strategies to match modern industry's massive scale. The three works reviewed here thoughtfully revisit these features of late-nineteenth and early-twentieth-century labor activity. The books broaden conventional notions of worker agitation, dramatize its regional variations, and suggest new ways of seeing its evolution.

In *Industrial Violence and the Legal Origins of Child Labor*, James Schmidt, an associate professor at Northern Illinois University, illuminates a group of workers that adjusted to industrial change outside of organized struggle—youthful workers and their families in the Appalachian South. Specifically, through a fascinating examination of approximately 100 child labor work-injury appellate court cases from Kentucky, Tennessee, West Virginia,

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Virginia, North Carolina, and Georgia, he reinterprets how the modern concept of "child labor" developed in the Gilded Age and Progressive Era. Schmidt begins by building on studies of American childhood and child labor by William Trattner, Steven Mintz, Hugh Hindman, and others. He contends that youthful labor was common in the South when that region entered the industrial era. Southerners maintained the traditional producer view that youthful work was a necessary part of family-based agriculture and a method of teaching children responsibility and discipline. Chronological age was less important than whether kids were "big enough to work" (18).

According to Schmidt, consequently, the modern concept of "child labor" emanated not from southern working people, but from the middle-class writers, legislators, and activists who ultimately founded the National Child Labor Committee in 1904. He traces the origin of middle-class reformers' ideas back to British factory law debates and to antebellum labor agitation and educational reform, and he contends that reformers formulated the progressive language that portrayed child workers as victims of "avaricious capitalists" and "lazy fathers" (48, 51). Arguing that children had a natural right to play, go to school, and be dependent, reformers entrenched the "iconic figure" of child laborers as "little sufferers" oppressed by industry—an image captured in Lewis Hine's photographs—and they used that idea to rationalize state and federal legislation that restricted youthful workers' access to industrial jobs (xxi, 76).

Schmidt's outstanding contribution is to illuminate the courts as an important arena of working-class struggle in the South, although his book may overstate that forum's exclusiveness by neglecting agitation by the Knights of Labor, the National Union of Textile Workers, and the American Federation of Labor (AFL) against child labor.[1] It was in court, he shows in gruesome detail, that child injury cases came forward and where the clash between southern working-class attitudes and middle-class reform views became evident. For their part, southern workers defended the familial custom of excluding children from dangerous work by "bargaining for safety" with employers, even continuing that practice in defiance of child labor laws after 1900 (108). Southern judges, by contrast, adopted judicial rules

[1]Hugh D. Hindman, *Child Labor: An American History* (Armonk, NY, 2002), 60; Jacquelyn Dowd Hall et al., *Like a Family: The Making of a Southern Cotton Mill World* (Chapel Hill, 1987), 57; Shelton Stromquist, *Reinventing "The People": The Progressive Movement, the Class Problem, and the Origins of Modern Liberalism* (Urbana, 2006), 93.

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(mainly developed in northern courts) that absorbed reformers' conception of child labor. Judges first treated youthful workers as dependent apprentices, then accepted them as free agents like adults in the labor market, but ultimately decided that natural childish instincts left them incapable of judging factory dangers. The infamous "fellow servant rule" debarring worker damages hardly mattered.

Surrendering their producer outlook toward youthful labor, Schmidt demonstrates that working-class families learned to follow a "legal script" to recover damages for their injured children (209). Families used the courtroom to vent their anger at the industrial system, expose dreadful factory conditions and callous managerial attitudes, and present their children's scarred bodies as evidence of economic injustice. Remarkably, injured child plaintiffs were a homogenous group in the South, with few immigrant and black plaintiffs, whose ethnicity and race were downplayed anyway. What counted, Schmidt argues, was gender—masculine gender—because courts assumed that children could not replicate the judgment of adult men. Lawyers won damage awards by depicting their injured clients as timid little girls and "good little boys" (249). The judicial process delegitimized youthful labor.

Schmidt presents his compelling story as a national prototype, but this is a doubtful proposition. The South industrialized decades after the North did, and it lacked the North's huge cities, urban sweatshops, and burgeoning immigrant working class. Especially, the South duplicated neither the North's strong movement of unions, consumers' leagues, and reformers opposed to youthful employment on economic and health grounds, nor its widespread child labor legislation. Among northern communities, perhaps only New England textile towns perpetuated the familial atmosphere prevalent in the South. *Industrial Violence* is thus more persuasive as a reflection of the distinctive southern reaction to industrial change. The book shows that the agriculture-to-industry transition remained strong in southern workers' lives, that local family values still persisted in that region, and that the courts lingered as a central forum for resolving labor conflicts. Two other books indicate that elsewhere, working-class mobilization was more important.

In *The Great Southwest Railroad Strike and Free Labor*, Theresa Case presents a lively account of the Knights of Labor's famous 1886 strike against financier Jay Gould's southwestern railroads, the first major study of this event since Ruth Allen's 1942 book *The Great Southwest Strike*. An associate professor of history at the University of Houston-Downtown, Case plunges deeply into manuscript collections, state and federal government publications,

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trade union journals, and regional newspapers to argue that the southwestern strike of 1886 figured centrally in the late-nineteenth-century labor movement's development.

Case's notable contention is that the 1886 strike emanated out of the interplay between the southwestern railroad industry's financial fortunes and railroad workers' class culture, not just out of a clash between the nefarious Gould and Knights of Labor leaders. The 1870s and early 1880s were good times for Gould roads like the Wabash, Missouri Pacific, and the Texas & Pacific. Thousands of "boomer" railroad men built a socio-cultural hierarchy divided between white skilled workers in the "running trades" and an array of black, Mexican, native-born white, and European immigrant laborers in yard and unskilled work. When the economy soured in 1884 and 1885 and overbuilt railroads responded by slashing wages and reducing crew sizes, free labor ideology, anti-monopoly sentiment, community support, a saloon-based masculine culture, and nearly universal hostility toward Chinese and convict laborers all united the diverse railway workforce into a "massive yet orderly walkout, across lines of skill and occupation" along Gould roads and rival Union Pacific lines, producing successful strike settlements and numerous new Knights of Labor assemblies, including District Assembly (DA) 101 in Sedalia, Missouri (108). Case thus confirms the view of Leon Fink, Kim Voss, and others that the Knights burgeoned over the course of these strikes but adds that organizational changes in the order portended its downfall.[2]

Case's colorful narrative claims that the culminating March 1886 walkout differed from previous grassroots job actions. It was a top-down sympathy strike called by DA 101 master workman Martin Irons and regional assemblies to enforce previous strike agreements. Irons summoned the strike, moreover, without consulting the Knights national leadership under Terence Powderly. Unfortunately, strikers got only spotty community support this time, and they lacked cooperation from skilled engineers and firemen. More ominously, railroad middle managers refused to arbitrate and secured federal court injunctions against strikers on solvent and insolvent roads alike, a prelude to the 1894 Pullman Strike. DA 101 leader Irons then gambled by widening the walkout, but violence erupted and the strike soon collapsed.

[2]Leon Fink, *Workingmen's Democracy: The Knights of Labor and American Politics* (Urbana, 1983), xii–xiii; Kim Voss, *The Making of American Exceptionalism: The Knights of Labor and Class Formation in the Nineteenth Century* (Ithaca, NY, 1993), 75–76.

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Case closely dissects the evidence to determine what went wrong. Contemporary congressional testimony, and some historians, blamed the allegedly "pernicious" Irons for egging the protest into violence, but Case finds him to have been a cautious leader who made misguided and desperate decisions when forces moved beyond his control (185). Case also denies that racial divisions undermined the strike. Like Leon Fink, she concedes that white Knights embraced the white supremacist Redemption-era racial hierarchy rather than egalitarian "interracial" relations, but she contends that they did promote separate "biracial" black assemblies to achieve worker unity across skill lines, a strategy that met considerable success (136).[3] Her characterization of this policy as a defiance of "Jim Crow," however, confuses the fluid racial atmosphere of the post-Reconstruction era with the rigid segregation of the post-1890 period.

Case concludes that the Great Southwest Strike illuminates the critical turning point in American history marked by the 1886 Great Upheaval of labor. The strike, she contends, exemplified efforts by leaders like Martin Irons to establish institutional methods for countering "mass industry" with "the power of mass action" (226). She joins historians like William Forbath and Melvyn Dubofsky, however, by arguing that legal and governmental force stymied this possibility.[4] She argues that although workers were less united in 1886 than in 1885, it was the federal court injunctions that drove the decisive wedge between skilled and unskilled railroad workers. Court action also forced railroad men to accept the narrow entrepreneurial concept of "freedom of contract" rather than the broad old producer vision of free labor, thereby eviscerating the rationale for mass action. Case's evidence also powerfully reveals that the labor movement lacked the resources and internal cohesion needed to confront concentrated capital and state power in 1886, a vulnerability simultaneously exposed by the movement's disintegration following the eight-hour protest and the Haymarket incident.

Many historians see broad-based labor activism in decline after the 1880s and 1890s, but John Enyeart, an associate professor at Bucknell University, contends in *The Quest for "Just and Pure Law"* that it remained vibrantly alive in the Rocky Mountain states of Colorado, Montana, and Utah. Thoroughly researched in regional newspapers, archives, labor publications, and worker memoirs, and thoughtfully engaged with recent labor

[3]Fink, *Workingmen's Democracy*, 169–70.
[4]William E. Forbath, *Law and the Shaping of the American Labor Movement* (Cambridge, MA, 1991), 66–79; Melvyn Dubofsky, *The State and Labor in Modern America* (Chapel Hill, 1994), 13–21.

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history literature, especially in endnotes, *Quest* finds that the courts, government, and employers did not suppress mass worker agitation after the 1880s. On the contrary, the Rocky Mountains' inchoate political party system allowed workers to cultivate a uniquely successful strategy of "union-centered political action" (72). Led by "pragmatic radicals," Rocky Mountain workers never adhered rigidly to AFL, Socialist Party (SP), or Industrial Workers of World (IWW) programs but utilized whatever economic or political tactics achieved their goals (70, 218). "Eclecticism of form" was their "powerful weapon" (115). Such eclecticism inched the region's workers away from free labor and anti-monopoly values toward marginalist economics and social democratic politics. Whatever their affiliation, Rocky Mountain workers combined political power with economic activism to "socialize markets," fight for eight-hour workdays and "fair wages," and otherwise obtain their proper share of industrialism's bounty (70).

With close attention to local labor activists—including IWW free speech fighters Frank Little and Joe Hill—Enyeart shows how hard rock miners and municipal workers alike united skilled and unskilled laborers into multi-craft coalitions and entered politics. Practicing "mutualism" in Denver, Butte, Salt Lake City, and other hot spots (shown on the book's one map), workers struck, boycotted, formed "strategic cooperatives," and supported state and local political candidates (166). Workers failed to create viable local labor parties but influenced the region's highly competitive Democrats, Republicans, and Populists. Consequently, workers helped to elect pro-labor state and city officials, create state labor bureaus, pass eight-hour laws, secure Colorado's direct-legislation bill, and eventually enact workers' compensation statutes.

Significantly, *Quest* does not portray the judiciary as the monolithically conservative barrier against labor progress that historians often regard it to be, even though Colorado's supreme court struck down that state's first eight-hour law. In the West, Enyeart suggests, workers' political power tempered court decisions. Federal and state judges rarely enjoined western labor agitation and often ruled in workers' favor: upholding Utah's eight-hour law, supporting a Colorado Sunday closing law for barbers, rejecting convictions of striking Montana workers in a military tribunal, and annulling a municipal service contract for a nonunion Montana employer.

Enyeart thus assigns Rocky Mountain workers a center-left place in the American labor movement. Most western workers, he contends, followed the Western Federation of Miners away from the AFL's exclusive reliance on skilled workers and trade unionism toward a more inclusive and statist

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posture. They affiliated with the AFL on occasion only to "bore within" for revision of rigid AFL policies (193). Moreover, when employers fiercely countered labor efforts after 1900, only a minority of Rocky Mountain workers embraced radicalism by joining the doctrinaire SP or the militant IWW, even in the free speech fights. Generally, Rocky Mountain workers united across skill lines to pursue practical goals like higher wages and shorter hours.

Enyeart portrays Rocky Mountain workers' political inclinations as "regionally exceptional," but how exceptional is debatable (167). Acknowledging Julie Greene's important work on AFL politics, he convincingly distinguishes Rocky Mountain workers' political outlook from AFL "antipartyism."[5] He emphasizes that western workers practiced a different kind of politics from the AFL's—that is, a politics aimed at uniting skilled and unskilled workers behind protective legislation and a positive "socialist" state rather than a politics aimed at removing state obstacles to skilled unionists' collective action. Still, the book overestimates the uniqueness of Rocky Mountain workers' political activism and likely underestimates how much help they got from middle-class progressives. Old local studies clearly document that some state labor federations outside of the South effectively pursued legislative agendas after the late 1890s and forged productive alliances with progressives through the 1910s.[6] Political unionism was not just a phenomenon of the Rocky Mountain region.

Even if the Rocky Mountain labor movement was politically exceptional, *Quest* reveals that race, ethnicity, and gender complicated it, though less so than elsewhere. Labor leaders in that region officially advocated inclusion of immigrant and black workers to achieve class solidarity, but rank-and-file workers sometimes demanded their exclusion depending on "local circumstances and personal interactions" "from town to town and union to union" (60, 220). One huge exception was Rocky Mountain workers' nearly unanimous hostility toward Asian laborers. Nonetheless, Enyeart reports that

[5]Julie Greene, *Pure and Simple Politics: The American Federation of Labor and Political Activism, 1881–1917* (New York, 1998), 3–4, 70, 274–84.

[6]See Philip Taft, *Labor Politics American Style: The California State Federation of Labor* (Cambridge, MA, 1968); Patricia Terpack Rose, "Design and Expediency: The Ohio State Federation of Labor as a Legislative Lobby, 1883–1935" (PhD diss., Ohio State University, 1975); Thomas R. Pegram, *Partisans and Progressives: Private Interest and Public Policy in Illinois, 1870–1922* (Urbana, 1992), 63–67; Irwin Yellowitz, *Labor and the Progressive Movement in New York State, 1897–1916* (Ithaca, NY, 1965); Robert W. Ozanne, *The Labor Movement in Wisconsin: A History* (Madison, 1984), 123–29.

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Rocky Mountain workers embraced women as "key players in organizing drives and other fights for working-class rights," though he does not systematically explore discrimination against female workers (246). *Quest* thus suggests that, despite their prejudices, Rocky Mountain workers' social democratic culture unified them more than workers elsewhere. It leaves unexplored, however, how much the region's relatively large preponderance of Native-born American and western European laborers contributed to this over black and Eastern European workers.

Enyeart dates political unionism's decline to the mid-1910s, rather than to World War I's aftermath, and in fact minimizes the war's impact. Following the 1914 Ludlow massacre, he argues, employers led by John D. Rockefeller's Colorado Fuel and Iron Company escalated their attack on Rocky Mountain workers' social democratic political culture by advancing welfare capitalism and arbitration procedures, while obstructing union organizing drives and labor legislation. By the 1920s, employer resistance and ethno-racial divisions incited by the Ku Klux Klan undercut Rocky Mountain workers' political unity, though activists "did not give up the battle." (239) Encouraged by pro-labor politicians including Montana Democrat Burton K. Wheeler, they continued a "constant battle for justice," "guard[ing] pro-labor policies on the books" and sustaining a broad view of labor activism that would reemerge in the 1930s (219, 238).

All three books confirm that American workers experienced the ideological shift from free-labor producer values to standard-of-living consumer values from 1870 to 1920 but imply that the social and institutional context for this change varied from region to region. The potential for mass mobilization differed: It was largely absent in Schmidt's South, defeated by courts and railroad managers in Case's Southwest, but somewhat successful in Enyeart's Rocky Mountain West. Likewise, the forum for labor activism varied from southern courts to southwestern streets and railroad yards to Rocky Mountain political institutions. Finally, laborers showed different capacities for unity in the South's relatively homogenous working class, the Southwest's occupationally divided workforce, and the Rocky Mountain's social democratic environment. Workers, it seems, moved not as a monolith when they adjusted to modern industrialism but acted in separate regional working-class cultures.

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