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Public Workers: Government Employee Unions, the Law, and the State, 1900–1962

Abstract

From the dawn of the twentieth century to the early 1960s, public-sector unions generally had no legal right to strike, bargain, or arbitrate, and government workers could be fired simply for joining a union. *Public Workers* is the first book to analyze why public-sector labor law evolved as it did, separate from and much more restrictive than private-sector labor law, and what effect this law had on public-sector unions, organized labor as a whole, and by extension all of American politics. The author shows how public-sector unions survived, represented their members, and set the stage for the most remarkable growth of worker organization in American history.

Keywords

public, worker, union, law, state, government, United States, labor, sector, private, AFL

Comments

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Introduction

The fundamental idea . . . of organized labor . . . has been the assumption—a correct one, in the main—of an antagonism of interest and of purpose between employer and employee. . . . That situation cannot be applied to public employment.

SENATOR CHARLES THOMAS (D-Colorado) (1920)

Nothing can be gained by comparing public employment with private employment; there can be no analogy in such a comparison.

*Perez v. Board of Police Commissioners
of the City of Los Angeles* (1947)

Incorporating public employees into labor history shows that a good deal of the conventional wisdom and academic theory about unions in the United States is either misleadingly incomplete or simply wrong. Are American workers too “individualistic,” divided by race and ethnicity, or otherwise culturally disinclined to organize as their European counterparts have? From the mid-1950s to the early 1990s, union density in the private sector declined from more than 33 percent to less than 12 percent; but in the public sector, from the early 1960s to the early 1990s, union density rose from less than 13 percent to nearly 40 percent. Today, about 40 percent of all union members are public employees.¹ Counting those who, for example, clean public schools as “workers” reveals an American working class quite receptive to the labor movement.

Nor have the struggles of public employees been distinct from those of private sector workers. From the Boston police strike of 1919 to the debacle involving the Professional Air Traffic Controllers Organization (PATCO) that signaled the beginning of the employers’ offensive in the Reagan era, the fates of public and private sector unions have been intimately connected. But the fact that public and private sector unions were strong in different eras

has had a profound effect on the nature of the labor movement. Understanding this changes the periodization of labor history, generally depicted solely as a rise and decline of private sector unions. Taking serious notice of public sector unions up to the 1960s also provides a clearer view of the factors that inhibit union growth and the factors that facilitate it. Further, it demonstrates another way in which American labor has been “exceptional.” In comparable countries, public workers have long been accorded most or all of the same rights as private sector workers. The severe and enduring distinctions between all government and all private employees in U.S. law and policy are neither natural nor inevitable. Most broadly, the history of public sector unions alters our sense of what American labor actually was, why it evolved as it did, what it might have been, what it is, and what it could be.

Yet even as public sector unionism has moved into the mainstream of the labor movement, people who want to know about its past discover that it is still at the margins of history. After John Commons gave public sector unions a brief mention in 1913, the field has essentially ignored them. In recent decades, historians of the unions and the working class have gone far beyond the “Wisconsin school” that Commons founded, greatly expanding the subjects they study and the theoretical tools used in their investigations. Public workers, however, are excluded both from the new narratives and the descriptive models of labor history. As a result, revealing comparisons have been missed, and the pictures of “labor” and “workers” are incomplete to the point of inaccuracy. This trend has continued to the present day. In an article published in 2002, Robert Shaffer bemoans the fact that not only labor historians but historians in general have ignored public sector unions.² It is my hope that this book will help bring public sector unions into this historical discussion.

“Should public employees organize as trade unions?” John Commons asked. His answer was a qualified yes, but he made distinctions between the public and private sectors of the type that would continually haunt public sector unions. While their organization was inevitable and could be positive, he wrote, government employees should not be allowed to strike, use the closed shop, or exert excessive political pressure. These unions could have posed an interesting paradox for the industrial pluralists in the Wisconsin school. Primarily interested in how labor’s larger institutions functioned as a countervailing economic power, they might have wondered why public workers, whose wages and hours of work were typically set by statute, were organizing at all. Advocates of voluntarism, they might have considered the implications of highly political public sector unions. They could have explored what tactics were appropriate for public workers. But the “old labor history” ignored these unions.³

That they were ignored cannot be attributed to the size of public sector unions in the first half of this century. Of course they were smaller and weaker then than now: their density of organization held roughly steady at 10 to 13 percent from the late 1930s to the early 1960s. Still, by 1934 public sector unions had grown to represent 9 percent of the nearly 3.3 million government workers in the United States, who in turn constituted 12.7 percent of all nonagricultural workers in the country.⁴ Historians have studied and gleaned valuable lessons from workers in smaller, less organized industries in this period. In fact, in the early 1930s the rate of unionization in the private sector was not much greater than that in the public sector.⁵ And although public sector unions had few, if any, statutory rights before the 1960s, the analogous dearth in the private sector before the New Deal has not deterred historians. Nonetheless, even recent “institutional” overviews of the labor movement examine only the private sector.⁶

The “new labor history” also has ignored the public sector. One trend of this school was to study shorter-lived or smaller groups such as the Knights of Labor and the Industrial Workers of the World (IWW). Historians found these groups to be significant both on their own terms and as examples of “lost alternatives” to what the labor movement became.⁷ Public sector unions also present an alternative to the path of the mainstream private sector unions that are typically presented as normal. Government workers functioned under different institutional constraints from those affecting their counterparts in the private sector, and adopted different strategies to match. Some large public employee organizations, such as the National Education Association and the Fraternal Order of Police, have always been outside the American Federation of Labor (AFL) and the Congress of Industrial Organizations (CIO). Yet, in searching for other possibilities and traditions in the nation’s past, historians have not investigated what public sector unions were doing, why their unprecedented growth took place only in the last forty years, or what the consequences of that delay have been.

Other new labor historians emphasized “worker control.” In their view, labor’s battle against management was not merely for better wages and hours; it was also over who would have the knowledge and skills to determine the duties of workers and the operation of the facilities.⁸ Had these historians looked at the public sector, they could have seen additional examples of how concerns over the daily work process had much to do with why workers sought to organize. Although their wages and hours were often set by law, government employees still formed unions, often to agitate for greater worker control.

The new historians also examined workers who were not organized in unions, and an increasing interest in women and African Americans pushed labor history further away from its original exclusive focus on unions as in-

stitutions. Scholars also went beyond the workplace, finding explanations for much worker activity, and its successes and failures, in homes, communities, and culture. But these trends toward broadened scope and inclusion have not been extended to government employees.⁹

Initially, the liberal to leftist approaches found in most studies of labor history from at least the 1960s to the 1980s owed much to neo-Marxist conceptions of class. These conceptions stressed relationships and conflicts created by the capitalist mode of production. Such theories did not consider public workers.¹⁰ Perhaps this omission occurred because, as some contemporaries noted, public sector unions did not contest the distribution of profits within private businesses. Or more generally, perhaps it occurred because collective actions by public employees were thought not to be battles against capitalists and capitalism, but rather merely disputes over how to provide services to the public. In this view, the makeup of government could reflect the results of the class struggle in private industry, and the government's acts might be influential in that struggle, but the organization of government itself was not seen as a site of the struggle.

But class need not be understood only in these terms. A recent study defines class largely on the basis of "the power and authority people have at work." While this approach could be applied to the public sector, no historian has yet done so. E. P. Thompson has explained that "Classes arise because men and women, in determinative productive relations, identify their antagonistic interests, and come to struggle, to think and to value in class ways." Certainly the goods and services government provides through its employees involve productive relations, and certainly these relations, which involve managers and subordinates at work, create class issues.¹¹ If historians had debated how government employees fitted into a class scheme, they could have weighed the implications of public employers' importing management processes developed under early capitalism (Taylorist time-management techniques, for instance) and the struggle of government employees for more voice in the work process. To the extent that these historians attributed certain conflicts in labor relations specifically to capitalism, they might also have wondered what types of labor relations existed or could have been possible in government employment, where at least some imperatives of capitalism were arguably not present. Further, historians interested in battles against capitalism could have pondered the role of public sector unions as allies or direct participants in this contest, noting that the prime opponents of public sector unions were typically private sector business interests.

In the late twentieth century, some labor historians deemphasized class analysis.¹² Still, none of the postmodern approaches tries to find a place for public workers. The "linguistic turn," which originated in the writings of

French theorists such as Michel Foucault, has asserted that language is central in “constructing” reality.¹³ This school has missed an opportunity to show how important the constructions of “worker” and “union” have been to public employees. Only by implicitly or explicitly excluding public workers from these concepts could influential contemporaries, such as judges, treat public sector unions as they did.

Even today, scholars and others too easily accept the idea that the public sector does not contain “real” unions and workers. An analysis of labor and women appeared to dismiss a steep rise in female membership in unions because this rise occurred mostly in public sector unions—as if such unions were not a legitimate part of American labor. Nelson Lichtenstein portrays public employees as performing something less than authentic work. “Unlike the blue collar working class,” he writes, “public employees often sat behind a desk . . . and kept their fingers clean.” This would be news to the police, firefighters, street cleaners, highway construction workers, janitors, and other manual laborers in the public sector described in this book. Indeed, to use the American Federation of State, County, and Municipal Employees (AFSCME) as an example, a large majority of its members were blue collar.¹⁴

In recent years, some labor historians have looked increasingly to the state to explain labor’s fortunes. This is part of a broader movement by historians and political scientists to “bring the state back in” to their analysis, stressing the interests and capacities of particular units of government in determining policy. This model has been applied to the development of private sector law. Surprisingly, though, works that stress the role of the state in labor matters generally ignore the state as an employer of labor. Studies have shown that the very structure of American federalism, with its myriad layers and exceptionally strong courts, fundamentally affected labor and labor law in the private sector. But no one has described how state structure played out with an even greater vengeance in the public sector, although a few scholars have noted that this void should be filled.¹⁵

Even modern labor historians who emphasize the significance of the state ignore government workers. Melvyn Dubofsky’s *State and Labor in Modern America* barely mentions public sector unions in a chapter covering the period from 1947 to 1973, despite the fact that membership in such unions jumped from just over one million in 1960 to over 3 million in 1976, accounting for more than 80 percent of total union growth in that period. Similarly, Nelson Lichtenstein’s recent *State of the Union*, an otherwise excellent overview of labor since the New Deal, discusses public employee unionism on only about three pages. Ira Katznelson, suggesting that labor historians should take greater notice of the state and political theory, mentions neither public sector unions nor their political role.¹⁶

Many historians studying the state and labor have singled out law as having been especially important. Perhaps the most striking disregard of the public sector is in the numerous works that use labor law to explain the size and character of unions and, by extension, American politics. Karl Klare, Christopher Tomlins, and Katherine Stone, among others, have argued that aspects of the National Labor Relations Act (NLRA) have weakened labor. Melvyn Dubofsky, conversely, sees the NLRA as a vital, unambiguous victory for unions. William Forbath and Victoria Hattam—implicitly addressing the “Sombart question” of why there is no socialism, or at least no labor party, in America—attribute the voluntarism of the AFL, in good part, to court decisions. These and other scholars have made a wide range of claims about the ways in which labor law has had a crucial impact on unions and politics in the United States. Yet none has addressed law in the public sector.¹⁷

This omission is especially surprising because the public sector presents an excellent opportunity to test claims about the effect of private sector laws by making comparisons with unions in the United States that were not covered by them. The NLRA, state labor relations acts, and (at least until recently) employment laws such as the Fair Labor Standards Act (FLSA) have all excluded government workers. Throughout this century, the rules of public employment have been set by a diverse assortment of state, county, and municipal laws and regulations, state court decisions, and departmental fiat. These rules have always been different from and much less generous than private sector law. Before the 1960s, the law everywhere in the United States prohibited strikes and almost all collective bargaining in government employment, and courts also routinely upheld bans on union membership. Moreover, the growth in the public sector since the 1960s occurred under labor relations statutes patterned after but more restrictive than the NLRA.¹⁸ Yet historians of labor law have never contrasted the impact of these different rules on otherwise similar American workers and unions. Nor has any scholar probed the disabling impact of public sector labor law on the labor movement as a whole, or on American politics.

Court decisions concerning public sector labor law also help illuminate questions of causation in legal history. What types of reasoning and other influences caused judges to rule as they did? Private sector labor law has long provided examples in such inquiries. The early legal realists, objecting to the idea that law was a science that used neutral, internal rules, frequently cited labor and employment law to argue that judges often simply favored employers over employees and unions.¹⁹ The fact that judges still strenuously objected to public sector unions even after largely coming to terms with private sector labor raises questions that should be explored. The “law and society” approach identified first with Willard Hurst and

later with Lawrence Friedman agreed that politics mattered, but saw a need to look beyond the “mandarin texts” of appellate court decisions and to examine the records of administrative bodies, litigants, and social trends.²⁰ Public sector labor law traditionally was created by local officials, and it provides a rich field for this type of examination. The more recent approaches of critical legal studies, while finding that law is “biased,” also criticize “socio-economic” models and stress the independent significance of legal forms and discourse. Labor law now is used to support claims that law and its language “construct” reality.²¹ Examples from the public sector can help scholars explore and refine such claims.

More generally, these differing approaches have left notions of causation in legal history rather confused. In his first volume on American legal history, Morton Horwitz suggests that “law is autonomous to the extent ideas are autonomous.” In his second volume, he ruefully asks, “how does one *explain* anything objectively in a world of complex, multiple causation?” Christopher Tomlins and Andrew King, introducing a book of essays on the history of labor law, characterize “legal forms” as “concepts” that have “multiple avenues of realization but in practice [are] conventionally realized in official discourse in ways that most accord with, or least depart from, prevailing structures of power.”²² Assuming this is correct, one might still wonder what structures are most crucial in what contexts.

The history of public sector labor law shows that combining the tools of all these different schools can yield at least an example of a more precise explanation of causation: judges were hostile to labor, they were constrained by particular state structures and accompanying legal doctrines, and they constructed the term “union” in a critically inaccurate manner.

In sum, none of the fields of history that one might expect to include public sector unions has done so. Some books examine individual unions or unions within a particular type of government employment, but few attempt to link their subjects to the broader labor movement, or even to other public sector unions. Rarely do these studies use the theoretical insights or methodological techniques of modern labor history.²³ Works in the “industrial relations” style have emerged since the 1970s, but they are typically present-minded and practitioner-oriented, usually ignoring history, state theory, and the study of social movements. And even as of this writing, there is no up-to-date treatise that discusses all or even most current public sector laws; overviews of the law that examine the rules of more than one state are rare and often hard to find.²⁴ Nearly fifty-five years ago, Sterling Spero’s still-useful *Government as Employer* argued that unions of government employees had profound common bonds both with each other and with the rest of labor, but practically no historian has made either connection since.

This book examines public sector unions in America from the beginning of the twentieth century to the passage of the first state collective bargaining law in 1959 and its amendments in 1962. Chapter 1 begins with a “false dawn”: a boom of organizing by government employees from 1915 to 1919, which culminated in the AFL’s embracing police unions. The horrified reactions of employers led to bans on police affiliation with labor. Such a ban caused the Boston police strike of 1919, cutting short this first boom. Notably, even in this situation, involving the difficult case of police, public and private sector employees proclaimed their common interests, just as government officials, courts, and private employers tried to deny them. But the crushing defeat of the strike—and the fears it caused—cast a debilitating shadow over public sector unions for decades to come.

Chapter 2 is the first of three case studies that demonstrate the range of strategies that public sector unions used. In 1928 the Seattle School Board imposed a yellow-dog contract on high school teachers, forcing them to leave the American Federation of Teachers (AFT). The teachers fought back through both the courts and the ballot box from 1929 to 1932, with enthusiastic aid from the local AFL. This episode presages both the difficulties public sector unions would have with the law, and the strategies available to them, given that their employers were often elected officials. The results were intriguingly ambiguous.

Chapter 3 analyzes the law of public sector labor relations through the early 1960s. Inescapable and highly restrictive, the law was central to the experiences of all public sector unions. This chapter explores the reasoning of judges and explains why public sector labor law rights came so much later and in so limited a form by comparison with rights in the private sector or rights of public sector unions in other nations. It also highlights the impact that the failure of public sector unions to win institutional rights had on these unions and on the labor movement as a whole.

Chapter 4 surveys what these unions did in the absence of any formal legal rights. Reviewing the activities of the public school janitors and other service workers of the Building Service Employees International Union (BSEIU) in Chicago and elsewhere during the 1930s, it demonstrates that public sector labor’s strategies focused on politics, behind-the-scenes deals with officials, lobbying, appeals to the public, and other kinds of informal activities. Public sector locals in the BSEIU adapted to a wide variety of local contexts, encountering political machines and civil service systems, elected and appointed officials, and a myriad of different employing agencies.

Chapter 5 describes how the powerful, left-wing, and formerly private sector Transport Workers Union, CIO (TWU), reacted after its main local in New York City was converted into a public sector union in 1940, once the city bought the subways. The TWU’s political action involved mass

protests and huge publicity campaigns, but it could not escape legal restrictions. Nevertheless, through both its own efforts and a gradually increasing toleration of public sector unions, the TWU managed to win about as much as could be won by such a union in this era.

Chapter 6 describes the events that ended this “pre-collective bargaining era”: the battles for and eventual passage of the first state statute permitting collective bargaining in the public sector in Wisconsin in 1959 and 1962. This law was enacted after AFSCME had struggled for more than a decade to pass similar bills. Before achieving this victory, union advocates had to address the entire history of objections and obstacles to public sector unions: fears of police strikes, legal doctrines concerning government sovereignty, policy objections to unions bargaining with government, and opposition from conservative political leaders. The types of compromises and debates that took place in Wisconsin have remained live issues across the country in debates about public sector rights to this day.

This book is not a comprehensive treatment of all public sector labor. Rather, it focuses on specific unions and events, and gives additional examples and information to support the claim that these events were significant and representative. The chapters study a range of types of public employees: police, who perform a uniquely governmental job; the white-collar and “professional” teachers; “unskilled” janitors, who could just as easily have been in the private sector; transit workers, who at one time actually were in the private sector; and road crews and other county and municipal workers. The chapters also cross the country, span the period from before World War I until 1962, and address both the AFL and the CIO.

To some extent, the decision as to which types of public workers to discuss and which to omit was based both on numbers and on contemporary circumstances. Federal workers make only brief appearances in the following pages, both because they were a distinct group, governed by different laws and political conditions, and because in the period covered there were fewer of them. Between the wars, civilian federal employees were only about one-fourth of all the public workers in the United States. By contrast, school employees (the subject of chapters 2 and 4) constituted from 33 to 50 percent of all state and local government workers, who in turn were nearly 75 percent of all public employees. Thus, in 1940 there were just under 4 million public workers; almost 2.9 million were employed by state and local governments, and more than 1.1 million worked in public schools. In the twenty-five years after World War II, government at the state and local levels expanded at up to twice the rate of government at the federal level. For the period covered here, workers in the protection services of police (discussed in chapter 1) and fire were the largest category of municipal employees aside from school employees. For example, in 1940 protec-

tion service workers made up 28.2 percent of municipal employees outside the education system. Today the highest rates of unionization in the public sector are in local government employment (43.2 percent in 2001), with police, teachers, and firefighters leading the way.²⁵

This book is also in part an attempt to answer Howard Kimmeldorf's call for a "new old labor history."²⁶ Its approach is "old" in that it studies unions as institutions, their struggles over workplace issues, and their impact on politics. It is "new" in that it focuses on locals and their members, champions a heretofore-overlooked segment of the working class, and highlights the role of law and state structure. It even borrows from the linguistic turn to suggest that the manner in which courts and others (falsely) constructed the concept of "union" influenced the history of labor.

The focus on the workplace stems first from a belief that the conditions of waged labor were a central part of life for the large portion of the population that engaged in it, and that battles over these conditions with employers profoundly influenced American society and politics. While uncovering vital truths, too much of the new labor history has found reasons for success or failure only within the working class itself, ignoring critical outside factors, or, as Dubofsky puts it, "who rules whom." The state is one such influence; employers are another.

In this respect the following analysis heeds the call of Brian Kelly (in his fine study of race and class) to bring employers back into labor history. Throughout history, the attitudes and powers of employers have often been dispositive of labor struggles; they certainly were for public sector unions. The 1980s confirmed how damaging hostile and aggressive employers can be to labor and working people, yet historical theorizing is lagging behind. Studying the public sector workplace shows what a crucial role public and private employers played in restricting the rights of public workers.²⁷

The protagonists here are primarily members and representatives of local unions, not leaders of international unions, the AFL, or the CIO. Samuel Gompers appears in the background of chapter 1, and Philip Murray lends a hand in chapter 5. But in this book the gears of history start moving when individual police officers, high school teachers, janitors, subway workers, highway workers, and others organize to demand more control over their jobs, an end to arbitrary treatment and discrimination, a fair grievance system, and better wages, hours, and conditions. Among the local protagonists are the stoic John McInnes in Boston, the frustrated Walter Satterthwaite in Seattle, the skillful Elizabeth Grady in Chicago, the colorful W. K. Jones in San Antonio, the fiery Mike Quill in New York City, and the persistent and precise John Lawton in Madison. The narrative that follows is the story of what ordinary workers and their generally small and struggling locals did and did not accomplish, and why.

This book also follows the tradition in labor history of stressing commonalities among different groups of workers. Three recent trends have combined to make this approach less popular. First, the new labor history found that race, gender, and culture were often divisive. Second, postmodernism cast doubts on whether any general explanatory theory, of class or otherwise, could be applied over time and space. Finally, increased specialization among historians has caused researchers to focus on smaller areas.²⁸ This trend has produced a wealth of valuable detail; but the methodology of studying (for example) one set of workers, in one city, in a discrete period is by its very nature likely to produce an interpretation that finds pivotal causal factors that are specific only to those workers in that city at that time. It is less likely to discover that their struggles (their goals and the obstacles to those goals) were similar to and related to the struggles of a broad class of people, including those living in other regions of the country and in other decades.

Thus, contrary to previous interpretations, chapter 1 contends that the Boston police strike was *not* caused primarily by ethnic and religious tensions peculiar to Boston, but rather can be understood only as part of a nationwide surge of public workers affiliating with the AFL and opposition to this trend. Chapter 2 shows that ten years after these eastern, male, mostly Irish cops unionized, a group of Seattle teachers, many of them women, organized for largely the same reasons and were opposed on the same grounds. In both cases, political and business leaders feared that AFL affiliation by public employees would lead to “class domination” of the state. The janitors in Chicago, Texas, and elsewhere (many of whom were women and/or ethnic minorities), subway workers in New York City (including many blacks), county and municipal workers in Wisconsin, and other government employees also shared goals and strategies and faced common obstacles. This approach in no sense involves a rejection of culture or difference. One lesson to be learned from fine works of modern labor history in the tradition of E. P. Thompson’s *The Making of the English Working Class* is that dictatorial, alienated workplaces that pay meager wages and demand long hours offend the values of a wide variety of people and cultures, and provoke resistance.²⁹

It is through common obstacles and strategies that public sector labor emerges as a coherent category. Although government workers had many of the same complaints as those in the private sector, their unions had far fewer legal rights, and their range of practical action was much more circumscribed. Throughout this book, a wide variety of public workers are forced to confront the fact that they had no right to strike, to bargain, or, in many cases, even to organize. These constraints made them turn to political tactics.

How well did these strategies work? This book attempts to balance two competing notions. First, public sector unions fought hard and won victories for their members, despite limitations on their rights. While these unions could not formally bargain, they devised methods of coming to effective “agreements” with their employers. They represented workers in civil service and other administrative forums and pushed for the expansion of such mechanisms. They shared information and resources. They prevailed on public officials at all levels and appealed to the public. Through activism and persuasion, they saved jobs, improved skills as well as pay and conditions, and generally made life better for workers.

Nonetheless, the lack of rights was crippling. Public sector unions often failed to accomplish moderate goals or even to survive, largely because of the legal climate and the attitudes of employers. The failures are important in their own right. Public sector labor law, and the state structure that helped this body of law remain so restrictive, created a significant core of highly political unions in the American labor movement, at the same time keeping the size of this core artificially low during the decades when labor in the private sector was largest and most powerful. This timing sheds light on labor’s strength and its very nature, up to and including the “Sombart question.”³⁰ What if government workers had continued to organize after 1920 at the rate they had before? What if labor had contained a much larger politically active and savvy component before, during, and directly after the New Deal?

Analyzing the goals and tactics of public sector unions, the forces supporting and opposing them, and their victories and defeats illuminates a large but ignored segment of the working class. It also changes our understanding of the labor movement as a whole. Further, this history underscores the importance of law in determining the size and character of all unions, with related implications for American politics. Simultaneously, this history provides an opportunity to synthesize disparate theories about how and why judges make decisions. It also buttresses recent scholarship that argues that the structure of the American state itself had a major impact on the development of labor, political movements, and government policy. Finally, it shows how men and women employed by the government organized, against considerable odds, to fight an uphill battle for dignity, better pay and conditions, and a voice in workplace decisions. Their struggle was in some ways different from the struggle of other American workers. In other, more fundamental ways, the two were inseparable.

The Boston Police Strike of 1919

[A] police officer is not an employee but a State officer. . . . The following rule . . . forbid[s] him . . . from coming under the direction and dictation of any organization which represents but one element or class of the community.

Boston Police Department General Order 110 (1919)

Leaving out all the pretty theories and grandiloquent phrases about their duty to the State, can a man . . . even live on such a wage?

Boston Labor World (1919)

When practically all of Boston's police officers went on strike in September 1919, they did so for reasons similar to those that have motivated other workers then and since to do the same, but with unique consequences for the history of American labor. Although the strikers were concerned with wages, hours, and working conditions, it was immediately and ominously clear that this event would be like no other job action. Even as the officers were leaving their posts, crowds of over 1,000 gathered to attack them, volunteer substitute policemen, and others. For three days following, many denizens of the city engaged in a variety of criminal acts, including assaults, public gambling (with attendant thefts and violence), robbery, and destruction of property. Parts of the city were frighteningly lawless. Rioters in South Boston stoned a group of reserve park police, chanting "Kill them all." Later, a crowd of over 5,000 formed in Scollay Square in downtown Boston and then went on a looting spree. Property of the unpopular rich was targeted and damaged. On the second day of the strike, mounted troopers confronted a crowd of around 15,000. The next day's paper reported: "All Day Fight with Mob in Scollay Square—Cavalry Useless. . . . From 7 last night almost complete anarchy reigned . . . until early in the morning." State guards finally intervened, firing point-blank into the

crowds, killing 9 and wounding 23 others. Hundreds more had been injured in the previous days. Property damage was estimated to be in the hundreds of thousands of dollars. The *Boston Herald* explained that the rioting was “suppressed by the rigorous rule of 7000 patrolling soldiers, their authority backed by loaded rifles, fixed bayonets, [and] mounted machine guns.” Ostensibly to prevent further violence or even a general strike, Governor Calvin Coolidge then called out the rest of the state guard and told the federal secretaries of war and navy to be prepared to send troops. With peace finally restored, all 1,147 strikers were fired.¹

Unfortunately for public sector unions, the most searing and enduring image of their history in the first half of the twentieth century and beyond was the Boston police strike. The Boston strike was routinely cited by courts and officials through the end of the 1940s. Even in later decades, opponents of public sector unions would invoke the strike as a cautionary tale of the evils of such unions. Labor was doubly cursed in that this event involved police. First, the Boston debacle provided alarming evidence that strikes by government workers were dangerous and destructive. The fact that the particular employees involved had jobs uniquely related to civic safety was often lost in future debates, as the strike was used as precedent to support bans and restrictions on all types of government workers. Second, the example of police heightened the difficulty of seeing all public employees as “workers”: the type of people who should have the right to form unions. After all, the interests of police and labor had often been opposed, and the paramilitary structure of police departments did not seem a good fit for democratizing bodies such as unions. Thus, although the Boston police strike was as atypical as it was dramatic, it contributed far more than any other single event to the peculiarly American view that public sector labor relations were something entirely distinct from private sector labor relations.

Despite the fact that the Boston police strike was a central event in the history of public sector unions and thus a central event in the history of all American labor, historians have rarely portrayed it as such. Fundamentally, though, the events in Boston can be understood only as part of the larger narrative of contemporary labor history. From 1916 to 1922, David Montgomery explains, “workers’ demands became too heady for the AFL . . . to contain . . . and too menacing for business and the state to tolerate.” During and directly after World War I, the union movement was growing in both the public and private sectors. In 1919 police unions were affiliating with the AFL at an impressive rate. That year, a new police local led the Boston strike without express approval from the AFL. The underlying issues were common for the day: wages eroded by postwar inflation, long hours, unsanitary conditions, a weak company union, and supervisor favoritism and reprisals. The precipitating event of the strike was also typical: management sus-

pendent union leaders and announced it would not tolerate an AFL union. The police strike involved over 1,100 workers, led to considerable violence and several deaths, and achieved national notoriety, not unlike other prominent labor actions of that year such as the Seattle general strike and the steel strikes. Despite all this, the Boston strike is rarely seen for what it was: a vitally important moment in the history of labor and workers. The reason that historians generally ignore the impact on labor is almost certainly because the strike involved public employees, specifically police.²

Police are the most difficult kind of public worker to envision as part of labor, but one must do so in order to understand the Boston police strike. Unionists and their advocates have traditionally been wary of police, in good part because they often broke strikes. Analyzing the place of police in a system of class structure can be complicated. Still, cops on the beat typically have come from working-class backgrounds, they perform rigidly disciplined wage labor, and in many other ways they share the identity of "worker."³ Indeed, the unionization in Boston was part of a national trend of police affiliation with the AFL, which in turn was part of a national boom in the organizing of a broad range of public employees around World War I. In 1919 the AFL extended this vision of worker solidarity to police, chartering thirty-seven locals.

Opposition to police affiliation with the labor movement caused the Boston strike, and a central issue debated before, during, and after the strike was whether *any* public employees should be allowed to organize. Nonetheless, studies of the event have traditionally concentrated on ethnic and political factors specific to Boston and its police department, contrasting elite Republican Protestants, such as Massachusetts governor Calvin Coolidge and his appointee Police Commissioner Edwin Curtis, with the largely Democratic, Irish-Catholic police force and Democratic mayor Frank Peters.⁴ The strike is also well known for having launched the national political career of future president Coolidge. But the cause of the walkout was Curtis's ban on police affiliating with the AFL, and the broader trend on which contemporaries focused was the nationwide increase in public workers, including police, joining the AFL. In fact government officials, businessmen, union leaders, and socialists all predicted that public sector unions would shift the balance of power in all labor relations. The AFL maintained that government employees were members of the working class. Opponents insisted that they had nothing in common with labor and that AFL organizing in the public sector would lead to domination of the state by union interests.

In early and mid-1919, these debates increasingly centered on police. Would AFL police unions refuse to break strikes? Would they themselves strike? Neither side dealt with these issues successfully. Across the country,

government officials ordered police officers to leave the AFL, prompting numerous confrontations, including the Boston strike. Labor leaders never reconciled their support of public sector unions with the alarming possibility of a police strike. The disastrous conclusion of the Boston dispute ended the first, false dawn of public sector unionism, and reverberated for decades. Still, the labor movement in 1919 understood the common interests of public and private sector workers, and historians should do the same.

Public employee unions had a history before the Boston strike. In the United States, as well as abroad, some government workers had been unionized and active since at least the 1830s. Distinctions between the public and private sectors were, however, more blurred in the nineteenth century than in the twentieth. Government at all levels was smaller then. Organized public employees were typically members of predominantly private sector unions, such as skilled tradesmen working in naval yards. When unions first appeared in the federal service in the 1830s during Andrew Jackson's presidency, the government claimed no special status distinct from other employers. It did not challenge the rights of employees to unionize, demonstrate, use political pressure, or even strike. Government opposition to the unionization of its employees did not really begin until postal workers began to organize in the late 1880s and 1890s. The kernel of the idea that public workers should be treated differently (as well as the beginning of highly adversarial labor relations in the U.S. Post Office) can be seen in an order in 1895 by President Grover Cleveland's postmaster general, William Wilson, which forbade any employee, on pain of removal, to visit Washington "for the purposes of influencing legislation before Congress."⁵

Like private sector unions, much of the activity of public sector labor in the nineteenth century centered on hours legislation. Public workers in Philadelphia won the ten-hour day after a major protest in June 1835. According to union leader John Ferral, "Each day added thousands to our ranks. We marched to the public works, and the workmen joined in with us; when the procession passed, employment ceased, business was at a standstill." Also in the 1830s, the National Trade Union (NTU) sent a request to Congress for the ten-hour day on federal works. "We do not . . . demand anything from the government but one's rights which have been acknowledged by the generality of employers throughout the Union," the NTU maintained. While this move brought no immediate results, in 1840 President Martin Van Buren signed an executive order that established the ten-hour day for workers on federal projects. Two years later, workers in the shipbuilding crafts began fighting for the eight-hour day. By 1854 this workday was the standard for caulkers. In 1861 Congress passed a prevailing hours and wages law for the navy.⁶ As these examples indicate, exactly which workers were "public" was not always clear, as much work for the

government was done by employees in crafts organized by private sector unions.

The first organized municipal employees were also skilled workers in craft unions with both public and private sector members. These early public sector unions often attempted to act like private sector labor. As early as 1867, the National Labor Union unsuccessfully called for the closed shop in public employment; labor would have almost no success in bringing any form of union security to the public sector until the late twentieth century. Public sector unions in the nineteenth century also sought to negotiate contracts. The Chicago Electricity Department signed the first known formal agreement between a municipal agency and a labor organization in 1905. Public sector unions sometimes used the tactics of private sector unions, and public employers sometimes responded in kind. During strikes of street cleaners and garbage and ash collectors in 1906 and 1911 in New York, police attacked the workers, and both strikes ended when the city imported thousands of strikebreakers. In the second decade of the twentieth century, public employers also began to form "employee associations"; these were equivalent to company unions in the private sector and often included managers.⁷ Nonetheless, legitimate public sector unions organized with increasing fervor.

The impetus to unionize among municipal employees in the later nineteenth and early twentieth centuries was in part a desire to confront a growing problem in government employment: political machines and their corporate allies. Generally, labor did better in the absence of machines. John Commons reported that where government reformers were in power, local officials would consult with labor in setting wages, hours, and working conditions, but where machine politicians or business cliques controlled city hall, there was hostility to unions of city workers. Therefore, Commons called the organization of municipal employees "the most important practical contribution that has been made to civil service reform in a democratic government." Public employers should officially recognize unions, "to give them a part in the administration of the department and then to hold them to that responsibility." Labor's enemies also included those who profited from association with machine bosses. For example, the Chicago Teachers Federation (CTF), a forerunner of the AFT, waged a long struggle against notoriously corrupt influences in the government of Chicago. The CTF's lawsuit in 1902 against wealthy tax evaders brought a million-dollar increase in revenues to the schools and a raise for teachers.⁸

Public sector organizing continued in the early twentieth century, and by January 1918 the AFL's *American Federationist* could proudly announce that public employees had "come forward voluntarily in recent years in large numbers" to join the AFL. After fitful starts in the first decade of the

century, the movement took off around World War I. In 1906 the AFL created its first national union of government workers, the National Federation of Post Office Clerks. In 1902 the CTF affiliated with the Chicago AFL, and the national AFL directly chartered a teachers' local in San Antonio. After a few abortive attempts to create a national teachers' union, in 1916 the AFL formed the AFT. In the year before the Boston strike, the AFT grew from 2,000 to 11,000 members. In 1917 the AFL established the National Federation of Federal Employees (NFFE). That same year, the National Association of Letter Carriers (NALC), founded in 1889, affiliated with the AFL, as did the Railway Mail Carriers. The AFL chartered its first firefighters' local in 1903 and created the International Association of Fire Fighters (IAFF) in 1918. The IAFF soon grew from about 5,000 to over 20,000 members. From 1918 to 1919 alone, the number of its locals more than tripled, from 82 to 262.⁹

The overall rate of unionization in the public sector reflected this activity. From 1900 to 1905, union density in government employment was less than 2 percent, increasing to only around 3.5 percent in 1910. But from 1915 to 1921 density rose from 4.8 percent to 7.2 percent, an especially impressive increase given that the total number of government employees in these years grew by more than one-quarter, from 1,861,000 to 2,397,000. Thus, from 1915 to 1921 the total number of public workers in unions nearly doubled. Given the fact that these unions lacked even the limited ability to organize and exert economic pressure that private sector unions had won by this time, these gains are striking. Also, at least some commentators seemed prepared to accept them as part of the broader labor movement. Charles Beard wrote in early 1919 that if "public employees are denied the right to organize and to use coercive measures, they must then leave their fate entirely in the hands of a benevolent legislature; and . . . the wages and hours of many public servants are not such as to commune a close observance that the government is always a benevolent employer."¹⁰

Unionists repeatedly equated the concerns of public and private sector workers. After Postmaster General Albert Burleson argued that government employees should not be allowed to join an "outside organization"—meaning a union—the *American Federationist* replied that in "every kind of employment" workers needed a representative that supervisors did not control. "Public employees must not be denied the right of organization . . . and collective bargaining, and must not be limited in the exercise of their rights as citizens." The AFL stated that it sought the same goals for government and private sector employees: collective bargaining rights, improved wages and hours, and an end to Taylorist management practices. Simultaneously, leaders of public sector unions affirmed their links to private sector labor. "The

teachers are at last realizing that as workers their place is with the other workers of the country, and that it is their duty to the schools to align themselves with the labor movement," AFT president Charles Stillman wrote. NFFE president Ernest Greenwood credited AFL-assisted lobbying for recent improvements in federal pay scales. With "millions of labor voices" added to their appeals, Greenwood claimed, NFFE had been as effective as a private sector union. He was optimistic enough to add that the public now believed that government workers had the "same right to . . . bargain collectively" as those in the private sector. Gilbert Hyatt of the National Federation of Postal Employees (NFPE) also cited AFL lobbying and new attitudes toward public employees. "The old delusion . . . that any government job is a sinecure, has been thoroughly exploded." He urged the government to become as good an employer as the average private company.¹¹

No one factor explains the heightened interest of the AFL and public workers in each other, but several developments in law, politics, and the state clearly contributed.¹² First, in 1912 the AFL helped pass the Lloyd-LaFollette Act. This legislation gave federal workers the formal right to organize, spurred growth in their unions, and seemed to inspire unions of employees of local governments such as the IAFF and the AFT. Second, the battle against political machines had led to campaigns for civil service laws that state and local government workers joined through their unions. Third, the war had enlarged both the size of government and the potential scope of its activity. Total public employment leaped from 1,861,000 in 1915 to 2,461,000 in 1918.¹³ This trend prompted the *American Federationist* to argue that public workers needed the right to organize because "government activities are being extended into every industry," putting many workers either in or potentially in the state's employ. Indeed, by November 1918, 9 million Americans worked in war-related industries. Government involvement in labor relations—most prominently through the federal War Labor Board (WLB)—also undercut the distinction between the private and public sectors. In addition, World War I, like World War II to follow, helped decrease attacks on labor because of political and social pressure to collaborate for the war effort. Scholars have focused on this phenomenon in the private sector, describing the need for uninterrupted industrial production, but these attitudes also affected the public sector. For example, Sterling Spero notes that during World War I, the War Department greatly modified its attitude toward unions of its own employees, virtually recognizing them and practicing the "utmost cooperation." In this spirit, although the WLB did not have authority over the public sector, it took jurisdiction in at least one case because both parties (the city of Pittsburgh and a firefighters' union) had consented.¹⁴

With the public sector movement in full swing, repeated requests by ordi-

nary officers finally convinced the AFL to accept police unions. Until 1919 the AFL had refused to charter such locals. The 1897 AFL convention rejected an application from a police group in Cleveland, despite the endorsement of the application by the Cleveland Central Labor Union and the AFL's regional organizer. The AFL explained that it was "not within the province of the trade union movement to specially organize policemen, no more than to organize militiamen, as both . . . are too often controlled by forces inimical to the labor movement." Of course relations between law enforcement and labor had often been adversarial, as police broke strikes and attacked worker protests. In his 1925 autobiography, AFL president Samuel Gompers described violent encounters with law enforcement, providing vivid details of an attack by mounted police on a crowd of union supporters that included women and children. Even though the incident had occurred decades earlier, Gompers wrote that "to this day I cannot think of that wild scene without my blood surging in indignation at the brutality of the police." In 1917, prompted by more requests from police organizations and a request from the St. Paul, Minnesota, delegation, the AFL convention voted to reexamine the prohibition on police locals, but in May 1918 the AFL Executive Council (EC) let the old rule stand, stating that it was "inexpedient to organize policemen at the present time."¹⁵

A year later, however, faced with yet more applications from police, the EC referred the issue to the June 1919 AFL convention, and that body reversed the prohibition. The resolution doing so simply stated that since police in various cities had organized and requested affiliation, the AFL would go "on record as favoring" the organization of police unions and would grant them charters. The response was immediate: by September 1919 the AFL had received sixty-five requests from police organizations and had chartered thirty-seven locals. Gompers remarked that in his thirty-six years as AFL president, he had never seen as many applications in as short a time from any other trade. The enthusiasm was mutual. Frank Morrison, secretary of the AFL, instructed organizers to give "particular attention" to police.¹⁶

The few AFL statements on police unions attributed the change in policy to the large number of applications, but also stressed the common status of all public and private workers.¹⁷ Days before the Boston strike, Gompers spoke to the commissioners of the District of Columbia about a rule they had recently issued that required D.C. police officers to leave a local AFL union they had formed. Gompers explained that despite numerous requests over many years, the AFL had "held off" on chartering police unions. But the "requests and applications became so wide-spread and from so many sources" that the AFL had altered its practice. In support of this claim, Gompers provided a list of thirty-three police locals, noting that they were

in twenty-one states from all parts of the nation and that almost all had a membership of 100 percent of the eligible officers.¹⁸

Moreover, Gompers portrayed police as public employees, and public employees as workers. He compared the ban on AFL affiliation by the D.C. commissioners to President Theodore Roosevelt's repudiated "gag order" of 1902, which had prohibited federal workers from seeking to influence legislation on their own behalf. Arguing that the end of war-related production had hurt public and private workers equally, Gompers stressed that the police officers themselves had chosen to join the AFL to combat low wages and poor working conditions. He denounced "opposition to the attempt to organize the policemen who seek organization." Again emphasizing that all workers should have the right to organize, Gompers argued that if "working people . . . policemen included" had the right to join "any lawful organization" before the war, they should not be denied that right after it.¹⁹

Ominously, though, Gompers's testimony displayed the unresolved tensions between the AFL's declared moderation and the radical prospect of a police strike. He stressed that the AFL was responsible, patriotic, and law-abiding, unlike the IWW—to which, Gompers implied with no evidence, police might turn if they could not join the AFL. Indeed, the AFL would be a "stabilizing influence." New members were told that the membership "obligation" of a police local contained nothing contrary to police duties. When pressed on the strike issue, he replied that the Lloyd-LaFollette Act barred federal employees from joining groups that imposed a duty to strike, and this restriction had not been applied to the AFL. Also, the AFL itself could not order strikes, and police could not join private sector affiliates that could.

These assurances implied a distinction in the ability of public and private workers to strike that was clearer in theory than in fact. Formally, the AFL held that the "final remedy" for government employees was legislation, not the withholding of labor. Yet public sector unions in the AFL had struck, as had unaffiliated police unions in Ithaca, New York, in 1889 and Cincinnati, Ohio, in 1918. In both cases the striking officers were immediately replaced, and the strikes ended quickly and with little disruption; but the issue was not imaginary. The question was whether organization or affiliation with labor increased the chances of strikes. Believing that it did, and foreshadowing the battle in Boston, the mayor of Cincinnati had forbidden police officers to join the AFL after they had voted to do so.

Thus, while Gompers asserted that the police unions in the AFL would bring greater stability, and while no AFL police union had struck, when Gompers proclaimed that police wanted the "great mass of four million workers" to support them, nothing in his testimony indicated exactly what that support could involve.²⁰ Such ambiguities would be devastating in

Boston, where labor leaders would have to confront the contradiction implicit in Gompers's position: insisting that public workers had the same rights as private sector workers, even while worrying that strikes by at least certain public employees—notably police—would lead labor into a deeply damaging confrontation in which labor's demands would be opposed to the public interest.

In addition to fears that police themselves would strike, union opponents were also extremely concerned about how police officers in the AFL might act during strikes by other unions. The D.C. commissioners claimed that they welcomed unaffiliated police organizations but had barred AFL organizing to assure the "independence" of the department. They spoke of "divided loyalty" and "charges of favoritism" if police officers who were members of an AFL union were called on to handle strikes by members of other AFL unions. This was a concern voiced later in Boston and elsewhere, often by private sector business interests. Ironically, this concern seemed to assume a greater set of common interests among public and private sector workers than that side of the debate would normally admit. Gompers parried that the AFL merely wanted the police to be neutral and "not throw their full weight" against workers. Unconvinced, the D.C. commissioners suggested that AFL-affiliated police would attack strikebreakers, and insisted that the ban on affiliation was needed to prevent "even the charge of partiality."²¹

Although the AFL never boasted of any advantages that affiliated police unions would bring to labor, it probably saw some. The behavior of local police was often critical to strikes and pickets, so much so that some unionists had joined police reform movements. Just months before the AFL reversed its policy on police unions, IAFF president Thomas Spellacy had reported to the AFL's EC that the mayor of Colorado Springs, Colorado, had threatened to destroy the local firefighters' union by locking out its members and using police to replace them. Spellacy added that several police officers had told him that they would not act as strikebreakers if they were organized. The AFL never publicly discussed such considerations, but labor's advocates on the left were less discreet. In July 1919 the socialist *New York Call* announced that it viewed "policemen on the beat as members of the working class" who would soon be "solidly lined up beside the rest of the country's wage earners." Days before the Boston strike, the *Call* predicted that unionized police might not evict tenants or attack strikers, and that someday even soldiers might unionize. "In that day strikes might not be necessary," the paper prophesied, and "the worker could and would be lawful in his enterprise for the simple reason that he would be the law."²²

Such visions may have contributed to a spate of nationwide attacks on police unions by local government employers before the Boston strike. In

Portland, Oregon, mayor George Baker fought unionization, claiming that it would cause divided loyalty in labor disputes. Portland police officers countered that joining the AFL would help them understand the views of workers. Los Angeles mayor Frederick Woodman raised wages and formed a police relief association to impede union organization. Officials in Terre Haute, Indiana, and Norfolk, Virginia, ordered police officers to leave the AFL or resign; Norfolk's director of public safety threatened to use soldiers to patrol the city if the officers refused both options. Typifying much opinion in Congress, Senator H. L. Myers, a Republican from Montana, proposed that police officers in the District of Columbia who had joined a union be denied pay. In Jersey City, New Jersey, Mayor Frank Hague prohibited police from joining the AFL, alleging it was "subversive of discipline." In Detroit the police commissioner ordered the dismissal of all 400 members of a police association: "As long as our organization often has to be the fence between employers and strikers, it must be neutral and it certainly could not be that and have union affiliation." Officials in Lynn, Massachusetts, barred "allegiance of any nature" by police to any group which required "a greater loyalty" than that owed to the government. "If the cap fits the American Federation of Labor," Lynn mayor Walter Creamer added, "it can wear it."²³

In no sense, however, were these attacks limited to police unions. Public and private employers opposed other public sector unions as well, focusing on those affiliated with the AFL. Ironically, in the 1919 AFL convention proceedings, the entry after the resolution authorizing police unions stated that all the members of a firefighters' local in Cincinnati had been fired to discourage affiliation with the IAFF. In 1918 and 1919 resistance to the IAFF prompted seven strikes in the United States and Canada. As chapters 2 and 3 show, many school boards in this period prohibited teachers from joining the AFT; teachers responded with political campaigns and lawsuits. All types of public employee unions came under attack. In August 1919 former Massachusetts attorney general Albert Pillsbury offered legislation that would have made it illegal for any government worker in the state to join a union. "Every . . . public service is now being conducted at the sufferance of organized labor," he complained.²⁴

The leaders of the AFL (all from private sector unions) tried to resist these attacks, as did local AFL bodies and the police officer members themselves. The EC advised police that they had the right to organize, and the labor press across the country supported police unions. The New Jersey Central Labor Union declared it would fight for the Jersey City police local. The District of Columbia police local won a temporary restraining order that blocked the commissioners' ban on AFL affiliation on the grounds that the rule was not "needful" and the commissioners' authority extended only to

“needful” rules. (The Boston police union would later unsuccessfully make a similar claim.) President Woodrow Wilson then asked that the D.C. case be held in abeyance and resolved at an upcoming general labor conference. In the wake of the Boston strike, Congress settled the issue with laws barring strikes and AFL affiliation by police in the District of Columbia.²⁵

The Boston Police Union was born in August 1919, amid the increasing controversy over AFL police unions, but also amid increased militancy by public workers in that city. In August 1918 the Boston Firefighters Union, a charter IAFF local, won raises after threatening to resign en masse. In August 1919 hundreds of city engineers and stationary firemen threatened to strike unless they received raises. The Boston Central Labor Union (BCLU) and its newspaper, the *Boston Labor World*, consistently supported public sector unions generally and the police union specifically. In August 1919 the BCLU, which was dominated by private sector unionists, warned Boston mayor Frank Peters that it supported the demands of city workers. The BCLU also backed the wage requests of an NFPE local; the *Labor World* claimed that the board of health would close a private business that was in as poor a condition as the main post office. The *Labor World* also championed the AFT locally and nationally. Generally, the BCLU welcomed the new Boston Police Union and cheered rumblings of police organizing in other Massachusetts cities such as Wellesley and New Bedford.²⁶

Massachusetts and Boston had even faced public sector strikes before. Workers struck over Taylorist management methods in the Watertown arsenal in 1911 and in the Charlestown navy yard in 1914. Moth workers (exterminators) struck at least four times in Massachusetts between 1907 and 1917, and gravediggers in Milford struck in 1913. The Watertown workers went out again in 1918. Boston carpenters struck army and navy worksites in 1918. Garbage and ash collectors walked out in Springfield in 1917, in Lawrence and Lowell in 1918, and in Newburyport in 1917, 1918, and 1919 (the workers suffered defeats in all but the first action). The Fall River City Employees Union won pay hikes after striking in July 1919. On a larger scale, in April 1919, 20,000 employees of New England Telephone and Telegraph, then under government control, waged a six-day illegal strike and gained significant raises. But like the national AFL, the BCLU was concerned about the consequences of public sector strikes, and thus seemed to equivocate on this issue. Former BCLU president Edward McGrady told a meeting of over 2,000 postal workers that the AFL did not want them to strike “except as a last resort.” Indeed, the BCLU was often cautious about strikes of all kinds, reproaching employees of the Bay Street Rail Company for threatening to stop work over dissatisfaction with a WLB award.²⁷

In contrast to labor’s approach, leaders of the Boston Police Department

distinguished their employees from other workers. The conflict began in 1918 when Police Commissioner Steven O'Meara learned that Boston police officers were considering AFL affiliation. O'Meara issued an order stating that even rumors of unionization were "likely to injure the discipline, efficiency and even the good name of the Force." If officers had obligations to an outside organization, he stated, they would be "justly suspected of abandoning their impartial attitude." He claimed that he did not dispute the "wisdom or even necessity" of unions in the private sector. Public sector unions, however, were "of doubtful propriety," and police in particular should not be allowed to organize because they were responsible for impartial law enforcement. On July 29, 1919, in response to more talk of affiliation, the new police commissioner, Edwin Curtis, promulgated Rule 102, which stated that Curtis was "firmly of the opinion that a police officer cannot consistently belong to a union and perform his sworn duty," and that a police officer "should realize that his work is sharply differentiated from that of the worker in private employ."²⁸

Undeterred, police in Boston affiliated with the AFL on August 9, 1919. Their complaints were typical of all workers: low wages, long hours, unhealthy conditions, and despotic supervisors. Police had been voted a raise in 1898 that was not put into effect until 1913. Over this period, the cost of living had doubled. After that, pay had remained at the 1913 level until a small increase was granted in the spring of 1919. At the time of the strike, officers in their second to fifth years earned \$1,200 a year; the most any officer could earn was \$1,400; and officers had to buy their own uniforms, which cost over \$200. "Leaving out all the pretty theories and grandiloquent phrases about their duty to the State," the *Labor World* reasoned, "can a man . . . even live on such a wage? No, he manages to exist, that is all." Officers worked regular weeks of seventy-three hours (day shift), eighty-three hours (night shift), and up to ninety-eight hours for some assignments. They were sometimes required to remain on duty seventeen hours in a single day. Supervisors also limited where they could go on their days off. "Such men are deprived of enjoying the comforts of their home and family," Boston Police Union president John McInnes insisted. Station houses were so unsanitary that the men frequently found vermin on their clothes when they went home. "If the board of health made an investigation as they do in the case of private houses and stores . . . there would be court prosecutions," McInnes lamented. He also complained of many indignities caused by authoritarian management, such as supervisors' requiring their subordinates to run menial errands unrelated to work.²⁹

Patrolmen had received little help from the Boston Social Club, a company union that Police Commissioner O'Meara had organized thirteen years earlier. McInnes called it a "weak-kneed organization, controlled by police offi-