Labor Witnesses at U.S. Congressional Hearings: Historical Patterns

Abstract submitted to DH2019

Congressional investigations and testimony before Congressional committees is a commonly used source in labor history (as well as, of course, in historical and political science scholarship more generally.) Congressional investigations into the causes of economic depressions (e.g. 1878-79), the problems of industrial relations (1900-01, 1913-15), anti-labor practices (1936-41), and alleged malfeasance within labor unions (1957-60) have provided an important body of evidence for students of labor-capital relations, working-class culture, business ideology, and the like.[1] As a subject in its own right, however, testimony before Congress has received little attention from labor historians (and little enough from other scholars.)[2]

The focus in this paper is on what these hearings can tell us the relative power of workers in the society over time. The U.S. has no labor party, and American unions have traditionally been ambivalent about electoral politics and legislation.[3] Yet they have sought to be heard in Congress. This paper combines metadata about testimony at Congressional hearings and data about union membership and strike frequency in the U.S. to argue that this effort has been most successful when union penetration of the civil society as well as union involvement in electoral politics have been strongest, emphasizing the efficacy of a multipronged and organizing-based approach.

Basics about the data and processing

The data set used here is derived from the ProQuest Congressional database. The full set contains the metadata information—hearing title, hearing date, committee and subcommittee, witness name, etc., and sometimes witness affiliation and subjects of the hearing—for all Congressional hearings held between 1877 and 1990.[4] It is extracted from XML files provided by ProQuest.

1. The literature is substantial; for a few examples, see e.g. Greene, *Pure and Simple Politics*; McCartin, *Labor's Great War*; Witwer, *Corruption and Reform in the Teamsters Union*.

2. See, however, e.g. Harris and Tichenor, "The Rise of Modern Interest Group Politics: Progressive-Era Origins"; Herring, *Group Representation before Congress*; Tichenor and Harris, "Development of Interest Group Politics in America." Tichenor and Harris as well as others have also written about the rise of interest group politics and lobbying, though not necessarily with a focus on Congressional hearings in particular; see Tichenor and Harris, "Organized Interests"; Clemens, *The People's Lobby*.

3. Greene, *Pure and Simple Politics*; Archer, *Why Is There No Labor Party in the United States?*

4. I have restricted the data to these years because pre-1877 hearings are very different and rather spotty, and because a glitch in the data causes errors in the post-1990 material. In principle everything from the early 1800s to 2018 is available.

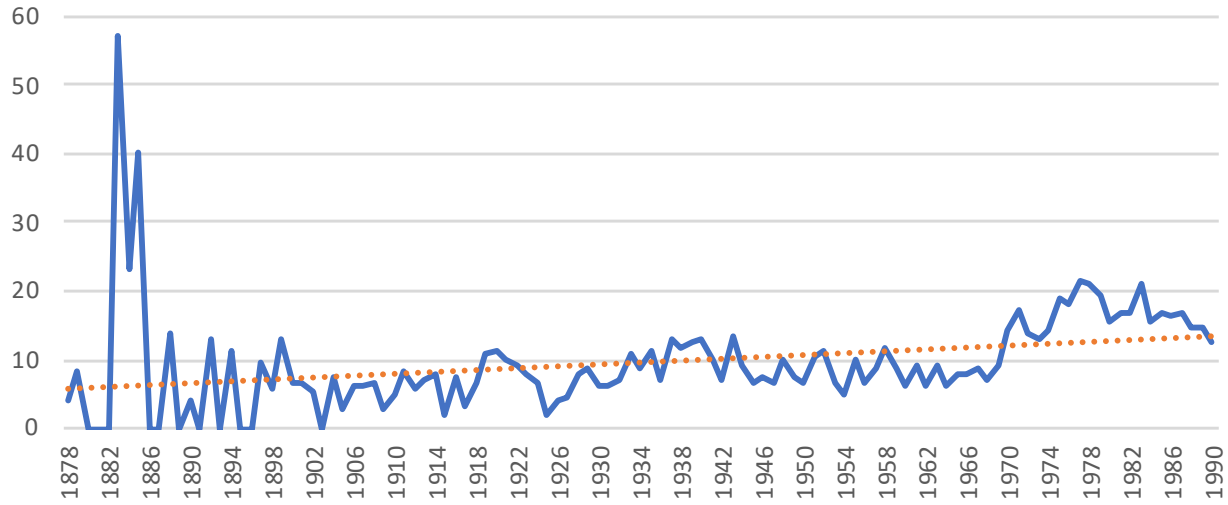

Figure 1: Hearings related to work and labor as percentage of all hearings

The full data set contains between about 62,500 and 85,000 unique hearings[5] and a total of 941,302 instances of testimony (though many witnesses of course appear multiple times and thus the number of unique witnesses would be significantly lower.) The average number of witnesses (or testimonies) per hearing is 12.2 (it is higher in earlier years and stabilizes to about 10.5 witnesses per hearing after 1900.) The subset under closer examination here consists of those hearings that concerned organized labor, wages, jobs, working people, labor management, and the like[6].

The basic data was further processed to attempt to assign witnesses into broader categories by their organizational affiliation, which the data contains for 83 percent of the instances of testimony[7]. Since the focus in the current paper is on what hearings data can tell us about workers and their relative strength vis-á-vis business representatives, the main categories considered here are labor, companies, and trade associations; in addition, I have included the two largest categories of witnesses, the federal bureaucracy and the political parties (usually Congressional representatives themselves.)

5. The number of hearings with a unique title is 62,451; the number of unique hearing identification numbers is 85,087. The latter exaggerates the number of hearings as different parts of hearings are assigned unique identifiers, but the count by title likely undercounts as some hearings will have the same title. As far as I can tell, there is no feasible way of gaining an exact count.

6. The smaller subset was created with a search for a list of expressions (e.g. labor union, labor organization, working people, wages, jobs) over a string consisting of the title of the hearing, the title of the committee or subcommittee, and the list of subjects the metadata contained for that hearing. (Committee and subcommittee were included because sometimes the Congress creates special committees or commissions whose title is revealing. Note that the search does not capture merely "Labor" in the committee name, as in the House Committee on Labor or the Senate Education and Labor committee.) This smaller set has 184,770 instances of testimony.

7. The procedure for doing this was iterative and is not error-free. A number of regular-expression searches were performed on the full list of organizations to try to extract organizations belonging to a particular category. For example, a series of 'grep' commands for strings (or sometimes regular expressions) like "company," "railroad", "bank" was used to extract organizations from the full list of organizations; these were written into a file that served as the basis of a "company" classification. That preliminary categorization was then manually inspected and re-processed to remove false hits like e.g. "railroad brotherhoods" which should be in the labor list instead. The resulting final lists were then used for assigning a category (that is, if an organization is in the labor list, it gets categorized as labor, and so on.) The process is not perfect and errors remain; at present I have not yet attempted to classify all witnesses but have focused on a few categories like labor, companies, political parties, etc.

Witness category	In full data (percent)	At labor-related hearings (percent)
Labor	2.5	5.9
Companies	7.2	5.9
Trade associations	2.0	1.9
Federal government	10.6	7.5
Political parties	12.0	7.5

Table 1: Instances of testimony at Congressional hearings, 1877–1990

Labor topics and witnesses

Figure 1 suggests that (apart from a spike due to the 1883 Congressional investigation on "Relations between Labor and Capital," whose more than 300 instances of testimony dwarfed regular Congressional hearings activity in the period), Congressional attention to matters related to work and labor has been fairly constant, hovering on either side of 10 percent of all hearings and rising to about 20 percent in the late 1970s and early 1980s.[8]

Unsurprisingly, labor has been better represented at hearings on labor topics than at the average Congressional hearing, as shown in Table 1, which displays what percentage of the testimonies come from different witness categories in the full data and in the data on hearings concerning labor- or work-related matters, respectively.

Companies and trade association representatives dominate over labor ones in both data sets, but much less so at the labor-related hearings. Moreover, plotting the representation of different groups over time reveals that these percentages have not held constant, as seen in Figure 2.

In two ways, Figure 2 emphasizes the significance of electoral politics. One, the sheer number of testimonies from inside the federal bureaucracy and the political parties emphasizes that even at Congressional hearings, succeeding in electing friendly politicians mattered. Two, it is clear that labor representation was strongest in the periods when organized labor concerned itself with electoral politics. The New Deal era, when labor unions formed an important part of the Democratic coalition, forms the only period when labor testimonies were consistently on a rough par with business and trade association testimonies. Similarly, significant spikes of labor representation around the turn of the twentieth century and in the Progressive Era coincide with the American Federation of Labor's campaign to support labor's friends in either party, while some spikes in the 1920s perhaps relate to the brief but significant challenge to the major parties from the Farmer-Labor Party.

Strikes, union density, and labor representation at Congress

How well labor has been represented at hearings also seems to correlate with labor's strength outside the electoral context in the form of strikes and union densities, as seen in Figure 3.

8. This figure was created by extracting only those hearings where either the title of the hearing, the title of the committee or commission, or the subjects considered in the hearing relate to work, workers, labor unions, jobs, or industrial relations. This did not include all hearings held by the House Committee on Labor and the Senate Committee on Education of Labor; those were only included if the title or one of the subjects included keywords related specifically to labor unions, industrial relations, workers, or jobs.

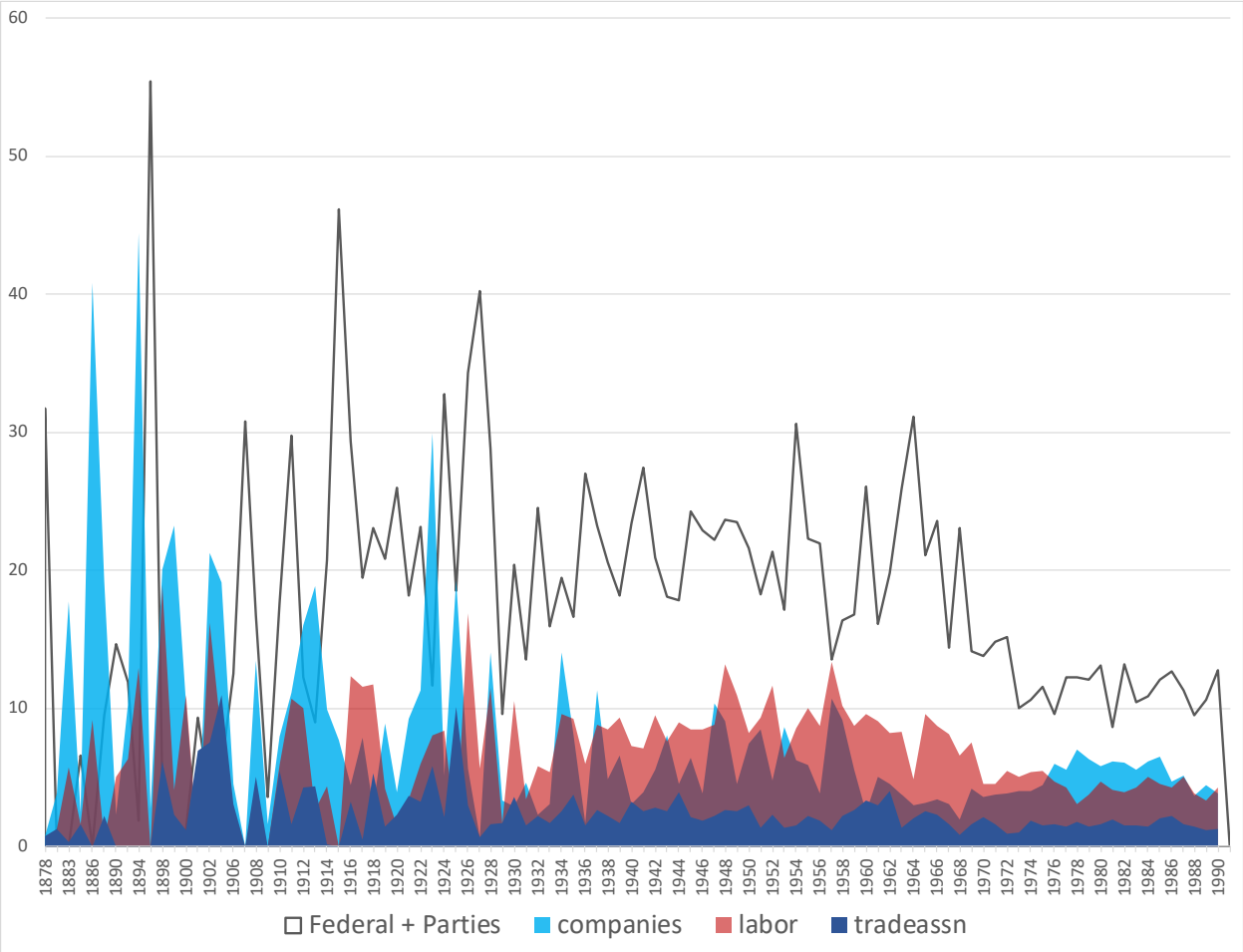

Figure 2: Representation of witness groups over time, by percentage of instances of testimony

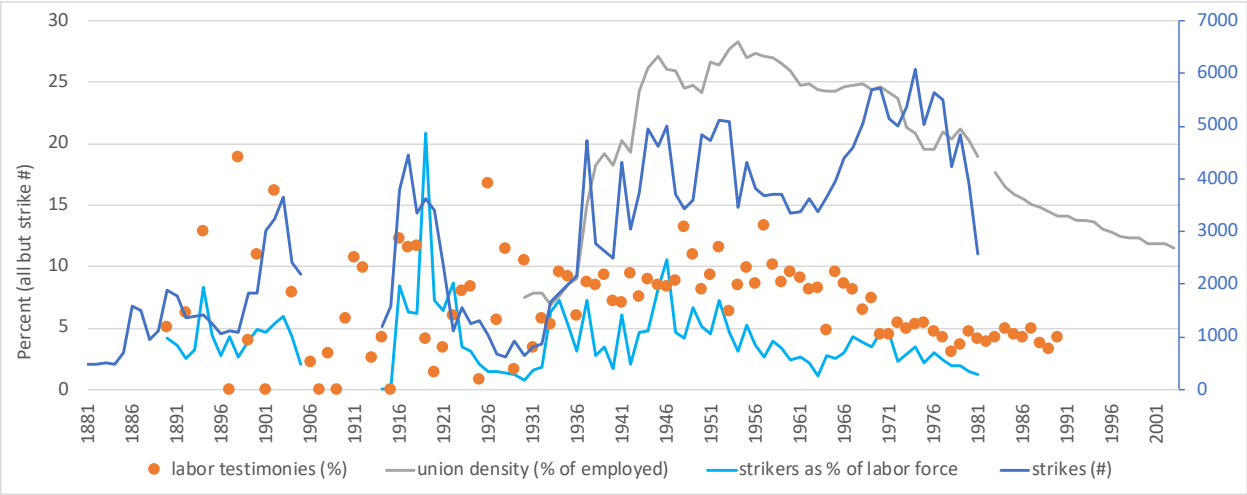

Figure 3: Number of strikes, percentage of strikers of labor force, and union density correlated with labor representation at Congressional hearings. Note that number of strikes is plotted on the secondary axis on the right, others on primary axis.

Note in particular how labor's representation stabilizes as strike activity becomes more consistent in the 1930s (and union density reaches a plateau.) However, note also how the downward trend of labor representation at Congress tracks declining union density and the decline in "strike density," despite a spike in the number of strikes in the 1970s.

Discussion and future work

The data sets at hand are, of course, limited and imperfect. Nevertheless, at the very least these charts underline that labor's power is consistent mainly when labor is strong by a number of measures, from strike activity to union density to electoral participation; individual strike waves around the turn of the twentieth century did not correlate with consistent labor representation at Congressional hearings, despite occasional spikes in the prevalence of labor testimony. The lack of impact from the spike in the number of strikes in the 1970s also seems to suggest that incidents of labor strife are insufficient by themselves, if the penetration of labor (strike "density" and union density) is low or declining. Overall, these correlations appear to indicate a multipronged, organizing-intensive strategy to increase representation. Future work might consider electoral campaigns and legislative outcomes to further elucidate labor's fortunes in Congress.

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