

The Truth about the I. W. W.

Facts in **relation** to the trial at
Chicago by competent industrial
investigators and noted economists

“The I. W. W. has exercised
its strongest hold in those industries
and communities where employers
have most resisted the trade union
movement, and where some **form**
of protest against unjust treatment
was inevitable.”

—*President's Mediation Commission.*

Published by the'
NATIONAL CIVIL LIBERTIES BUREAU

70 Fifth Avenue, New York City
Washington Office: 647 Munwy Building

April, 19 18



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1918

The Truth About the I. W. W.

¶The object in publishing and distributing this pamphlet at this time is to furnish interested citizens with a fair statement about the I. W. W. by thoughtful and unprejudiced observers. This is necessary in view of the flood of utterly unfounded and partisan "information" constantly given out to the public.

¶The writings of practically every student of the I. W. W. during the war have been carefully read, and the significant portions quoted. The only quotations from matter published before the war are from the one book on the I. W. W., "American Syndicalism," by John Graham Brooks, and a reference to the Paterson strike from the *Survey*. The preparation of the material has been the joint work of a group, comprising Geo. P. West, John A. Fitch, Prof. Carlton H. Parker, John Graham Brooks, Roger N. Baldwin, Director of the Bureau, and others.

¶It is not to be inferred that the editors or publishers of this pamphlet are in agreement with the principles and methods of the I. W. W. In its activities as a labor union, interested in improving the condition of wage-earners, we can find much to commend. It should be clearly understood, however, that the editors and publishers do not thereby endorse its social and industrial philosophy.

¶The I. W. W. is the most bitterly attacked and most deliberately misrepresented of all labor organizations today. The interests of our future orderly progress demand that every citizen should have an understanding of the movement drawn from other sources than the partisan statements fed out for commercial purposes.

¶A fair trial is an American right. Even the I. W. W. are entitled to one. But they cannot get it in the tumult of war unless the truth is known. Nothing would go further to justify their philosophy than to deny a fair hearing to them.

¶In the earnest belief that this is a service of the highest importance to American institutions of liberty and democratic rights, we submit this pamphlet to the public.

NATIONAL CIVIL LIBERTIES BUREAU.

**New York,
March, 1918.**

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BRIEF SKETCHES

Of Each of the Writers and Economists Quoted

John Graham Brooks of Cambridge, Mass., economist, author and lecturer; former lecturer at Harvard, University of Chicago and University of California; former expert for the United States Department of Labor; Honorary President of the National Consumers' League ; author of "American Syndicalism, the I. W. W." (1913), "The Social Unrest" (1903), etc., etc. With the exception of the statement on page 45, especially written for this pamphlet, all the quotations from Mr. Brooks are taken from his book on "American Syndicalism, The I. W. W.," written in 1913.

Robert W. Bruere of New York City, writer and lecturer. Mr. Bruere accompanied the President's Mediation Commission on its recent trip through the West to get first-hand facts about the industrial situation. He went as special correspondent for the *New York Evening Post*, where his articles have been published under the head, "Following the Trail of the I. W. W." Mr. Bruere was a former teacher at the University of Chicago, and later executive of one of the largest agencies for charitable relief in New York. He was an adviser to the unions in the cloak and suit strike in New York City, 1916. The quotations are all from his recent articles in the *New York Evening Post*.

Harold Callender of Detroit, Michigan, a writer on the *Detroit News*, formerly with the *Kansas City Star*. Mr. Callender made a personal investigation into the labor situation during the war in industries where the I. W. W. is strong. The investigation was made for "Labor's National Defense Council," of which Frank P. Walsh of Kansas City, former chairman of the U. S. Commission on Industrial Relations, is the head. The quotations are from the pamphlet report made by Mr. Callender.

John A. Fitch of New York City, industrial editor of the *Survey* since 1912, formerly connected with the New York Bureau of Labor Statistics. All of the quotations from Mr. Fitch are from his articles in the *Survey*.

Walter Nelles of New York City, attorney, graduate of the Harvard Law School, counsel for the National Civil Liberties Bureau.

Carlton H. Parker of Seattle, Wash. As we go to press we learn of the death at Seattle of Prof. Parker, due in large part to overwork not only in his administrative duties as dean of the School of Business Administration of the University of Washington, but also as a special agent of the War Department in dealing with the I. W. W. situation in the lumber industry of the northwest. Prof. Parker in his earlier work in California and Washington made a special study of labor problems. He contributed to the *Atlantic Monthly* for November, 1917, the most significant article on the I. W. W. which has been written in recent years ("The I. W. W.—a Different View"). The quotations from Prof. Parker are all from his *Atlantic Monthly* article, with the exception of the statement on page 11, which was prepared especially for this pamphlet.

Prof. Thorstein Veblen of the University of Missouri, quoted on page 27, economist and author of the "Theory of the Leisure Class," etc., etc.

George P. West of New York City, associate editor of the *Public*; former publicity director of the U. S. Commission on Industrial Relations; author of the Commission's report on the Colorado strike; formerly special writer for the *San Francisco Bulletin*, on the Lawrence strike, the California hop-riots and the San Diego free speech fight, in all of which he made an intimate study of the I. W. W. The material from Mr. West was contributed especially for this pamphlet.

The President's Mediation Commission, appointed by the President in the fall of 1917 to effect settlements of labor disputes and unrest in the West, submitted its report to the President on January 9th, 1918. The members of the Commission were Wm. B. Wilson, Secretary of Labor, Chairman; Felix Frankfurter, Secretary and Counsel; Ernest P. Marsh, Verner Z. Reed, Jackson L. Spangler and John H. Walker.

TERMS

commonly used-and Abused-in Connection with Radical Labor Movements.

These brief definitions given to avoid confusion and misunderstanding. They are necessarily incomplete.

Capitalism: The present system of privately-owned industry, operated for profit.

Socialism: The ownership of all socially necessary industries by organized society, and their operation for service, not for profit.

Syndicalism: The ownership and operation of each industry by the workers in that industry, the political State to be abolished.

Guild Socialism: The ownership of all industries by the State, with operation by "guilds" or trade-unions of the workers in each industry.

Anarchism: The conception of a free society without force or compulsory control in any form. Syndicalism expresses its principle in the industrial field.

Sabotage (or, "strike on the job") : Any practice designed to slow up or impede production in industry.

Direct Action: The organized industrial power of the workers. (Used to distinguish from **political** action.)

Craft unionism: Organization of the workers by trades (carpenters, plumbers, etc.). Used to distinguish from industrial unionism, organization of the workers by industries (mining, building, etc.), regardless of their trades.

SUMMARY OF THE FACTS.

To those who have not studied the labor problem of the unskilled millions who toil in our harvest-fields, forests, mines and factories, the I. W. W. appears only as a criminal organization of "bums" and agitators, advocating murder, violence and anarchism. Since the war there has been added to this indictment, disloyalty, treason and pro-Germanism. In the mind of the average American, the I. W. W. has already been convicted.

If these ideas about the I. W. W. were essentially true, there would be no occasion at all for publishing this pamphlet. It is because they are so evidently untrue upon any examination at all of the facts that we believe the American public should know at this time the findings of unbiased students.

To the average man it seems of course incredible that any organization could be so grossly misrepresented unless there were some real reason for it. **The widespread misrepresentation of the I. W. W. is due to three chief causes:**

1st. The radical economic doctrines taught by the I. W. W., and the "big talk" of many of the members,—intended to magnify the power of the organization and to scare employers. But it is almost all talk and printed words. They also openly advocate tactics common to all labor unions everywhere, but usually not talked about.

2nd. The deliberate misrepresentations by employing interests opposed to organized labor, who have taken advantage of these doctrines to paint the I. W. W. as a terrorist organization of "anarchists." They thus frighten the public into an alliance with them instead of with labor.

3rd. The antagonism between the I. W. W. and the older trade-unions organized by crafts and affiliated mostly with the American Federation of Labor. This is due to the I. W. W. demand for a radical new form of unionism, bitterly critical of the craft unions of the old school.

The Facts and Opinions Quoted in this Pamphlet Show in General:

1st. That the I. W. W. is part of a world labor movement of a new kind, aimed to secure the solidarity of the workers in one organization, with an uncompromising attitude of hostility toward organized capital. Its purpose is ultimately to replace the capitalist system of production with production by organizations of the workers themselves. It is essentially a part of the Syndicalist labor movement, which is not confined to any one organization or any one country.

2nd. That the use of "sabotage" (the "strike on the job") to embarrass the employer at times of labor difficulty is not directed to violence against human life, and rarely to actual destruction of property.

3rd. That the so-called "revolutionary" purpose of the I. W. W. as compared with the older craft unions is best expressed in their demand for "the abolition of the wage system," as contrasted with the A. F. of L. "fair day's wage for a fair day's work."

4th. That the membership of the I. W. W. is not composed of "bums" and agitators, but for the most part of hard-working men, chiefly American-born, engaged in migratory jobs.

5th. That violence has been much more commonly used against the I. W. W. than by it; that the violence used by employers is open, organized, deliberate and without any excusable provocation; and that the I. W. W. have almost never retaliated even in the face of outrages ranging from murder to mob deportations.

The Facts Quoted Show During the War:

1st. That the "disloyalty and treason" charged against the I. W. W. as part of a "conspiracy to obstruct the war" are, so far as yet shown by any evidence, simply the ordinary activities of labor-unions struggling to get better wages and conditions even in war-time.

2nd. That the I. W. W. strikes and labor disturbances were comparatively fewer in the six months' period between the declaration of war and the indictments than in any similar periods in recent years.

3rd That there have been many more strikes and labor disturbances during the war by unions affiliated with the American Federation of Labor than with the I. W. W.

4th. That no member of the I. W. W. has been convicted in any court of any crime involving the organization in so-called "disloyalty" or violence from the time the war started up to date (March 1st, 1918).

5th. That the charge that pro-German propaganda is back of the I. W. W. appears to have been made expressly for the purpose of discrediting them further. No connection whatever has been found between German agents or German money and the I. w. w.

6th. That many I. W. W. unions, especially those on the Atlantic seaboard, have been loyally serving the country during the war, particularly in the loading of ammunition and war supplies on the docks, and in much of the work on board the transports to France. They have made no trouble of any kind, because working conditions and wages are good.

7th. That most of the charges of obstruction against the I. W. W. during the war are part of an organized campaign by war-profiteers and employing interests to use the war to crush this labor organization. Under the cloak of patriotism they have staged such acts of violence as the Bisbee, Arizona, deportations, the hanging of Frank Little at Butte, and the tarring and feathering of I. W. W. prisoners at Tulsa, Okla., and elsewhere. They have sought to tie the I. W. W. tag to any and all labor disturbances, that they may more easily discredit and break them.

8th. That the inevitable result of this misrepresentation, and indeed of the government's prosecution itself, is to increase labor unrest, to curtail war production, and to promote national disunity. Its effect is to enlist the sympathy of the older craft unions for the I. W. W. and to close the breach between the conservative and revolutionary labor movements.

All of this brings about results directly opposite to those desired by the government.

THE ECONOMIC BASIS OF THE I. W. W.

By Carlton H. Parker.

The I. W. W. is a symptom of a distressing industrial status. For the moment the relation of its activities to our war preparation has befogged its economic origins, but all purposeful thinking about even the I. W. W.'s attitude towards the war must begin with a full and careful consideration of these origins.

All the famous revolutionary movements of history gained their cause-for-being from some intimate and unendurable **oppression** and their behavior-in-revolt reflected the degree of their suffering. The chartist and early trade union riots in England, the revolution of 1789 in France, the Nihilists' killings in **Russia**, the bitter attacks on the railroads by the Grangers of the Northwest, the extremes into which the Anti-Saloon League propaganda has evolved, are a small part of the long **revolt-catalogue** of which the I. W. W. is the last entry. Each one of these movements had its natural psycho-political antecedents and much of the new history is devoted to a careful describing and re-valuation of them.

At some later and less hysterical date the I. W. W. phenomenon will be dispassionately dissected in somewhat the following way :

(1) There were in 1910 in the United States some 10,400,000 unskilled male workers. Of these some 3,500,000 moved, by discharge or quitting, so regularly from one work town to another that they could be called migratory labor. Because of this unstable migratory life this labor class lost the conventional relationship to women and child life, lost its voting franchise, lost its habit of common comfort or dignity, and gradually became consciously a social class with fewer legal or social rights than are conventionally ascribed to Americans. The cost of this experience was aggravated by the ability and habituation of this migratory class to read about and appreciate the higher social and economic life enjoyed by the American middle class.

(2) The unskilled labor class itself experienced a life not markedly more satisfying than the migratories. One fourth of

the adult fathers of their families earned less than \$400 a year, one-half earned less than \$600. The minimum cost of decent living for a family was approximately \$800. Unemployment, destitution and uncared-for sickness was a monotonous familiarity to them.

(3) The to-be-expected revolt against this social condition was conditioned and colored by the disillusionment touching justice and industrial democracy and the personal and intimate indignities and sufferings experienced by the migratories. The revolt-organization of the migratories, called the I. W. W., failing most naturally to live up to the elevated legal and contract-respecting standards of the more comfortable trade union world, was visited by severe middle-class censure and legal persecution.

This sketch is fairly complete and within current facts. No one doubts the full propriety of the government in suppressing ruthlessly any interference by the I. W. W. with the war preparation. All patriots should just as vehemently protest against the suppression of the normal economic protest-activities of the I. W. W. There will be neither permanent peace nor prosperity in our country till the revolt-basis of the I. W. W. is removed. And until that is done the I. W. W. remains an unfortunately valuable symptom of a diseased industrialism.

THE ISSUES AT STAKE IN THE TRIAL.

The average man condemns the I. W. W. because he thinks that : "The organization is unlawful in its activity, un-American in its sabotage, unpatriotic in its relation to the flag, the government and the war. The rest of the condemnation is a play upon these three attributes. So proper and so sufficient has this condemnatory analysis become that it is a risky matter to approach the problem from another angle."

But—

"The I. W. W. can be profitably viewed only as a psychological by-product of the neglected childhood of industrial America. It is discouraging to see the problem to-day examined almost exclusively from the point of view of its relation to patriotism and conventional commercial morality."

—*Carlton H. Parker.*

What Is The Truth?

"It was probably in recognition of the very sketchy nature of the treason evidence so far made public that one journal has been moved to lay down the basic judicial principle that as against the I. W. W. there is really no need of specific evidence of sedition. By its record and its well-known statement of principles the I. W. W. has been a treasonable organization from the start. For has not the I. W. W. always preached sabotage? And what does sabotage mean? 'It means dropping phosphorus balls into dry wheat-fields so that babies may starve. It means stones thrown into threshing machines, railroad trains ditched, lumber yards destroyed, warehouses burned.'

"Has any **evidence** been as yet cited of wreckage and destruction worked by the I. W. W.? Is there any **other foundation so far made public for all the dread actuality of sabotage other than the commonplaces of I. W. W. dogma as expounded in their theoretic textbooks?**' On that basis, not only the leaders of the I. W. W., but every leader and member of the Socialist party, might have been arrested for criminal conspiracy these twenty years. Socialist theory bristles with formulas on class

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war, and the capitalist's flag, and the common cause of the workers of the world.

"The belief that the Administration's policy against the I. W. W., and in a lesser degree against the Socialist party can be based on a general assumption of conspiracy and treason in time of war is an impossible one and a dangerous one. The fact cannot be explained away that the I. W. W. does embody one phase of the labor movement in this country, and only blindness will persist in regarding every manifestation of labor trouble under I. W. W. auspices as a pro-German conspiracy calling for the strong hand." *-Editorial, N. Y. Evening Post.*

"According to the newspapers, the I. W. W. is engaged in treason and terrorism. The organization is supposed to have caused every forest fire in the West-where, by the way, there have been fewer forest fires this season than ever before. Driving spikes in lumber before it is sent to the sawmill, pinching the fruit in orchards so that it will spoil, crippling the copper, lumber and shipbuilding industries out of spite against the government, are commonly repeated charges against them. It is supposed to be for this reason that the states are being urged to pass stringent laws making their activities and propaganda impossible; or, in the absence of such laws, to encourage the police, soldiers and citizens to raid, lynch, and drive them out of the community.

"But what are the facts? What are the Industrial Workers of the World really doing?" In the lumber camps of the north-west they are trying to force the companies to give them an eight-hour day and such decencies of life as spring cots to sleep on instead of bare boards. In the copper region of Montana they are demanding facilities to enable the men to get out of a mine when the shaft takes fire. It is almost a pity to spoil the melodramatic fiction of the press, but this is the real nature of the activities of the I. W. W." *-Harold Callender.*

Are the I. W. W. Entitled to a Fair Trial?

"'Equality before the law' is a much quoted phrase supposed to sum up America's principles and practice. Is there a provision anywhere in our charter law allowing the police to suspend the rules in the case of 'agitators,' 'disturbers,' or 'anarchists'? Are there people in America whose beliefs and manner of living are so repugnant to popular ideals that they may be said to have no rights that any good citizen is bound to respect? If it is generally believed that a negative answer may **unhesitat-**

ingly be given to these questions it is pertinent to consider a little recent-history concerning that new and revolutionary organization, the I. W. W.

"Against this body are arrayed the forces of present-day society. It is denounced by the press, thundered at by the pulpit, and anathematized by the spokesmen of the business world.

"There is an opposition that thinks it see's in the philosophy underlying the movement not constructive change but class war and ruin, and so resists the organization's advance. But this resistance is by legitimate means, for if these people see peril in this new philosophy, they believe there is greater peril in setting aside the law to suit the convenience of those in authority.

"There is another opposition-and to-day it seems to be the larger and stronger-that regards the I. W. W. as a peril that must be resisted to the end. But this element, partly through ignorance, partly through the excitement of fear, and partly through a consciousness of illegitimately-acquired possessions, is willing that the organization be repressed even illegally and with flagrant disregard of the constitutional rights of the individual."

—*John A. Fitch, in the "Survey."*

Note.-It is a significant fact that, with all the talk of I. W. W. disloyalty and violence, there has not been reported as yet (March 1) since the war started one conviction of an I. W. W. member of any crime involving the organization in either such charge in any form. This statement is based on an examination of thousands of newspaper clippings, and on the authority of the attorneys for the I. W. W.-Editors.

Why They Deserve Our Attention.

"No considerable force appearing among us-seeking social betterment is to be held off and treated like a marauder or an outcast. Invariably these forces bring with them idealisms that no society can afford to lose. Much of the conscious plan and method of Syndicalism is whimsically chimerical. But in it and through it is something as sacred as the best of the great dreamers have ever brought us. In the total of this movement, the deeper, inner fact seems to be its nearness to and sympathy with that most heavy laden and long-enduring mass of common toilers. **Alike to our peril and to our loss, shall we ignore this fact.** Steadily to see it and keep it in remembrance is the beginning of such practical wisdom as we may show toward it."

—*John Graham Brooks.*

THE I. W. W. PURPOSES AND PHILOSOPHY.

A Movement of Protest and Revolt.

"Those who have investigated and studied the lower strata of American labor have long recognized the I. W. W. as purely a symptom of a certain distressing state of affairs. The casual migratory laborers are the finished product of an economic environment which seems cruelly efficient in turning out human beings modelled after all the standards which society abhors. The history of the migratory workers shows that, starting with the long hours and dreary winters of the farms they ran away from, or the sour-smelling bunk-house in a coal village, through their character-debasing experience with the drifting 'hire and fire' life in the industries, on to the vicious social and economic life of the winter unemployed, their training predetermined but one outcome, and the environment produced its type.

"The I. W. W. has importance only as an illustration of a stable American economic process. Its pitiful syndicalism, its street-corner opposition to the war, are the inconsequential trimmings. Its strike alone, faithful as it is to the American type, is an illuminating thing. The I. W. W., like the Grangers, the Knights of Labor, the Farmers' Alliance, the Progressive party, is but a phenomenon of revolt." —*Carlton H. Parker.*

"They may be honestly accounted for because of things intolerable in our present disorders. Syndicalism, with its excesses of statement and of action, with all the phantasm of its working method, will continue, and should continue as one among other prodding annoyances that leave society without peace until it dedicates far more unselfish thought and strength to avoidable diseases like unmerited poverty, unemployment, grotesque inequalities in wealth possession, the forced prostitution of underpaid women, and our fatuous brutalities in dealing with crime."

"As for constructive suggestion, our I. W. W. have so little as to embarrass the most indulgent critic. In their convulsive and incendiary appeal to the forgotten masses there is, nevertheless, a saving utility that should bring the movement within our sympathetic acceptance. To the utmost, we should work

with it as those determined to learn, from whatever source the message comes.

“Of this total rising protest against sources of unnatural inequalities in wealth and opportunity, the I. W. W. is at most a very tiny part. It is yet enough that they are in it, and they are fully aware of the fact. For the first time they are so consciously related to this spirit of revolt and to the delicate industrial mechanism which gives them power, that only a captious temper will refuse them hearing.” —John Graham *Brooks*.

I. W. W. Theory and Practice.

“An altogether unwarranted importance has been given to the syndicalist philosophy of the I. W. W. A few leaders use its phraseology. Of these few, not half a dozen know the meaning of French syndicalism or English guild socialism. To the great wandering rank and file the I. W. W. is simply the only social break in the harsh search for work that they have ever had; its headquarters the only competitor of the saloon in which they are welcome.”

—*Carlton H. Parker*.

As a Labor Movement.

“The I.W.W. can be described with complete accuracy as the extension of the American labor strike into the zone of casual, migratory labor. All the superficial features, such as its syndicalistic philosophy, its sabotage, threats of burning and destruction, are the natural and normal accompaniments of an organized labor disturbance in this field.

“Their philosophy is, in its simple reduction, a stomach philosophy, and their politico-industrial revolt could be called without injustice a hunger riot.”

—*Carlton H. Parker*.

Their Philosophy.

The whole revolutionary philosophy of the I. W. W. is summed up in the “Preamble” to their Constitution. Here are the class struggle, the relation to syndicalism, to the craft unions of the A. F. of L. and the ideal of a world-wide union of the workers abolishing the competitive industrial system.

I. W. W. PREAMBLE.

“The working class and the employing class have nothing in common. There can be no peace so long as hunger and want are found among millions of the working people and the few who make up the employing class have all the good things of life.

"Between these two classes a struggle must go on until the workers of the world organize as a class, take possession of the earth and the machinery of production, and abolish the wage system.

"We find that the centering of the management of industries into fewer and fewer hands makes the trade unions unable to cope with the ever growing power of the employing class. The trade unions foster a state of affairs which allows one set of workers to be pitted against another set of workers in the same industry, thereby helping defeat one another in wage wars. Moreover, the trade unions aid the employing class to mislead the workers into the belief that the working class have interests in common with their employers.

"These conditions can be changed and the interests of the working class upheld only by an organization formed in such a way that all its members in any one industry, or in all industries, if necessary, cease work whenever a strike or lockout is on in any department thereof, thus making an injury to one an injury to all.

"Instead of the conservative motto, 'A fair day's wage for a fair day's work,' we must inscribe on our banner the revolutionary watchword, 'Abolition of the Wage System.'

"It is the historic mission of the working class to do away with capitalism. The army of production must be organized, not only for the every day struggle with capitalists, but also to carry on production when capitalism shall have been overthrown. By organizing industrially we are forming the structure of the new society within the shell of the old."

What Do They Think?

"Considering their opportunity, the I. W. W. read and discuss abstractions to a surprising extent. In their libraries the few novels are white-paged, while a translation of Karl Marx or Kautsky, or the dull and theoretical pamphlets of their own leaders, are dog-eared."

—*Carlton H. Parker.*

What They Want.

"The rebelling spirit of the I. W. W. is at least a wholesome disquieter of this sleep. If we add to this its own awakening appeal to the more unfavored labor in which its propaganda is carried on, we are merely recognizing forces that are useful

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until a wiser way is found to do their work. This we have not yet found, neither have we greatly and searchingly tried to find it. So many are our social inhumanities that the rudest upsetting will do us good if the shock of it forces us to do our duties.

“With much of the motive of the I. W. W. we may also sympathize. The goal at which they aim is one from which every parasitic and unfair privilege shall be cut out. I asked one of the best of them ‘What ultimately do you want?’ ‘I want a world,’ he said, ‘in which every man shall get exactly what he earns and **all** he earns—a world in which no man can live on the labor of another.’”

“It is not conceivable that any rational person should deny the justice and reasonableness of that ideal. Every step toward it is a step nearer a decent and more self-respecting society.”

-John Graham Brooks.

THE FACTS ABOUT THE I. W. W.

1. ITS MEMBERSHIP.

"The I. W. W. is a union of unskilled workers in large part employed in agriculture and in the production of raw materials. While the I. W. W. appeared in the East at Lawrence, Paterson and certain other places, at the height of strike activity, its normal habitat is in the upper Middle West and the far West, from British Columbia down into old Mexico. But within the past year, apart from the Dakota wheatfields and the iron ranges of Minnesota and Michigan, the zone of important activities has been Arizona, California, Washington, Idaho, Montana and Colorado. The present war time I. W. W. problem is that of its activity in the far West.

"It is fortunate for our analysis that the I. W. W. membership in the West is consistently of one type, and one which has had a uniform economic experience. It is made up of migratory workers currently called hobo labor. The terms "hobo miner," "hobo lumberjack," and "blanket stiff" are familiar and necessary in accurate descriptions of Western labor conditions. Very few of these migratory workers have lived long enough in any one place to establish a legal residence and to vote, and they are also womanless. Only about ten per cent. have been married, and these, for the most part, either have lost their wives or have deserted them. Many claim to be "working out," and expect eventually to return to their families. But examination usually discloses the fact that they have not sent money home recently, or received letters. They are 'floaters' in every social sense."

—*Carlton H. Parker.*

"I have many times asked young men and women what first caught their interest. From the best of them it is invariably this—"Nothing has yet been done for labor at the bottom. Where it is helpless, ignorant, without speech, it has been neglected and abused. It is pushed into every back alley and into all work that is hardest and most dangerous. Society forgets it. The trade unions that should befriend it forget it too. Now comes the I. W. W. with the first bold and brotherly cry which these ignored masses have ever heard." —*John Graham Brooks.*

"To associate the I.W.W. with a ruffian clutching a smoking bomb is a silliness that need not detain us. It is true that no revolutionary movement is without its criminals. They **were** ubiquitous in our War of the Revolution. They followed the wake of Garibaldi, and Mazzini was never free from them. They were among the English Chartists, and never have been absent from Ireland's long struggle for self-rule. The I. W. W. will not escape this common destiny. It will attract to itself many extremely frail human creatures, but the movement as a whole is not to be condemned by these adherents or by the shabby, device of using panicky terms like anarchist.-John Graham **Brooks**.

"The membership of the I.W.W. which pays regular dues is an uncertain and volatile thing. While a careful study in California in 1915 showed but forty-five hundred affiliated members of the I. W. W. in that state, it was very evident that the functioning and striking membership was double this or more. In the state of Washington, in the lumber strike of this year, the I. W. W. membership was most probably not over three thousand, but the number of those active in the strike and joining in support of the I. W. W. numbered approximately seven thousand. A careful estimate of the membership in the United States gives seventy-five thousand. In the history of American labor there has appeared no organization so subject to fluctuation in membership and strength."
—**Carlton H. Parker**.

Of the membership of the I. W. W. in the northwestern lumber camps the President's Mediation Commission says:

"Partly the rough pioneer character of the industry, but largely the failure to create a **healthy** social environment, has resulted **in** the migratory, drifting character of workers. Ninety per cent. of those in the camps are described by one of the wisest students of the problem, not too inaccurately, as 'womanless, voteless and jobless.' The fact is that about 90 per **cent.** of them are unmarried. Their work is most intermittent, the annual labor, turnover reaching the extraordinary figure of over 600 per cent. There has been a failure to make of these camps communities. It is not to be wondered, then, that in too many of these workers the instinct of workmanship is impaired. They are-or, rather, have been made-disintegrating forces in society."

2. ITS ORGANIZATION.

"The Industrial Workers have an organization that is national and embraces a dozen great industries. It is not very compact; it cannot be, dealing with men to whom a home is an impossible luxury, men who are made migratory by their work. The membership fluctuates widely, but has been increasing steadily. It is something like a bank account, deposits and withdrawals offsetting each other, but not varying that greatly. Its members come and go, joining during a strike but dropping out afterward. It is difficult for the officers themselves to tell what the membership is at a particular time.

"There are eleven industrial unions, with others in process of formation: Marine Transport Workers Union No. 100 (Atlantic Coast), Metal and Machinery Workers, Agricultural Workers, Lumber Workers, Construction Workers (composed mostly of laborers on railroads and the comparatively unskilled in similar industries), Railway Workers (embracing men employed in any way in transportation), Marine Transport Workers' Union No. 700 (Pacific Coast), Metal Mine Workers, Coal Miners, Textile Workers. A union of domestic servants has been started on the Pacific Coast.

"The Industrial Workers operate chiefly among the unskilled and immigrant workers whom the trade union does not reach. They organize the men who dig tunnels and lay railroad ties and fell trees in the forests-the most poorly paid and ill-treated. They speak for those whom a short-sighted society ignores; theirs is a voice from the bottom. And it is answered with military stockades !"

-Harold **Callender.**

"This tenacity of life is due to the fact that the I. W. W. not only is incapable of legal death, but has in fact no formal politico-legal existence. Its treasury is merely the momentary accumulation of strike funds. Its numerous headquarters are the result of the energy of local secretaries. They are not places for executive direction of the union so much as gregarious centres where the lodging-house inhabitant or the hobo with his blanket can find light, a stove, and companionship. In the prohibition states of the West, the I. W. W. hall has been the only social substitute for the saloon for these people.

"The migratory workers have almost all seen better economic and social days, and carry down into their disorganized labor level traditions, if only faint ones, of some degree of dignity and intellectual life. To these old-time desires the headquarters cater. In times of strike and disorder the headquarters

THE TRUTH ABOUT THE I. W. W.

become **the** center of the direct propoganda of action; but when this is over its character changes to that of a rest-house, and as such is unique in the unskilled workers' history."

—*Carlton H. Parker.*

"Every member 'is an organizer, every member dispenses cards to his converts and collects their dues, which he scrupulously sends to the union. There are only a few unions, about a dozen, each union embracing an industry: the ideal of the Industrial Worker is "one big union." Each union is divided into district branches on geographical lines, and each district has an executive committee and secretary, and the same officers in each industrial union.

"Only the membership by vote may call a strike, "except in case of emergency" ; but such is the informality and cohesion of the organization that a strike call by a **secretary** is almost tantamount to a strike. A sort of "straw vote" is usually taken in advance, and often there is no other vote. It would be difficult for the members of a union to ballot on a strike proposal, and would require a long time."

—*Harold Callender.*

Where It Gets Its Hold

"In all that I have been able to ascertain about outbreaks in thirteen Eastern and Western communities the I. W. W. got its grip where trade unionism had been beaten, or had no existence, or had been so weakened as to offer little resistance. . . .

"It is ~~this~~ war-origin of the I. W. W. which is its weakness on the constructive side. That it is a child of strife, brings back upon itself the very qualities which are admirable for battle, but which make stability and organization impossible. They lead to the quarrels which disrupt the attempts at steady team work from the very start. The practical danger to the I. W. W. is absence of trouble. If industry were so organized as to prevent strikes, the I. W. W. would disappear. . . .

"On the first approach of definite responsibility the I. W. W. reflect, compare and balance. They act as the politician acts. In the high flights of agitation, demands are sweeping and all things promised. 'There shall be no compromise with the wage system because it is robbery,' are words I heard from a speaker in the Lawrence strike. But on the first assurance that the battle was to be won, compromise was a necessity. With as much shrewdness as haste, the strikers took to the ordinary bartering of prac-

tical men. **As** the theory passed into a situation that must be met, they met it in the spirit of a sensible trade union or an arbitration board—the spirit of a wholesome opportunism.”

—*John Graham Brooks.*

3. RELATIONS WITH EMPLOYERS.

“The characteristic of the I. W. W. movement most worthy of serious consideration is the decay of the ideals of thrift and industry. To this can be added, in place of the old-time traditional loyalty to the employer, a sustained antagonism to him. The casual laborer of the West drifts away from his job without reflection as to the effect of this on the welfare of the employer; **he feels little interest in the quality of workmanship, and is always, not only a potential striker, but ready to take up political or legal war against the employing class.** This sullen hostility has been steadily growing in the last ten years. It is not as melodramatic as sabotage, but vastly more important.”

—*Carlton H. Parker.*

The President's Commission says of the relations with employers :

“This uncompromising attitude on the part of the employers has reaped for them an organization of destructive rather than constructive radicalism. The I. W. W. is filling the vacuum created by the operators. The red card is carried by large numbers throughout the Pacific Northwest. Efforts to rectify evils through the trade-union movement have largely failed because of the small headway trade unions are able to make. Operators claim that the nature of the industry presents inherent obstacles to unionization. But a dominant reason is to be found in the bitter attitude of the operators toward any organization among their employees.”

And Robert Bruère puts the issue in an incident of his western trip :

“When I had my first interview with an Arizona mine manager,” he says, “and told him that what I wanted was to make a dispassionate and impartial report of the facts behind the strikes and the deportations, he —was magnanimous enough to say that he was convinced that I would be impartial.

"'But,' he proceeded, 'however impartial you may be your decision is bound to go against us.'

"'Why?'" I asked in surprise.

"'Because,' he concluded, 'you believe in democracy and we don't run our mines on a democratic basis.'"

4. RELATIONS WITH THE A. F. OF L. UNIONS.

"That their efforts are ordinary and legitimate in the trade-union sense, is indicated by the fact that, as I shall show, unions affiliated with the American Federation of Labor throughout the West generally sympathize with and support the struggle of the I. W. W. The old hostility between the two movements has begun largely to be broken down, and the I. W. W., far from being regarded by the working class as criminal or treasonable, has been accepted simply as one of the means of securing their rights."

-Harold Callender.

"For those who care to see, there is abundant evidence that the trade-union movement in the United States has become revolutionary. The much advertised split between the American Federation of Labor and the I. W. W. is bridged over with significant ease when the prosecution of an I. W. W. case suggests the class struggle. This temper has not prevented the leaders of the American Federation from giving the support of a **traditional** American patriotism to the present war, but no publicist of note has dared to analyze the spread of embarrassing strikes throughout the United States during the past two months, the most critical months of our war activities. . . .

"A statement that the present industrial order and its control promise a reasonable progress and happiness (and this the middle class are forced to claim), is received as a humorous observation, not only by the I. W. W., but by American trade-unionism as well."

-Carlton H. Parker.

SABOTAGE AND VIOLENCE.

What Is Sabotage?

"In substance, it is as old as the strike itself. **It is a specialized form of making trouble for the employer. Trade unions have been as familiar with its uses as with any other weapon in their fighting career.** It is the familiar "ca canny" of the Scotch which got much advertising at the strike of Glasgow dockers in 1889. They had asked a rise of wages which was refused. The union official instructed the men in sabotage. Farm laborers had been brought in to fill the places of the strikers. 'Let us go back to the job,' said the official, 'and do it exactly as the land lubbers do it. Those butterfingers break things and drop things into the water from the docks. See to it, lads, that you imitate them until the masters learn their lesson. If they like that kind of work, let them have plenty of it.' " —*John 'Graham Brooks*

And speaking of a common form known in France as "open-mouth sabotage," Mr. Brooks says:

"I have sometimes heard this delicate cruelty of exact truth telling recommended by the I. W. W. as one of the most perfected forms of sabotage for clerks and retail vendors generally. 'Get together, study the foods, spices, candies, and every adulterated product. Study the weights and measures, and all **of you tell the exact truth to every customer.**'

"This is near akin to something far more widely practiced. For railway employees to submit an **exact obedience to every rule** under which they work, is to create instant havoc on that road. A train is not started on schedule tick while two or three old ladies are in the act of climbing onto the car. There has always to be the 'margin of discretion' in applying rules. French and Italian Syndicalists brought utmost confusion to the railroads by their 'conspiracy of literal obedience.'"

Its Purpose.

"**The advantages which are supposed to follow a shrewd use of sabotage are that it enables the men to hold their job, even while half ruining it.** The risk and waste of long strikes have

been learned. Sabotage, "if made an intellectual process," may strike at the employer a swifter and more deadly blow and lessen the chances of scabbing. . . .

"The I. W. W. journals have an ample stock of informing suggestions to show the high values of this invention. A little half-heartedly they insist that violence is stupid, because the objects of sabotage can be reached with more subtle effectiveness without it

"The truth about sabotage is that its essence is destruction. All the dulcet phrases about 'mere passive resistance,' 'only fold the arms or put your hands in your pockets and keep them there,' or, as I heard a speaker say, 'Why, you've nothing to do but just stand round and look sweet,'—all this does not hide the fact that the machinery of production is stopped and to that extent production (wealth) is destroyed." —**John Graham Brooks.**

Sabotage in Business.

The practice of sabotage is by no means confined to the working classes :

"The word has by usage come to have an altogether ungraceful air of disapproval. Yet it signifies nothing more vicious than a deliberate obstruction or retardation of industry, usually by legitimate means, for the sake of some personal or partisan advantage. This morally colorless meaning is all that is intended in its use here. **It is extremely common in all industry that is designed to supply merchantable goods for the market. It is, in fact, the most ordinary and ubiquitous of all expedients in business enterprise that has to do with supplying the market, being always present in the business man's necessary calculations; being not only a usual and convenient recourse but quite indispensable as an habitual measure of business sagacity. So that no personal blame can attach to its employment by any given business man or business concern. It is only when measures of this nature are resorted to by employees, to gain some end of their own, that such conduct becomes (technically) reprehensible.**

—**Thorstein Veblen.**

"It is an established, even an obvious fact that the upper reaches of business and society possess their I. W. W. The state of mind characterized by ruthlessness, high egotism, ignoring of the needs and helplessness of much of society, breaks out at different social levels under different names, but the human elements and even much of the vocabulary remain the same."

—**Carlton H. Parker.**

How Much Violence?

"Such recourse has great capital, that it has been able to cloak its evil doing in veiled, legal decencies, while labor must go to its sinning naked and exposed. This too the public has learned. It has learned it so well that conspicuous business can no longer act in the spirit of "I'll manage my business as I like."

-John Graham *Brooks*.

Says the President's Commission of the practical application of the I. W. W. theory of sabotage:

"Membership in the I. W. W. by no means implies belief in or understanding of its philosophy. To a majority of the members it is a bond of groping fellowship. According to the estimates of conservative students of the phenomenon a very small percentage of the I. W. W. are really understanding followers of subversive doctrine. The I. W. W. is seeking results by dramatizing evils and by romantic promises of relief. The hold of the I. W. W. is riveted instead of weakened by unimaginative opposition on the part of employers to the correction of real grievances-an opposition based upon academic fear that granting just demands will lead to unjust demands. The greatest difficulty in the industry is the tenacity of old habits of individualism. The co-operative spirit is only just beginning."

Prof. Parker's testimony as to the extent of 'actual violence to property in the West is enlightening:

"The American I. W. W. is a neglected and lonely hobo worker, usually malnourished and in need of medical care. He is as far from being a scheming syndicalist, after the French model, as the imagination might conceive. **His proved sabotage activities in the West total up a few hop kiln burnings. Compared to the widespread sabotage in prison industries, where a startlingly large percentage of materials is intentionally ruined, the I. W. W. performance is not worth mentioning.**"

Robert Bruère quotes this significant statement made to him by lumber operators in Washington in the fall of 1917:

"In discussing the situation with me certain large lumber operators said in effect: Every large labor organization like the I. W. W. in this State will draw to itself a certain small percentage-say 2 per cent.-of irresponsible men. The proportion of such men aligned with the I. W. W. is about the same that we find in our own business organizations. But in war-and a strike is war-anything is fair. We have fought the I. W. W.

as we would have fought any attempt of the A. F. of L. unions to control the workers in our camps. And, of course, we have taken advantage of the general prejudice against, them as an unpatriotic organization to beat their strike. To bring the charge of violence against the I. W. W. as an organization is not only wrong in the face of the facts, but it is unsound and short-sighted business policy. And as for the charge that they will not enter into time-agreements, while it is true of them, it is equally true of us. We have been consistently opposed to collective agreements and we are opposed *to* the recognition of any labor organization now.”

-*Robert Bruère.*

There is obviously a sincere effort to put the case right from the I. W. W. standpoint in this statement recently issued officially by an I. W. W. organization:

“To the Public, and Particularly to Working Men and Women:

“The I. W. W. wishes to warn society in general that, despite the lying statements in the capitalist press regarding this organization, society has nothing whatever to fear from the I. W. W. We wish you to understand that the I. W. W. has no intentions of resorting to violence in any form in retaliation for the numerous outrages perpetrated on our members throughout the country.

“There is nothing destructive in the policies or tactics of the I. W. W. ; in fact, our policy is to elevate, not to tear down. The history of the labor movement will show that the I. W. W. has never used violence in their strikes or struggles for better conditions and more of the good things of life. The I. W. W. has been accused of every act of violence imaginable. Our members have been murdered, beaten, thrown into jail, subject to every abuse that the master class could hire thugs to do. And, always remember that the excuse for so doing was the crimes that the I. W. W. was supposed to be going to do, not for crimes or acts committed, but for crimes that the I. W. W. was supposed to do in the future. Tulsa, Okla., and Aberdeen, S. D., are good examples of the hysterical condition that society has been wrought up to by the lying statements and insidious rumors of the capitalists’ tools and the press. Don’t believe them.”

Testimony of the peaceful character of a great I. W. W. strike is given in the following from the account of the Paterson silk-workers’ strike in 1913—John A. Fitch, *in* the *‘Survey’*:

THE TRUTH ABOUT THE I. W. W.

“There have been during the strike more than 1,000 arrests of strikers-and yet I have the word of the chief of police of Paterson that considering numbers and duration this is one of the most peaceful strikes on’ record. No silk worker desiring to return to work, the chief told me on May 22, has ever needed police protection against the pickets, and there has not been a single case of assault on a ‘scab’ by a striker that has come to the knowledge of the police.”

THE I. W. W. AND THE WAR

THE FACTS.

By Geo. P. West.

1. The Industrial Struggle in War Time.

The investigations of President Wilson's Mediation Commission and its final report (Jan., 1918) have established the important facts, first, that conditions of employment and the arbitrary attitude of the employing corporations were primarily responsible for labor unrest during the war; **second**, that the strikes were unusually free from violence on the part of the men, the great majority of whom, according to the President's Commission, were loyal to the Government and actuated primarily and solely by a desire to better their condition.

What distinguished the I. W. W. strikes from hundreds of others that have passed almost unnoticed was neither their violence nor the absence of such substantial grievances as have always been held by public opinion in this country to justify use of the strike weapon. It was rather the propensity of I. W. W. leaders to talk in terms of an industrial revolution, to be brought about by the workers through organization and the use of their organized power eventually to dictate the terms on which any particular industry manned by them was to be conducted.

This propaganda contemplates the eventual establishment of autonomous industries, each governed democratically by those who work therein, and the building up of a society in which these various industrial or economic groups shall take the place of political government, which would be superseded by some agency for adjusting and reconciling the interests of the various groups.

It is a revolutionary philosophy, and when translated into the vigorous vocabulary of the miner or lumberjack, the preaching of it shocks and outrages the preconceptions not only of employers and capitalists, but of the middle class as well. Yet, in substance, it differs little from the vision of the future that is held and has been outlined by some of the most eminent statesmen and economists of this 'country and., England. But the

preaching of this philosophy in rough language by uncouth workmen is another matter.

Nor is it to be denied that the tragic experiences of these agitators for a new social order had filled some of them with bitterness and hatred. **Yet such investigators as Mr. Robert Bruere have found the rank and file remarkably free of such feeling, pathetically eager to acknowledge and welcome evidences of understanding and fairness on the part of employers or government officials, and with a strike-record remarkably free from violence.**

But their seemingly wild and destructive theories had given them an evil reputation in the minds of the well-to-do, the conventionally-minded, and those too busy or preoccupied to investigate for themselves. And this reputation had been fostered and maintained very deliberately and very successfully by employers determined to resist any movement looking toward more democracy in industry, whether it took the form of conventional unionism or the industrial unionism of the I. W. W.

2. The Employer's Attitude.

We have, in that situation, the background for what occurred in the summer of 1917. Preaching doctrines that had seemed startling enough during peace times, the I. W. W., at the first sign that its members would join in the universal demand for more wages, fell an easy prey to reactionary employers, who could now rely, not only on the peace-time prejudice which the I. W. W. had created against themselves, but on the intense popular feeling so easy to stir up against any group that could be placed in the position of disloyal obstructionists.

I. W. W. doctrines have not changed. For twelve years the Federal Government has left them free to preach their philosophy from coast to coast. **But on the outbreak of the war it became easy for interested employers to place those doctrines in a new light—a light that gave them the appearance of rank treason. The mistake made by many is in taking too seriously the admittedly wild and foolish utterances of a few leaders who do not adequately represent the rank and file, who merely want a square deal.**

3. Violence Against the Workers.'

The first open violence came in July with the Bisbee, Arizona, deportations by the copper companies. Miners on strike were rounded up at the point of revolvers and rifles, herded in

a corral, loaded onto box-cars, and transported to the middle of a desert in an adjoining state. More than four hundred of them had bought Liberty Bonds; large numbers had registered for the draft. Many were married and had children. When finally released, they found their path back to their homes barred by armed men, acting with no authority save the arbitrary power of the great copper-mining corporations. The agents of these corporations had seized the local telegraph and telephone stations and censored out-going dispatches. They held kangaroo court and passed judgment on who should be permitted to remain in the district, who should be forcibly ejected, and who should be permitted to enter from without. This condition continued for weeks, in defiance of the protest of the Governor of the State.

The President's Commission after a full investigation reported that all these illegal acts were without justification either in law or in fact, as the striking miners had kept the peace and showed no evidence that they intended to break it. On the contrary, they had met and resolved to return to work provided the Government would take over operation of the mines.

More specifically, the President's Commission charged the mining corporations and their agents with specific violations of federal statutes in interfering with interstate communications and obstructing registered men from reporting for examination for the draft. It brought these violations of the law to the attention of Attorney General Gregory at Washington. What action did his Department take? **To date (March, 1918), Mr. Gregory has made not a single arrest and not one of the perpetrators of the Bisbee crimes has been indicted.** On the contrary, a high official of one of the copper companies, himself directly concerned in the deportations, has been commissioned a Major in the army, and another has been appointed to a high position with the Red Cross.

Other flagrant instances during the war of organized violence against the I. W. W. by employing interests, with little or no attempt by public officials to bring the offenders to justice, have been:

(1) The hanging of Frank H. Little at Butte, Mont., on August 1st. Little was a member of the executive board of the I. W. W., and was in Butte acting as a strike-leader. He was taken from his bed at 3 A. M. by a band of masked men, dragged

to the outskirts of the city, and hung to a railroad trestle.

(2) The whippings and outrages at Red Lodge, Mont., committed on workers suspected of being members of the I. W. W. by organized representatives of the employers, who held their mock court, and inquisitions in the court house, and committed the outrages in the court-house basement.

(3) The whipping, tarring and feathering of 17 I. W. W. prisoners at Tulsa, Oklahoma, November 9, who were taken from the police by a masked band of "Knights of Liberty," in an endeavor to break up the I. W. W. organization of the oil-workers.

(4) The arrests by the militia of hundreds of I. W. W. workers in Washington, without warrants or declaration of martial law, followed by their illegal detention for long periods without charges or trial.

(5) Various outrages on individual members of the I. W. W. committed by organized employers' interests, in several instances assisted by public officials in places as widely separated as Aberdeen, S. D., Franklin, N. J., and Klamath Falls, Oregon.

4. The Department of Justice Attitude.

It is this record that the I. W. W. contrasts with that of public officials in dealing with a labor organization. The charge against the 166 I. W. W. members indicted in Chicago is conspiracy to obstruct the prosecution of the war. Any such obstruction would, admittedly, have been incidental to the main object of improving wages and working conditions in the mines and lumber camps.

In exactly the same way, the lawlessness of the Arizona copper corporations, primarily undertaken in the interest of greater profits and of arbitrary control, incidentally resulted in obstructing prosecution of the war, as specifically stated by the President's Commission.

Again, the National Association of Manufacturers is conducting a campaign against the principles adopted by the federal government for dealing with labor during the war. That is, it is seeking to prevent **that** degree of union recognition and co-operative dealing with labor on a collective basis that British experience and the best judgment of the President alike support as necessary to the prosecution of the war. **But there are no indictments and no arrests, nor even a rebuke.**

That the situation last summer called for some action by

the Department of Justice to suppress a few extremists and generally to sober the organization and bring it to a sense of responsibility, the writer believes. That such action should be more discriminating and accompanied by an attempt to understand the economic background of the organization is equally important. The public mind, and that of its agents in office, should open to an unbiased examination of the claim of the I. W. W. that it is far from being an organization dominated by purposes that are subversive of this country's purposes in the war, and that all its members want in return for their co-operation is a "square deal,"—in other words, a "chance" to co-operate on fair terms. The War Department and the Forest Service have given them that, with golden results.

The foregoing statement should explain in large part the psychological background for much of the rabid I. W. W. talk and extremist writing in I. W. W. papers, some of which is featured in the indictment. The I. W. W. leaders state that they are only the expression of individual opinions, and cannot be construed as committing the organization.

—Geo. P. West.

THE VERDICT OF THE PRESIDENT'S MEDIATION COMMISSION.

The Commission, whose inquiry was chiefly concerned with strikes and unrest in western industries, in which the I. W. W. was a conspicuous factor, concluded:

(8) It is, then, to uncorrected specific evils and the absence of a healthy spirit between capital and labor, due partly to these evils and partly to an unsound industrial structure, that we must attribute industrial difficulties which we have experienced during the war. Sinister influences and extremist doctrine may have availed themselves of these conditions; they certainly have not created them.

(9) In fact, the overwhelming mass of the laboring population is in no sense disloyal. . . . With the exception of the sacrifices of the men in the armed service, the greatest sacrifices have come from those at the lower rung of the industrial ladder. Wage increase responds last to the needs of this class of labor, and their meagre returns are hardly adequate, in view of the increased cost of living, to maintain even their meagre standard of life. It is upon

them the war pressure has borne most severely. Labor at heart is as devoted to the purposes of the Government in the prosecution of this war as any other part of society. If labor's enthusiasm is less vocal, and its feelings here and there tepid, we will find the explanation in some of the conditions of the industrial environment in which labor is placed and which in many instances is its nearest contact with the activities of the war.

(a) Too often there is a glaring inconsistency between our democratic purposes in this war abroad and the autocratic conduct of some of those guiding industry at home. This inconsistency is emphasized by such episodes as the Bisbee deportations.

(b) Personal bitterness and more intense industrial strife inevitably result when the claim of loyalty is falsely resorted to by employers and their sympathizers as a means of defeating sincere claims for social justice, even though such claims be asserted in time of war.

(c) So long as profiteering is not comprehensively prevented to the full extent that governmental action can prevent it, just so long will a sense of inequality disturb the fullest devotion of labor's contribution to the war.

Commenting on the labor trouble in the Southwest the Commission said :

As is generally true of a community serving a single industry, there was not the cooling atmosphere of outsiders to the conflict. The entire community was embroiled. Such agencies of the "public" as the so-called "loyalty leagues" only served to intensify bitterness, and, more unfortunately, to the minds of workers in the West served to associate all loyalty movements with partisan and anti-union aims.

Here as elsewhere the attempt of parties on one side of an economic controversy to appropriate patriotism and stigmatize the other side with disloyalty only served to intensify the bitterness of the struggle, and to weaken the force of unity in the country.

A better method of dealing with the I. W. W. in the war—far more effective than prosecution to allay unrest—is stated by the Commission thus :

Uncorrected evils are the greatest provocative to extremist propaganda, and their correction in itself would

be the best counter-propaganda. But there is need for more affirmative education. There has been too little publicity of an educative sort in regard to labor's relation to the war. The purposes of the Government and the methods by which it is pursuing them should be brought home to the fuller understanding of labor. Labor has most at stake in this war, and it will eagerly devote its all if only it be treated with confidence and understanding, subject neither to indulgence nor neglect, but dealt with as a part of the citizenship of the State.

THE REPORT OF THE DEPARTMENT OF LABOR,

The report of the Secretary of Labor (Fifth Annual, 1917) sets forth the record of labor disputes in the period between the declaration of war (April 6) and October 25, 1917. The report states that "the number of labor disputes calling for government mediation increased suddenly and enormously with the beginning of the war."

An examination of the record of the 521 disputes handled by the Department in the war period to October 25 (281 strikes, 212 controversies and 28 lockouts) shows that only **three out of the total of 521 involved the I. W. W. in any way** (copper-miners, Arizona, mine-workers, Butte, Montana, and ship-yard workers, Washington. In both the mine-workers' strikes an A. F. of L. union was involved besides-the Mine, Mill and Smelter Workers' Union). **All the others occurred in industries either unorganized, or organized by unions affiliated with the A. F. of L. or the so-called "conservative" international unions.** (Fifth Annual Report, Secretary of Labor, pp. 41-49, 60.)

A comparison of the reports of the Department of Labor also shows a larger proportion of labor controversies involving the I. W. W. in the years preceding our entry into the war than in the six months following it. The I. W. W. were comparatively quiet during that period.

-Editors.

PATRIOTISM AND THE I. W. W.

While it may be clear that the I. W. W. has not deliberately obstructed the war, it is equally evident that they do not share any great enthusiasm for it. Says Carlton H. Parker of the general attitude of labor:

'A reasonable deduction from the industrial facts would be that the American labor class is not participating in the

kind of patriotic fervor that is in vogue among the upper middle class. It is not sufficient to say that their wage demands occupy their attention. Coupled with this ancient interest is a set of traditional and complicating forces which determine the attitude of labor. The recital of the war-profits in steel, in copper, in foods, in medicines, 'does not fall on an ordinarily receptive audience! It falls on the minds of a labor class with a long-cherished background of suspicion."

And further, Prof. Parker quotes an I. W. W. on the lack of enthusiasm for the war-expressing a point of view not uncommon in the Northwest:

"You ask me why the I. W. W. is not patriotic to the United States. If you were a bum without a blanket; if you had left your wife and kids when you went West for a job, and had never located them since; if your job never kept you long enough in a place to qualify you to vote; if you slept in a lousy, sour bunk-house, and ate food just as rotten as they could give you and get by with it; if deputy sheriffs shot your cooking cans full of holes and spilled your grub on the ground; if your wages were lowered on you when the bosses thought they had you down; if there was one law for Ford, Suhr, and Mooney and another for Harry Thaw; if every person who represented law and order and the nation beat you up, railroaded you to jail, and the good Christian people cheered and told them to go to it, how in hell do you expect a man to be patriotic? This war is a business man's war and we don't see why we should go out and get shot in order to save the lovely state of affairs that we now enjoy."

But contrast with this the attitude of the I. W. W. long-shoremen in the East—a well-paid, decently treated group of men, at least on the Philadelphia docks. The following statement by their local secretary has been verified by personal investigation :

"The members of the Marine Transport Workers (an I. W. W. organization) have been loading and unloading Trans-Atlantic steamers in the Port of Philadelphia since May, 1913. There are about 3,000 men doing this work night and day and there has never been an accident since we have been organized.

"The American Line and the Atlantic Transport Line

work is done by non-union labor, **with the exception of the powder work which is done by our men. These lines are the only lines that have transported troops from here since the war.** This work consists of general cargo, powder, munitions of all kinds, and cattle. Never to my knowledge since this country entered the war has this organization obstructed the Government in any way."

Members of this union are working now on practically all the eastern docks and on board troop and munition ships, without the slightest question as to their loyalty. In their hall at Philadelphia they have an honor list of Liberty Bond buyers with 162 names (March, 1918), and are collecting data for a service flag.

-Editors.

"As an organization we have handled ore and munitions. The fact is that every pound of munitions in the Philadelphia Navy Yard is handled by members of this organization, and munitions carried out of New York Harbor are carried out by members of this organization. There is coming a day of accounting to place this organization in its true light before the public."

—*George F. Vanderveer*, general counsel for the I. W. W.—*Statement in court, Jan., 1918.*

Further light is thrown on the attitude of the I. W. W. to the war by the following paragraphs from a public statement issued by the Seattle branches of the organization:

"There are employers, great and small, who are taking advantage of present conditions to vent their animosity against the I. W. W. and other organizations of labor, and are disguising their brutality under the cloak of patriotism.

"The I. W. W. is a labor union. It has no hatred for the workers of any nationality, but it most distinctly is not pro-German. Thousands of I. W. W. members registered, were drafted and are now in the training camps; others proclaimed themselves to be conscientious objectors and are paying the penalty for having taken that stand ; some did not register at all ; this is the record of practically all organizations, religious, political and economic.

"I. W. W. speakers and the I. W. W. press have been careful to confine their efforts entirely to the work of education and organization along industrial lines, and any opinion expressed that is at variance with that policy is an individual matter. Reports that I. W. W. papers and speak-

ers have been defaming the flag or advising the violent overthrow of the government are untrue, as you can easily find out for yourself by reading the papers and listening to the various lectures. Such reports are purposely spread in order to create a condition favorable to mob violence."

The Charge of Pro-Germanism.

After a considerable press campaign to identify the I. W. W. and German propaganda, the newspapers carried last summer a semi-official denial in the form of statements from the Department of Justice.

The Washington correspondent of the *New York Times* sent the following despatch on July 16, carried on Tuesday, July 17, under these heads:

DOUBT TEUTONS PAID AGITATORS OF I. W. W.

Federal Agents Fail to Verify Rumor of German Financing of Western Strikes.

"Washington, July 16.—Reports that the activities of Industrial Workers of the World in the west recently had been financed by German gold have failed of substantiation after an exhaustive investigation by agents of the Department of Justice.

"Officials said today they believed that nearly all the German money in this country had been located, and that virtually none of it has been used in that way.

"Reports from various parts of the west today told of arrests of members of the I. W. W. under the President's alien enemy proclamation. It was said, however, that the percentage of German sympathizers found in the organization was believed to be no higher than that in many other organizations."

MISREPRESENTATION OF THE I. W. W.

In the Press.

"The domination of the press of this country over the form and method of publicity has given Americans a deep-seated bias, in favor of a vivid and dramatic presentation of all problems, economic or moral. The rather gray and sodden explanation of any labor revolt by reference to the commonplace and miserable experiences of the labor group would lack this indispensable vividness. Just as the French enjoy the sordid stories of the life of the petty thief when garnished and labeled 'Pictures of the Parisian Apache,' so the casual American demands white hoods and mystery for the Kentucky night-riders and a dread, sabotage-using underground apparition for the I. W. W. An **important portion of the I. W. W. terrorism can be traced directly back to the inarticulated public demand that the I. W. W. news-story produce a thrill.**"

—Carlton H. Parker.

By Exploiters.

"Growing out of this newspaper attitude is a tendency even more serious because more widespread—a hot-headed intolerance that will believe any accusation of the I. W. W., however unsupported by facts; and support any aggression, however unjustifiable or lawless, that may be directed against them.

"Because of this tendency, unscrupulous employers are endeavoring to take advantage of the disrepute of the I. W. W. in order to further their own ulterior ends. Hardly a strike occurs in which the cry of 'I. W. W. influence' is not immediately raised. The street car strike in San Francisco, now in progress, was ascribed to the I. W. W., though it is being handled by a representative of the Amalgamated Association of Street and Electric Railway Employees, a union affiliated with the American Federation of Labor. The strike of iron workers in the shipyards, all members of unions affiliated with the American Federation of Labor, was said to be fomented by the I. W. W. The move for an eight-hour day in the lumber camps of Washington, endorsed by no less a person than Newton D. Baker, Secretary of

War, was denounced to the world as a part of the I. W. W. conspiracy to injure the government. . . .

"It is most disheartening that these exploiters can resort to extreme lawlessness in the furtherance of their ends without evoking a protest from the public. Because of this spirit of acquiescence, the dread initials of the Industrial Workers of the World can be used not only to injure the legitimate labor movement everywhere, **but also as a red herring across the trail of those employers who do not hesitate to use the nation's plight as an opportunity to strengthen their own unjust practices.**

-*John A. Fitch.*

There is further proof of these deliberate efforts of employers to identify all labor with the I. W. W. so as to discredit it. Robert Bruère says of the situation in Arizona:

"The mystery began to clear soon after the President's Commission opened its conferences in Phoenix. It developed early in these hearings that in the State of Arizona **all labor leaders, all strikes, and all persons who sympathize or are suspected of sympathizing with strikers are lumped under the general designation of 'I. W. W.' or 'Wobbly.'** That is no doubt the reason why, when Secretary Wilson, Chairman of the President's Commission, stated during the hearings in Globe that he himself was a member in good standing in the Coal Miners' Union, **the witness who was testifying interrupted his story to ask whether the secretary or other members of the Commission belonged to the I. w. w.**

"This fantastic enlargement of the meaning of Wobbly we found to be universal. Very few people had any accurate knowledge of the tenets or tactics of the I. W. W. The three letters had come to stand in the popular mind as a symbol of something bordering on black magic. They were repeated over and over again by the press like the tappings of an Oriental drum, and were always accompanied with suggestions of impending violence. **It was in this way that it became possible to use them to work ordinarily rational communities up into a state of unreasoning frenzy, into hysterical mobs resorting to violence to dispel the fear of such violence as happened in Bisbee.**"

THE INDICTMENTS AGAINST THE I. W. W.

112 Leaders Under Indictment at Chicago; Some Hundreds of Others Indicted Elsewhere.

Trial by the Press.

"We find that in a majority of the newspapers of the country the indicted members of the I. W. W. have already been tried and found guilty. Despite the fact that we do not yet know what evidence the government has to present, some of the newspapers are going wild over the fact that William D. Haywood made arrangements to have Pouget's book, *Sabotage*, translated into Finnish. Sabotage is a pernicious doctrine, but preaching it does not constitute seditious conspiracy, as the newspaper writers very well know. Moreover, we have known, since the I. W. W. was organized, in 1904, that one of its doctrines is the practice of sabotage."

-John A. Fitch in the "Survey."

Trial by the Government.

"Repressive dealing with manifestations of labor unrest *is* the source of much bitterness, turns radical labor leaders into martyrs, and thus increases their following, and, worst of all, in the minds of workers tends to implicate the Government as a partisan in an economic conflict. The problem is a delicate and difficult one."

—President's Mediation Commission.

"PLAYING WITH DYNAMITE."

(Editorial in the *Public*, Nov. 16, 1917.)

"Professional detectives and the well-meaning assistant prosecutors of the Department of Justice should not be given a free hand in handling the I. W. W. situation. There is evidence that they are as ignorant of American sociology as were the advisers of Louis XVI of French sociology. And they are aided and abetted in their ignorance by an equally ignorant press, so that nothing but approving comment follows the most stupid and dangerous tactics.

"The situation in this country with respect to unskilled and unorganized labor is full of dynamite. Every trade union leader knows it. The President knows it. It is the dynamite engen-

dered by the existence of a large class conscious of injustice, burning with resentment, and wholly without organization through which to express itself. The I. W. W. does not represent it in any authorized way. But it comes nearer being its spokesman than any other organization. Members of the I. W. W. or men who have been profoundly influenced by their propaganda may be found in every unorganized labor force in the country. The I. W. W. is not an organization so much as it is a spirit and a vocabulary. And because no strike or audible protest follows the various assaults on I. W. W. leaders, let us not be too sure that their influence is negligible, that the Department's policy and that of the mobs that get encouragement from this policy is not breeding a slow, dangerous, smoldering resentment.

'An instant retaliation would be far less dangerous, much easier to handle, than a spirit that may at some critical juncture in the future flare out in a strike of steel workers or slaughterhouse workers or miners or oil refiners. No one knows about this. Perhaps the Government can imprison or mobs horsewhip every laborer in the country who sympathizes with the I. W. W., and our unorganized, unskilled, exploited wage-workers will take it lying down. Perhaps they will not. But the situation should not be handled by men who have never read, let alone pondered, the government reports that show that hardly more than half of the adult male wage earners in the United States earn enough in a year to support a family in decency and comfort. The I. W. W. leaders now in jail know those reports by heart.

"The real crime of Haywood and most of the rest was the conducting of an aggressive propaganda and strike program on behalf of laborers who are interested solely in obtaining better conditions of life and labor. But that feeling has been manipulated and organized by men whose economic interests, whose right to exploit their fellows without let or hindrance, have been interfered with, and properly, by I. W. W. agitation. In so far as the I. W. W. stand as spokesmen and representatives of the most exploited class of American labor, they must be handled by men who are something more than outraged patriots, with a patriotism that coincides with a belief in their right to exploit others. No one knows to what degree they do so stand, and least of all the detectives and prosecutors of the Department of Justice. These assume too readily that they can dispose of the whole problem by putting a few men in jail.

"But to assault the I. W. W. as a whole is to assault the only spokesmen and to suppress the only articulation possessed by a

class of wage workers on which several of our most vital basic industries are utterly dependent—a class numbering many millions of men. . . .”

Governments and the Labor Problem.

“Since the outbreak of the war, from every available source open to me, I have followed the struggles of governments with labor. It is a story as momentous for the future as the war itself. Whether it is in France, Italy, England or Australia, the most unmistakable of all lessons and the most distinct of all warnings is this, that **force and all indiscriminate punishment of bodies of men is not only the least effective but by far the most dangerous procedure.** It does nothing but multiply troubles. In no country will this prove truer than in our own.

“I lay no weight in this on any merely sentimental or philanthropic view. It is solely a question of good sense and practical statesmanship.”

—John Graham Brooks.

Effect of Prosecution on Workers.

Robert Bruère says of the effect of the policy of prosecution as against conciliation :

“If, at this strategic moment, the Government could bring itself to adopt and extend the statesmanlike policy of its own Forest Service, I believe that the strike of the lumberjacks which is scheduled for the coming spring might be averted. **I feel very strongly about this matter, because I believe that the policy of uncompromising hostility toward the I. W. W. workmen which . . . is being pushed by the United States Department of Justice, is jeopardizing the success of our aeroplane programme, whose immediate execution is absolutely essential for the successful prosecution of our war on the French front.**

“The present unimaginative policy of the departments that are dealing with the matter is not only not solving the problem of spruce and ship timber production but is encouraging, the reactionary local groups of loyalty leaguers and the like to resort to practices which instead of promoting industrial peace and good will are breeding a spirit of bitterness and resentment that are seriously aggravating the evils of an already bad situation.

“In discussing the I. W. W., the one point upon which all classes of men in the Northwest lumber country are agreed is that the membership of the organization is rapidly growing. Six years ago the I. W. W. was generally considered, even by its own leaders, as principally a hobo organization. Within the

last six years, and especially within the last year, the quality of its membership and the spirit of its propaganda have improved both in dignity and power. In the State of Washington, Idaho, and Montana, it is by almost universal testimony difficult to draw a sharp line of distinction between the members of the so-called 'craft unions' and the so called 'revolutionary industrial unions' of the I. W. W., except by the cards they carry. And even this distinction is disappearing. A surprisingly large number of men in the forests, in the mills, in the mines, and on the railroads carry two cards-one testifying to their membership in the regular A. F. of L. Union, and the one aligning them with the I. W. W.

"No doubt there are many equally valid explanations of this remarkable fact-remarkable because in creed and philosophic doctrine the A. F. of L. and the I. W. W. are as sharply opposed as the 'hardshelled' Baptists and the Congregational Unitarians. But the outstanding reasons for the manifestly growing sympathy of the Northwest with the men in the rival organizations is, the very general sense that the I. W. W. has not had a square deal. Equality before the law is, of all our American Constitutional guarantees, the one that the common man holds most precious, and nothing will so surely solidify otherwise discordant groups of wage workers as the infringement of this guarantee by the constituted authorities."

-Robert Bruère.

"From the point of view of public policy, the important fact to remember is that after months of attack the I. W. W. as an organization is stronger today than at any previous time in its history. It is stronger because the so-called conservative trade unionists are giving it both moral and financial support. And the sympathy of the conservative trade unionists for the men in the 'outlaw' organization is growing because of a growing distrust of the fairness of Government officials in administering justice."

-Robert Bruère (March 23, 1918).

ANALYSIS OF THE INDICTMENT.

An analysis of the indictment returned against 166 I. W. W. members and sympathizers by the Federal Grand Jury at Chicago, Ill., Sept. 28, 1917. (Number of defendants reduced finally to 112.)

By Walter Nelles, Attorney, New York.

The indictment is in five counts. Each count says that the 166 defendants committed the crime of conspiring to do something forbidden by law. "Conspiracy" is the name of the crime. It consists of an **intention** to do something wrong, plus an agree-

THE TRUTH ABOUT THE I. W. W.

ment with others for carrying out the intention. It is a peculiar crime for this reason—that whether the wrong intended was actually done or not does not matter. People not lawyers sometimes find this hard to understand, and even lawyers often get muddled over distinctions between intention and result.

The five sets of wrongs which the indictment says the 166 defendants agreed together to bring about are these:

First Count. Forcible hindrance of the execution of a long list of federal laws;

Second Count. Injury to unknown persons in the right and privilege of furnishing to the United States articles, materials, and transportation ;

Third Count. Attempts to induce 10,000 draft eligibles not to register, and to induce 5,000 drafted men to desert;

Fourth Count. Insubordination, disloyalty, and refusal of duty in the military and naval forces, and obstruction of recruiting and enlistment ;

Fifth Count. 2,020 crimes of depositing propoganda in the mails in order to execute a "scheme and artifice to defraud employers of labor" by sabotage.

The first count is the most interesting and probably the most important. It presents a theory of guilt based upon the alleged essential depravity of the I. W. W. The argument advanced is, in effect, that this depravity was so complete, that any denial of a conspiracy to hinder the execution of laws should receive no consideration. The list of laws they are accused of conspiring to impede includes these: The declaration of war, the regulations about alien enemies, seven military and naval appropriation acts, the draft and espionage acts, and the penal laws making punishable rebellion, insurrection, corrupting witnesses, rescuing fugitives from justice, and various other crimes.

The Theory of Guilt in the First Count.

The essence of the crime of conspiracy is the agreement to accomplish certain criminal ends. The fundamental and primary necessity, therefore, in this case, is to prove that such an agreement was made. Apparently this is to be done as follows:

The indictment says that the defendants, being members of the I. W. W., "with the special purpose of preventing, hindering and delaying the execution* of the enumerated laws,

"severally have been actively engaged in managing and conducting the affairs of said association, propogating its principles by written, printed, and verbal exhortations, and accomplishing its objects, which are now here explained,

and thereby and in so doing. . . . have engaged in . . . the unlawful and felonious conspiracy aforesaid."

The natural supposition that the claim that the defendants agreed **together** would be based upon the fact of their common **membership** in the I. W. W. is thus incorrect. For the defendants became members before the war, when a "special purpose" to impede the enumerated laws (principally war laws) could not be charged against their organization. So the theory is this instead, that each defendant went about his work for the organization with the "special purpose" of impeding the enumerated laws; that in so doing he by implication, at least, proposed to each of the other defendants that this "special purpose" should become one of their joint purposes, and at the same time agreed to a similar implied proposal from each of the other defendants. Thus we should have the **requisite meeting** of the minds of all for effecting the special purpose in the mind of each.

Obviously, the crucial thing to show is that the special purpose **was** in the mind of each.

The prosecution does not undertake the impossible task of showing that a special purpose of impeding some twenty laws (some of which, indeed, were not passed until after the indicated commencement of the conspiracy) was consciously entertained by each of 166 persons. It undertakes instead to trace the special purpose into the defendants' minds in this way, through an equivalent: it says that the defendants were working to abolish capitalism,¹ by unlawful means,² applied chiefly in strikes,³ with disregard of legal rights," **and with the necessary**

"Said organization . . . has been one for supposedly advancing the interests of laborers as a class . . . and giving them complete control and ownership of all property, and of the means of producing and distributing property, through the abolition of all other classes of society ;"

"said abolition to be accomplished not by political action or with any regard for right or wrong, . . . but by the continual and persistent use and employment of unlawful, tortitious and forcible means and methods, involving threats, assaults, injuries, intimidations and murders upon the persons, and the injury and destruction . . . of the property of such other classes, the forcible resistance to the execution of all laws, and finally the forcible revolution&v overthrow of all existing governmental authority in the United States;"

"use of which said first-mentioned means and methods was principally to accompany local strikes, industrial strikes, and general strikes of such laborers,"

"and use of all of which said means and methods was to be made in reckless and utter disregard of the rights of **all** persons not members of said organization, and especially of the right of the United States to execute its above-enumerated laws,"

result Of **impeding the enumerated laws.**⁵ Since people are presumed to intend the natural consequences of their acts, it is intended thus to give color to the charge that the defendants, whatever their actual mental obliviousness, must stand **as** if they intended to impede the enumerated laws.

To make good its case on this theory the prosecution will have to dispose of a difficulty. The indictment says that the **defendants** had it in mind to promote the abolition of capitalism by "unlawful means," involving assaults, murders, etc., and destruction of property. It does not say, however, that these unlawful means were specific, involving particular violent acts on definite occasions or under given circumstances. On the contrary, the inference of intention to do violent acts which would necessarily tend to impede the enumerated laws is to be drawn, not from any definite decision to do such acts, but from the general theory of conduct attributed to the I. W. W.

The indictment says that that theory excludes resort to "political action," i. e., direct appeal to voters and legislators for changes in law. This may be assumed to be true. It says also that that theory involves **indifference to legality**. To a limited extent this may be assumed to be capable of proof, in that the illegality of an act would riot of itself raise a moral qualm or scruple against it in the I. W. W. mind. But it would be absurd to assume that it can be proved that they carry disregard of law to the point of disregard of the practical expediency of keeping within it. Some of them may believe, for example, that the more strikes we have, the nearer we shall get to a millenium -that strikes as strikes are excellent, regardless of just grounds. But they probably **could** not instigate a groundless strike, and they pretty surely would not, if they could. A mine where owners refuse to install bulkhead passages after the suffocation of a few hundred men for want of them is good soil for an I. W. W. strike-but the strike will not be for expropriation of the owners; it will be for passages in bulkheads. Some of them may have no scruple against destroying railway track to prevent the introduction of strike-breakers. But they will not do it if no strike-breakers appear, or if they can keep them away by

"said defendants well knowing . . . that the necessary effect of their so doing would be . . . to hinder and delay and in part to prevent the execution of said laws above enumerated, through interference with the production and manufacture of divers articles, to wit, munitions, ships, fuel," etc., "and through interference with and prevention of the transportation of said articles and of said military and naval forces."

peaceful picketing; and there would be no inherent likelihood of their doing it in any case. **They might go on for generations** voicing the most abhorrent theories which Assistant Attorneys General can possibly attribute to them without either committing or resolving to commit a single violent act. The weakness of the prosecution's theory of guilt lies in its insistence upon a contrary assumption.

Metaphysically, perhaps, it may be said that violent theories do result in violent acts. People who feel personal hate towards the I. W. W. may resent as a silly quibble a lawyer's scruple against establishing as a principle of criminal law that such theories may be **presumed** to have such results. Such a presumption, however, the government's theory involves; otherwise there would be no basis for the corollary that defendants, if they entertain a violent theory, may be presumed to intend consequences which would incidentally follow if the theory should in fact blossom into action! It seems a longer step to take than the importance of keeping anyone in jail would justify.

The Tone of the Indictment.

The object of an indictment is to tell the accused what he is charged with. Colorlessness of language is for once a positive literary ideal. Eloquence (except the sort latent in any bare chronicle of bare facts) is to be deprecated.

In this respect this indictment is exceptional. One notes, for example, the elevation of the specific number of crimes the defendants, are charged with intending, to the grand total of 17,022; the sinister, iteration in the introduction to each count of "conspired together, and **with one Frank H. Little, now deceased** ;"¹ the parenthetical, and wholly redundant, lists of phrases from the I. W. W. vocabulary calculated to break the complacency of persons who have been successful in accumulating a little property into a climax of antipathy.' One notes also such

¹Little was the organizer lynched at Butte in the summer of 1917.

²See especially the following paraphrased summary from the indictment :

The defendants are members of the I. W. W. and "among those known in said organization as 'militant members of the working-class' and 'rebels.'" Their organization is "one for supposedly advancing the interests of laborers as a class (by members of said organization called 'the workers' and 'the proletariat'), and giving them complete control and ownership of all property, and of the means of producing and distributing property, through the abolition of all other classes of society (by the members of said organization designated as 'capitalists,' 'the capitalistic class,' 'the master class,' 'the ruling-class,' 'exploiters of the workers,' 'bourgeois,' and 'parasites')." The abolition of classes is to be

puerile phrases as "without any regard for right or wrong" when the question is of **illegality**; such exaggerations as the accusation that the defendants' method of class obliteration includes "forcible resistance to the execution of **all** laws"-including, one wonders, the Federal Income Tax Law, for example? Above all one notes insistent charges and insinuations of want of **patriotism**.³ Of course it is pretty sure to appear in the case that many of the-defendants regard the war as a capitalistic enterprise designed to gain advantage in the industrial struggle, and conscription as utter outrage. Whatever inferences, however, may finally be made as to the defendants' patriotism must rest on evidence as to what they intended **to** do-and should be made by philosophers rather than by **jurymen**. It is not for want of patriotism that they are on trial. Inferences as to their patriotism should have no weight in determining whether they are really guilty of conspiring to do things which would necessarily carry the results they are said to have intended. The aspersions upon their patriotism are irrelevant to the indictment. They can have no purpose there except to excite the passion and prejudice of such organs of publicity as review the indictment in advance of the trial.

The Overt Acts. a

If conspirators repent before anyone has done anything towards accomplishing their forbidden object, their conspiracy is not punishable. Therefore a conspiracy indictment must allege the doing of "overt acts" to effect the object of the conspiracy.

This indictment alleges twenty such acts for accomplishing the first four conspiracies. Of course these acts throw no light on whether the conspiracies are real or imaginary. Technically no proof can be given of any of them until **after** there is proof

effected through means involving not only intimidation, murder, etc., but also injury and destruction of property of other classes "(known in said organization as 'sabotage,' 'direct action,' 'striking **ON** the job,' 'wearing the wooden shoes,' 'working the sab-cat,' and 'slowing-down tactics.')

*That the defendants' methods "involved . . . finally" forcible revolution; that they had an "especial and particular design" of seizing the opportunity presented by the war for "putting said unlawful, fortitious and forcible methods of said organization into practice" (want of space prevents analysis of the peculiar perversions of language and reason which this accusation involves); that they intended to impede the Conscription Act by failing to register, "notwithstanding the requirements of-said laws . . . and **notwithstanding** the patriotic duty of such members . . . so to register and submit to registration and draft and so to enlist . . . and notwithstanding the cowardice involved in such failure and refusal."

that the defendants really conspired as charged. The acts do, however, throw interesting light upon what some of the defendants have been thinking and doing.

The first nine overt acts are publications of propaganda. The following is a summary of the other eleven:

10. Three days after the enactment of the Conscription Act a local secretary wrote Haywood that the Augusta, Kansas, branch had passed a resolution to "resist conscription."

11. An organizer in Minnesota distributed a circular calling upon workers in the iron industry to prepare to strike for the release of fellow workers imprisoned for not registering for conscription.

12, 14. An organizer on the Pacific coast urged a general strike unless men arrested for not registering were released by a given time, and wrote that he felt sure that the "German people" in Seattle were "in sympathy with our cause."

13, 15, 16. Haywood directed the movements of organizers in Minnesota and recommended the distribution of literature.

17. On July 6 Haywood telegraphed good wishes to the Arizona strikers. On July 13 he protested to President Wilson against the Arizona deportations. On July 26 he telegraphed encouragement to Arizona strikers, mentioning strikes brewing in Michigan and Minnesota. On July 27 he telegraphed President Wilson that Michigan and Minnesota strikes were threatened unless the miners at Columbus were returned to their homes at Bisbee; on July 30 he added that the harvest workers in the Dakotas would also strike for the same cause. Between July 31 and August 3 he telegraphed several organizers to go to Bessemer, Michigan.

18, 19. Haywood was appealed to by local organizers for funds for the Bisbee deportees and for men arrested in Michigan; \$3,000 was apparently sent to Salt Lake City for use in Arizona.

20. On August 7 a Portland, Oregon, organizer telegraphed Haywood that in view of the Little lynching and the Arizona deportations, "A nation wide general strike is the only weapon left in labor's hands. . . . On with the national general strike. Wire acknowledgment."

As has been said, the crime of Conspiracy is anomalous in that the **results** of conspiracies have nothing to do with the conspirators' criminality. There is therefore no presumption that the statement of "overt acts" is a complete account of the activities which might be attributed to the alleged conspirators during the war. So far as it goes, it shows that individual defendants here and there suggested strikes against conscription when the act was passed, but not any serious or general undertaking to instigate such strikes. Individual defendants were unquestionably active in agitating for strikes of protest against the Eisbee deportations. What may be a crucial question at the trial is whether an agreement to organize that kind of protest against mob rule, if there should be evidence of one, can be construed as a criminal conspiracy to impede the enumerated laws or injure employers of labor in the right to supply the government.

FACTS ABOUT THE DEFENDANTS.

Note: Since *these facts were secured, the indictments against some have been dismissed; others have not been apprehended. The total number on trial at Chicago is 113.*

Of the 166 indicted at Chicago (165 men, 1 woman), the following facts obtained regarding about 100 of them are significant :

1. Membership in the I. W. W. In the first place, 11 of them are not now, and never have been members of the I. W. W. Two more are not now members and have not been during the war, nor have they taken any part in I. W. W. affairs during the war. Four more are not members now, having been expelled for "conduct unbecoming a member of the I. W. W."-which it appears in one case was "going south with the money"!

2. Politically, 2 are Republicans, 1 a Democrat, 4 Non-partisan Leaguers, 17 are members of the Socialist Party, 18 more are former members, 2 only are avowed anarchists (using the term to describe their conviction that all forms of government are wrong), 58 do not vote at all.

3. Education and professional training. Four are college graduates, 1 a college student, 1 a civil engineer, 1 a railroad engineer, 2 stenographers (1 court), 3 poets and 1 cartoonist.

4. Occupations :

Agricultural	13
I. W. W. organizers and officials.	14
Journalism	9
Skilled trades	38
Unskilled migratory workers.	18

92

5. Domestic state:

Married, childless	21
Married, with children	26
Single	62

109

6. Where they hail from:

Pacific Coast	19
Coast to Mississippi River.	42
Mississippi River to Alleghanies.	36
Alleghanies to Atlantic Coast.	8

10.5

7. Ages:

Under 31	*20
31 to so	7.5
Over 50	4

99

*(*18 of whom registered under the selective service act; 1 other was under 21; 1 only did not register.)*

8. Nationality :

Born in U. S.	50
Born in allied countries.	43
Born in neutral countries.	11
Born in enemy countries.	*6

110

*(*1 Hungarian, 4 Germans, held as alien enemies; 1 Bulgarian.)*

in more detail:

3 Mexicans, 4 Canadians, 9 Englishmen, 3 Irishmen, 3 Scotchmen, 1 Greek, 3 Italians, 5 Scandinavians, 3 Poles, 4 Russians, 2 Finns, 1 Belgian, 1 Portuguese, 1 Slav, 2 Slovaks, 1 Spaniard, 1 Lithuanian, 1 Australian, 1 Frenchman, 1 Bohemian. (Total, 50.) 16 of these are citizens either by naturalization or declaration of intent.

9. Other interesting facts:

One of the indicted men was dead at the time of the indictment ; two were in Russia, one of whom is now connected with the Bolshevik government. Two are ardent prohibition workers ; two are Roman Catholics; five were formerly in the U. S. Army or Navy; one is a Negro, and one an American Indian.

The President's Mediation Commission said: *Jan. 9, 1918.*

“Membership in the I. W. W. by no means implies belief in or understanding of its philosophy. To the majority of the members it is a bond of groping fellowship. According to the estimates of conservative students of the phenomenon a very small percentage of the I. W. W. are really understanding followers of subversive doctrine. The I. W. W. is seeking results by dramatizing evils and by romantic promises of relief.”