

Allen and Gompers debate letters

In these letters submitted to the Colliers Magazine, Kansas Governor Henry Allen and Samuel Gompers, of the American Federation of Labor, continue the debate over the Kansas Court of Industrial Relations and workers' right to strike. The letters were written two months after the Allen-Gompers debate on the strike issue held in Carnegie Hall New York.

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Collier's Nov. 27, 1920.

"May Work" Says Allen "Not a Cure"—Gompers

These letters were written two months after the famous Allen-Gompers debate on the strike question. They represent the settled point of view of each man. Governor Allen says the Collier's plan ought to work, but doesn't go far enough. Mr. Gompers says that we have not found a cure, and adds that America can't afford to stop strikes



Governor H. J. Allen

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State of Kansas
Office of the Governor

Topeka, Kas.

JULY 30, 1920.

TO THE EDITOR OF COLLIER'S:

I HAVE just read with deep interest your page editorial, "No More Strikes."

The labor policy you suggest for the country does not differ essentially from that which we have established in Kansas. It merely deals with some other phases.

The Kansas law establishes a Court of Industrial Relations to render impartial justice in all labor controversies affecting the public health, safety, and flow of absolute necessities. It is erroneous to characterize the Kansas law as compulsory arbitration. It is adjudication, and adjudication has within it none of the elements of arbitration. Arbitration is an effort on the part of the interested parties to settle a controversy. Adjudication is the impartial process of justice rendered by disinterested judges.

The Kansas Industrial Court contemplates all the method outlined so sensibly in your splendid editorial, but it functions effectually where your program leaves off. After the entire effort at conciliation and arbitration has been exhausted by interested men "sitting around the table," and the effort to compose the controversy has failed, then three judges, representing the impartial justice of dignified government, take up the facts in the controversy and render a decision which, when approved, becomes the law in relation to that controversy.

This court, which, by the way, has been declared constitutional by the Supreme Court of the State in a decision recently rendered, has already rendered more than a dozen important labor decisions, in all but two of which increases in wages have been ordered, and these orders are being obeyed by employers and employees. These decisions have affected every essential industry covered by the jurisdiction of the court. The orders have had to do with wages in light and power plants, railway companies, packing plants, street and interurban railways, milling plants and in coal mines.

One case has been appealed by the railroad companies to the Federal court on the question of jurisdiction, and decision is now pending. However marked has been the effect of these decisions in essential industries, probably the most wholesome result of the court has been the effect of its judicial presence in the general labor world of the State. Men representing both employing capital and labor are looking at it eagerly as the possible remedy, and there are instances in which both labor and capital have brought their grievances voluntarily to the

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court, under the provisions of the law that the good offices of the court may be used, upon the agreement of both parties, for the settlement of controversies in nonessential industries. The effect of the court upon industrial strife has been exactly what the effect of the other courts has been upon litigation. It has decreased the spirit of contention. When men know there is a just court to which they may appeal for proper attention to their grievances, they settle their differences out of court in an orderly fashion. When there were no courts, men settled their grievances in the process of combat.

I agree with all you have said touching the good sense which is contained in the report of the Second Industrial Conference. I approve wholly the statement which forms the keynote of your editorial. Your program ought to work. Men ought to be just with each other, because it is the right course of conduct. Your plan *may* work, but the Kansas plan *must* work. One is based upon idealism supported by sound sense and public sentiment. The other is based upon idealism supported by sound sense, public sentiment, and guaranteed by government.

The thing which makes me believe in the Kansas system is the essence of the guaranty.

The Kansas plan contains everything you offer, plus a court of justice as the last resort, and I believe it will come some day to be the model of a national law, whose purpose will be extended to include, not only the protection of the rights of the general public, but all the rights of that public which includes only capital and labor.

Yours sincerely,

H. J. ALLEN.

American Federation of Labor

Washington, D. C.

JULY 21, 1920.

TO THE EDITOR OF COLLIER'S:

COLLIER'S has not found a cure for strikes. The editorial which "tells how we can finally cut out forever the waste of strikes in America" begins like Shakespeare and ends like Will Rogers.

You have added one more to the almost interminable run of plans and programs for the elimination of industrial disputes.

Beyond question you have meant well—but, like the small boy who ate green apples, you didn't understand the nature of what you undertook.

Seriously, the industrial problem of to-day is not a dispute about facts. In a dispute about facts it is possible to erect council-table machinery for the settlement of the issue.

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The industrial problem, first of all, is not a problem that can be "settled" by any patent process. Adjustment on a temporary basis is the best that can be had and the best that any men or women who love progress should want.

The industrial problem involves all of the emotions and aspirations of the race. The longing of the human heart for a greater liberty, the aspiration of the human mind for a wider field, for a richer life, for a broader range of vision, lie at the very center of the industrial problem.

The labor movement does not desire strikes. It offers the machinery to avert strikes. It will do



Samuel Gompers

anything to gain peace except sacrifice progress. The United States Department of Labor gives us the cash cost of strikes for the year ending June 30. The figure is large—\$875,000,000. But it cannot be accepted at face value. Actual money to that amount was not lost. And if that much money was lost it would not constitute an indictment of strikes. It has

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not yet been proved that we would have any more money or any more wealth in the form of commodities if there had been no strikes.

I venture the assertion that, taking the whole year's production in the United States per man and in the aggregate, production will be larger in America in this present year than in any other country on the face of the earth.

Remember this: The coal miners dig all the coal that is used. The building trades build all the houses that are used. The transportation trades move all the goods that are moved. These are the definite jobs of these definite kinds of workers. The jobs get done.

Viewing the figures in another light, they represent something of the cost of progress. The American working people believe in progress. By hard fighting the American working people have left behind them one abuse after another. They have taken the children out of industries, they have abolished the sweatshop, they have reduced the hours of labor, they have renovated the whole factory system, they have given the workman a place respected in the community, they have taken away his rags and removed from him forever the badge of inferiority. Much of this progress has been gained through the ability of workers to organize cessations of work.

No American worthy of the name will regret the cost of our progress. We have the progress; the cost has been paid—and the workers paid it. Progress ceases when human relations become static.

Collier's quotes a saying which sounds well enough: "Every strike has been settled by men sitting around a table. Why not make this settlement before the strike begins?"

Every war has been settled in the same manner. Some wars might as well have been settled before they were fought. But there are wars that had to be fought, for the sake of human freedom and progress.

There is a difference in the spirit in which men come to conference tables.

The German war lords at a conference table in 1914 would have been impossible and arrogant. They were different in 1918. That difference was achieved by conflict. The world went on strike in order to force a proper kind of settlement. Why not make the settlement before the strike begins? It is sometimes neither possible nor desirable.

Of course it is

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more desirable that disputes between employers and workers shall be settled if possible by men sitting around a table before a strike has been inaugurated. But in my long experience I have found that employers who would concede nothing to the workers during negotiation, who would listen to no argument, and who would usually decide and proclaim that "my men are satisfied and happy and don't want to strike," are convinced of the discontent and unhappiness of the workers only when they leave the plant and demonstrate their solidarity and determination to secure betterment of their conditions.

Some years ago the representatives of the United Mine Workers of America, then not as strong as to-day, sat around a conference table with representatives of a group of mine owners. They wanted to settle differences before a strike began.

The leader of the mine owners spoke. Said he:

"Boys, we won't give you what you want because we can't, and we can't because we won't. What are you going to do about it?"

The miners were not in a position to do anything about it, and the mine owners were aware of that fact. Of course the differences in that case were settled before a strike. But mine owners to-day do not talk that way.

This incident is simply typical of what all too frequently has happened in nearly every industry.

Trade-union workers do not want strikes, but there are some things worse than strikes. A degraded manhood, a servile manhood, a manhood devoid of the urge to progress—that is infinitely worse.

Strikes do cause inconveniences. Scarcely any factor that has come into human society to bring progress has come without attendant inconvenience. We cannot halt progress because of temporary inconvenience. Introduction of machinery caused inconvenience to the workers. It caused tragedies in thousands of lives. But the machinery came and we are glad that it came. When society submits its emotions and aspirations to the cost index it is lost.

The labor movement offers to all employers the peaceful process of negotiation. It is the first thought of every union which has a grievance. The conference table is the first proposal. The democracy of negotiation is in the fiber of the labor movement.

There are industries in America in which there are no strikes. The only industries thus free from cessation of work are those industries in which the organizations of the workers are most perfect and in which the employers accept without reservation the principle of collective negotiation and trade agreement.

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There is no reason why every industry should not enjoy the peace and tranquillity of the glass bottle-blowing industry and the stove-molding industry. There is no reason why the regularity of newspaper publication should not attend the construction of houses and the making of clothes. That is, there is no reason except the refusal of employers to enter into collective negotiation with the workers.

The three planks laid down by Collier's do not provide any good thing that has not for years been available to every employer in America. To paraphrase an old adage, you may provide all the machinery in the world for negotiation, but you cannot make men use it against their will. The machinery is available, has been available, and always will be available. Employers will not use it when they think they can make a more advantageous bargain by fighting. Nor will the workers accept reaction when they believe they can achieve progress.

The strike is the

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