Labor Journal Editors Extend Thanks

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At his desk in the editorial office, busily engaged in preparing reading material for this issue of The Labor Journal is W. M. Witter, associate editor. Mr. Witter, together with Henry A. Stalls, upper left, present editor and publisher, founded The Journal 19 years ago, and he experienced many tough battles during his active years as this newspaper's editor and publisher before retiring to lighter duties a few years ago. Although now 75 years of age Brother Witter's mind is as alert as it was during the crusading years gone by. He likes to see and chat with old friends and his office is always open to welcome them.

Mr. Witter joins The Journal's editor and publisher in thanking this newspaper's friends for their loyal support throughout the years and especially for their contributions toward making this issue of the Journal the largest in the newspaper's entire history.

Why Organized Labor Hates Injunctions

By GEORGE MEANY
Secretary-treasurer of the American Federation of Labor

The following excerpts from an article appearing in the current issue of the American Federationist sum up labor's stand against the iniquitous procedure of government by injunction:

There are many features embodied in the Taft-Hartley Act which are obnoxious and which have caused millions of fair-minded citizens, apart from the members of organized labor, to decide that this statute must be eliminated as quickly as possible.

Of all the distasteful provisions of the Taft-Hartley Act, there is one which stands forth as particularly vicious. This is the provision under which government by injunction, one of the foremost evils recorded in American history of the late 19th and early 20th Centuries, has been brought back to life.

Why is it that labor hates the injunction process? Is labor's attitude toward injunctions the result of some inexplicable emotion? Or is there a good reason—or many good reasons—for labors resentment of the injunction? Why does labor feel the way it does?

In order to understand why American labor will never accept the employment of judicial injunctions in labor-management controversies, it is necessary to dip back into history.

The most fundamental principle of our American governmental process is that the laws are written solely by the legislative representatives of the people—in other words, by men and women sitting in Congress and the state legislatures who have been elected by the people. As a corollary of this principle, there is the rule that the law-making prerogative must never be usurped—not even to an infinitesimal degree—by the courts.

It is also important to recall that the Constitution under which we live guarantees to each one of us certain rights—rights which are most precious and which are not to be set aside or nullified either by Congress or by a judge or by any other person or institution. These rights are freedom of speech, freedom of assemblage, freedom of the press and freedom of religion.

Nowhere does the Constitution speak of any right to issue injunctions to throttle the aforementioned freedoms and to crush the lawful associations which wage-earners form to protect themselves against the arbitrary, brutal acts of greedy and ruthless employers. There is no such right under the Constitution—but in the latter part of the 19th Century and for the first 3 decades of the present century a flood of antilabor injunctions, compelling workers to desist from the exercise of freedom of speech, freedom of assemblage and freedom of the press, poured from th courts of the nation.

Equal justice under law is a concept which may be regarded as the very cornerstone of our democracy. But in the half century of the antilabor injunction's heyday this principle was constantly flouted by the courts themselves. Instead of equal justice under law, the judges' writs of injunction represented unequal justice under an absence of law.

It takes little imagination to appreciate the jubilation of the mighty antiunion barons when they discovered that their dirty work was gladly performed for them by lawless judges. The Fricks and the Pullmans, whose aim was to block any betterment of the workers' conditions but to smash and destroy the workers' unions, slashed wages, fired union members, did everything imaginable to provoke their employes to strike action and then they sent their lawyers into court.

The corporation's attorney would pull out of his pocket a sweeping injunction against the workers. The document would be all ready for the judge. Usually the judge would affix his signature without the change of a comma. The injunction would go into effect. Immediately the news would be spread over the front pages of the newspapers. The law-abiding citizen, with his deep respect for the law, would conclude that the workers were in the wrong, that they were to be regarded as criminals whom the law had to restrain.

The newspapers, even more sweepingly biased against labor in those days when it was easier to hoodwink the public than it is now, would never carry a line to intimate that the true lawbreaker was the judge himself, since his action in issuing an injunction was without basis either in the Constitution or in the enactments of Congress. This was the truth, of course, but to tell the truth would be to spoil a colossal swindle which was highly profitable to big business.

Just think how the wage-earner of the injunction felt. Driven by low wages, long hours and health-shattering working conditions, he would join with his fellow workers to form a union. Acting with his fellows and through their newly established organization, they would appeal to their employer for consideration of their grievances. The employer would refuse to talk to them. He wouldn't negotiate. He wouldn't arbitrate. He wouldn't do anything of a reasonable nature. Not infrequently his answer would be to fire his work force and lock them out. Sometimes he would just fire some and slash the wages of those remaining.

The workers would meet at their union hall. They would discuss the situation. Given no alternative, they would vote to strike.

But the employer, having a powerful ally in the court, would quickly confront the strikers with an injunction.

The American Federation of Labor fought the injunction disease from the very beginning. The unfairness of the use of injunctions against workers was pointed out time and again. Appeals were made to public opinion. And eventually the tide began to turn.

Long before 1932, when the Norris-LaGuardia Act was put on the federal statute books by a Republican Congress and a Republican President, voices against the injunction evil began to be heard. Even judges spoke out against this criminal abuse of the power of the judiciary which was undermining public confidence in the courts and the administration of justice.

The National Association of Manufacturers, the National Metal Trades Association and other defenders of anti-labor corporations and their nefarious practices fought stubbornly to preserve the best strikebreaking tool in the book. They argued insistently that the