

commonsense  
**ANTI COMMUNISM**

**LABOR AND  
CIVIL LIBERTIES  
BETWEEN THE  
WORLD WARS**

Jennifer Luff

# Commonsense Anticommunism

*Labor and Civil Liberties between the World Wars*

JENNIFER LUFF

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## Commonsense Anticommunism

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## Introduction

Between the world wars, the conservative leaders of the American Federation of Labor (AFL) played a paradoxical role in American politics. They were leading proponents of popular anticommunism, and steadfast opponents of statutory restrictions on Communist organizing. In contrast to other anti-radicals, AFL leaders advocated a commonsense approach to Communism. Doubting the capacity of the law to distinguish between legitimate militancy and subversive radicalism, labor conservatives disapproved of legislation outlawing sedition. Instead they pursued a voluntarist program of evangelizing about the evils of Communism and excluding Communists from AFL unions. In the aftermath of the first Red Scare, labor conservatives formed a crucial backstop against reaction.

In the late 1930s, the situation changed. Alienated from the New Deal order and at odds with liberal union leaders in the competing Committee for Industrial Organization (CIO), labor conservatives abandoned commonsense anticommunism for calculated red-baiting. AFL leaders backed new antisubversive laws such as the Smith Act and the Hatch Act and strategically smeared federal labor officials and CIO competitors as Communists.

The history of labor anticommunism recasts our understanding of the origins of popular anticommunism and McCarthyism. Historians often treat anticommunism as a conspiracy of capitalists and conservatives who whipped the nation into a red-baiting hysteria after World War II in order to reverse the New Deal order. After enduring a merciless onslaught intended to roll back labor's recent gains, labor unions yielded to pressure and drove Communists and leftists out of their ranks. In these accounts, unions appear as the victims of anticommunism rather than as critical organizers and sustainers of the movement.<sup>1</sup> On the other hand, many historical studies of labor and anti-communism examine internecine wars among workers and union officials from the late 1930s through the McCarthy era. This literature often empha-

sizes how purging union radicals leached vitality from the labor movement, casting labor anticommunism as a “conflict that shaped American unions.”<sup>2</sup>

There is much to learn from this scholarship, but there is also more to the story, because the fight over Communism reverberated far beyond the house of labor. Labor anticommunism was a conflict that shaped the American state. Labor leaders did more than decide on union policy toward Communism. From the outbreak of World War I to the attack on Pearl Harbor, unions played a critical role in shaping federal legislation and policy on policing political radicals. Unionists had a unique perspective on Communism before the Cold War. The Communist Party (CP) was tiny and marginal in the interwar years, and few Americans encountered actual Communists. The party devoted most of its energy to recruiting workers, and especially members of AFL unions (even though the AFL was relatively small as well, representing less than one in ten workers before the Wagner Act). Thus in 1935 the AFL justly declared itself America’s “first line of defense” against Communism.<sup>3</sup>

During much of this period, the legal status of unionism itself was also dubious. In this context, AFL leaders thought seriously about the proper posture of the state toward domestic subversion, debating whether a policy could be contrived that distinguished between seditious conspiracy and militant but loyal labor protest. In the process, they crafted a distinctly laborist politics of civil liberties that rejected statutory limits on speech and assembly and opposed the expansion of federal political policing but acquiesced in ad hoc state repression of radicals. Thus AFL president William Green could simultaneously testify publicly against empowering the Department of Justice (DOJ) to pursue Communists—and privately request assistance from the Bureau of Investigation (BI) in identifying Communist unionists, as he did in 1930. It was a highly nuanced approach.

This nuance challenges historians to make sense of seeming contradictions in the federation’s stance. Different strands of historical scholarship contain pieces of the story. Traditional accounts of the history of civil liberties discuss the role of radical unions in free-speech fights but omit evidence of labor’s collaboration in antiradical repression. Historians of radical labor movements such as the Industrial Workers of the World (IWW) identify some of these instances of collaboration but overlook the AFL’s reluctant defense of the rights of Communists and Wobblies to speak and organize. Meanwhile, although its anticommunist rhetoric was unvaryingly antagonistic, the federation’s position on anticommunist repression changed over time. The consistency of the AFL’s polemics obscures alterations in its policy.<sup>4</sup>

This book untangles the complicated story of labor anticommunism in the interwar years, showing how labor conservatives became reluctant civil libertarians in the 1920s, and proto-McCarthyists in the late 1930s. It charts the turning points when AFL policy and practice changed on a timeline that begins before World War I with the birth of the modern civil liberties movement and follows the American Civil Liberties Union (ACLU) along with the AFL through the first Red Scare and the New Deal years. Although the ACLU and the AFL diverged ideologically, as the ACLU became more radical and the AFL more conservative, they often converged politically on civil liberties questions, arriving at common ground from different directions. In the late 1930s, both organizations shifted right, as the federation embraced Red Scare politics and the ACLU adopted the AFL's voluntarist approach to civil liberties, exposing and expelling Communist ACLU members but opposing statutory limits on their civil liberties.

The clarity of this account of national politics comes at the expense of local variations. This is the story of the actions of a small number of men who led the national AFL, which was itself a federation of unions. For much of its existence, the American Federation of Labor infuriated its opponents and confounded its allies. Historians often experience the same effect, finding the federation's expansive rhetoric of social justice to be at odds with its exclusive membership and moderation in bargaining and politics. From the beginning, the AFL was a political project, not an expression of the popular views of the working class. AFL leaders ruled the federation with a firm hand, engineering convention votes and adopting policy positions with little consultation from union leaders, let alone rank-and-file union members. At the same time, state and local branches of the federation exercised considerable autonomy and often pursued policies directly at odds with the AFL's national agenda. Affiliated national and local unions displayed even more heterodoxy. The actions of the national AFL cannot be taken to represent the desires of individual union members or workers more generally.

In fact, the AFL is interesting because it was not representative at all. Having mastered the art of federal lobbying, AFL leaders could exert influence far disproportionate to its membership, and often counter to their wishes. Building on the work of historian Julie Greene and political scientists Elizabeth Sanders and Elisabeth Clemens, this book explains how the AFL developed its distinctive political repertoire. By the Progressive Era, federation leaders turned to the new techniques of lobbying, forgoing formal party alliances and machine politics and instead dispensing political chits to supporters of narrowly defined nonpartisan demands. Despite fluctuations in its

membership and the shifting fortunes of the Democratic Party (an ally more often than the Republicans), the AFL remained a powerful force in national politics. The emergence of the CIO in 1935 undercut this influence, driving federation leaders to seek strategic alliances even with reactionary politicians, and demonstrating how instrumental a lobby the AFL had become. This instrumentalism made the AFL a formidable advocate.<sup>5</sup>

When the AFL spoke up about civil liberties, people listened. Numerous studies have shown how union organizing and worker militancy challenged prevailing orthodoxy on the freedom of speech and assembly. The IWW's free-speech fights feature prominently in this literature, as does the AFL's fight against the labor injunction. "Labor's constitution of freedom" insisted on the right to boycott, picket, and protest, and the long campaign for labor rights formed an additional, often-forgotten front in the broader struggle for civil liberties. By demanding industrial democracy, unionists expanded the meaning of political democracy. Yet these accounts of alternative labor visions rarely mention labor lobbying on traditional civil liberties issues: the rights of citizens to speak against the government and assemble in parties, and the proper role of the state in policing political activity. The AFL's influence in these debates far outweighed the importance of the IWW or other radical unionists, in part because its reliable antiradicalism gave the federation political credibility.<sup>6</sup>

Antiradicalism was bred in the bones of the AFL, and anticommunism grew organically out of AFL leaders' ideological opposition to socialism and syndicalism. From the earliest days of the Bolshevik Revolution, the federation pronounced its implacable antagonism to the Soviet experiment, and that antagonism never abated. In contrast to antiradicals who saw Communism as a cultural tendency or a symptom of social disorder, labor anticommunists understood Communism as a discrete political movement with a defined political program. Anticommunism was an ecumenical sentiment among AFL members; liberal and socialist unionists disapproved of the Communist Party's aims and methods as often as did conservative union leaders. Yet liberal union leaders generally saw Communists as annoying but bona fide radicals and confined themselves to denunciations of Communist treachery. Conservative unionists led the federation's fight against Communists in union halls and on Capitol Hill, and they helped define Communism as an alien doctrine propagated by agents of a foreign dictatorship. In the end, conservative labor anticommunists prevailed.

Since the fall of the Berlin Wall, history has seemed to vindicate AFL anti-communists. From the 1960s through the end of the Cold War, historians

rehabilitated the reputation of American Communists, documenting the party's advocacy of civil rights for African Americans and creative labor organizing in CIO unions and investigating the excesses of McCarthyist suspicions of Communist espionage and sabotage. In the process, some historians sanitized the CP, downplaying its revolutionary ambitions and discounting evidence that Soviet officials directed American Communist strategy. In these accounts, American Communism looked like a vibrant leftist social movement with internationalist affinities. Revelations from Soviet and American archives decisively altered this portrait. When researchers got their first glimpse of the records, they swiftly found confirmation of Soviet control of the American Communist Party and, to everyone's surprise, evidence that the party conducted significant espionage operations to collect U.S. military and diplomatic intelligence.<sup>7</sup>

What we now know about CPUSA clandestine operations, though, was largely invisible at the time. Labor conservatives' implications of Communist treason were based on rank speculation, and there is little evidence that they knew any more than contemporaries about the party's espionage operations. Labor conservatives who charged a vast Communist conspiracy were opportunistic, not omniscient, and subsequent archival confirmation of some of their wildest claims does not vindicate their case. Nevertheless, the end of the Cold War permits researchers to stand down from scholarly combat and dispassionately reconsider the origins of McCarthyism and the Cold War. In retrospect, it seems clear that the debates about Moscow's control over the American party grew out of then-current political concerns. Party activists and allies tried to shield themselves from opprobrium and suppression by insisting on their American roots and local allegiances. But the obvious appeal of the Bolshevik Revolution to American Communists was exactly the opposite. After 1917, Communism presented a global, disciplined force of revolutionaries capable of defeating tsarism and governing a major country. Its American adherents joined the party, and some members worked as American spies, to advance its revolutionary program.<sup>8</sup>

I rely on this post-1989 historiography on the Communist Party, and particularly research on its labor organizing; I contribute no new findings to scholarship on American Communism. I do contribute to the growing scholarship that reinterprets American anticommunism as a frequently rational response to the political blunders of American Communists and revulsion from the dictatorial tendencies of Soviet Communism. While labor conservatives knew little of espionage, they knew a lot about the Soviet Union, and they were among its earliest critics. Acknowledging the rational aspects



of anticommunism does not confer absolution for the red-baiting abuses described in this book. Anticommunism often provided a specious rationale for political chicanery. But unscrupulous manipulations of anticommunist sentiment do not invalidate the origins of the sentiment itself.<sup>9</sup>

Shared anticommunist attitudes helped build links between labor conservatives and the broader conservative movement. Anticommunism was a common thread that knitted together capitalists, farmers, and workers into a loosely organized conservative coalition. Studies of the origins of the modern American Right have found its organizers among Orange County housewives and City College intellectuals. I believe we can find their working-class counterparts in craft union halls.<sup>10</sup> The AFL's antistatist philosophy of "union preeminence" led its leaders to consistently favor privately negotiated union benefits over broad social programs.<sup>11</sup> Simultaneously, anticommunism drove AFL leaders to support robust political policing at home and interventionist Cold War policies abroad. The combination of these tendencies produced a distinctively laborist conservatism that abided for decades after World War II.

J. Edgar Hoover's FBI plays an unexpected role in this account. After taking over the bureau in 1924, Hoover insisted on statutory authority to police radicals and refused to abet AFL red-baiting. In the 1930s, Hoover's rectitude helped protect radical workers from AFL-instigated repression, earning the approbation of the ACLU. My study offers only a partial glimpse of the workings of the FBI, but it points to the need for a more thorough reconsideration of Hoover's role in the second Red Scare. Scholarship on state repression often treats people such as J. Edgar Hoover as power-mad and autonomous autocrats, but Hoover and other officials frequently resisted pressure to police radicals. As Hoover put it to a closed-door congressional session in 1930, "No one wants any legislation that abridges the freedom of the press or the freedom of speech, or the right to strike, or any inalienable right."<sup>12</sup>

Hoover's statement may seem incredible to anyone familiar with his villainous behavior at the bureau in 1919, when he orchestrated illegal dragnets to capture foreign-born radicals, or in 1962, when the FBI wiretapped Rev. Martin Luther King Jr. Hoover's words remind us that history matters, and anticommunism and McCarthyism were contingent, not inevitable. The FBI's actions in 1930 cannot be inferred by what the bureau did in 1919 or 1962. Likewise, the motives and deeds of labor anticommunists are not easy to predict. Here is their surprising story.