

1 Workers Organizing Industry

The New York City Garment Strikes of 1909 and 1910

THE FIRST steps toward industrial democracy came from below, from the workers themselves. New York City's ladies garment workers in 1909, and again in 1910, forced labor into the public's consciousness, providing the spark reformers and industry activists needed to envision an alternative to the current industrial order. This chapter traces rank-and-file workers' efforts to improve their lot. In the process, workers created an important and effective vehicle to channel their demands: a mature, stable trade union, the International Ladies' Garment Workers Union (ILGWU or ILG). The ILG would become a major force in shaping the direction of industrial democracy within New York City. This chapter traces the development of the ILGWU from 1909 to 1910. It looks at the interaction between workers and industrial democrats that developed and how this complicated relationship served both. Through that relationship, workers received the public support, expert advice, and financial assistance that enabled them to make significant improvements in working and sanitary conditions, wages, hours, and other important areas of concern. Industrial democrats gained as well, finding an arena for experimentation in industrial relations (IR). The chaotic nature of the New York ladies' garment industry made it a natural laboratory for industrial reform. If experts could reform this industry in this city, they could reform any industry. In the end, this symbiotic relationship between workers and reformers, while mutually beneficial, transformed the industry.

Massive strikes in 1909 and 1910 provided the impetus for changes in the IR system/regime that have missed the radar of labor historians. In 1909, women workers had no access, real or imaginary, to a public forum that could allow them to combat employers. Middle-class women reformers, principally the Women's Trade Union League (WTUL), bridged that gap for them. Out of a sense of maternalism, the WTUL moved from

doing public relations for the “girl” strikers to active leadership by 1910. By the time of the 1910 cloakmakers’ “Great Revolt,” male workers, who could by virtue of their gender already occupy public space, were never permitted that role by middle-class allies and union leaders.¹

The great strike of mostly women shirtwaist makers in 1909, known as the Uprising of Twenty Thousand, together with the Great Revolt of mostly male tailors in 1910, redefined IR, proving the crucible in which modern twentieth-century industrial policy was forged. This new IR, what I call Protocolism, transformed the conditions of labor and the relationship between labor and the public, and empowered a new professional elite at the expense of rank-and-file democracy. The predominance of women in the 1909 strike has made it a landmark in both women’s history and labor history. The focus of this vast scholarship has been on the cross-class alliances of middle-class women reformers with their trade union sisters.² By failing to follow up on the second garment strike, women’s historians have missed an important opportunity to study the role of gender on the newly forming labor policies in the ladies’ garment industry. These efforts by middle-class reformers to redefine IR, starting on the picket lines in 1909, were refined during the 1910 strike and would resonate for the next fifty years.³ These two events have too often been studied in isolation from one another. In the process, an important scholarly opportunity has been lost. By reconnecting these two events and studying them as a whole, one can trace the development of an emerging IR system. Middle-class reformers, mainly reform-minded social-worker types, played an active role in the 1909 strike. However, it was a secondary, supporting role. By the 1910 strike, reformers were leading participants. How this happened is the story of this chapter.⁴

THE UPRISING

Garment workers in 1909 and 1910 complained about the petty abuses and systematic terrors such as espionage, tyrannical supervisors, rudeness, poor pay, and favoritism they suffered daily. These abuses were the norm, not the exception. In addition, workers had the added indignity of paying for needles, thread, and electricity. At the heart of these complaints, therefore, were issues that went beyond bread-and-butter concerns to matters of humane treatment, citizenship rights, and industrial

democracy, best summed up in the Yiddish phrase *menghlekhe bahandlung* (humane treatment), which was a common rallying cry for the mainly Jewish garment workers.⁵ Bertha Elkins, a striker and Russian immigrant, put it this way: “I want something more than work and more than money. I want *freedom* [italics mine].” Workers, in 1909 and again in 1910, were striking for nothing short of democracy in industry.⁶ They demanded to be treated and recognized as people, and the strike was their vehicle for democracy.

Daily, workers faced an undemocratic system of arbitrary work rules, petty abuses, and poor pay, and miserable working conditions.⁷ Most manufacturers instituted a system of fines for their workers. Workers were also charged for “damaged” goods or products deemed of poor quality. Most simply felt that these were ploys to pay them less.⁸ Another clear abuse was the “ticket system.” Working on a piece-rate system, after each finished piece, workers received small tickets to be exchanged for their pay. Workers had no place to collect their tickets; they simply piled them up on their benches before them. Many workers regularly lost or misplaced tickets because they had no place to keep them. Workers alleged that the tickets were intentionally small and that they were not permitted anything to collect them in so that they would lose them and therefore be cheated out of wages. When workers complained or challenged management, they could be fired, labeled as troublemakers, and blacklisted in the industry.⁹ The system disempowered them, taking their dignity as well as their agency.

Clara Lemlich, a veteran worker and strike leader, recalled how badly workers were treated when they tried to stand up for themselves:

The bosses in the shops are hardly what you would call educated men. They yell at the girls and they “call them down” even worse than I would imagine slaves were in the South. They don’t use very nice language. They swear at us and sometimes they do worse.¹⁰

The analogy with slavery is a fairly common one for garment workers. Clearly, garment workers were not “enslaved,” as African slaves had been in America. Garment workers used the term as a powerful metaphor to drive home both their powerlessness and their struggles for (industrial) freedom. Lemlich knew in her heart that, like slaves, garment workers too would have their emancipation proclamation someday. She hoped, as others did, that they could free themselves.

Against such treatment, women demanded respect as both workers and as women. Historian Annelise Orleck and others refer to these women as “industrial feminists,” women such as Lemlich who came to a feminist consciousness through a worker consciousness. By 1909, a concurrence of oppressive conditions had created a combustible situation and raised workers’ consciousness about their own situation.¹¹

The spark that set off the Uprising occurred late in July 1909 at the Rosen Brothers shop, a large factory producing women’s shirtwaists or blouses. Rosen Brothers operated its factory under the “inside contracting system.” Inside contracting developed in large shops as a means to compete with small shops. Smaller shops constantly had a labor cost advantage over large shops through their sweating of labor. “Sweating labor” refers to the continual downward pressures on labor costs, that is, wages and conditions, that lead to sweatshops.¹² Through the use of cheap labor, small shops could undercut, and thereby undersell, the larger shops. In response, larger shops, in essence, brought the small shop inside through the inside contracting system.

Large factories such as Rosen Brothers designed clothing, hired skilled cutters to make patterns, and sold finished goods to retailers. They did not make clothes. Rather, they hired skilled workers under contract to make the garments, settling on a price per finished garment, or the piece-rate. These inside contractors, in turn, hired teams of their own workers who actually made the garments. The inside contractor contracted with these workers and negotiated their own piece-rate. All work, however, was done within the factory, under the supervision of the firm. The chief benefits of this system were that it allowed management to sweat labor, provided flexibility, and gave management insulation from labor conflict. Inside contracting allowed Rosen Brothers to expand and contract production as needed, without worrying about hiring and firing workers. And, lastly but most importantly, inside contracting allowed firms to take advantage of sweated labor by continuously lowering labor costs and wage rates. Rosen, and other shops, continually adjusted (or lowered) piece-rates in an attempt to remain competitive with the small sweatshops in the industry. In short, sweatshops were driving industry standards.¹³

The massive strike in 1909 started when Rosen Brothers refused to pay the negotiated price, or piece-rate, that was agreed upon with its inside or subcontractors. Instead, the firm sought to renegotiate the rate. The inside contractors at Rosen, however, convinced their 200 workers

to walk out with them to demand a just price. Arguing that if the price they were paid was lowered, the wages they could pay the workers also would be lowered. The workers turned to Local 25, the shirtwaist-makers' local of the ILGWU and the United Hebrew Trades (UHT) for assistance. The five-week strike was typical of garment strikes in many ways. First, thugs hired by the firms assaulted strikers on the picket lines. Second, strikers were subjected to police brutality. Third, strikers relied on the support of other unionists. And finally, local leadership never fully gave up control to the national union—even if the ILGWU received most of the press coverage and appeared to the public to be in charge. Yet, in the face of insurmountable odds, and after a five-week struggle, Rosen Brothers settled with the union. The workers gained union recognition, a 20 percent piece-rate hike, and, more importantly, a shop-floor committee to give workers a democratic voice. The first significant victory for Local 25 was achieved, and with it, workers streamed into the union and strike talk spread.¹⁴

The ILG had seen all this before. But, in the past, workers had left the union as quickly as they joined. Garment workers, according to one industry historian, were “emotional strikers but disinterested unionists.”¹⁵ One ILGWU organizer put it this way: “[The] greatest stumbling block is the indifference of their own [union] members.”¹⁶ Abraham Cahan, editor of the *Jewish Daily Forward*, the socialist community paper of the Lower East Side and quasi-official organ of the ILGWU, recalled the cycle of boom and bust that the ILGWU experienced in these years: “When our movement gave birth to a child, somehow or other, the child did not live. No sooner was it born then it died and then a new child would have to be born and the same thing would occur.”¹⁷ Thus, during the Rosen Brothers' strike, the ILGWU, the American Federation of Labor (AFL), and Local 25 tried to impress upon workers to stay with the union for the long haul. Frank Morrison, AFL secretary, told the strikers in August 1909,

You waistmakers are generally successful in all strikes, but as soon as a strike is over you drop from the union. Do not keep away from the union. Attend all meetings and help those in the union to carry out their plans for betterment of your condition.¹⁸

As the Rosen Brothers strike was being settled, strike fever spread to other shops throughout the city. These strikes were unorganized and spontaneous in that workers went out first, then, like the Rosen strike,

contacted and joined the union. Two of these strikes, at the Leiserson and Triangle shops, became the focus in the industry. Leiserson and Triangle were the two biggest shops. If the union could crack them, it could crack the entire industry. The owners of Leiserson and Triangle knew this, and the battle lines were firmly drawn.¹⁹ One hundred and fifty workers walked out of Leiserson's shop protesting starvation wages and, more importantly, the brutal tyranny of one Italian foreman. But it was the Triangle shop strike that soon became the union's focus.²⁰

In an effort to circumvent the union, Triangle had created a company union in 1908 and stepped up its activities in the summer of 1909. By mid-September, the "Triangle Employés [*sic*] Benevolent Association" had itself become the source of employee grievances. Workers began to demand that the association distribute a ten-dollar "Passover Allowance" to every member, not just a select few who were loyal to management. Triangle management saw this as a maneuver to disrupt the association by liquidating its funds. Management stepped in and refused to let the association give out these allowances, demonstrating to the workers the true nature of the association. Instead, it permitted the association to only lend ten dollars to needy, "worthy" families.²¹

Some of the workers, about 100, became so aggravated by the company's actions that they began to discuss unionization seriously for the first time. A special meeting of Local 25, the UHT, and Triangle workers took place behind locked doors and drawn shades at the union's headquarters at 96 Clinton Street. Soon after, Triangle's spies singled out these workers and the firm laid them off, claiming a slack time in production. Espionage was nothing new for the garment industry. At the same time, the union learned that Triangle had placed ads in many of the city's papers calling for replacement workers. The union, recognizing this as a lockout, declared a strike against Triangle on September 27.²²

By mid-October, it appeared to union leaders that unless something drastic was done the strikes at Leiserson and Triangle would be lost. Both firms hired thugs to disrupt pickets and kept their factories open with scab labor. Under these circumstances, Local 25 and the UHT began to contemplate a general strike. However, it was a risk. Local 25 had approximately 500 members and only \$4 in its treasury. Still, the workers were driven by a hyperpassion for unionism that just might sustain a call for a general strike. Local 25's fifteen-member Executive

Board (including four women, one of whom was Clara Lemlich) met to discuss the idea of a general strike. At a general meeting of the local on October 21, the union voted for a general strike and appointed a Committee of Five (three men and two women) to put it into effect. As talk of a general strike spread from shop to shop, picket-line violence, police brutality, and use of thugs hired by shop owners increased. The union was in a precarious position.²³

Early on in the strike, middle-class reform women became increasingly visible. Many, seeing these mainly young immigrant women strikers as “sisters” in the larger women’s rights struggle, ran to the picket lines as a show of feminist solidarity. Others operated under an older sense of noblesse oblige, an effort to protect these fragile girl strikers. Middle-class female reformers, whatever their motivation, stepped up their activity as the strike wore on. The focus of these reformers’ activities was the New York WTUL. The national WTUL was founded at the American Federation of Labor’s Boston Convention in 1903 by the noted socialist William English Walling, labor organizer Mary Kenny, and Hull House’s Jane Addams, along with others. The WTUL saw itself as filling a necessary void. The leaders believed in labor unions as a democratic necessity. But unions had ignored women workers. The WTUL’s goal was to aid local and national unions in organizing women. It quickly established branches in Boston, Chicago, and New York. The NYWTUL therefore saw the 1909 strike as its opportunity.²⁴

On November 15, the union’s Committee of Five realized that shop-by-shop organizing would not work; only a general strike would offer a solution in an industry as fragmented as shirtwaists.²⁵ It called for a general meeting to be held at Cooper Union later that week. On the night of November 22, an overflow crowd had to be directed to other halls throughout the city, Beethoven Hall and the Manhattan Lyceum among them. “For two hours,” the *New York World* reported, “attentive audiences were cautioned to use deliberation, to be sober in their decision, but to be loyal to each other, and when they did decide to strike to stand by their union until all demands were granted.”²⁶

The speakers that night also used the occasion to address the manufacturers. Samuel Gompers, president of the AFL, told the strikers, “If you cannot get the manufacturers to give you what you want then strike, and when you strike, let the manufacturers know that you are on strike.” Gompers told workers to concentrate on three key demands: a

10 percent wage increase, union recognition, and an end to police brutality and thug violence. "Strike and let them know it," Gompers implored the workers, "use it as an opportunity to strengthen the union."²⁷

After listening for two hours, Clara Lemlich rose to speak. While many of the reporters did not recognize her, the garment workers surely did. She was a member of Local 25's Executive Board, a leader of the Leiserson strike, and an equally fiery socialist. Rising and taking the floor, she said:

I am a working girl, one of those who are on strike against intolerable conditions. I am tired of listening to speakers who talk in general terms. What we are here for is to decide whether we shall or shall not strike. I offer a resolution that a general strike be declared—now.

What Lemlich wanted was action, not words. With that, "the big gathering was on its feet," according to the *New York World*:

[E]veryone shouting an emphatic affirmative, waving hats, canes, handkerchiefs, anything that came handy. For five minutes, perhaps, the tumult continued; then the chairperson, B. Feigenbaum [of the *Jewish Daily Forward*], made himself heard and asked for a seconder of the resolution. Again the big audience leaped to its feet, everyone seconding.²⁸

Feigenbaum asked the audience to take the Jewish oath. "Do you mean faith?" he screamed. "Will you take the old Jewish oath?" The crowd rose and repeated the pledge: "If I forget thee oh Jerusalem, may my right hand wither, may my tongue forget speech." The Jerusalem Feigenbaum referenced was not merely a religious symbol, but a signifier for the union movement. It demonstrates the extent to which radical Jews replaced theology with the new ideology of unionism.²⁹

The next day, 15,000 shirtwaist makers walked out. The first few days were simply chaotic, as thousands of workers tried to crowd into Clinton Hall, Local 25's headquarters, to join the union. Clinton Hall had the atmosphere of a religious revival meeting. In one corner, workers were dancing, in another, signing union cards, and in yet another, talking strategy.³⁰ It took days for Clinton Hall to gain some semblance of organization, thanks in part to the help of the WTUL, who sent in dozens of members to handle the flow of people.³¹ Once things calmed down, Local 25 sent strike committees from location to location trying to settle all the strikes shop by shop. By November 26, 2,000 workers

had settled and returned to work, but another 1,200 had walked out on strike.³²

While the call for the strike might not have surprised many workers, the means by which it took place certainly confused many; it also demonstrated the level of solidarity between the workers. One worker recalled how her shop decided to go out:

I did not know how many workers in my shop had taken the oath at that meeting. I could not tell how many would go on strike in our factory the next day. When we came back the next morning to the factory, though, no one went to the dressing-room. We all sat at the machines with our hats and coats beside us, ready to leave And there was whispering and talking softly all around the room among the machines: "shall we wait like this?" "There is a general strike." "Who will get up first?" Well, so we stayed whispering and no one knowing what the other would do, not making up our minds for two hours. Then I started to get up. And at just the same minute all—we all got up together, in a second. No one after the other, no one before. And when I saw it—that time—oh, it excites me so yet I can hardly talk about it.³³

Many of the small and medium-sized shops settled with the union on all of the wage and hour demands. The strike occurred just at the tail end of the busy fall season. Therefore, many smaller shops with orders to fill and a hand-to-mouth existence sought a quick settlement. While these settlements differed from shop to shop, they had several main features: union recognition; shop-committee arbitration for piece-rates; a union shop, or at least union preferences when hiring; and an end to charges for thread, needles, and electricity. The agreements also instituted a system of fines against management for breaking agreements. While these fines were small, the highest being \$300, the profit margins were so close at many shops that even the smallest fine could close down a shop.³⁴

The seventy large manufacturers that dominated the trade, led by Triangle and Leiserson, however, stayed firm. Rather than go it alone or attempt to negotiate with the union, the owners of Triangle, Max Blanck and Isaac Harris, circulated a letter in early November to all shirtwaist manufacturers suggesting the formation of an Employers Mutual Protective Association " in order to prevent this irresponsible union in gain[ing] the upper hand . . . [and] dictating to us the manner of conducting our business."³⁵ According to most newspaper accounts,

by the evening of November 24, two days after the call for a general strike, more than 20,000 workers remained on strike.³⁶

Following Triangle's call, the new Association of Waist and Dress Manufacturers (the association) met on November 25 and 26 at the Broadway Central Hotel. It elected I. B. Hyman as chair and Charles Weinblatt as secretary and legal counsel.³⁷ Declaring open war on the union, Samuel Floersheimer, speaking for the association, stated that any contract signed with the ILGWU or Local 25 was not "worth the paper it was written upon . . . [for] the men connected with the union are a lot of irresponsible black guards."³⁸ The organization further called for all manufacturers who had already signed contracts to openly break them and lock out their workers. Firms, then, who joined the association, according to Floersheimer, would be striking a blow for "liberty." Yet, few small shops took this advice. During this brief chaotic period, these settled firms were doing a brisk business picking up the orders left unfilled by the larger shops, and they were not going to jeopardize it for the larger shops or for any matter of principle.³⁹

Larger shops, such as Triangle, were able to fight the union effectively for several reasons. First, they never shut down production. Second, they were able to shift production to factories outside of New York. Triangle, for instance, had operations in Yonkers and Philadelphia. Third, these shops subcontracted with those smaller shops that had already settled to fill fall orders. Fourth, as the strike moved into the winter, entering the slack season, larger firms had the resources to simply wait out the strikers.⁴⁰

In late November, members of Local 25 recognized that some of the larger manufacturers had shifted production to Philadelphia. It appeared as if the New York strike would be lost because of these "run-away shops." In an effort to shore up its flanks, Local 25 began to open discussions with the Philadelphia Shirtwaist Union. By mid-December, with the aid and prompting of Local 25, the Philadelphia waistmakers called their own general strike. In establishing working-class solidarity across geographic boundaries, the Philadelphia strike was an important turning point for the union. That the shirtwaist workers of Philadelphia would also walk out reaffirmed the New York strikers' faith in the union and signaled a new coordinated militancy to management. Finally, the industrial workforce was functioning as a *unified* workforce, setting the first stage for industrial democracy.⁴¹

VIOLENCE, BRUTALITY, THE WTUL, AND THE "EMPLOYER'S LAW"

Compounding the union's uneven success in combating ethnic divisiveness and other internal problems were external forces such as the law and middle-class attitudes. Strikers, for instance, were beaten and terrorized by toughs and prostitutes hired by management. They were regularly jailed for contempt of court. Moreover, many newspapers suggested that the strikers deserved this treatment. As one picketer recalled, "There was the law to protect the employer, but only the workers to protect the workers."⁴²

Yet, it was this very violence that proved a turning point for the strike. As most of the strikers (80 percent) were young women, the violence aroused the maternalistic instincts among the middle-class reform women. These reformers entered the strike to protect their sisters from abuse and in the process played an unintentional role in transforming IR.⁴³

Large manufacturers hired private security agents, mainly to keep their factories open with mostly nonunion Italian labor. In their circular letters, these agencies included the names of known gangsters, thugs, and toughs.⁴⁴ These services performed two main functions: to disrupt picketing and break the morale of the strikers, and to allow the use of scabs to keep their production going. On August 12, before the general strike, Rosen Brothers hired detectives to protect the "Italian girls" who remained inside the shop. During an altercation in front of the shop, several picketers were badly beaten. *The Jewish Daily Forward* published photos of the girls and the names of the toughs. These "detectives" all had lengthy criminal records.⁴⁵

To many of the strikers and their allies, the courts seemed to be merely an extension of management. For example, after Clara Lemlich was beaten so badly that she was hospitalized for several days, the five men who beat her were acquitted by Magistrate Robert C. Cornell. At the hearing, the superintendent of the Rosen factory, a Mr. Ross, informed the judge that these men were hired simply to protect the "Italian girls" who remained at work.⁴⁶ At the arraignment on September 15, the men who beat Lemlich were arraigned together with a large group of strikers. The thugs—a prizefighter and several ex-convicts—were let go, even as Lemlich remained in the hospital. Six days earlier, the police had arrested

four strikers for “assaulting” scabs. This was after the armed band of toughs had terrorized and beaten the four young workers. Again, they were let go while the girls were fined ten dollars apiece for disorderly conduct.⁴⁷

Increased violence against young and teenaged women, coupled with the injustice of the court system, finally worked to the strikers’ advantage, as it gained the waistmakers public support among the middle class. By the end of October, the police had arrested 77 strikers; by January 1, the number had reached 707.⁴⁸ For many affluent supporters of the strikers, the legal status of women was a straightforward issue demanding paternal intervention. To the elite, paternalism functioned through a complex lens of class and gender ideologies. These strikers needed protection not just because they were women, but also because they were poor and young. This paternalistic ideology saw the strikers as children needing help and support. However, for many strikers, the inequality of the legal system was explained solely as a class issue. As Theresa Malkiel’s *Mary*, the young striker who narrates her fictionalized *Diary of a Shirtwaist Striker*, stated:

[T]hey [middle-class women] try to tell us that it ain’t lady-like to go out on strike. Why don’t they say that it ain’t lady-like to go out into the factories and work from morn until night and the same thing over again the next day til we get to see nothing but work and the machine before us.⁴⁹

Still, the strikers, to hold the support of the middle class whom they desperately needed, never argued the point too loudly, lest they lose valuable allies.

The judges and magistrates, in front of whom came strikers and thugs alike, were almost of one mind on the strike. Typical were the words of Magistrate W. H. Olmstead. Addressing a fifteen- or sixteen-year-old striker in Children’s Court, he declared: “You are on strike against God and nature.” So, although peaceful picketing was legal in New York in 1909, municipal judges thought otherwise. They convicted scores of girls on vagrancy, solicitation, disorderly conduct, and assault charges. They fined hundreds and sentenced dozens more to the workhouse. It seems only one judge, Paul Krotel, dismissed some charges and made an attempt to remain neutral, while Magistrates Joseph E. Corrigan, Robert C. Cornell, Peter T. Barlow, and W. H. Olmstead did not.⁵⁰

One magistrate announced that he would convict strikers just for using the word *scab*: “If these girls continue to rush around and cry

'scab' I shall convict them of disorderly conduct. There is no word in the English language as irritating as the word 'scab.'"⁵¹ Magistrate Frederick B. House went so far as to oppose the Superior Court of New York's support for the right to picket:

There has never been a strike in this city in which pickets have been employed that there has not been a breach of the peace. Although the higher courts, including Judge Rosalsky in General Sessions, have held that strikers have the right to employ pickets and call names, I personally differ from them. I think such conduct tends toward a breach of the peace.⁵²

The strikers' response began a chain of developments that was to turn the tide of the strike toward labor. Rather than become intimidated by these developments, the strikers increased their picket and strike activity. As Mary, Malkiel's factious striker, recognized, "The judges and the police make the mistake of their lives if they hope to stop us by keeping up this jail business—every arrest makes a firm convert to the cause."⁵³ The strikers also raised money for a defense fund.⁵⁴ Then, in a critical move, they brought middle-class women onto the picket lines and made their presence the centerpiece of strike resistance. Before the direct engagement of the middle-class reform women on the side of labor, the manufacturers' association was clearly winning the strike. As long as they could keep the shops open with scab labor, they could hold out. Now the presence of middle-class women on the picket lines disarmed the association.⁵⁵

On October 23, the police arrested Margaret Johnson, a middle-class "ally" and member of the WTUL, for picketing. With this, the activity of the WTUL increased. One incident, which sparked a sustained controversy, was the arrest of Mary Dreier on November 4. Working-class women had demanded that their allies in the WTUL fully participate in the strike by scheduling themselves for picket watches around the clock.⁵⁶ Dreier, a socially prominent woman and WTUL leader, had been persuaded to picket in an effort to protect the strikers. Many working-class members of the WTUL believed that the mere presence of the middle-class women would be enough to end the violence, or more specifically, to shield them. Picketing peacefully in front of the Triangle factory, Dreier tried to convince some of the scabs not to cross the lines. One of their escorts called her a "dirty liar." With that, Dreier approached a police officer and said, "You heard the language that man used to me. Am I not entitled to your protection?" The policeman replied that he

could not be certain that she was not a liar. When a scab then accused her of assault, it was Dreier who was arrested. She was brought to the Mercer Street station, but when the police discovered who she was, they released her immediately. The arrest of Dreier brought heightened press coverage and a more intense WTUL effort to end police brutality and legal injustice.⁵⁷

Dreier's arrest and immediate release, however, demonstrates the difference in perspective between the workers and the allies. Dreier, a woman of wealth and privilege, was accustomed to police protection. Workers, on the other hand, were accustomed to police abuse. Dreier found her treatment intolerable—upset by the simple fact that she was being treated like a common worker. The police were not just disrespectful of her as a “lady,” they were disrespectful of her class privilege as well. Dreier and many other WTUL allies wanted the police and judges to treat the girl strikers with the same respectability accorded to women of the middle class. For Dreier, gender trumped class.

After Dreier's arrest, the WTUL began to investigate police abuse and the use of private detectives by the association. On December 4, Bertha Poole Weyl, WTUL member and wife of prominent liberal journalist Walter Weyl, issued a press release detailing her investigations of the use of criminal elements by the association to crush the strike. The WTUL traced the criminals to agencies that, for a fee, would provide strong-arm men for the association. These “special detectives” would move in and cause a disturbance on the picket line, knowing that the police would arrest everyone but would eventually let them go and jail only the strikers. Weyl suggested that the police were working with these criminal elements and called for an official investigation. I. B. Hyman, chair of the association, responded that it was the strikers who caused the violence. “I shouldn't blame the employers if they used toughs . . . these strikers do such things!” he argued. The employers, he suggested, were simply protecting themselves and the workers who were not on strike from danger.⁵⁸

However, the abuse of strikers by management thugs and the police continued unabated, regardless of the WTUL's reports or protests. In late November, Judge Joseph Corrigan, in fining Jeanie Bloom ten dollars for disorderly conduct, announced that if any more strikers came before his bench he would send them straight to the poorhouse.⁵⁹ In late December, Corrigan kept his promise, sentencing shirtwaistmakers

Bessie Alperin and Rosa Rabinowits to Blackwell Island.⁶⁰ Actions such as this got women such as Anne Morgan and Alva Belmont, two of the richest and most prominent women in New York, involved. Belmont, of the Political Equity League, was an active suffragist, who saw in the Uprising an opportunity for building cross-class alliances for the suffrage movement. After spending countless hours observing trials at the Jefferson Market Courthouse, her suffrage hopes led her to conclude that women judges would solve the workers' problems:

I have arrived at the conclusion that we would all be better off if we visited the night court more frequently. Conditions in the mismanaged social life of New York City are no where else so forcefully brought out. . . . There will be a different order of things when we have women judges on the bench. . . . During those six hours I spent in that police court I saw enough to convince me and all who were with me beyond the smallest doubt of the absolute necessity for woman suffrage.⁶¹

In an effort to connect the Uprising to the suffrage movement and forge a cross-class coalition, Belmont and her Political Equity League organized a massive public meeting at the Hippodrome on December 5 to protest police brutality, gain the support of strikers for suffrage, and gather middle-class support for the strike. Ministers, rabbis, and unionists addressed the crowd. But, it was noted socialist speakers such as Methodist preacher Dr. Anna Shaw, Rose Paster Stokers, and Leonora O'Reilly who were the stars of the evening. Each, in turn, addressed the large crowd in terms that connected the strike's class and gender components.⁶²

Class cleavages, however, always threatened to dissolve this coalition. Moreover, this problem of class would be a critical one in the creation of Protocolism and industrial democracy. Workers needed their middle-class allies, but they constantly had to fight with them over who would control the process, who would speak for the workers, and what was the proper role for an ally of labor. Even before the formation of the first Protocol, in 1910, workers were constrained by the actions of their allies. On January 2, a huge meeting was held at Carnegie Hall to raise money for strikers and gather public support for the strike. While the event was paid for by Anne Morgan, Mrs. Nathan Strauss, and Mary Beard, among others, the event was an effort by the strikers and the union to take back the strike from their wealthy allies by redefining the issues. Here, they would redefine the issue of police involvement in

the strike. It could be said that the police were a surrogate or metaphor for the state. Therefore, workers were trying to redefine the relationship between labor and the state. On the stage that night, in the first row, were twenty strikers who had served time in the workhouse. They wore signs declaring that they were “workhouse prisoners,” or that they had been “arrested.” Over their heads, behind the stage, was a sign that read: “The workhouse is no answer to a demand for justice.” Behind those 20 girls stood 350 girls who had been arrested. To the workers who organized this display, then, the state was no friend to the working class, but a tool of capital. Morris Hillquit, Rabbi Stephen S. Wise, and Leonora O’Reilly gave impassioned speeches. O’Reilly led out Rosa Perr, a striker who had served a five-day sentence in the workhouse. Perr described in detail the abuse she suffered.⁶³ Many mainstream daily papers like the *World* and the *Evening Journal*, not to mention the socialist *Call* and the *Jewish Daily Forward*, spoke of the “innocent girls.” In contrast, the *Times* scolded the WTUL for not curbing the passion, lawlessness, and what it saw as the “untrained impulses” of the strikers. The *Times* seemed to suggest that jail would not be required if only these girls were better behaved. The *Times* went on to call for more workhouses and prisons for those that did not.⁶⁴ The pageant forced the middle-class allies to look anew at the role of the state. They began to ask how it could be made neutral, or even better, how the state could be refashioned into a tool for reform.⁶⁵

The next day, 10,000 strikers marched four abreast to City Hall. Led by WTUL leaders Mary Dreier and Helen Marot and, most importantly, by worker Rose Schneiderman—special East Side organizer for the WTUL and leader of the Triangle strikers—they marched to present Mayor McClellan with a petition calling for the city to end police abuse. Many of the marchers wore armbands that said, “We are not slaves” in Yiddish. The mayor met the marchers, took the petition, and told the group that he would have the police commissioner look into the matter.⁶⁶

The workers’ public actions made the police abuse visible to the middle class. Moreover, it was in this way that the strike was brought to the immediate attention of Progressive reformers in New York City. The unjust treatment of the strikers forced E.R.A. Seligman, professor at Columbia University and active member of the American Association for Labor Legislation (AALL), Mary K. Simkhovitch, social worker at the University Settlement, muckraking journalist Ida M. Tarbel, and

social reformer Lillian D. Wald to write to the *New York Times* in protest “against the injustice displayed by the police in the case of the young shirtwaistmakers on strike.” The *Times* responded that the police were just doing their duty; they were not partisans. Seligman and company responded with details of “shocking and offensive partisanship.” This dialogue lasted for several days, and while neither side convinced the other, it provided readers with a detailed airing of police abuses. It also allowed the public a glimpse of what workers faced almost daily.⁶⁷

In addition to providing public support, middle-class reformers aided the strikers in a number of important ways. The WTUL had sixty-five members on picket watch, raised \$50,000 to \$60,000 in fines and bail for strikers, coordinated press conferences, helped to edit special editions of both the *Call* and the *New York Journal*, and raised more than \$20,000 for the strike fund. In exchange for this activity, the WTUL was given two seats on the union’s Strike Committee.⁶⁸ The WTUL and the UHT also arranged for legal aid. During the course of the strike, eight lawyers aided the union and the strikers. These lawyers and the WTUL helped draft detailed rules for strikers to help minimize their legal danger and to aid in their defense.⁶⁹

The attention gained through the police brutality incidents brought much needed support and assistance from reform groups, most notably the WTUL. Despite all this assistance, many of the strikers and their more radical allies chafed at the control the WTUL attempted to wield over day-to-day operations. Many strikers felt the allies were condescending. Bertha Weyl’s characterization of dealing with the strikers as “like handling a vast kindergarten” was typical.⁷⁰ Also representative was the working girls’ reaction to a December 19 luncheon at the Colony Club. A committee of society ladies (WTUL members all) invited women from New York’s “400 families” to meet the strikers for lunch. Ten strikers met these women and, over lunch, told them of their plight. These women eventually gave \$1,300 for the strike fund. Yet, many of the strikers and their working-class supporters, including Theresa Malkiel, felt they had been put on display, much like animals in the zoo. Like characters out of Malkiel’s *The Diary of a Shirtwaistmaker*, these strikers were forced to perform for the money. Malkiel criticized the society women for never leaving their living rooms or social clubs to see the reality of workers’ daily lives, instead preferring the fiction of a novel or the drama of recreation to the real thing. When, on December 12, Malkiel and a

group of strikers unexpectedly showed up at Alva Belmont's front door for an impromptu discussion, Mrs. Belmont's secretary informed them that they would have to submit their questions in writing. Women like Malkiel, and O'Reilly for that matter, believed that while the support of middle-class women was necessary, workers should have little faith in their sincerity, or in the possibilities of a united front of women.⁷¹ However, Malkiel realized, as the strike dragged on and interest began to wane, support of any kind was necessary. Some of these allies, especially the youngest of them, the college students, could be "the bravest of the brave, day in and day out shivering from cold and at time drenched to the skin."⁷²

The WTUL was not alone in its support for the strike. Behind the scenes, the Socialist Party, the Workingman Circle, and the United Hebrew Trades (UHT) were all aiding the union and the strikers. They remained constant in their support throughout the strike. In late December and early January, when the strike was at its darkest days, the UHT's members helped raise money for the shirtwaist strike fund by assessing half of one day's wages from each member.⁷³ Newspapers like the *Call* and the *Forward* ran daily accounts of the strike, and almost daily calls for strike funds, especially from December through February. The *Evening Journal* and the *Call* printed special strike editions, edited by the union and allies, to publicize the strike and raise money. The strikers had many allies. But it was their union that took the lead as the strike dragged on. Public support could only go so far.⁷⁴

NEGOTIATIONS

Central to almost any strike is the ability of the union to reach a successful settlement. The relationship between middle-class reformers and the ILGWU was both important and complex. However, the reformers' relationship was with the leadership of the ILGWU, not with the rank-and-file membership. The leaders of Local 25 and the ILGWU needed the reformers to put public pressure on the city administration to stop police abuses. In addition, they needed the reformers to pressure the shop owners to come to the bargaining table. Once there, however, the union leaders and their advisers would handle the process of negotiations. Even as early as 1910, workers, who created the union and the movement for change, were being slowly and surely pushed to the side

by a team of union leaders, professional advisers, and reformers, all pushing for industrial democracy.

Negotiations to end the strike began as early as the strike's second month, but without much success. While much is known about the picketing, curiously little is known about the process of negotiation. What made this strike different from others was not just the number, age, and gender of the strikers, but the *style* of bargaining that developed. Early on, both sides created elaborate new organizational structures for collective bargaining. In addition, individuals and groups outside of the New York garment industry and union shaped the bargaining process. The forces behind the new structures were led by men from within the union and elite women and men from without. One reason given for the need for this new, more bureaucratic structure was the youth and gender of the strikers. The strikers' inability to overcome the biggest stumbling block, combined with the association's absolute refusal to deal with the union, led many to believe that the details of bargaining should be handled by professionals—union leaders and reformers. The shift in structure proved necessary to set the process in motion for transforming IR in the industry.⁷⁵

On December 6, a break in the stalemate came in the form of John Mitchell, ex-president of the United Mine Workers, and Marcus M. Marks, president of the Clothiers' Association. Both of these men embodied a new spirit of industrial relations. They saw labor relations as involving more than just workers and managers. They argued for and used their collective influence to gain a position for "the public" at the bargaining table. Acting on behalf of the National Civic Federation (NCF), Mitchell and Marks offered their services to help break the deadlock and end the strike. Their solution called for a six-member Board of Arbitration, each side choosing two members and the four choosing the remaining two, who would represent the public's interest. They argued that the current situation would hurt both sides and "prove only which side is stronger, not which side is right."⁷⁶

The union quickly responded to the NCF call and appointed socialist leader and union adviser Morris Hillquit and Mitchell as their chosen representatives. Hyman, speaking for management, on the other hand, refused the services of the NCF, announcing that he would have nothing to do with the union. Marks, trying to give the association an out, announced that Hyman spoke only for himself, that his statements

were personal, not official.⁷⁷ Marks's strategy proved effective. On December 10, Hillquit and Mitchell met with Hyman and J. B. Flaherty of the association. But, after only a few hours, the meeting broke up.

The central issue that stalled the talks for the association was union recognition. The association issued a statement later that night which stated that "under no circumstances [would they allow for the] unionization of their shops . . . the waist and dress manufacturers would never sign any union agreement." At its heart, the disagreement was simple. The association would not submit the issue of a union shop or recognition for arbitration. For its part, the union would not discuss other matters until this central one was resolved.⁷⁸ The workers' strength lay in collective action, and by extension, industry-wide collective bargaining. But, to succeed, the union needed to be duly recognized as the sole bargaining agent for the workers. Recognition was therefore central. Speaking later in December, Hillquit reminded the union that the primary issue had to be an industry-wide collective agreement. Anything less would be a defeat. As he said:

[C]ollectively the waistmakers are strong, individually they are helpless and defenseless. If the employers were today to concede all the demands of the strikers, but be allowed to destroy or even weaken the union, they could and would restore the old condition of servitude in the shops, with in a very few weeks or months.⁷⁹

The union and its members saw union recognition as an emancipation proclamation to end years of servitude. It was something they were intent on holding out for as long as possible.

During the week following the breakdown in talks, Marks tried to get the association to reconsider its position, while Mitchell attacked them for backing out of a deal.⁸⁰ The association responded to these arguments by attempting to connect this strike with the open-shop drive. It also attempted to tarnish the ILGWU as a radical union, which it in fact was, and to sell the open shop as part of the American principles of individual liberty and democracy. Nevertheless, by 1909 and 1910, even the conservative *New York Times* had begun to argue that unions must provide class stability and, quite possibly, were a bulwark against revolution.⁸¹

In an effort to regain public support, the association invited elite women to investigate its shops and factories, which, it insisted, were