We Always Had a Union: New York's Hotel Workers Union, 1912-1953

And Other Published Writings on Unions, Workers Rights, Radical History and Working Class Culture

PhD by Publication

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In a time when plutocracy mingles with economic privation, hesitating federal interventions in collective bargaining help raise workers' expectations–and quickly dash their hopes–leading to a modest uptick in strike activity, wage gains and consumer price increases. Bosses and unions alike await a Supreme Court decision that could bring to a halt the very idea of a legal right to organize.[1] The time I am referring to is the first New Deal. But of course, I could easily be describing the U.S. at the dawn of the Trump II era.

I've been making versions of that joke for a few years now, as I address myself to audiences of union activists.[2] It quickly establishes my approach to understanding labor's predicament: typically reach for historical parallels to make sense of the promise and peril of the current moment, and grope towards would-be breakthrough strategies. What I have learned from historical research squares with my practitioner experience, on the whole: bosses' strategies vary only with the boldness they feel they can get away with in any era; unions, on the other hand, practice a kind of oral tradition in training and strategy that can leave them trapped in strategic cul-de-sacs. The tendency of my work, learning those lessons of history, is to remind readers and audiences that some of the old approaches that were abandoned along the way, in the interests of progress, might actually offer greater potential in present times than is generally acknowledged. This PhD by Publication represents the main body of my findings, accumulated over many years of research and union activism. Union advancement and worker power require experimentation with strategy and tactics; an appreciation of what worked in the past combined with a willingness to ditch convention.

Over ten years, I have developed my work in a succession of publications–from one major book on labor strategy (*Tell the Bosses We're Coming*, Monthly Review Press, 2020) to a second on labor history (We Always Had a Union, 2025) and a series of articles in public-facing left magazines and journals like *In These Times* and *Jacobin*, and mainstream newspaper

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[1] Shaun Richman, "The Right Believes It Has the Supreme Court Votes to Overturn Labor Law," *In These Times*, October 22, 2024 (https://inthesetimes.com/article/supreme-court-overturn-nlrb-labor-law; Accessed January 2, 2025).

[2] Examples: "In a period of extreme inequality and capital consolidation, with most workers suffering low wages and bad conditions, unions that suffered a loss of power and membership following an epic union-busting campaign across industries and regions struggled to reevaluate old formulas and find a breakthrough strategy. I'm writing, of course, about the 1920s." (in "Labor Dis-Unity: A 1920's Source of Left-Wing anti-Communism," *American Communist History*, Volume 20, Issue 1-2 [2021]). "In a period of extreme social and economic crises, when the major labor unions have reduced their organizing programs to a fraction of what they once were and the courts stand athwart any effort to protect workers' interests, scrappy new independent unions raise hope against hope that maybe — just maybe — workers can fight back and win. I'm writing, of course, about the early 1930s." (in "Independent Unions Can Help Break Through the Economic Crisis and Labor's Paralysis," *Jacobin*, August 20, 2022; https://jacobin.com/2022/08/philip-foner-book-review-depression-labor-history Accessed January 2, 2025).

op-eds, as well as a think tank white paper. I discuss all of these works in more or less detail in the lines that follow, and they constitute the main body of work I am setting out as my portfolio.

Throughout those various works, I have argued that the current legal framework for worker representation and collective bargaining had become a trap for unions, leading to declining efficacy and power, and more burdensome requirements of responsibility for maintaining labor peace. I've questioned the value of exclusive representation in a "right-to-work" environment, and pointed to historical, contemporary and global examples of union competition. I've sought to balance the appreciation of what can be won in worksite-based enterprise bargaining with a frank explanation of its limitations, and suggested alternative models of "all in" unionization–including industrial wage boards, legislated payroll deduction for at-large membership and "right to your job" just cause laws. Whether offering an analysis of the present, framed by an understanding of historical context, or researching the past with an understanding of its relevance for today, or in all other aspects of my writing, my work has sought to empower union organizers to make strategic decisions about the movement.

Most recently, my research for *We Always Had A Union* has taken me to a pivotal moment in the development of the labor movement and brought me to an appreciation of union history that significantly departs from the conventional scholarship. As I have sought to demonstrate and substantiate my central contention in my more specifically historical research and writing, I have largely focused on organizing campaigns that predate the pivotal 1935 National Labor Relations Act—or which effectively utilized parallel processes. I've found a rich vein of material on that time period in the unions of the old American Federation of Labor. There are good reasons for making that my focus. Although the oft-told stories of the Congress of Industrial Organizations taking full advantage of the New Deal labor board still best tells the broad sweep of the success and legitimization of unions, as well as the development of the post-World War II labor relations paradigm, it's the unions of the AFL–particularly the Hotel Employees and Service Employees–that found their own amalgamationist path to industrial unionism, and which continued to be powerful and relevant unions into the 21st century, even as the legal environment became increasingly hostile to unions that relied upon the protections of the state. Perhaps because this was a subject that lacked the drama of the great strikes of the steel and auto industries, and possibly because service workers have been seen as less masculine, these unions were largely ignored by mainstream narrative, like the major biographies of Sidney Hillman, John L. Lewis and Walter Reuther and Melvyn Dubofsky's State

and Labor in Modern America or Nelson Lichtenstein's Labor's War at Home.[3] But as my work has consistently argued, they offer lessons for durability and strength.

In a surprising contrast to the often prevalent perception of labor activism in the twentieth century, the Hotel Employees (and, to a lesser extent, the Service Employees) represent the high water mark of Communist influence within the AFL–and it was a far more significant influence than most historians have appreciated. In fact, as my work shows, New York's hotel workers, as an independent union that competed with the AFL union before ultimately merging with it, are one of the most significant bastions of Communist activity in labor unions throughout the entire 1920s decade. As such, although it wasn't my goal when I set out to become a labor historian, I have found myself developing a second track as an historian of American Communism. Indeed, as I show here, I am one of a small group of historians who are forging a new, third school (or, camp, if you will) of American Communist historiography. Evolving from the orthodox school of the 1950s (which sought to explain the Russian control of the movement) and the 1970s revisionists (who aimed to explain communism as domestic in both roots and goals), we make use of the opened Soviet archives and FBI files (plus union records, memoirs, newspapers and more) to take a "warts and all" approach to the Communists as simply some of the best documented labor struggles of the past century and the largest outside intervention ever made into U.S. trade unions. In short, my work brings to light an under-studied aspect of the labor movement, and in so doing brings a new understanding to the place of Communism in American history.

Lastly, and speaking to the full range of my work, I am seeking a PhD in American Studies because my research (and activism) has long addressed what I understand to be the full range of struggles in American life. History, I argue, helps us to understand the mess of political and cultural challenges confronting us today–from sharp political polarization to the domination of tech robber barons, or the frequent indignity of life and work in late stage capitalism. I have attempted in my work over these years to reflect on contemporary events while setting them in historical context–to speak to a public-facing audience, using the lingua franca of pop culture movies, music and TV, along with labor history.

The portfolio I am presenting, then, consists of a solo-authored book, published by a peer-reviewed academic press (*We Always had a Union*, University of Illinois Press, 2025); a

[3] Melvyn Dubofsky and Warren Van Tine, *John L. Lewis: A Biography* (Quadrangle, 1977); Melvyn Dubofsky, *State and Labor in Modern America* (University of North Carolina Press, 1994); Stephen Fraser, *Labor Will Rule: Sidney Hillman and the Rise of American Labor* (Free Press, 1991)' Nelson Lichtenstein, *Labor's War at Home: The CIO in World War II* (Cambridge University Press, 1982); Nelson Lichtenstein, *The Most Dangerous Man in Detroit: Walter Reuther and the Fate of American Labor* (Basic Books, 1995)

chapter from another peer-reviewed book, an edited volume on working class depictions in popular media; two articles from a peer-reviewed journal on union change; a vetted white paper produced by a progressive think tank; and an article from a peer-reviewed historical journal. Moving forward, I am drafting two more history books, have a contract with a university press to produce an edited volume on scripted television depictions of unions and I will continue to utilize my perch at public-facing progressive magazines to comment on current affairs. The portfolio is, then, a representative sample of the main body of my work.

Concluding this section is a brief synopsis of my full-length history of New York's hotel workers unions, which is one of the primary documents I'm submitting in my portfolio. Following that, this paper is broken down into four large subject areas in which I have made significant contributions to the literature and an understanding of history. These include the fields of U.S. labor history and the history of American communism, but also the multi-disciplinary field of labor studies (in particular, in research and writing on union change and labor law reform) and the field of cultural criticism.

My approach is probably best exemplified by *We Always Had a Union: New York's Hotel Workers Union, 1912-1953.* In that book, I document a sustained union organizing effort among workers in the culinary industry, from the progressive era into the Cold War. My book vividly demonstrates how the union organized–its staffing, use of literature and organizing committees–and responded to employer opposition through adjusted priorities, Unfair Labor Practice Charges and legal appeals. It shows how common card check and voluntary recognition was in the early days of the unionization drive, and how early-on employers began utilizing "questions or controversies" to force the kind of high-stakes, winner-take-all union elections with which contemporary union advocates are familiar. The book also highlights how the landmark federal law, the National Labor Relations Act, applied only to enterprises in a narrowly-defined "interstate commerce," leaving many service sector employees in hotels and restaurants to appeal to copycat State Labor Relations Boards for union certifications and ULPs. My book also shows how difficult it can be for a union to corral employers into a multi-employer bargaining framework; how employers try to hold out and break away from the framework; how difficult these can be to preserve, let alone duplicate. Many employers in which the union was certified as bargaining agent in 1938-1939 resisted signing on to the IWA framework until compelled by the National War Labor Board (NWLB) in the 1940s.[4]

[4] Shaun Richman, *We Always Had a Union: New York's Hotel Workers Union*, *1912-1953* (University of Illinois Press, 2025), 132, 149, 193.

As I show, this workers organization began as an independent effort, because the American Federation of Labor's Hotel & Restaurant Employees union was nativist, craft-oriented and wholly ill-suited to take on large chain corporations. After an industry-wide strike in 1912, this International Hotel Workers Union fell under the influence of the Industrial Workers of the World, and prominent Wobblies like Elizabeth Gurley Flynn and Joseph Ettore led a new citywide walkout in 1913. Although overshadowed by banner events in Lawrence and Paterson, the hotel workers strike was emblematic of the period when the Wobblies competed with the AFL for organizational supremacy and provided a syndicalist vision of class warfare. The failed strike has also been described by Melvyn Dubofsky as a "fiasco," and an example of the IWW"s "emphasis on direct action, sabotage, and violence-suffused rhetoric."[5]

The workers regrouped and formed a new union that was inspired by IWW principles, particularly the emphasis on wall-to-wall industrial organizing, the refusal to sign timed contracts with "no strike" agreements and a continuing penchant for syndicalist rhetoric and analysis. They kept this union, the grandiosely-named International Federation of Workers in the Hotel and Restaurant Industry, independent of the IWW and AFL. Another industry-wide strike rocked New York in 1918, giving an early start to the post-war strike wave. Although HRE historians have typically regarded it, unfairly, as a failure, the union nevertheless emerged "with a rudimentary form of representation in about 30 shops where the workers stayed organized."[6]

In 1920, the union adapted to new circumstances after the war. They merged with a like-minded independent bakers union and formed the Amalgamated Food Workers. Numbering as many as 20,000 members, it was a large, stable and successful union during a period (the entire 1920s, and into 1935) when organized labor was generally in retreat. At the radical leading edge of union activism, AFW leaders were founding members of the Communist Labor Party (the "half of the left of the left" that John Reed sought to have "recognized by Moscow as the real Communist Party in America" in the docudrama film *Reds*).[7] The union took a leadership role in the largely-forgotten "amalgamation" movement and was a founding member of a suppressed effort to create a new left-wing federation of independent unions of the early 1920s. Within the Communist Party's Trade Union Education League (TUEL), the AFW fought

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[5] Melvyn Dubofsky, *When Workers Organize: New York City in the Progressive Era* (University of Massachusetts Press, 1968), 121-124.
[6] Shaun Richman, *We Always Had a Union: New York's Hotel Workers Union, 1912-1953* (University of Illinois Press, 2025), 50-53.
[7] *Reds* (1981) Script, Transcript DB (website), https://transcripts.thedealr.net/script.php/reds-1981-LaN (Accessed: June 10, 2022).

for and won an exception to the party's directive to enter and "bore from within" the craft unions of the AFL.[8]

Communism was a guiding light for the union, although it did draw members into the party's infamous internal controversies. Aside from the AFW's successful fight to square its independence with the TUEL program, and its losing battle to secure Party permission to continue building its federation of independent unions, the union was shaped by two more, otherwise esoteric turns in the Communist line during the 1920s. The "Loreism" controversy of 1925, discussed below, caused a rupture that saw several hundred dissidents form new locals of the AFL-HRE to compete with the AFW. And the 1929 "Third Period" saw the Communists themselves split from the AFW to form a new "red" union within the Trade Union Unity League (TUUL), called the Food Workers Industrial Union.

The divisions, ironically, served to prove the value of labor peace to the hotel bosses. In the last citywide hotel strike during the period of my study, the AFW, FWIU and AFL-HRE competed for leadership of the rank-and-file by vying to be either the most reasonable, or the most militant, union on offer. Within the maelstrom of the strike, anti-Stalinists competed with Communists and racketeering gangsters for dominance, and employers found it difficult-to-impossible to make a settlement that would "stick," as any union was free to reject the terms as insufficient and continue to organize picket lines.

The five-week strike, launched on January 23, was one of the first of the 1934 strike wave. Like most of the other strikes, it was exacerbated by the federal National Recovery Administration, which raised workers' hopes by endorsing a "right to organize" and forcing employers to confer over alleged violations of that right, and then dashed their expectations by refusing to compel formal union recognition. Union leaders would later deem the strike a failure, but the experience convinced key federal and local officials to force the hotel industry to agree to a framework for representation, as long as the workers could agree on a single, exclusive representative.[9] Sometimes industrial disputes can have unintended consequences, and even a campaign that appears unsuccessful at the time can deliver unexpected outcomes.

The Communists, who emerged dominant from the 1934 strike, began a unity campaign that anticipated the coming "Popular Front" Party line. Before the year 1935 was over, the AFW merged into the FWIU and the newly reunified independent union began negotiating for entry into the AFL-HRE. The FWIU's entreaties were aided enormously by a groundbreaking

[8] Shaun Richman, *We Always Had a Union: New York's Hotel Workers Union*, *1912-1953* (University of Illinois Press, 2025), 49-60.
[9] Shaun Richman, *We Always Had a Union: New York's Hotel Workers Union*, *1912-1953* (University of Illinois Press, 2025), 90-102, 128-130.

prosecution of the criminal protection racket embroiling the leadership of two HRE locals and dozens of cafeterias, restaurants and nightclubs. Special prosecutor Thomas E. Dewey pioneered several strategies in litigating racketeering and popularized a few myths about the "mob," riding the public acclaim for his conduct to the NY Governor's mansion and the 1948 "Dewey Defeats Truman" presidential election. My research raises concerns that in his zeal, Dewey allowed the violent gangsters who led the "Dutch Schultz" gang to escape justice while railroading some union men who were more the victims of the racket than its masterminds.

The sorry state of local leadership in HRE, combined with the fact that the Communist-led FWIU had thousands of members in New York (and solid plans to organize tens of thousands more) while HRE only had dozens, solidified what was essentially a merger as the Communists were welcomed in and given their own brand-new charter for Hotel & Club Employees Local 6. This stands in stark contrast to the traditional narrative of "Communist penetration" of unions, mostly limited to the Congress of Industrial Organizations and mostly as John L. Lewis' hired guns.[10] Also in contrast to the story of CIO-style industrial unionism, the Communist leaders of Local 6 revived an earlier model of "amalgamation," achieving industrial unity not through one big union, but rather through a bargaining council that represented multiple AFL craft unions in one industry-wide collective bargaining agreement. The New York Hotel Trades Council, still in existence today, was modeled on William Z. Foster's Stockyards Labor Council and National Committee for Organizing the Iron and Steel Workers of the 1910s, in likely consultation with the great steelworkers organizer himself, who long advised New York's radical hotel unionists and was a "great friend" to its leaders.[11]

The Hotel Association, the employers group that signed a neutrality agreement with the NYHTC unions in 1938, also borrowed from early models of labor relations. They hired attorney David Drechsler away from the men's clothing industry and copied the tripartite grievance and negotiations structure that it shared with the Amalgamated Clothing Workers, complete with an Impartial Chairman of the hotel industry.[12] While the Hotel Association negotiated an Industry-Wide Agreement with the Hotel Trades Council, the contract would only apply to affiliated hotels and only where the Trades Council was certified as the bargaining agent. My book shows how the union painstakingly racked up bargaining units. From its first card check

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[10] Irving Bernstein, *The Turbulent Years: A History of the American Worker, 1933-1940* (Haymarket Press 2010 edition), 782-783; Robert H. Zieger, *The CIO, 1935-1955* (University of North Carolina Press, 1995), 1-2, 38.
[11] William Z. Foster, *From Bryan to Stalin* (International Publishers, 1937), 242; "Michael J. Obermeier, NY-100-25774," Federal Bureau of Investigations, 23-26.
[12] Shaun Richman, *We Always Had a Union: New York's Hotel Workers Union*, *1912-1953* (University of Illinois Press, 2025), 128-130.

certification petition at five hotels, covering 2,774 workers, in June 1938, the union grew to over 25,000 members in 63 hotels by December, 1939. Workers at another 81 hotels would organize their way into the IWA framework over the next six years. This demonstrates the complexity and ongoing employer resistance to forming a multi-employer bargaining framework, a project that needed the intensified federal intervention of the National War Labor Board.

In important ways, the NYHTC's experience with the NWLB is a story that complements Nelson Lichtenstein's classic study, *Labor's War at Home*, which focused on the CIO's experience in the oligopolistic mass production industries.[13] While it was the patterns set with large employers in steel and auto by the CIO that developed the wartime and postwar labor relations paradigm, the NYHTC was a pioneering example–only the second–of a formally-constituted multi-employer collective bargaining agreement being subjected to NWLB hearings, studies and ultimately approval of its wage packages. The union won a health insurance benefit during the war years. As distinct from the CIO unions (who mostly eschewed privately-negotiated benefits, hoping for the day that the New Deal spirit would be revived for an expansion of the Social Security Act to cover health care) and most AFL unions (who simply negotiated for employers to sponsor insurance plans for union members), the NYHTC negotiated an employer sponsored of union-run health care clinics, with doctors and nurses on staff. It was, and remains, a miniaturized system of socialized medicine. The union was also, like most Communist-led unions, a huge booster of the Allied war effort. HRE Local 6 won praise from the AFL's notoriously anti-Communist first vice president Matthew Woll for the second-best fundraising haul for "Labor's War Chest," its $107,897 only "bested by the entire International Ladies Garment Workers Union."[14] Other pro-war work, like Local 6 President Michael J. Obermeier's German-language propaganda and intelligence for the Office of Strategic Service put them in the crosshairs of the Federal Bureau of Investigation, which was already preparing for the *next* war *against* the Communists.

As I document in some detail, the union was targeted during the Cold War in ways that resonate with the larger experience described by other labor historians. Obermeier was arrested at the union office on September 8, 1947. He was the second of 135 union activists charged in a "new widespread drive against Communists by the Department of Justice" that immigration officials mildly described as being "in normal order."[15] My book's narrative follows his deportation

[13] Nelson Lichtenstein, *Labor's War at Home: The CIO in World War II* (Cambridge University Press, 1982).
[14] Shaun Richman, *We Always Had a Union: New York's Hotel Workers Union*, *1912-1953* (University of Illinois Press, 2025), 172.
[15] Shaun Richman, *We Always Had a Union: New York's Hotel Workers Union*, *1912-1953* (University of Illinois Press, 2025), 190.

procedure in intimate detail, putting in horrifying relief the denaturalization and deportation tools that are still available to the government to punish dissent. Under pressure from the federal government, the AFL and the embittered ex-Communists in the union's ranks, the Hotel & Restaurant Employees international union did pass a controversial ban on Communists in union leadership at its 1947 convention. But there was no purge. Unlike the CIO, which took an across-the-board approach in 1949 to kick out the Communist-led international unions and set up new rivals to decertify them out of existence, HRE and the AFL didn't suffer as much reputational damage from the continuing existence of Communist leaders in New York. HRE President Hugo Ernst was too much of a liberal and a civil libertarian to purge the Communists. There may also be some even more personal reasons that Ernst did not want to punish a minority group, as I delicately introduce him in my book:

> The official history of HRE, published in the mid-1950s, would describe the San Francisco waiter as a "dandy" and a "lifelong bachelor" who "loved travel" as well as a cosmopolitan intellectual who gravitated towards socialism and industrial unionism. With hindsight, he was clearly an outsider who embraced other outsiders and would go on to become an important ally to the radical New Yorkers.[16]

Yet, as my work shows, instead of a purge, the Communists were ultimately driven from the union in a political split. Incredibly, William Z. Foster rejected a power-sharing deal and instead sought to depose NYHTC President Jay Rubin who distanced himself from the 1948 Henry Wallace campaign, the Stockholm Peace Petition and other CP front initiatives that were clearly ordered in the service of Soviet interests. "Remaining part of union leadership coalitions," I write, "were not worthwhile to [Foster] if union leaders wouldn't use their power and platform to advance causes in the interest of the survival of the Soviet Union."[17] The result was a disaster for the CP. Although the split went right down the middle, with half of the union's vice presidents and business agents remaining loyal to Jay Rubin and half sticking to the Party line of opposition to him, Rubin asked for Ernst to finally initiate a trusteeship in 1950 and apply the union's anti-Communist provisions to his opponents.

Though it retained the progressive politics and trades council structure it inherited from the Communists, the NYHTC became, at mid-century, the epitome of postwar liberalism, which

[16] Shaun Richman, *We Always Had a Union: New York's Hotel Workers Union*, *1912-1953* (University of Illinois Press, 2025), 64.
[17] Shaun Richman, *We Always Had a Union: New York's Hotel Workers Union*, *1912-1953* (University of Illinois Press, 2025), 240.

is why I end the narrative there. The focus of my book, really, is on the evolution of thought and tactics of the hotel workers as they moved from syndicalism to Communism to government-regulated labor relations. I will draw on the lessons of the NYC hotel workers' story throughout this paper, but particularly in the next two sections.

U.S. Labor History

My approach to labor history breathes new life into the now too-often too-easily dismissed and neglected institutionalist approach of John R. Commons, and his associates. Trained as an economist, and politically active as a progressive reformer, Commons suffered professionally for his advocacy of workers' causes and acknowledgement of distinct class interests until he found a home at the University of Wisconsin, where he basically founded U.S. labor history as an academic discipline. I contend that an updated version of the institutionalist approach can be instructive because it offers a keen perspective on precisely the aspect of the labor movement that has slipped out of focus in recent decades: the workers' organizations themselves. Under Commons' editorship, and primarily written by his graduate students and mentees (most notably Selig Perlman, David J. Saposs and Philip Taft), the four-volume *History of Labour in the United States*, published by the MacMillan Company between 1918 and 1935 served as the standard text for generations. Known as "the Wisconsin school," Commons et. al. focused on unions as institutions and on workers' "gradual evolution from independent craftsman to modern factory worker, and the corresponding evolution of their protective organizations from primitive guild to industrial union," according to Maurice Isserman. "The study of labor history convinced Commons that [AFL President Samuel] Gompers' conservative trade unionism was the logical culmination of trends inherent in the American labor movement."[18]

Taft was a late entrant to the Wisconsin school, and his long life and career overlapped with succeeding–and more critical–generations. In his landmark two-volume history of the American Federation of Labor, Taft–either stung by, or already critical himself, of Commons' and Perlman's philosophy of union development–studiously kept "to a minimum social and economic history not directly related to the issues covered, declaring his desire "to delineate more sharply the activities of the organization itself." "The resulting work was," according to David Brody, "unerring in its grasp of institutional realities. Nowhere else can we find so fully realized the way the AFL operated."[19]

[18] Maurice Isserman, "'God bless our American institutions': The labor history of John R. Commons," *Labor History*, Volume 17, Issue 3 (1976), 322, 326-327.
[19] David Brody, "Philip Taft: Labor Scholar," *Labor History*, Volume 19, Issue 1 (1978), 19.

The field came into its own beginning in the late 1950s, with the debut of the journal *Labor History* and a new generation of scholars such as David Brody, Melvyn Dubofsky, Herbert Gutman and David Montgomery receiving tenure-track positions in traditional American History departments but becoming, according to Dubofsky, concerned with sociological and political science "questions of power and how industrialization and urbanization affected working people."[20]

Gutman took the lead in criticizing the Wisconsin school for their narrow focus on the "few workers who belonged to trade unions" prior to the 1930s, and for methods that "encouraged labor historians to spin a cocoon around American workers, isolating them from their own particular subcultures and from the larger national culture."[21] David Montgomery profoundly influenced generations of labor historians, beginning with what Joshua Freeman called his "intense interest in the details of work life," particularly "workers' tasks and routines, their efforts to control the pace of work, and their complex relationships to machinery, supervisors, and one another."[22] Alan Dawley went so far as to call the dozens of scholars whose PhDs Montgomery supervised "the Pittsburgh school," which Dawley characterized as emphasizing "class conflict at the workplace; a careful delineation of the full scope of working-class ideologies…and a persistent struggle for democracy at the workplace and in society at large." James R. Barrett notes a further emphasis in Montgomery's "school" on the "difference and diversity within working-class populations and the implications of this diversity for working-class experience."[23] I agree, but a labor history that deemphasizes the union develop, strategy and narrative risks chasing off an important segment of its audience: labor activists.

Joshua Freeman was part of a generation that followed Montomery, et. al., and, expanding on their techniques, really focused on the development of the postwar labor relations paradigm. Freeman's history of the New York's Transit Workers Union, *In Transit*, as well his political and cultural history of post-war *Working-Class New York*, are notably joined by Nelson Lichtenstein's history of the War Labor Board and biography of Walter Reuther and Stephen Fraser's biography of Sidney Hillman as books that are essential to understanding the power

[20] Melvyn Dubofsky, *Hard Work: The Making of Labor History* (University of Illinois Press, 2000), 7.
[21] Herbert G. Gutman, "Work, Culture, and Society in Industrializing America, 1815-1919," *The American Historical Review*, Volume 78, Issue 3 (June 1973), 536.
[22] Joshua Freeman, "The Leading Labor Historian in the United States," *International Labor and Working-Class History*, Issue 82 (Fall 2012), 30–31.
[23] James R. Barrett, "Remembering David Montgomery (1926–2011) and His Impact on Working-Class History," *Labour / Le Travail*, Volume 70 (Fall 2012).

and the limits of the labor movement today.[24] Their work largely focused on the CIO. While the upstart unions are where most of the contest over the social democratic potential of the New Deal, the scope of bargaining, triumph of enterprise bargaining over sectoral or multi-employer frameworks were won and lost, then, a focus on the CIO is still essential for understanding the broad sweep of American labor history. But CIO-centrism in labor history still leaves blind spots for contemporary students. It is the craft unions of the AFL that adapted to the regulatory framework and industrial organizing–particularly the Hotel Employees, Service Employees and Teamsters–that have survived and best adapted to the 21st century economy and less-hospitable federal regulatory environment, and thus studying them may offer more valuable lessons for contemporary union activists. As writers on union change tend to focus on these old AFL unions in the 21st century, so too do I focus on their earlier history.

Add to this the inadvertent focus on stereotypically masculine jobs in auto work and factories in general that preceded them. Brody focused on *Steelworkers in America: The Non-Union Era*. Montgomery's landmark *Fall of the House of Labor* similarly explored steelworkers, with an emphasis on how corporate barons of a concentrating steel industry in the 1890s warred with their craftsmen employees to wrest control of the work process away from workers and unions and institute mass production techniques. Dubofsky studied and wrote about radical organizing campaigns among low-wage and itinerant workers, particularly those of the Industrial Workers of the World.[25]

[I agree with Ira Kaznetzelson, who has called for "a labor history that refuses to choose between currently fashionable alternatives and finds a way, as in some hands it has begun to do, to reincorporate at the center of the discipline the subjects of state-focused politics, institutions, and law."[26] In my historical research and publications, I have strived to put out material that is both accessible and relevant to current union activists. With an emphasis on narrative, I have focused on union strategies in periods of relative weakness (like the amalgamation movement and experiments with independent trade unionism in the 1920s), on

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[24] Stephen Fraser, *Labor WIll Rule: Sidney Hillman and the Rise of American Labor* (Free Press, 1991); Joshua B. Freeman, *In Transit: The Transport Workers Union in New York City*, 1933-1966 (Oxford University Press, 1989); Joshua B. Freeman, *Working-Class New York: Life and Labor Since World War II* (New Press, 2000); Nelson Lichtenstein, *Labor's War At Home: The CIO in World War II* (Cambridge University Press, 1982).

[25] David Brody, *Steelworkers in America: The Non-Union Era* (Russell & Russell, 1970); Melvyn Dubofsky, *We Shall Be All* (Quadrangle, 1969); Melvyn Dubofsky, *When Workers Organize: New York City in the Progressive Era* (University of Massachusetts Press, 1968); David Montgomery, *The Fall of the House of Labor: the Workplace, the State, and American Labor Activism, 1865-1925* (Cambridge University Press, 1987).

[26] Ira Katznelson, "The 'Bourgeois' Dimension: A Provocation about Institutions, Politics, and the Future of Labor History," *International Labor and Working-Class History*, Issue 46 (Fall 1994), 15-16.

abandoned roads of legal reform (pre-NLRA union rhetoric centering the First and Thirteenth Amendments, the tri-partite industrial code setting of the National Recovery Administration, the state-level "baby Wagner Acts" of the pre-civil rights era) and documenting and translating current union organizing practices, and those of older generations.

One of the largest gaps that I have tried to nudge the field towards a better understanding of is the old American Federation of Labor—where institutional histories of craft unions have largely fallen out of fashion in favor of studies of the industrial union of the CIO. It is true that the postwar labor-relations paradigm was mostly set by the unions of the CIO, but I argue it is the craft unions of the AFL that have survived into vitality in the 21st century. Their growth during the proverbial "turbulent years" was less through federal compulsion against recalcitrant employers (as one might characterize unions that depended on the NLRB to win their first collective bargaining agreements did) than through a more rough-and-tumble voluntarist approach (albeit, one still undergirded by some state laws) that compelled multiple–often smaller–companies into employers associations and multi-employer contracts. These frameworks allowed unions like the Hotel Employees, SEIU and Teamsters to weather the hostile regulatory environment of what we consider the post-Reagan era, but in reality began as early as the 1960s, as Lane Windham has shown, with hints of the union-busters' playbook developing even during the course of my 1912-1953 narrative.[27]

To summarise, my contention is that our field of labor history is badly in need of fresh histories of the unions of the old AFL; particularly the craft unions that embraced new forms of industrial (or amalgamated) organizing and made significant gains in new membership, and particularly the unions that remain most relevant in the 2020s.

Perhaps a sign that this view is beginning to gain purchase is a rising scholarly interest in the Hotel and Restaurant Employees union (today known as UNITE HERE).[28] That said, much of this work focuses on the last 40 years, when the union did the hard work of developing a thoughtful scientifically-informed organizing model and actually scoring some impressive victories and membership growth. My own contention is that an appreciation of the union's older history is essential for understanding the AFL, as it was (with the exception of the Prohibition years) almost always one of the labor federation's ten largest affiliates; a union that

[27] Lane Windham, *Knocking on Labor's Door: Union Organizing in the 1970s and the Roots of a New Economic Divide* (University of North Carolina Press, 2017).
[28] I will note *here* that prior to its merger with the Union of Needletrades and Industrial Textile Employees, most scholars referred to the union by the acronym it adopted in the 1970s: HERE. For the purposes of my 1912-1953 narrative, HERE would be a retronym, so I use the older abbreviation when referring to the union in that era, but will use HERE when discussing the union during the period of the 1970s through the mid-2000s.

shifted from craft-model to industrial organizing, and vocally opposed the expulsion of the CIO unions but remained a loyal member of the AFL.

Julius B. Getman's *Restoring the Power of Unions* explores the development of UNITE HERE's organizing model beginning with a campaign among Yale University's cafeteria and clerical workers in the 1970s.[29] David Whitford is currently researching and drafting a book that will cover the international union's history from the 1950s until the present era. His work is being financially supported by UNITE HERE. There is an earlier volume of official history of the Hotel & Restaurant Employees union, Matthew Josephson's *Union House, Union Bar.*[30] That book covered the period of its 1880s pre-history to around the period that my book ends (the mid-1950s). To the extent that Josephson obscures timelines around embarrassing episodes of racketeering infiltration and Communist deal-making, it is akin to a primary source document. But even as the official history, it is (for now) the primary contribution to the literature on this union. Josephson's book was preceded by *Growth of a Union: The Life and Times and Edward Flore,* which two of my subjects, Jay Rubin and Michael J. Obermeier, wrote in order to ingratiate themselves with the leadership of the Hotel & Restaurant Employees.[31]

Meanwhile, Dorothy Sue Cobble has written a celebrated study of the union's approach to women's organizing. In *Dishing It Out,* she critically reappraised the old HRE, showing how its approach to craft unionism carved out a space for the inclusion and empowerment of waitresses in the early 20th century. She argued that the international union offered potential models for the 21st-century labor movement to "appeal to the growing female-dominated service work force."[32] Cobble's book did inspire a number of (particularly women and immigrant) activists to enter the Hotel Employees union in the 1980s-90s and begin to revitalize the union.

HERE features heavily in the industrial and labor relations literature of the 1990s and 2000s. Books like *Rebuilding Labor: Organizing and Organizers in the New Union Movement* and *Rekindling the Movement: Labor's Quest for Relevance in the 21st Century*, as well as specific studies like *On Strike for Respect: The Clerical and Technical Workers' Strike at Yale University, 1984-85* and Getman's *Restoring the Power of Unions* profile HERE campaigns among immigrant workers in California, the six-year long strike at the Frontier hotel in Las Vegas and, perhaps most importantly, the decades of organizing among the support staff at Yale

[29] Julis B. Getman, *Restoring the Power of Unions* (Yale University Press, 2010).
[30] Matthew Josephson, *Union House, Union Bar* (Random House, 1956).
[31] Jay Rubin and Michael J. Obermeier, *Growth of a Union: The Life and Times and Edward Flore* (The Historical Union Association, Inc., 1943).
[32] Dorothy Sue Cobble, *Dishing It Out: Waitresses and Their Unions in the Twentieth Century* (University of Illinois Press, 1991).

University.[33] It was at Yale that a local leader named Vincent Sirabella developed worker-centered models of organizing amidst wider corporate campaigns, and mentored a generation of union organizers who are credited with saving the union.

In these studies we see a range of tactics that have bubbled to the surface as union best practices. In *We Always Had a Union*, I show that union tactics that we think of as being developed more recently–particularly rank-and-file organizing committees, card check and neutrality agreements, boycotts and strikes for recognition–were tools that were routinely utilized by New York's hotel workers. These supposedly new union tactics, former NYHTC President Peter Ward boasted to Getman, "have been institutional parts of this union since the thirties," or more crudely, "has been going on here when Vinnie [Sirabella] was in diapers."[34]

History, in other words, is a resource for union organizers and leaders. I often found it a comfort, when I was an active duty union organizer, that there were few truly new ideas, but instead plenty of old ideas that we have forgotten. I suspect that Vincent Sirabella, who died in 1993 and had a reputation for intellectualism, dug into Local 6's archives during his visits to aid in mid-1980s organizing.[35] From a more practical political standpoint, I hope that the next time card check is raised as a potential labor law reform my book can be cited as evidence to counter employer arguments that it is some new-fangled plot to "strip" workers of the right to a secret ballot election, when, in fact, card check elections were utterly common and, as I show, it was elections that were added to the process to allow employers to resist recognizing unions. Indeed, *We Always Had a Union* can be added to Charles Morris' *Blue Eagle at Work* as an argument that card check doesn't even require new laws; the NLRB and its copycat state agencies already have the authority to order card check elections.[36]

Another fascinating wrinkle I have discovered is in union-negotiated health insurance. It was AFL unions that first negotiated fringe benefits to get around the government-mandated wage freeze during World War II. As Nelson Lichtenstein explained, many CIO leaders–Communists and social democrats, alike– "proved notably unenthusiastic about

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[33] Julis B. Getman, *Restoring the Power of Unions* (Yale University Press, 2010); Tony Gilpin, Gary Isaac, Dan Letwin and Jack McKivigan, *On Strike for Respect: The Clerical and Technical Workers' Strike at Yale University, 1984-85* (University of Illinois Press, 1995); Ruth Milkman and Kim Voss, editors, *Rebuilding Labor: Organizing and Organizers in the New Union Movement* (Cornell University Press, 2004); Lowell Turner, Harry C. Katz and Richard W. Hurd, editors, *Rekindling the Movement: Labor's Quest for Relevance in the 21st Century* (Cornell University Press, 2001).

[34] Julius G. Getman, *Restoring the Power of Unions* (Yale University Press, 2010), 106.

[35] Randall Beach, "Local labor legend Vincent Sirabella remembered in New Haven as charismatic leader," *New Haven Register*, June 3, 2012.

[36] Charles J. Morris, *The Blue Eagle at Work: Reclaiming Democratic Rights in the American Workplace* (Cornell University Press, 2004).

exploiting" the "Little Steel" formula to win employer-sponsored insurance.[37] They planned to fight for a national health plan through an expansion of the Social Security Act, a postwar vision for society that never came to pass. As I have shown, the AFL Communists in the NYHTC, did negotiate for health insurance. But, they went one step beyond and won an employer-paid, jointly-managed system of healthcare clinics, with facilities and equipment fully-owned by the industry benefit fund, and doctors and nurses on staff.[38] It's a miniaturized system of socialized medicine that's still in existence today, allowing the union to leverage its access to high-quality, lower-cost health care to non-union employers in neutrality and recognition negotiations.

Lessons from the old AFL are not limited to the hotel industry. Perhaps more prominent than UNITE HERE in union renewal literature is the Service Employees International Union. SEIU seems to lack the kind of dramatic and inspiring origin story of unions like the Steelworkers, Autoworkers and garment unions that tend to stand in for "labor's untold story," so despite the fact that it is one of the most dynamic American unions in the 21st century, few people know its history. Indeed, the union's earliest history is mired in corruption and top-down organizing models–a bummer that many scholars would prefer to glide past. Luis LM Aguilar and Joseph A. McCartin have recently taken an interesting approach to SEIU: an edited volume of essays that explore different aspects and eras of its history, with a particular focus on the union revitalization efforts of the 1980s-90s (such as the storied "Justice for Janitors" campaign) that have made the union so important to understanding unions in the 21st century.[39]

Purple Power focuses on the union's property services division, but its public employees and healthcare units were essential to maintaining the union's membership levels and relevance, and affording it the kind of budget that was available to be invested in Justice for Janitors. The Building Service Employees Union is a major factor in the story of New York's hotel workers. Before he was disgraced by criminal prosecution, President George Scalise muscled his way into the Hotel Trades Council by running Local 32A as a sweetheart union alternative, competing with HRE for bargaining unit certifications. The leaders of NYHTC decided the problem would be easier to manage by dealing Scalise and BSEU into the council and IWA framework. Their control of the bargaining relationship with employers, as well as the deduction and remission of union dues–as well as their placement of Communist salts in

[37] Nelson Lichtenstein, *The Most Dangerous Man in Detroit: Walter Reuther and the Fate of American Labor* (Basic Books, 1995), 282.
[38] Shaun Richman, *We Always Had a Union: New York's Hotel Workers Unions, 1912-1953* (University of Illinois Press, 2025), 169-170, 182-183, 226-227.
[39] Luis LM Aguilar and Joseph A. McCartin, *Purple Power: The History and Global Impact of SEIU* (University of Illinois Press, 2023).

doorman and bellhop positions in BSEU's jurisdiction–enabled them to place Local 32A in a soft trusteeship when Thomas E. Dewey eventually prosecuted Scalise for embezzlement.

Here, the relevance of the history I have recovered comes sharply into focus. What emerged was the new BSEU Local 144, an NYHTC affiliate and yet another Communist-led local union in the AFL. Aside from satisfying trivial curiosity about what happened to the rest of SEIU's locals numbered 32 (aside from the surviving 32BJ), the Local 144 story sheds light on an affiliate that became key to the process of the Building Service union dropping the "B" from its name, and eventually expanding to healthcare and public sector bargaining units as today's SEIU. In 1950, the Communist leadership was defeated by a black business agent who seethed that they "told me that white workers would never vote for a Negro." As I signpost in *We Always Had a Union*, under Peter Ottley Local 144 became a pioneer in healthcare worker organizing, and a major reason why the then-independent 1199 affiliated with SEIU in the late 1980s.[40]

The subject is an ongoing priority in my research. I've continued to explore how Local 144 won a multi-employer collective bargaining agreement in a system of hospitals in 1959, well before Local 1199 won its first healthcare campaign. In their *Upheaval in the Quiet Zone*, Leon Fink and Brian Greenberg mildly explain that–in the midst of an ambitious citywide organizing campaign–1199 President "Leon Davis ultimately offered Peter Ottley, Local 144's new black president, the right-of-way in the smaller voluntary hospitals and many of the city's nursing homes."[41] The story is a complicated one, but my research is indicating that Davis, an unreconstructed Jewish ex-Communist seeking to represent a largely-black workforce, wanted to avoid a racially-charged red-baiting contest with a rival and so negotiated a jurisdictional compromise. Ottley will prove to be a more significant transitional figure in the labor movement.

While Local 1199's strike against the city's proprietary hospital has been portrayed as a landmark in the union and civil rights movements, it did not result in a union contract, but in a dispute resolution process that the union stretched into a new bargaining demand a few years hence. However, against the backdrop of Local 1199's strike, Ottley's BSEIU Local 144 issued a strike threat against 37 proprietary hospitals and two voluntary nursing homes.[42] The Association of Private Hospitals, representing a number of the targeted facilities, replied that it was willing to bargain a contract with Local 144, if it were certified by the NLRB.[43] After a four

[40] Shaun Richman, *We Always Had a Union: New York's Hotel Workers Union*, *1912-1953* (University of Illinois Press, 2025), 234, 263.
[41] Leon Fink and Brian Greenberg, Upheaval in the Quiet Zone: A History of Hospital Workers' Union, Local 1199 (University of Illinois Press, 1989), 53.
[42] "2d Hospital Union Warns of Strike in 37 Institutions," *New York Times*, June 24, 1959.
[43] "New Threat: 2d Union, 7 Hospitals," *New York Herald-Tribune*, May 27, 1959.

month campaign, Local 144 signed a full industry-wide collective bargaining agreement–the first of its kind.[44]

I hope to return to BSEIU Local 144's story, and that of Jay Rubin and the Hotel Trades Council, with a history of the New York Central Labor Council, from the merger of the AFL and CIO in the 1950s until New York City's fiscal crisis in the 1970s. Under the leadership of Harry Van Arsdale, the NYC CLC is an example of unions actually coming together to drive an organizing program, with strategic targeting and leveraging of existing union power–all of the things we told ourselves we were doing in the "organize or die" 1995-2005 era. Part of that story is the collective labor leadership in New York consciously trying to work past the old battles and petty recriminations of the Cold War. History, as I have consistently argued, is frequently instructive.

My research shows that Communist influence was significant, particularly in New York City. I argue that it is only with a full appreciation of Communist influence that we can understand the development of organized labor in the heart of American capitalism in the early to mid-20th century.

In New York, Communist influence was not limited to the unions of the CIO. As I show in *We Always Had a Union*, through the Hotel Trades Council and its affiliates, the CP enjoyed significantly more influence within the AFL than previously appreciated. The dominant narrative, among both labor historians and historians of American Communism, is that the Communists were isolated and lacked wider influence during the 1920s, with the party's ability to initiate and direct strikes limited to the fur and women's dress subsections of the garment industry.

Hence, of the Communist Party's 1922 turn towards contesting for power within established labor unions (mostly those affiliated with the AFL), Theodore Draper, wrote, "Communist contact with this organized body of workers was very slight among the rank and file and almost nonexistent among the leadership."[45] Selig Perlman and Philip Taft contend that whatever alliances Communists had made with AFL progressives didn't last long. "In spite of the widespread insurgency in the first half of the twenties, in spite of the elemental militancy and semi-conscious groping for a wider solidarity in nearly all industries and trades, the younger leadership," they wrote, "had been forced to cease struggling for more progressive policies in the American Federation of Labor" in order to distance themselves from the divisive tactics of

[44] *Labor Chronicle*, Volume 55, Issue 7-8 (July-August 1959).
[45] Thedore Draper, *The Roots of American Communism* (Viking, 1955), 198.

the Communists.[46] As a result, according to Harvey Klehr, “The Party was unable to escape its isolation for the rest of the decade.”[47]

Yet, as I have discovered, it is clear from reviewing party archives that the Amalgamated Food Workers represented the Communists’ largest and longest-sustained base of influence within the 1920s labor movement. In *Battling for American Labor*, Howard Kimseldorf profiled the AFW, along with the IWW’s Philadelphia dockworkers union as two significant independent unions that wound up affiliated with the AFL in the 1930s, instead of the Congress of Industrial Organizations, despite their industrial structure, left-wing politics and syndicalist orientation. Kimeldorf was more interested in exploring the syndicalist influence on the union, and depicted the AFW as “defending itself from the Communist left.”[48] The AFW’s transition from IWW-style syndicalism to the AFL can be explained by its leadership’s embrace of the Workers (Communist) Party, which was far more complete than Kimeldorf acknowledged or understood.

In actual fact, it is impossible to understand the story of New York’s hotel workers without an understanding of the early Communist Party. Similarly, my hotel workers history fleshes out the real-world impact of the twists and turns of the Communist Party line in its first decades. What have often been considered as arcane twists and turns in the Party line, affecting the personal political fortunes of a handful of top men like William Z. Foster, James P. Cannon and Jay Lovestone but having little wider impact, actually substantially shaped the hotel workers union and had fatal and fateful consequences for its activists. Three of them have stood out to me.

Firstly, the CP’s “boring from within” policy was a directive issued to AFW leaders, one that they resisted with some success. When William Z. Foster began to direct the Party’s labor work, and Party activists were directed to stop organizing independent unions and begin “boring from within” the established AFL craft unions, the AFW were an independent union that dwarfed its AFL competitor in size in the New York hotel industry. The AFW won a specific exemption from the TUEL: for independent unions that were “strong numerically and actually function as mass organizations the League shall do its utmost to upbuild and maintain them,” while—as I have shown— they were admonished to continue to strive for eventual industrial unity.[49] As

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[46] Selig Perlman and Philip Taft, *History of Labor in the United States, 1896-1932*, Volume 4 (Macmillan, 1935), 558.
[47] Harvey Klehr, *The Heyday of American Communism: The Depression Decade* (Basic Books, 1984), 5.
[48] Howard Kimeldorf, *Battling for American Labor: Wobblies, Craft Workers, and the Making of the Union Movement* (University of California Press, 1999), 134.
[49] Shaun Richman, *We Always Had a Union: New York’s Hotel Workers Union*, *1912-1953* (University of Illinois Press, 2025), 54-58.

discussed below, the AFWs attempts to maintain a “Labor Unity Council” of other left-wing independent unions was less successful.

Secondly, the Party’s “Third Period” turn ordered CP activists within the AFW to split the union in a reversal of the earlier “boring from within” controversy. Third Period policies are noted by orthodox historians as one of the Communists’ major fissure points within the labor movement, but it was an especially bitter dispute when directed activists who were forced to shut down an earlier “unity league” to turn around and create a new Trade Union Unity League (TUUL) of independent, “red” unions. “Once and for all the union shall not be used as a cat’s paw,” exclaimed one AFW leader who bitterly resisted affiliation with the TUUL. As a result, the Communists split the union in 1929, forming a new rival Food Workers Industrial Union, and as I have shown this had the effect of putting the unions on a collision course towards the messy three-way strike in 1934.[50]

Thirdly, the otherwise obscure “Loreism” ideological purity campaign of 1925 caused a split in the AFW. The Party’s first coded attacks on Leon Trotsky smeared an AFW activist named Ludwig Lore. “Loreism,” the Party’s Aesopian epithet and the first effort to “exploit the possibilities of amalgamating the factional struggle in the Russian party with the factional struggle in the American party,” has been depicted by Draper and others as having little meaning outside of a small handful of Party insiders.[51] “But,” I write, “as a bewildering attack on a loyal union member, it roiled the AFW. It drove one breakaway faction into HRE, with new chartered locals of their own, and fateful and fatal consequences when their tiny membership (but strategic position within the cutthroat world of the post-Prohibition restaurant industry) left them vulnerable to underworld predation.”[52] It was the genesis of the Dutch Schultz cafeteria racket discussed previously, and, more fully, below.

Finally, this book sheds new light on how and when the last of the “Communist-led unions” broke with the CP years after the better-docmented 1949 split with the CIO. Although most of labor history leave the unions that the CIO purged in 1949 for dead, a few managed to hold on to enough bargaining units that, once they finally broke with the Party, were welcomed back mainstream credibility. Historians Leon Fink and Brian Greenberg go with the tight-lipped claims from leaders of the outcast Local 1199 that they resigned from the CP “for the good of the union” in 1949, leaving readers with the impression of a nod and a wink as President Leon

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[50] Shaun Richman, *We Always Had a Union: New York’s Hotel Workers Union*, *1912-1953* (University of Illinois Press, 2025), 77.
[51] Theodore Draper, *American Communism and Soviet Russia* (Viking, 1960), 106–135.
[52] Shaun Richman, *We Always Had a Union: New York’s Hotel Workers Union*, *1912-1953* (University of Illinois Press, 2025), 6, 62-66.

Davis remained a progressive firebrand for the rest of his life.[53] In her history of the Farm Equipment union, Toni Gilpin notes that quitting the CP was more than a matter of making the union acceptable enough to the United Auto Workers union's anti-Communist president, Walter Reuther, to allow for an amicable merger. By 1952, she writes, "FE's leaders remained committed to Marxism in theory, in practice they became increasingly frustrated by the CP's apparent insensitivity to the mounting set of real-life pressures their union faced."[54]

Local 6 and NYHTC's did not break with the CP until 1950-51, and, unlike the CIO unions, they had not suffered a membership decline from jurisdictional raids. The Hotel Employees unions remained far more powerful than the diminished FE and 1199, but still faced the same kinds of pressure that CP leaders like William Z. Foster brought on their so-called "labor influentials," to support pro-Soviet causes like the 1948 Wallace campaign and the Stockholm Peace Petition, regardless of the Party's weakened, junior position in brokered power-sharing deals. In the hotel workers' case CP loyalists publicly broke with Rubin's bargaining strategy in 1950, pressing for across-the-board wage increases because it made them seem more militant when Rubin had conceded across-the-board raises in favor of winning a long-time union goal of paid overtime for tipped employees. By the time they opposed his candidate in the race to replace the convicted Michael J. Obermeier as Local 6 president (a move towards ousting Rubin from the NYHTC), they were playing a high-stakes contest for political dominance, which they lost.[55] That they threw away an opportunity to remain in a brokered union leadership, with some political cover from respectable union leaders like Hugo Ernst (and Rubin, before they broke with him), to live to fight another day, seems unfathomable three-quarters of a century later. William Z. Foster's psyche was key to understanding this fateful mistake, I conclude:

> Once a genius union organizing strategist, Foster had spent the 1920s pushing Trade Union Education League activists to endure all manner of attacks from entrenched union leadership to maintain unity in the fight to win collective bargaining. With the practice of collective bargaining stable and well-established by the 1950s, Foster concluded that unity was no longer existential for unions. His biggest existential concern was the defense of the Soviet Union. Remaining part of union leadership, coalitions were not

[53] Leon Fink and Brian Greenberg, *Upheaval in the Quiet Zone: A History of Hospital Workers' Union, Local 1199* (University of Illinois Press, 1989), 23.
[54] Toni Gilpin, *The Long Deep Grudge: A Story of Big Capital, Radical Labor, and Class War in the American Heartland* (Haymarket, 2020), 282–300.
[55] Shaun Richman, *We Always Had a Union: New York's Hotel Workers Union*, *1912-1953* (University of Illinois Press, 2025), 217-219, 229-236.

worthwhile to him if union leaders wouldn't use their power and platform to advance causes in the interest of the survival of the Soviet Union.

Searching for a semblance of logic, I speculate, "Perhaps his plan was to return to the days of militant minorities, scoring points at the expense of "conservative" union functionaries by raising bigger bargaining demands and organizing more disruptive job actions."[56] But the trusteeship that resulted decapitated the Party's leadership in the union. A similar demand to bend the knee or face opposition for reelection almost certainly occurred within 1199 and the FE during the same period.

I argue that my research shows there is a lesson here for how radical organizations, which cannot expect widespread membership influence in the near-term, should relate to union leadership. If they are able to find influence in coalition, through hard work and good ideas, then *influence* is the best they should expect at that time, and they should appreciate the opportunity rather than rush a cataclysmic confrontation for control.

The decade of the 1920s provides good examples of how this played out in the past. One of the most interesting, if least noted, developments of the era was the "amalgamated" movement in labor. Today, "amalgamated" is mostly just an antiquated name held over in older union names, often misremembered or confused with "American" and "Association" in union acronyms. But, in the 1920s, as I published in an earlier paper:

> "The independent union's use of the word 'amalgamated' in its name was a signal of both its political philosophy and its ambitions. 'Since the phenomenal success of the Amalgamated Clothing Workers, it has become the fashion to use this word when radicals found or reorganize independent unions,' noted David J. Saposs in his 1926 survey of *Left-Wing Unionism*.[57] Marion Dutton Savage, in her dissertation from four years prior to Saposs' book, used the word 'amalgamation' to refer to the slow process of some AFL craft unions converting to industrial forms of organizing.[58] Thus, to some, an 'amalgamated' union suggested a middle path between craft unionism as practiced by the AFL and the kind of independent–and revolutionary–form of industrial unionism as

[56] Shaun Richman, *We Always Had a Union: New York's Hotel Workers Union*, *1912-1953* (University of Illinois Press, 2025), 239-240.
[57] David J. Saposs, *Left Wing Unionism* (International Publishers, 1926), 155.
[58] Marion Dutton Savage, *Industrial Unionism in America* (The Ronald Press Company, 1922), 28.

practiced by the IWW. To others, to be an 'amalgamated' union was precisely meant to signal independence from AFL leadership and the embrace of radical politics."[59]

In a brief period in the early 1920s, vital independent unions included the Amalgamated Metal Workers, which was also founded in 1919 "by a radical group which seceded from the International Association of Machinists," an independent Shoe Workers union that changed its name to Amalgamated, an Amalgamated Tobacco Workers, which broke away from Gompers' own AFL Cigar Makers and A.J. Muste's Amalgamated Textile Workers. (It is also noteworthy, although coincidental, that the largest unions involved in William Z. Foster's famous organizing drives of the 1910s were the Amalgamated Meat Cutters and the Amalgamated Association of Iron and Steel Workers.)[60]

Claiming as many as 15,000 members across a number of union shops, the AFW took a leading role in organizing the amalgamated independents into a fledgling trade union federation. They organized a coalition called the United Labor Council of New York in 1920. Sister labor councils were formed in Chicago and Detroit. A "Convention of Labor Bodies" was held at the AFW's meeting hall in January 1922 (a few weeks after the Workers Party itself was founded a few subway stops away in New York City). Called the United Labor Council of America (and sometimes, ironically, the Labor Unity League). The United Labor Council counted 30,000 members at its birth. It had the potential to grow to become the preeminent left-wing expression of trade unionism in the decade; a more practical alternative to the IWW. But its founding coincided with Lenin's *Left-Wing Communism*, which tweaked them: "There can be no doubt that people like Gompers are very grateful to 'Left' revolutionaries who . . . like some of the revolutionaries in the American Industrial Workers of the World, advocate leaving the reactionary trade unions and refusing to work in them."[61] The Red International of Labor Unions, also known as the Profintern, and its U.S. affiliate, Foster's TUEL, hounded the Labor Council out of existence, directing it in 1923 to dissolve itself and "fight their way back again into their old organizations." They were directed, that is, to "bore from within" the AFL.[62] While this writer tends to agree with William Z. Foster that "boring from within" was the best policy for left-wing

[59] Shaun Richman, "Labor Dis-Unity: A 1920's Source of Left-Wing anti-Communism," *American Communist History*, Volume 20, Issue 1-2 (2021), 42-43.
[60] *Shoe Workers Journal*, Volume 31, Issue 2 (February 1930); Shaun Richman, *We Always Had a Union: New York's Hotel Workers Unions*, *1912-1953* (University of Illinois Press, 2025), 54.
[61] Vladimir I. Lenin, *"Left Wing Communism," An Infantile Disorder*, New Translation (International Publishers, 1940), 38.
[62] This is covered in the third chapter of *We Always Had a Union*.

union activists in the 1920s, the United Labor Council represents a major “road not taken,” having been shut down hard by the Communists after showing such promise.

My research has also highlighted the potential contemporary relevance of the older “slow process” of amalgamation that Foster pioneered in the 1910s. Rather than fight out jurisdictional battles, as the CIO later did, Foster’s brilliant idea was to deal every craft union that had a claim to a segment of the meatpacking and steel workforces into an umbrella organization that would serve as the bargaining agent demanding recognition of, in essence, one big union consisting of many smaller unions. Although some unions in the public sector do this, creating in joint-organizing efforts such as New York’s Public Employee Federation and Colorado WINS Local 1876 a new union local that awkwardly shares affiliation with two or more international unions, few private sector unions put aside their squabbling claims to represent the theoretical members that would result from organizing corporate behemoths like Amazon to create bargaining councils like the New York Hotel Trades Council (NYHTC). History conceals these surprisingly relevant tactics. The NYHTC, noted for its “political muscle” and “stronger contracts and higher wages for workers,” continues to represent 40,000 workers in hotels, restaurants, bars and casinos in more than 300 union shops across New York state and New Jersey.[63] Quietly, it is Foster’s longest-lasting influence on AFL-CIO trade unions.

At the same time, my work provides clarity about the muddy relationship between Communism and gangsterism in the labor movement. Part of the lore that the Hotel Employees union tells about itself is that, in the words of former UNITE HERE President John Wilhelm, “the Communists prevailed over the Socialists and the gangsters, according to legend, because they were…tough enough to fight the gangsters.”[64] The New York hotel workers story does provide some insight into how and why organized crime finds a foothold in some unions, as well as how the gangsters can be dislodged. In his 1988 book *Reds or Rackets?* Howard Kimeldorf explored why dockworkers in the same craft wound up with radical, independent union leadership on the west coast and corrupt racketeers in the east. Implicit in his title and study is that an alternative to radical unionism is corruption. In the case of New York City’s HRE locals in the 1920s and 1930s, the choice between reds and rackets was much more explicit, both before the start of the criminal conspiracy and at the conclusion of Dewey's trial.

The first scholar to write about the restaurant union racket was Harold Seidman in 1938’s *Labor Czars*. Although not footnoted, he seems to have sourced the story from the *New*

[63] Nicole Hong and Matthew Haag, “A Hotel Was Set to Become Affordable Housing. Then the Union Stepped In,” *New York Times*, December 7, 2022.
[64] Julius G. Getman, *Restoring the Power of Unions* (Yale, 2010), 106.

York Herald-Tribune's colorful coverage of Thomas Dewey's prosecution. Seidman either missed, or did not see the significance of, the union men's socialist pasts and accepted Dewey's prosecutorial narrative of how the racket was formed.[65] Most subsequent accounts of the corruption of HRE's New York locals have cited *Labor Czars*.

In *Mobsters, Unions, and Feds*, James B. Jacobs spends his preface bemoaning "the dearth of scholarship on labor racketeering" and crowing about "the many journalists and few scholars who have created a small but strong edifice of labor racketeering studies on which this book can build."[66] His conclusion that industries marked by large numbers of competitive employers are more susceptible to organized crime and that "more ideologically minded labor officials were less attracted to corrupt opportunities for personal enrichment" does match the story of the cafeteria racket.[67] Despite his "La Cosa Nostra" framing, Jacobs tacitly admits that a centralized "Mafia" is more of a legend than fact but still prints the legend that "La Cosa Nostra" was preceded by an earlier generation of "Jewish organized crime figures" like Dutch Schultz who "forcibly took over and controlled the New York City Restaurant and Cafeteria Workers Union."[68]

One suspects Jacobs of featuring the cafeteria racket because of sensational details like a drive-by shooting at HRE's 1934 convention and HRE Vice President Max Pincus's tragic suicide. But, in a lurid table that purports to list all of the known "Murders Associated with Labor Racketeering," Abe Borson's name is missing.[69] As I document, Abe Borson was an AFW secessionist who led the HRE Local Joint Executive Board. He was a reluctant participant in the racket, more blackmailed than blackmailer, who was walked off a picket line in November 1933 and "taken for a ride" to Westchester county, where he was shot in the back and left to die. HRE international leaders hailed him as a martyr at the time, taking Paul Coulcher and company's word that union-busting employers had him assassinated. By the time HRE's official history was published in 1956, Borson was receiving a large share of blame for the racket. During the racketeering trial, Thomas E. Dewey conveniently pinned the blame on Borson and three other dead men rather than raise questions about his inability to find and prosecute the racket's actual surviving kingpin, Sam Krantz (who presumably died a free man before he could ever be

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[65] Harold Seidman, *Labor Czars: A History of Labor Racketeering* (Liveright Publishing, 1938), 202-203.
[66] James B. Jacobs, *Mobsters, Union and Feds:The Mafia and the American Labor Movement* (NYU Press, 2006), xiv.
[67] James B. Jacobs, *Mobsters, Unions, and Feds: The Mafia and the American Labor Movement* (New York University Press, 2006), xii-xiii, 8.
[68] James B. Jacobs, *Mobsters, Unions, and Feds: The Mafia and the American Labor Movement* (New York University Press, 2006), 5, 25.
[69] James B. Jacobs, *Mobsters, Union and Feds:The Mafia and the American Labor Movement* (NYU Press, 2006), 107-108.

apprehended). “The curious fact of the matter,” I write, “is that a disturbed young man from a wealthy Boston family, Charles E. Folsom Jr., confessed one year after the murder, telling a fantastical story of a botched interrogation he organized as an unsolicited audition for the Burns Detective Agency.” The story was recounted by the *Daily News’* “Justice Story” series a few weeks after Borson’s name was raised in Dewey’s trial. The main sources for that story were both self-aggrandizing fantasists; Folsom’s story simply couldn’t be trusted, and Westchester police told a tale of pure copaganda. Borson’s murder remains something of a mystery in my account, although the union men of Locals 16 and 302 took it as a “message from the Dutchman,” and Borson’s demise seemed to have the immediate effect of forcing local prosecutors to drop charges they had pending against Dutch Schultz lieutenants (the strong implication being that they had lost a key witness in Borson).[70]

Actually, James B. Jacobs needn’t have waited for my book, because the unfortunate demise of Abe Borson is indexed as detailed on pages 212-213 of *Union House, Union Bar*. That shows that an author purporting to offer a definitive account of union corruption did not even bother to read the Hotel & Restaurant Employees’ officially commissioned history.[71] One small contribution I have made, however, is to dig in deeper into the mystery of the genesis and final fate of the Dutch Schultz racket and its racketeers, adding to that small library of books that explore union corruption without sensationalism or defensiveness.

John Hutchinson, who attempted a more scholarly book-length “history of corruption in American trade unions” with *The Imperfect Union*, based his account of the Dutch Schultz racket on Josephson’s *Union House, Union Bar*. As such, he unhelpfully repeats Dewey’s version of facts. Hutchinson’s thesis is that “the combination of philosophy and structure” of voluntarist AFL craft unions made them “vulnerable to dishonest servants and predatory enemies.”[72] This was certainly true of Locals 16 and 302 in this case, and the industrial bargaining units and citywide contract of Local 6 and the Hotel Trades Council have kept criminal interference away from hotel restaurants ever since.[73] I don’t attempt to construct a unifying theory of how or when corruption spreads in unions. Instead, I focus on individual cases as they arise in my research and journalistically seek out the facts first.

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[70] Shaun Richman, *We Always Had a Union: New York’s Hotel Workers Union*, *1912-1953* (University of Illinois Press, 2025), 65, 74, 85, 87-90, 106, 113, 116.
[71] Matthew Josephson, *Union House, Union Bar* (Random House, 1956), 356.
[72] John Hutchinson, *The Imperfect Union: A History of Corruption in American Trade Unions* (E.P. Dutton & Co., 1972), 22.
[73] The reemergence of corrupt practices in other HERE locals in the 1970s is outside the scope of my research, but certainly worth exploring.

Although, like snowflakes, no two "labor rackets" are identical, narratives are nevertheless constructed to advance particular agendas. Alan Block calls organized crime a "social system often characterized by reciprocal services performed by the criminal, the client and the politicians."[74] His is a lonely voice in criminal justice scholarship decrying the "historical ignorance and insensitivity in the study of American organized crime" that is borne from an over-reliance of secondary sources that wind up repeating apocryphal tall tales about vast conspiracies that are actually mostly discrete operations.

In *The Racketeer's Progress*, Andrew Wender Cohen shows how the concepts of "rackets" and "labor racketeering" were developed by Chicago progressives who were aghast at what they saw as "collusion" and interference with the free market by (mostly) legitimate trade unions and employers association in the pre-New Deal era.[75] And David Witwer has shown how occasional, regrettable instances of union corruption were trumped up by enemies of New Deal Democrats to diminish the strongest pillar of support for that electoral coalition.[76] While Dewey was no such labor hater, the narrative he created about labor racketeering fits neatly in the middle of these two distinct efforts to diminish working class power. Finding, in Dewey's evidence, the detail that one restaurant that was "shaken down" for $36,000 in association fees "saved about $136,000 from 1933 to 1936" in wages it would had to pay under an AFW or FWIU agreement, Alan Block and William Chambliss conclude, "'labor racketeering' is a most inappropriate and misleading term for describing what takes place in the corruption of unions " in their masterful *Organizing Crime*. "Business co-optation of the labor movement through corruption and violence to protect the short term interests of business and union leaders is a more apt description." Noting that the alternative to the Dutch Schultz racketeers were the Communists, they write, "One might well want to argue, therefore, that the more progressive the union, the more militant the rank and file, the less likely it is to be penetrated and seduced by organized crime."[77]

It can be tempting to agree. The reason Dutch Schultz could penetrate the restaurant unions, the reason that the workers faced a choice between red or rackets was because of the twists and turns of the Communist Party line. Paul Coulcher and the two dozen disgruntled members of the AFW that became the charter members of HRE Locals 16 and 32 quit in

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[74] Alan Block*, East Side-West Side: Organizing Crime in New York 1930-1950: Organizing Crime in New York, 1930-50* (Transaction Publishers, 1983), 2-3.
[75] Andrew Wender Cohen, *The Racketeer's Progress: Chicago and the Struggle for the Modern American Economy, 1900-1940* (Cambridge University Press, 2004), 9.
[76] David Witwer, "The Racketeer Menace and Antiunionism in the Mid-Twentieth Century US," *International Labor and Working-Class History*, Issue 74 (Fall 2008), 124-147.
[77] Alan A. Block and William J. Chambliss, *Organizing Crime* (Elsevier, 1981), 76-77, 87-88.

frustration when union policy began to turn on increasingly inexplicable Party lines, namely the "Loreism" controversy of 1925. However, their new union lacked the kind of effective leadership that Communist cadre provided and therefore lacked the kind of mass base that could protect them from predation of racketeers. Constrained by hostile employers and injunction-granting judges, Locals 16 and 302 made a protection deal for themselves with the Dutch Schultz gang, providing them political power and the muscle to compel employer recognition. As the gang took away the unionists' ability to operate free and fair unions (and as its NYC locals became an embarrassment to HRE's leaders), the only potential mass base of workers to kick the mob out was the Communist-led Food Workers Industrial Union that had merged with the AFW, making the story of the Hotel and Restaurant Employees union in the 1920s and 1930s: Reds, then rackets, then reds again. This is not the story I expected to be telling when I took a turn towards historical research and publications in U.S. labor history, but the logic of my research has carried me from the history of American labor towards the history of American Communism with which its fortunates were so closely tied. This is the subject of the following section.

American Communism

Three decades since the Soviet Union ceased to exist (and history failed to end) the field of American Communist history is still locked into a framework of proving or disproving the national loyalties of the Communist Party and passing political judgment on the Soviet experiment. The subfield of American Communist historiography needs a new paradigm; a "third camp," if you will.

In *We Always Had a Union,* I highlight the CP's significant yet often overlooked influence on the labor movement and the Amalgamated Food Workers union during the 1920s. I show that the Party's evolving strategies, including a drive to organize independent "amalgamated" unions, then a directive to "bore from within" the AFL, later shifting back to independent unions, reflected internal contradictions and external pressures, and were not forgotten (nor forgiven) by comrades who disagreed when later Cold War tensions arose. The CP, as the largest-scale outside influence on the labor movement in history, played a significant role over decades in competing for leadership and shaping the priorities of these key AFL craft unions, impacting hundreds of thousands workers in the New York area–a much larger influence than has been appreciated by the orthodox historians of American Communism.

The historiography still has its roots in Theodore Draper's masterful studies of the Party's first years.[78] The scholars who followed him, in particular Harvey Klehr, John Earl Haynes and Maurice Isserman formed a "traditionalist" school of communist history. These historians looked for, and found significant amounts of evidence of, "orders from Moscow." That is, that the history of the Communist Party is one of activists subordinating their own domestic agenda and organizational decision-making to the interests of a foreign government, the Soviet Union. At its most conservative this ossified into a political stance that demanded readers not only to be critical of the Soviet Union and its Communist Party allies and "apologists" in the United States, but to toe the precisely correct anti-Party party line.

New communist histories began to emerge in the 1970s. Influenced by the New Left's disdain for bureaucracy and formal "vanguard" leadership, Bryan D. Palmer argues, these new histories emphasized rank-and-file experiences far removed from the battles between Browder, Foster, Lovestone et. al., and even farther from the Communist International. The "traditionalists," with a clear understanding of Marxist insults, labeled these New Left scholars "revisionists." Writers like Paul Buhle and Vivian Gornick looked for evidence of distinctly American characteristics of the communist movement, in so doing, Palmer writes, "added immeasurably to the scholarship of the revolutionary left."[79] But, he notes, this focus on the rank-and-file necessarily side-stepped any exploration of leadership choices and the extent to which they were made independently of Moscow, "leading in extreme cases," as George Eley originally and sourly put it, "to a history of communism with the Communism left out."[80] Ely's tart criticism preceded Robin D.G. Kelley's celebrated *Hammer and the Hoe* by five years, but could easily have been written about it.[81] As much as Kelley adds to our understanding of African-Americans and the wider identification with the communist movement, his geographic focus, Alabama, is simply too far removed from New York (and, by extension, the Comintern) to provide an accurate portrayal of life in the Communist Party for the vast majority of its members.

The end of the Cold War, and the opening of the Soviet archives, which included many CP files that had been whisked out of the U.S. in 1944, provided all kinds of new documentary sources.[82] This allowed "traditionalists" like Klehr and Haynes to continue a kind of "normal

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[78] Theodore Draper, *The Roots of American Communism* (Viking Press, 1957); Theodore Draper, *American Communism and Soviet Russia* (Viking Press, 1960).
[79] Bryan D. Palmer, "Rethinking the historiography of United States communism," *American Communist History*, Volume 2, Issue 2 (2003), 151.
[80] Geoff Eley, "International Communism in the heyday of Stalin," *New Left Review*, 157 (January–February, 1986), 92.
[81] Robin D.G. Kelley, *Hammer and the Hoe: Alabama Communists During the Great Depression* (University of North Carolina Press, 1990).
[82] John Haynes, "Temporary finding aid, CPUSA microfilm (fond 515), Library of Congress," H-HOAC, the

science" by finding direct corroboration that otherwise-inscrutable Communist activities were, indeed, directed from Moscow and funded by Soviet sources.[83] Other scholars used the opportunity to research a fuller picture of how American Communists participated in Comintern decision-making, making those "orders from Moscow," at least at times, more of a matter of influence and guidance than of outright foreign domination. This work is best exemplified by Edward P. Johanningsmeier's and James R. Barrett's biographies of William Z. Foster and Palmer's biography of James P. Cannon.[84]

In *American Communist History*, an academic journal created to take advantage of the new archival sources, James R. Barrett bemoaned the dearth of scholars who are taking the opportunity to marry Soviet records and U.S. Freedom of Information Act files with bottom up social history which promise an "unparalleled and largely unfulfilled opportunity to grasp the Communist Party as most participants and those around them experienced it."[85] I'd like to think that what I have done in *We Always Had a Union* is an example of what is possible with such an approach. Along with William Z. Foster biographer Edward P. Johanningsmeier, Comintern historian Jacob A. Zumoff and Harry Bridges biographer Robert W. Cherny (to name just a few), I argue we are forging a new school of American Communist historiography--a "third camp" of historians who blend the methods and interpretations of the orthodox and the revisionists, with less of an interest in blame or exculpation.

The reason to study the role of Communists in the labor movement is not to argue that there was something magical about their ideology, innate about their bravery or malign about their intentions. It's because it is nearly impossible to reconstruct what most union organizing looked like a century ago. Hell, it is difficult enough to deduce what the day-to-day activities of union organizers looked like in any decade prior to Kate Bronfenbrenner's 1980s studies of effective union tactics.

I've come to appreciate how much our understanding depends on archival preservation, which is limited for the unions of a century ago. Perhaps some issues of a union's publication

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H-Net network on the history of American Communism, March 30, 2022. (https://networks.h-net.org/node/6077/discussions/10033021/temporary-finding-aid-cpusa-microfilm-fond-515-library-congress; accessed on October 24, 2024).

[83] Two examples: Klehr, Harvey and John Earl Haynes and Fridrikh Igorevich Firsov, *The Secret World of American Communism* (Yale University Press, 1995) and Harvey Klehr, John Earl Haynes and Kyrill M. Anderson, *The Soviet World of American Communism* (Yale University Press, 1998).

[84] Edward P. Johanningsmeier, *Forging American Communism* (Princeton University Press, 1994); James R. Barrett, *William Z. Foster and the Tragedy of American Radicalism* (University of Illinois Press, 1999); Bryan D. Palmer, *James P. Cannon and the Origins of the American Revolutionary Left* (University of Illinois Press, 2007).

[85] James R. Barrett, "The history of American communism and our understanding of Stalinism," *American Communist History*, Volume 2, Issue 2 (2003), 179.

survived, scattered across libraries and archives. If a union waged a noteworthy strike, or was embroiled in some controversy, perhaps some of its activities were recorded in a daily newspaper. Maybe there's a passing mention in someone's memoir. Usually these scattered hints are all that last after a hundred years. But if the trade was one in which Communists vied for power, those archives are documented by Party publications (with accounts often more voluminous than the mainstream media). These include not just the obvious *Daily Worker*, but TUEL journals with extensive field notes and analyses of a particular union's strengths and weaknesses, the *Party Organizer* may have more granular detail in the depth and extent of Party cadre penetration within a union. More field reports may have been submitted to the TUUL, and from there to Party leadership, and filed away in the files that were shipped to Moscow and eventually returned to this country as Fond 515 microfilm. Fond 495, which contains the Comintern's personnel files, can only be accessed by an on-site researcher in Moscow. But if you have names, it can produce slim files with golden details from questionnaires that activists filled out with biographical details, and a little bit of information about the times that said activists traveled abroad for Comintern assignments.

For unions with significant Communist activity, it's as if we had a team of anthropologists taking field notes on their development. But we also had a second team of inadvertent documentarians in law enforcement. Cities like Chicago and New York had "Red Squads" who spied on union and Communist activity with little regard for constitutional rights, but surpassing and collecting all of that local work was the Federal Bureau of Investigation. "If journalism is the 'first rough draft of history,'" as I wrote in my book's notes on sources, "then the Federal Bureau of Investigation files are the scattered notes and false leads of a story that gets cut for space."

> There's useful stuff in there, but you have to learn how to read them. They start out as sophomoric cage-rattling exercises of checking apartment directories and widely available union newspapers (to confirm that such-and-such person still lives here and works there) and soon branch out into quick check-ins with local cops and stool pigeons. But, if there's a *there* there (that J. Edgar Hoover cared about), they soon get deadly serious with reams of leaked documents, HUAC transcripts, and interviews with sworn enemies freely spilling the tea.[86]

[86] Shaun Richman, *We Always Had a Union: New York's Hotel Workers Union, 1912-1953* (University of Illinois Press, 2025), 312.

On top of all that, the tendency of Communist insiders to document their life in the Party in memoirs adds a rich depth of human emotion, purported motivation, fascinating anecdotes and plenty of back-biting criticism and objections to the historic record.

Aside from this expanded pool of primary and secondary sources, the other major reason to study Communists in the labor movement is what's implicit in the very practice of labor education: namely, the belief that trade unions fall frequently into strategic ruts and occasionally require outside interventions to discover breakthrough strategies for new worker power. For better or worse, the Communist Party represents the largest-scale outside intervention in the U.S. labor movement–a sustained decades-long effort to contest for leadership and direct the priorities of hundreds of local and international unions, affecting over a million workers.

We Always Had a Union demonstrates that the CP was a far more impactful influence on the labor movement in the 1920s than the orthodox historians of American Communism gave it credit. The Amalgamated Food Workers union, which was not only a major force in the labor movement but also a stronghold of Communist Party support, was one of the most important examples of this influence**.** The AFW was one of the largest and most successful independent unions of the decade, and a stronghold of Party support. The "Loreism" controversy split its ranks, driving dozens of them towards gangster predation within the AFL. The Party's directive to wind down the activities of the United Labor Council, to largely abandon independent union organizing (albeit with a major exception to policy for the Food Workers) and to concentrate on "boring from within" was arguably a more positive intervention, acclimating militant activists to the idea that the AFL was worth fighting for and within–lessons that would pay off in the Popular Front era. Before then, however, the Party's frustratingly contradictory 1929 directive to mostly abandon work within the AFL, and to revive the independent unions it told activists to shut down a few short years earlier.

The tension within the party's directives created ideological conflicts, and also led to important developments within the labor movement. That back and forth, I have argued, was "A 1920's Source of Left-Wing anti-Communism."[87] Edward P. Johanningsmeier has made a compelling case that "although the sudden shift in 'line' which resulted in the creation of the TUUL in 1929 was formally promulgated by the Comintern, significant support already existed within the CPUSA for this change."[88] That support was based as much in activists' frustration that they were still victims of purges for "dual unionism" no matter how much they swore loyalty

[87] Shaun Richman, "Labor Dis-Unity: A 1920's Source of Left-Wing anti-Communism," *American Communist History*, Volume 20, Issue 1-2 (2021).
[88] Edward P. Johanningsmeier, "The Trade Union Unity League: American Communists and the Transition to Industrial Unionism: 1928-1934," *Labor History*, Volume 42, Issue 2 (2001).

to their AFL craft unions as it was in vestigial syndicalism. The AFW activists who fought hard for their independent Labor Unity Council in the early 1920s fell into the latter camp who were naturally predisposed towards competing with the AFL rather than boring from within it. However, they still experienced the change in line as a directive from afar, and suffered a split when a segment of the union (mostly the bakers) balked at being a "cat's paw" to the TUUL and CP.

The relationship between the Communist Party and the AFL evolved during the 1930s, tracking the changing political landscape for organized labor. Victor Devinatz has argued that the end of the TUUL and return of activists to the AFL was similarly organic. By September 1934, TUUL activists had noticed, he wrote, that the "three of the four major class battles" of that strike wave year were "won by AFL affiliates" and the Party's Central Committee was encouraging them "to intensify its efforts in the AFL."[89] I initially thought that I had in New York's hotel workers a prime example of Communist activists moving organically towards a Popular Front-style trade union unity prior to the Seventh Congress of the Communist International (at which the new line was made official).

The National Industrial Recovery Act of 1933 fostered cooperation among unions affiliated with the Communist Party. This is an underappreciated step in the evolution of CP union strategy. It responded to the fact that NIRA promised workers a "right" to organize that wasn't worth the paper it was written on but nevertheless offered workers enough hope–and, later, frustration–to spark the 1934 strike wave. On the one hand, the National Recovery Administration's labor apparatus exacerbated union competition by mostly refusing to recognize exclusive representatives, and dealing with any union that made a credible claim to represent a segment of workers in an industry. But, on the other hand, by promulgating industry-wide codes of wages, hours and some working conditions instead of company-specific collective bargaining agreements, it forced competing unions into a degree of coordination that fostered "united front" coalition work. In the case of the hotel industry, A. J. Muste was able to get representatives of HRE, AFW, and FWIU all in the same room for two days in 1933. They hammered out a plan to push for a $20, 40-hour week, although they participated in the NRA code hearings separately.[90]

The contentious 1934 hotel workers' strike was a manifestation of the ongoing tensions at play within the Communist Party's union strategy. The NRA approved a stingier code over the weak unions' objections in December 1933. The 1934 hotel strike was sparked when hotels

[89] Victor G. Devinatz, "A Reevaluation of the Trade Unity League, 1929–1934," *Science & Society* Volume 71, Issue 1 (January 2007).
[90] Shaun Richman, *We Always Had a Union: New York's Hotel Workers Union*, *1912-1953* (University of Illinois Press, 2025), 84-85.

began firing union activists who refused to join the new company union they formed with what they took to be the NRA's encouragement. The FWIU-TUUL pounced on an opportunity to wrest leadership of the city's hotel workers from the inexperienced leadership of the older AFW (the corrupted HRE locals threw themselves into the mix as strikebreakers). By the end of February 1934, the strike was lost and the AFW had elected new leadership that was amenable to working more closely with the FWIU. Representatives from the two unions met in April 1934 and made plans "to bring final merger in the food industry." The May issue of the FWIU's *Food Worker* published a statement proposing a merger for the members of the FWIU, AFW, and other independent unions "into one mighty
mass Union of food workers throughout the United States." When the AFW's bakers initiated merger negotiations with the AFL's Bakery & Confectionery workers, FWIU President Jay Rubin declared in October 1934, "We are sincere in our efforts to merge all independent unions into one Union," and proposed—suddenly—that that union be the AFL's Hotel & Restaurant Employees.[91]

Archival material subsequently revealed the complex role of the CP in shaping the labor union strategy. It is here that the Moscow archives complicate the picture. In the microfilmed CP files, we find a memo dated November 5, 1934 in which Jay Rubin reports to the TUUL executive board that the AFL's Bakery & Confectionary was making a strong play to affiliate the AFW on favorable terms guaranteeing structural autonomy of their locals, risking the entire effort to merge the hotel workers into the FWIU. Rubin recommends that the FWIU must at least begin to advocate for eventual unity with the AFL Hotel Employees.[92] In the Comintern's personnel files, we find a letter on *Moscow Daily News* letter head from M.M. Borodin to "Comrade Sherman" (a general alias for whoever served as the American representative to the Comintern at any given time) dated November 3, 1934 requesting that Rubin, who had been "working for us since the middle of this summer, in the capacity of technical campaign manager" remain in Moscow.[93]

The influences upon the CP were not always evident at the time, although archival sources have since cast new light on the Party's actions. The AFW-FWIU merger was debated in a remarkable series of back-and-forth articles in the AFW's *Free Voice* and the FWIU's *Food Worker*, from April 1934 until the end of the year. Most responses on behalf of the FWIU

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[91] Shaun Richman, *We Always Had a Union: New York's Hotel Workers Union*, *1912-1953* (University of Illinois Press, 2025), 101-102.
[92] Jay Rubin, "Food Workers Strike and Unity Movement," Fond 515, Delo 3657, CPUSA Microfilm, Reel 284.
[93] "Letter from M.M. Borodin to Comrade Sherman," RGASPI Fond 495, Delo 261–373.

appeared under Jay Rubin's byline, who, for all appearances, purported to be in New York. Without the Moscow archives, a researcher would conclude that the policy of the independent unions seeking merger into the AFL's Hotel Employees was a wholly organic development, borne of lessons learned during the 1934 strike. As much evidence as does exist for the lived experiences of New York's hotel workers driving them towards functional unity, it is clear that such a break with the "Third Period" line could only occur in close consultation with Comintern advisors while *literally* in Moscow.

While the period of the Popular Front, itself, as well as the WWII years that followed, are well documented as the high water mark of CP size and influence, the end of Communist power in the labor movement is less studied. The CP's *final* break with union leadership, in particular, is little understood. After constitutions of the CIO and many international unions (including the AFL's HRE) were amended to include anti-Communist provisions, and after unions that refused to self-purge were expelled, decertified and raided, there remained a number of renegade unions representing hundreds of thousands of workers, still led by CP members and allies. By the end of the 1950s, most or all of those unions had finally broken with the Party. The orthodox historians of American Communism treat the decline of the surviving CP-led unions as a given, and display little interest in the ultimate political fate of *hundreds of thousands* of union members. The revisionist historians elide the facts of the later split, often implying a cosmetic alteration or papering over of true Communist sympathies in order to return to the good graces of the wider labor movement.

Historians have been arguably slow to recognise the complexity of the history of the CP in those latter years. In 1959 David A. Shannon published *The Decline of American Communism: A History of the United States Since 1945*. It's a volume in Harcourt, Brace's "Communism in American Life" series, and, thus, meant to be a literal continuation of Theodore Draper's *Roots* and *Soviet Russia*. Shannon's narrative is not nearly as well-sourced or nuanced as Draper's. He didn't even notice that a parting of the ways had occurred with union leadership that survived the CIO purge and raids, noting only that the surviving unions–United Electrical, the Longshoremen and Mine, Mill, in his estimation–"had shrunk to about 200,000, about one-tenth of their former membership."[94] Yet, despite purporting to be a comprehensive history of the CP, Maurice Isserman's recent *Reds: The Tragedy of American Communism*, merely reports that by 1955, the "Party's once formidable presence in the labor movement was all but destroyed."[95]

[94] David A. Shannon, *The Decline of American Communism: A History of the United States Since 1945* (Harcourt, Brace, 1959), 218.
[95] Maurice Isserman, *Reds: The Tragedy of American Communism* (Basic Books, 2024), 253.

This is more complicated than Isserman appreciates. First of all, a quarter million workers is still a significant amount of influence, and figures like Jay Rubin, who publicly distanced themselves from formal party membership when political pressure made it pragmatic to do so, but nevertheless continued to be allied with the Party until some time later. The break, not a sudden one, reflected a series of strategic, pragmatic decisions made by key figures to navigate internal party struggles, government scrutiny, and union leadership.

Joseph Starobin, who was a member of the Communist Party until 1954, sympathetically and informatively covered this latter period in *American Communism in Crisis, 1943-1957*. The 1948 Henry Wallace campaign, which triggered the CIO purge of the Communist-led unions, was also a matter of CP leadership–particularly William Z. Foster–calling the question on the value of having well-placed fellow travelers (or, "Party influentials") in union leadership if they wouldn't use their power and influence to defend the interests of the Soviet Union. At root were a series of prior decisions, such as the period of the Molotov-Ribbentrop Pact when the CP abandoned anti-fascism for neutrality. Such a sudden about-turn, and so clearly in the interests of the Soviet government, put many Party activists who were in positions of serious political responsibility in union leadership in a bind unless they were able to be liberated by the dictates of the Party line by resigning and becoming fellow travelers. "[A]lthough they continued to accept the authority of the Party," Starobin wrote, "they left its operation to functionaries." A day of reckoning thus became almost inevitable since these "Party influentials" continued to gain power and responsibility as unions grew during WWII, but "tended to take little responsibility for the Party 'line,' and became concerned only when the line intersected their particular sphere of interest."[96]

Starobin further explains that the 1948 experience of having the CP dictate a break with the New Deal coalition, in the form of a third party challenge to Truman, "was to create in them an ever-greater doubt as to the Party's wisdom. This doubt increased the practical gap between the Party and their own behavior." Added to this was William Z. Foster's paranoia about a new world war directed against the Soviet sphere, as well as a Palmer Raids-style crackdown on the remaining Communists within the U.S., and his impatient desire to "legitimize the political activity of the hitherto-concealed Party influentials, that caused CP leaders to initialize a definitive–and debilitating–break with, eventually, all union leadership.[97]

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[96] Joseph R. Starobin, *American Communism in Crisis, 1943–1957* (Harvard University Press, 1972), 40–41.
[97] Joseph R. Starobin, *American Communism in Crisis, 1943–1957* (Harvard University Press, 1972), 178-180.

Starobin's analysis squares with the documentary evidence in the New York hotel workers' story. One of the first archival documents I had access to, over a decade before I began drafting the manuscript, was Jay Rubin's FBI file. His son, Donald Rubin, must have requested it in the 1990s, so it was declassified and still in the possession of the Bureau, which mailed me 169 photocopied pages in October 2006. After the final "crack" in the Party's unity within the union, and after HRE's trusteeship of Local 6, Rubin sat for an interview with FBI agents in November 1950. He was trying to get off of their list of "Key Figures" under consideration for detention in the event of a crisis, and potentially denaturalization and deportation. Rubin told agents that he had ceased being a member in "1938 or 1939" and that from then until 1947 "he made use of the Communist Party to keep himself in high office in the hotel unions in New York City and the Communist Party made use of his name and position in order to keep control of these unions and in order to maintain a foothold in an American Federation of Labor group."[98]

I initially doubted the veracity of the FBI's narrative. Quitting the Party, and relegating himself to fellow traveler status around the time of the Molotov-Ribbentrop Pact, and fully breaking with the Party over the Henry Wallace campaign, seemed too pat, as if Rubin assumed that even the dumbest "red squad" cop would be familiar with those two narrative beats, and he could avoid telling "the whole truth." But his answers track with further evidence and is confirmed by other historical sources.

First, his role as a "Party influential" conforms with both Starobin's account and with Robert Cherny's authoritative biography of Harry Bridges. Cherny shows how the Party consulted with Bridges on labor policy at the level of the Central Committee, often giving him both voice and vote.[99] His non-membership was both technically true and a convenient fiction to protect him from the government's deportation efforts. Rubin, likewise, by ceasing to be a member was freed from the technical requirements to toe the Party line on keeping the U.S. out of the WWII–which would have needlessly strained relations with more conservative Hotel Trades Council affiliates–while leaving him in leadership of both the union and the Party fraction.

Evidence from internal union investigations confirms this picture. As late as 1946, at an internal HRE tribunal investigating Communist influence on its New York locals, I write, "Disgruntled members hurled accusations of dubious veracity, but a number of ex-Communists provided details about how the Party's culinary industry fraction caucused before union elections to ensure that Party members or allies—although a minority of union membership—would retain

[98] "Jay Rubin. 100-HQ-52865," FBI, https://archive.org/details/JayRubinFBI, 106, 137, 166.
[99] Robert W. Cherny, *Harry Bridges: Labor Radical, Labor Legend* (University of Illinois Press, 2023), 154-166.

the most important leadership posts, claiming Jay Rubin directed the Party's activists in every LJEB local."[100]

That Rubin was in charge, but also not fully in control is supported by a key personnel change that the Party made in 1941, assigning John Steuben to a paid post in BSEU's Hotel Front Service Employees Local 144. Steuben was a key figure; active in the Comintern before he emigrated at the age of 16 in 1923, he was fired from the Steel Workers Organizing Committee in its 1937 purge of Communists and labor edited the Party's *March of Labor*. Steuben was initially hired to be Local 144's education director, and eventually was elected secretary-treasurer. His placement at Local 144 was not merely a matter of finding a good cadre activist a soft landing after the SWOC purge, but it put someone with gravitas and ideological grounding inside the meetings of the Party's culinary industry fraction that Rubin could no longer be seen attending.[101]

But it became harder to reconcile strategic disagreements. Tensions between Rubin and other party officials become noticeable around the campaign of Henry Wallace. When Jay Rubin did not support the 1948 Wallace campaign, Steuben–almost surely in consultation with William Z. Foster–began sowing doubts about Rubin's ability to lead a united union. A Steuben proxy, HRE Local 6 vice president Charles Collins declared at one 1949 Party meeting (in a prepared speech that was leaked to the FBI): "The struggle that we went through was a struggle between the policies of class collaboration and capitulation as represented by Jay, and the policies of militant defense of the interests of the workers and of class struggle as represented by the progressive leadership and the rank and file in the union."[102]

The struggle that Collins was referring to was a surrogate battle over the 1949 Industry Wide Agreement, in which Rubin won the principle of overtime pay for tipped employees (a longtime union goal), but CP loyalists arbitrarily carped did not include an across-the-board wage increase for all employees. That CP leaders had signed off on tipped overtime as the more important goal and that, in a recession year, few unions were bringing in across-the-board wage increases, did not matter. The 1949 settlement would remain the proverbial bloody shirt that CP loyalists would wave, claiming to be the more militant trade unionists than the Rubin faction until union elections in 1950 made the dispute even more explicit. Faced with an opposition ticket led by the popular former Local 6 president, Martin Cody, and exactly half of

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[100] "Central Trades and Labor Council Investigation of Hotel and Restaurant Union, transcript," Board of Education Series 591 Subject Files, Municipal Archive, City of New York.
[101] Shaun Richman, *We Always Had a Union: New York's Hotel Workers Union*, *1912-1953* (University of Illinois Press, 2025), 171, 234.
[102] "Jay Rubin, NY- 100–52865," FBI, https://archive.org/details/JayRubinFBI, 90–94.

the incumbent vice presidents and executive board, Rubin finally appealed to HRE international president Hugo Ernst to place Local 6 under trusteeship and apply the constitutional anti-Communist clause against his opponents. The “Crack” in leadership between Rubin and his erstwhile comrades is covered in chapter eleven of *We Always Had a Union*, while the sad denouement plays out in chapter twelve.

In conclusion, my research has drawn me to a greater appreciation of the complex relationship between the official Communist Party and unions in its orbit. Unions could be jarred out of reductionist strategic thinking by CP directives, but could just as easily be detoured into tactical boondoggles. Activists could gain energy and inspiration from the example of, and connection to, “actual existing socialism” (in the form of the Soviet Union), but just as easily suffer from outside interference and persecution. This research not only deepens our historical understanding of Communist influence in labor movements but also contributes to a more dynamic and layered view of labor activism and worker power in the United States.

Tell The Bosses We’re Coming

In submitting for a PhD by Publication, I’m not limiting my case to my published work as an historian. I’ve been publishing articles on labor law, union change and workers rights for nearly a decade. Chief among my publications to come out of that time is *Tell the Bosses We’re Coming* (Monthly Review Press, 2020)—a work in labor studies that presents an analysis of the current predicament of trade unions in the United States and makes strategy recommendations for organizers,

My first career was as a union staffer–an operations coordinator, representative, organizer and eventually organizing director. I worked for the Hotel and Restaurant Employees Local 6, one of the unions documented in *We Always Had a Union*, for three formative years. I worked for the American Federation of Teachers for a little over a decade, eventually rising to the level of Deputy Director of Organization & Field Services, with supervisory responsibility for the union’s charter school organizing division. By the end of my tenure I was responsible for a $3.5 million annual budget for a program that brought about one thousand new members into the union every year.

When I left, I was frustrated by the legal restraints of the system and the strategic timidity of both union leadership and radical critics. Freed up to have public opinions, I began publishing in October 2015 about the “trap” that the legal framework for labor relations had become in the

U.S., and of the labor movement's need to experiment more with alternatives. I later explained the "trap "in my first book as:

> The combination of exclusive union representation, mandatory agency fees, no-strike clauses, and 'management rights' are the foundation of our peculiar 'union shop.' No other country structures its labor relations system quite like this. Our labor system didn't always look like this. It developed through a series of historical accidents. It has been made unworkable by a dogged anti-union legal campaign run by the vast right-wing conspiracy of think tanks, industry lobbyists, and bloodthirsty billionaires.

And continued:

> "Part of the trap, however, is in our own heads. Too many union activists and allies take for granted what a union is—how it should be organized, what collective bargaining looks like."[103]

I took on all four foundations of the "union shop" in my first article for *In These Times*, titled, "The Promise and the Peril of Members-Only Unions." I was responding to an article co-authored by Moshe Marvit that highlighted case studies of unions pressing issue campaigns and bargaining demands as non-majority "members only" unions, rather than utilizing the government certification process that grants unions the exclusive right to represent all workers in a declared bargaining unit. There are more rights that come with National Labor Relations Board (NLRB) certified exclusive representation, but the arduous process is rigged against workers, and unions lose nearly half all elections, while giving up entirely on an even larger number of non-union workplaces.

"If a union," I responded, "for whatever reason, only seeks to represent a portion of a bargaining unit, another organization will come along to recruit the workers who are left out by promising better benefits or an alternative approach to seeking improvements on the job." I backed that contention up with two examples. The contemporary example was a Volkswagen factory in Chattanooga, TN, where the United Auto Workers petitioned for minority recognition after losing an NLRB election in 2014, only to see an independent "Council of Employees" stake out a rival claim as a less confrontational employee representative. The other example was the

[103] Shaun Richman, *Tell the Bosses We're Coming: A New Action Plan for Workers in the Twenty-first Century* (Monthly Review, 2020), 11-12.

1934 strike in the New York hotel industry, in which three unions vied for supremacy and management struggled to make a settlement that convinced all unions to suspend their job actions. Clearly, I had a project like *We Always Had a Union* in mind for over a decade before it finally got published, but at the time I merely briefly used it as an example of bringing more chaos into labor relations.

"No strike" clauses, which forbid most job actions during the terms of a signed labor agreement, and "management rights" clauses, which grant employers wide latitude to make changes not expressly constrained by the agreement, are essential for "labor peace." To be enforceable, they require that employees are bound to the terms of the contract by the terms of their membership in the union, and that union leaders are bound to enforce those rules. I didn't quite have the courage of my convictions at the time, and couched this analysis as a "warning."[104]

By April 2016, I was advocating that unions explicitly tie the issue of exclusive representation to the union shop, or agency fee. Commenting on cases winding through state and federal courts arguing that so-called "Right to Work" laws were unconstitutional "takings" under the Fifth Amendment, I provided a brief history: "Agency fee originated not merely as compensation for the *financial* costs of representing all the workers in a unit, but for the *political* costs." When unions were faced with a wave of member resignations protesting the combined wage freeze and no strike pledges of World War II, the National War Labor Board compensated unions with a "maintenance of membership" rule which prevented workers from quitting the union during the term of a contract. "Maintenance of membership" evolved into the union shop and agency fees, as well as the expectation that a union must contest a "winner take all" NLRB certification election to be the exclusive representative of an entire bargaining unit (rather than, as the law had originally intended, to simply claim to represent any given group of workers).

The idea, then, of having to face the gauntlet of an NLRB election (a high proportion of which unions lose) to represent all workers in a bargaining unit, despite the opposition and refusal of a vocal minority to join and pay dues, had become a trap. "To win big, we need a union in a right-to-work state that is genuinely willing to cede exclusive representation to kick out the scabs.," I wrote and continued to outline ways I thought unions that wanted to experiment with minority or members' only unionism could go about it.[105]

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[104] Shaun Richman, "The Promise and the Peril of Members-Only Unions," *In These Times*, November 4, 2015, https://inthesetimes.com/article/members-only-minority-unions (Accessed September 27, 2024).
[105] Shaun Richman, "The Legal Argument That Could Overturn 'Right-to-Work' Laws Around the Country," *In These Times*, April 21, 2016. https://inthesetimes.com/article/the-legal-argument-that-could-overturn-right-to-work-laws-around-the-countr (Accessed October 25, 2024).

This drew a response from Chris Brooks, who was a staffer for *Labor Notes* at the time and today is the director of organizing at the United Auto Workers union. Drawing on his prior experience as an organizer for the National Education Association in Tennessee, where the union, denied collective bargaining, competed with several organizations vying to represent teachers, including some straight-up company unions. “Rather than members-only unionization being a stepping-stone towards building a majority membership organization,” Brooks warned, “this approach can become a shortcut for unions to spend fewer resources by narrowing the scope of outreach and organizing to only dues-paying members.[106]

Brooks and I, joined by Kate Bronfenbrenner of Cornell University, later debated the question “After Janus, Should Unions Abandon Exclusive Representation?” in an *In These Times* roundtable.[107] And, in a vain effort to put a bit of fright into Chief Justice John Roberts, I warned of unintended consequences of an anti-union decision in the then-pending *Janus vs. AFSCME* Supreme Court case in a *Washington Post* op-ed. The case, which outlawed the union shop in the public sector, would lead to some unions in the private sector abandoning exclusive representation, and that that would make “no-strike” clauses in collective bargaining agreements basically unenforceable.[108] To date, alas, I know of no unions that have followed the strategy I outlined.

Bringing back the strike as a weapon in labor’s arsenal has been a focus of my writing since one of my earliest articles for *In These Times*, “As Attacks on Unions Continue, Bringing Back the Strike May Be Our Only Hope” in January 2016. In 2012, the federal agency responsible for tracking working hours lost to work stoppages counted only four major strikes involving less than 15,000 workers that year. Despite decades of attacks on wages and pensions, longer hours and unsafe working conditions, planned work stoppages had almost entirely disappeared as a union strategy. “No-strike” clauses, which sideline the best-organized workers who actually understand the source of their power and how to use it and force their union leaders to shut down spontaneous eruptions of protest, were one culprit, I argued. But far more impactful was a little understood Supreme Court decision from 1938, *NLRB v. McKay*

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[106] Chris Brooks, “Why We Shouldn’t Fall for the Members-Only Unionism Trap,” *In These Times*, December 22, 2017. https://inthesetimes.com/article/members-only-union-labor-right-to-work (Accessed October 25, 2017).
[107] Kate Bronfenbrenner, Chris Brooks and Shaun Richman, “After Janus, Should Unions Abandon Exclusive Representation?,” *In These Times*, May 25, 2018. https://inthesetimes.com/article/janus-unions-exclusive-representation-labor-right-to-work-supreme-court (Accessed October 25, 2024).
[108] Shaun Richman, “If the Supreme Court rules against unions, conservatives won’t like what happens next,” *Washington Post*, March 1, 2018. https://www.washingtonpost.com/news/posteverything/wp/2018/03/01/if-the-supreme-court-rules-against-unions-conservatives-wont-like-what-happens-next/ (Accessed October 25, 2024).

Radio, which was weaponized by union-busting companies and Reagan's anti-union NLRB appointees to create a roadmap for employers to bargain their unions to impasse over draconian cuts in wages and working conditions and then permanently replace them and decertify the union when they went out on strike. But the problems holding unions back from striking at the levels that they had prior to 1983 had become cultural as much as legal:

> Our challenge is to inspire even non-union workers to think about their power and how to exercise it using the tools we have on hand: a union movement with miniscule density in only a handful of service and public sector industries largely led by staff who have precious little personal experience with leading job actions. We should be clear about how deep this deficit is.[109]

Statewide teachers walkouts and health-and-safety wildcats during COVID, as well planned strikes at contract expiration time in the auto and telecommunications industries (to name a few) have restored strike activity to mid-1980s levels, which, while not a strike wave, at least means that job actions are on the table and under consideration for more unions and workers organizing to form unions today. One article in one progressive magazine cannot reasonably take credit for the uptick in strike activity, except that it is often difficult to measure how a movement and a culture evolve. Publishing "Bringing Back the Strike" in 2016 added some thoughts to a conversation that was beginning to take place among union activists and staff. The editors of *In These Times* considered it a timely and noteworthy contribution. They selected it for inclusion in their 40th anniversary collection, *The Age of Inequality*, and, thus, it was my first published book chapter.[110]

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[109] Shaun Richman, "As Attacks on Unions Continue, Bringing Back the Strike May Be Our Only Hope," *In These Times*, January 13, 2016. https://inthesetimes.com/article/as-attacks-on-unions-continue-bringing-back-the-strike-may-be-our-only-hope (Accessed October 25, 2024).

[110] Jeremy Gantz, editor, *The Age of Inequality: Corporate America's War on Working People* (Verso, 2017), 209-210.

I continued to return to the right to strike, *McKay*, Phelps-Dodge and strike strategy in articles.[111] As well, I kept returning to the theme of the weak constitutional grounding of workers rights in legislation.

In February 2016, Supreme Court Justice Antonin Scalia died. While it was clear that the deadlocked Court was going to dismiss the cynically weaponized First Amendment attack on union agency fees in the public sector that was then called *Friedrichs v. CTA*. Moshe Marvit and I decided it was a good time to argue that union rights should be protected as First Amendment exercises of free speech and assembly, rather than attacked by employers' assertion of their own rights under a pro-corporate reading of the law. We secured a commission from the progressive think tank the Century Foundation to produce a report encouraging "unions and their allies to return to the rights-based rhetoric and constitutional legal strategies that preceded the passage of the National Labor Relations Act and the development of our current labor law regime:"

> Simply put, unions are hampered by rules that would never be applied to corporations, or to any other form of political activism. One of the root causes of this injustice was a conscious decision by the framers of the NLRA to root its constitutional authority in the Commerce clause—not in the First Amendment right of free speech and assembly, nor in the Thirteenth Amendment right to be free from "involuntary servitude."[112]

For rhetorical purposes, our "Labor's Bill of Rights" selected ten rights to be restored through a campaign of judicial activism, but our arguments were as–if not more–rooted in the three Reconstruction Amendments as in the original ten Bill of Rights amendments to the U.S. constitution.

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[111] Shaun Richman, "With 3 Recent High-Profile Walkoffs, Is the Wildcat Strike Back?," *In These Times*, February 12, 2016. https://inthesetimes.com/article/wildcat-strike-uber-walkoff-unions-labor-radicalism (Accessed October 25, 2024); Shaun Richman, "The Right to Strike Must Mean the Right to Return to Work After a Strike," *In These Times*, June 15, 2016. https://inthesetimes.com/article/now-is-the-time-for-labor-to-push-for-a-ban-on-striking-workers-permanent-r (Accessed October 25, 2024); Shaun Richman, "The West Virginia Teachers' Strike Has Activists Asking: Should We Revive the Wildcat?," *In These Times*, Mach 13, 2018. https://inthesetimes.com/article/west-virginia-teachers-strike-wildcat-janus (Accessed October 25, 2024); Shaun Richman, "America's Great Strike Waves Have Shaped the Country. We Can Unleash Another," *In These Times*, October 1, 2018. https://inthesetimes.com/article/a-history-of-america-in-ten-strikes-erik-loomis-unions (Accessed October 25, 2024); Shaun Richman, "Happy Striketober. Let's Restore the Legal Right to Strike," *In These Times*, October 20, 2021. https://inthesetimes.com/article/striketober-right-to-strike-nlrb-legal-john-deere (Accessed October 25, 2024).

[112] Shaun Richman, "Labor's Bill of Rights," The Century Foundation, July 18, 2017. https://tcf.org/content/report/labors-bill-rights/ (Accessed October 28, 2024).

Our first enumerated right was literally to apply the First Amendment right of free speech to unions. We highlighted a Supreme Court precedent, called “Jefferson Standard” that policed union campaign literature that criticizes the employer’s product with the edict, “there is no more elemental cause for discharge of an employee than disloyalty to his employer.” Our second right analogized the right to engage in secondary boycott activity as labor’s right to self-defense, and argued that the the Taft-Hartley amendment’s prohibition of it is a violation of the equal protection clause of the Fourteenth Amendment, as corporations are routinely allowed to take disputes between them to third parties caught in the middle (as when a cable company blacks out a sports channel during a payment dispute).

Other rights focused on overturning the *McKay* doctrine as a violation of the Thirteenth Amendment; invoking the Fifth Amendment to argue that lockouts deny workers their right to due process; promoting a “right to your job,” or, in other words, just cause protections from unfair terminations, under the Thirteenth Amendment; and expanding the scope of bargaining through First Amendment arguments against government restriction of speech.

Each proposed right was accompanied by a “How to Restore This Right” section laying out how and at what level to lodge challenges and appeals against the law, aimed at winning favorable court decisions. For instance:

> Labor should begin pushing back against the use of the lockout by challenging them on their face. If an employer locks out workers for engaging in concerted activities, including organizing a union and making demands in the collective bargaining process, unions should file unfair labor practice charges arguing that the lockout violates section 8(a)1 by interfering with their members’ concerted activity and section 8(a)3 by discriminatorily withholding pay from workers who are merely engaging in union activity, and when the case gets to the courts, argue that the lockout deprives workers of their due process rights under the Fifth Amendment.

Although we began drafting *Labor’s Bill of Rights* during a moment of political optimism, Donald Trump’s victory in November 2016 caused us to doubt the strategy. If the Republicans were about to pack the federal courts and tilt the Supreme Court to the hard right for a generation, what sense did appealing to the courts for workers’ rights make? We sat on the report for a few months and ultimately revised it, acknowledging the changed conditions but still challenging readers to re-cast our demands for reform in constitutional arguments rooted in the Bill of Rights and Reconstruction Amendments.

By the time we published the report in July 2017, Moshe Marvit, whose full-time job was in the federal government, found himself the target of fascists seeking to purge the administrative and civil service ranks of anyone who stood out for liberal sympathies, and chose to remove his name as a co-author. I took the lead in promoting the white paper in a series of radio interviews, a centerfold story for *In These Times*, an article in *New Labor Forum* and a promoted editorial in *Vox*.[113]

One result of *Labor's Bill of Rights* was a call from Sen. Elizabeth Warren's staff. The Massachusetts lawmaker, one of the most prominent progressive Democrats in the upper chamber, was rumored to be considering a run for President in 2020 and was looking for bold labor reform ideas. In our hour-long conversation, her team probed me for strategies on how the Senator could move the *LBoR* agenda legislatively. Nothing substantial came from that particular discussion, since the ideas in the white paper were really designed for judicial activism–not legislation.

When I debriefed the call with Marvit, we surmised that left-wing leaders in the Democratic party may be getting ahead of the major unions; that key figures had come to the conclusion that bolder reforms were necessary to get unions and the Democratic party out of the trap of long-term membership decline reducing "Get Out the Vote" effectiveness, and that they were only getting timid proposals for piecemeal reforms from the AFL-CIO and its think tank allies. We decided to test our theory by getting a significant politician to float a radical trial balloon in order to demonstrate that the Overton Window (the range of ideas that are permissible, or viable, to discuss as concrete policy proposals) was moving to the left.

Marvit secured a meeting with Rep. Keith Ellison of Michigan, who was then the chairman of the House Progressive Caucus, and his staff landed on the idea of a bill to establish a "just cause" standard of employment. Unlike many other countries, including the UK, workers in the US labor under an "at will" doctrine, which means that they can be fired for a "good, bad or no reason." Ours was not a unique idea. "Earlier generations of the labor movement resisted the 'at-will' doctrine and fought for employment rights for all workers," as we've pointed out, but that changed with the advent of the National Labor Relations Act and the routine of collective

[113] Shaun Richman, "A New Bill of Rights for Workers: 10 Demands the Labor Movement Can Fight for and Win," *In These Times* (September 2017); Shaun Richman, "Labor's Bill of Rights," *New Labor Forum*, Volume 26, Issue 3 (Fall 2017); Shaun Richman, "The right to organize at work deserves constitutional protection," *Vox*, September 2, 2017. https://www.vox.com/the-big-idea/2017/9/1/16240036/labor-day-constitution-free-speech-unionization (Accessed October 28, 2024).

bargaining. “With ‘just cause’ routinely negotiated into collective bargaining agreements, unions evolved to accept that job security is something a worker only gets for being in a union.”[114]

Although most union leaders might have been resigned to the status quo, we posited that the #MeToo movement and documented widespread practice of terminations to thwart union organizing drives and silence whistle-blowers had turned this lack of a basic civil right at work into a salient issue. As Ellison drafted and prepared to introduce a “just cause” bill, we supported what we called “A Right to Your Job bill” with an op-ed in the *New York Times*, in which we argued:

> A just-cause rule would give workers greater freedom to say no to requests that have nothing to do with their jobs, like “Can you pick up my dry cleaning?” or “Come up to my hotel room.” It would provide workers more power to resist unfair schedule changes, like an attempt to cancel a preapproved vacation. It would allow workers to resist mandatory overtime presented as voluntary. It would firmly place the burden on an employer to show that the reason it fired an employee had nothing to do with, say, the sick day she took to care for her child or the memo she wrote to complain about a powerful co-worker making sexual advances (three-quarters of women who have filed sexual harassment claims at work experience retaliation, according to one report).[115]

We followed that up with an article in the peer-reviewed journal *New Labor Forum* in which we laid out ways that unions could campaign on the need for legislation, and our articles have been cited by Bill Fletcher, Jr. in *In These Times*, the left-leaning think tank Data for Progress and the Harvard Center for Labor & A Just Economy’s *Clean Slate* report, among others.[116] Keith Ellison chose to run for Attorney General in Minnesota and decided he would not be the right legislator to introduce a “message bill” that could take decades to pass. However, “just case” wound up as a plank in the presidential primary platforms of three major candidates,

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[114] Moshe Marvit and Shaun Richman, “The Case for ‘A Right to Your Job’ Campaign,” *New Labor Forum*, Volume 27, Issue 3 (Fall 2018), 14-18.
[115] Moshe Marvit and Shaun Richman, “American Workers Need Better Job Protections,” *New York Times*, December 18, 2017.
[116] Bill Fletcher, Jr., “How To End the Tyranny of the Nonunion Workplace,” *In These Times*, August 2018; Jared Odessky, “Just Cause is a Civil Rights Issue,” Data for Progress, June 16, 2020, https://www.dataforprogress.org/blog/6/16/just-cause-is-a-civil-rights-issue (Accessed September 26, 2020); Sharon Block and Benjamin I. Sachs, “Clean Slate for Worker Power: Building a Just Economy and Democracy,” Harvard Center for Labor & A Just Economy, January 23, 2020, https://clje.law.harvard.edu/clean-slate-for-worker-power-building-a-just-economy-and-democracy/ (Accessed September 26, 2024).

including Vermont Sen. Bernie Sanders.[117] More concretely, city councils in New York and Philadelphia passed "just case" laws for fast food workers and parking lot attendants, in coordination with local union organizing campaigns. The sponsor of the New York legislation, then-councilman Brad Lander, gave Marvit and me credit for the bill and asked me to testify as a subject matter expert in council hearings on the bill.[118] A coalition of over 30 unions and progressive organizations called Secure Jobs NYC continue to push for a just cause for all workers law in New York City.[119]

Finally, after five years of publishing my critiques of union strategy and labor law reform in *In These Times*, *New Labor Forum* and even in more mainstream outlets like the *Washington Post* and *New York Times*, I decided to sum up how both the legal system and union activists' received wisdom about how to navigate it had "evolved into a complex and insidious trap" in my first book[120] In 2020's *Tell the Bosses We're Coming: A New Action Plan for Workers in the 21st Century*, I spend the first three chapters walking through a history of how:

> The combination of exclusive union representation, mandatory agency fees, no-strike clauses, and "management rights" are the foundation of our peculiar "union shop." No other country structures its labor relations system quite like this. Our labor system didn't always look like this. It developed through a series of historical accidents. It has been made unworkable by a dogged anti-union legal campaign run by the vast right-wing conspiracy of think tanks, industry lobbyists, and bloodthirsty billionaires.

I include some recent history on the best of the "new union strategies" of what I call the post-1990s "organize or die era." This included repurposing an article I initially wrote for *New Labor Forum*, "Two Reasons Why Most Unions Don't Do Large-Scale Organizing," that argued two ways that unions got in their own way by failing to agree on the goals of the organizing drive

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[117] Shaun Richman, "Bernie Sanders' Labor Plan Could Put a Union in Every Workplace in America," *In These Times*, August 22, 2019, https://inthesetimes.com/article/bernie-sanders-labor-plan-wage-boards-just-cause (Accessed September 26, 2024).
[118] Hamilton Nolan, "Amazon Wanted a 'Rigged Process,' Says Councilman Brad Lander," *Splinter News*, February 25, 2019, https://web.archive.org/web/20190710143751/https://splinternews.com/amazon-wanted-a-rigged-process-says-councilman-brad-la-1832870759 (Accessed via the Way Back Machine on September 26, 2024).
[119] "Who We Are," Secure Jobs NYC, https://www.securejobsact.nyc/who-we-are (Accessed September 26, 2024).
[120] Shaun Richman, *Tell the Bosses We're Coming: A New Action Plan for Workers in the 21st Century* (Monthly Review Press, 2020), 11.

and to adapt accordingly. One way to think of the tensions of the "organize or die era," I argued, were:

> as a tug of war between competing institutional interests within the existing union framework—actually, a twin set of tensions. The first is between keeping decision-making and financial resources at the local union level and pooling resources and concentrating power in the international union. The other tension is between devoting resources to organizing the unorganized and focusing on winning better pay, working conditions, and rights for existing union members.[121]

The second half of the book is devoted to changes in strategy that are within unions' power. Labor's Bill of Rights' proposed campaign of judicial activism and more thoughts on how to revive the strike threat are given pride of place. I also highlighted narrower changes, like targeted recruitment of workplace leaders in internal (or "in-fill") organizing, better use of Unfair Labor Practice Charges and a philosophical approach to contract bargaining that puts management's rights back on the table. I also challenged union representatives to advocate for legal reform that goes well beyond narrow tweaks to the National Labor Relations Act–encouraging instead just cause laws and "all-in" systems of worker representation like Germany's works councils or the industrial code setting bodies that the U.S. briefly experimented with in 1933-35.

Tell The Bosses We're Coming sold a respectable 2,000 copies (so far; fingers still crossed). It was positively reviewed in several outlets, including *Labor Notes*, *Strikewave* and in the peer-reviewed journal *Contemporary Sociology*. Most gratifyingly, it got me interviews in nearly two-dozen radio programs and podcasts during the pandemic lockdown. Some of those, syndicated radio programs-cum-podcasts the *Rick Smith Show* and *America's Work Force Radio*, have turned into regular appearances.

As a calling card, the book has led to more outlets soliciting me for interviews and editorial contributions. I was included in a cover story roundtable (along with Bill Fletcher, Jr., Starbucks worker leader Michelle Eisen and Jane McAlevy) on the future of labor for *Yes! Magazine* in 2022.[122] ABC News interviewed me about state-level minimum wage

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[121] Shaun Richman, "Two Reasons Why Most Unions Don't Do Large-Scale Organizing," *New Labor Forum*, Volume 25, Issue 3 (Fall 2016); Shaun Richman, *Tell the Bosses We're Coming: A New Action Plan for Workers in the 21st Century* (Monthly Review Press, 2020), 55-60.
[122] Sonali Kolhatkar, "Can Unions Still Transform the Workplace?," *Yes! Magazine*, August 12, 2022. (https://www.yesmagazine.org/issue/work/2022/08/16/unions-still-transform-workplace; Accessed November 27, 2024).

boards–particularly California's– as a strategy for union power.[123] *Talking Points Memo* quoted me as a subject matter expert in a series of articles on Right-to-Work laws in 2023.[124] In 2024, the *New York Review of Books* asked me to explain the *Starbucks Corp. v. McKinney* Supreme Court decision in a long-form essay.[125]

These added to a collection of clips that included an additional *Washington Post* op-ed, co-authored with Erik Loomis, on the Democratic Party's shortcomings on trade policy; op-eds on labor education, New York state labor law, the lack of free speech protections for unions and the hostility of the Supreme Court towards unions for the half-million-plus circulation *New York Daily News*; and a piece on worker safety for my local *Staten Island Advance*.[126] The *New York Times* also quoted me in an article on the group Democratic Socialists of America (then in vogue for successfully boosting a few insurgent Democrats in Congressional primaries) operating as an opposition movement within trade union leadership elections. The reporter told me she reached out because she thought that I had presciently predicted the response that union leaders would have to any internal caucusing by Socialists in my conversation with Bill Fletcher Jr.[127]

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[123] Max Zahn, "California signs law that could transform worker bargaining. Here's how," *ABC News*, September 6, 2022 (https://abcnews.go.com/Business/california-legislature-passes-bill-transform-worker-bargaining-heres/story?id=89046096; Accessed December 3, 2024).

[124] Kate Riga, "Michigan Is Poised To Repeal Right-To-Work, Getting Back To Its Union Roots. Will Other States Follow?," *Talking Points Memo*, March 23, 2023 (https://talkingpointsmemo.com/news/michigan-right-to-work-union; Accessed November 27, 2024); Kate Riga, "The Decades Of Successful Marketing Behind 'Right-To-Work' Laws," *Talking Points Memo*, March 24, 2023 (https://talkingpointsmemo.com/news/right-to-work-union-abortion; Accessed November 27, 2024).

[125] Shaun Richman, "Misjudging Labor," *New York Review of Books*, August 10, 2024. (https://www.nybooks.com/online/2024/08/10/misjudging-labor/; Accessed November 24, 2024).

[126] Erik Loomis and Shaun Richman, "Trump is all bluster on trade, but Democrats haven't shown voters they can do better," *Washington Post*, March 9, 2018); (https://www.washingtonpost.com/news/posteverything/wp/2018/03/09/trump-is-all-bluster-on-trade-but-democrats-havent-shown-voters-they-can-do-better/; Accessed November 27, 2024); Shaun Richman, "A history lesson on saving labor," *New York Daily News*, December 12, 2018 (https://www.nydailynews.com/2018/09/03/a-history-lesson-on-saving-labor-look-to-how-unions-rebounded-in-the-1920s-for-insight-on-how-they-can-make-progress-today/; Accessed November 27, 2024); Shaun Richman, "Rats have speech rights, too," *New York Daily News*, July 8, 2019 (https://www.nydailynews.com/2019/07/08/rats-have-speech-rights-too-unions-protests-and-balloons/; Accessed November 27, 2024); Shaun Richman, "Usher in a new day for labor," *New York Daily News*, October 11, 2019 (https://www.nydailynews.com/2019/10/11/usher-in-a-new-day-for-labor-the-courts-cant-be-counted-on-to-protect-workers-anymore-congress-needs-to-pass-new-laws/; Accessed November 27, 2024); Shaun Richman, "What we owe gig workers," *New York Daily News*, May 28, 2021 (https://www.nydailynews.com/2021/05/28/what-we-owe-gig-workers/; Accessed November 27, 2024); Shaun Richman, "'Cut red tape?' People are dying in the workplace!," *Staten Island Advance*, August 16 2018 (https://www.silive.com/opinion/columns/2018/08/post_31.html; Accessed November 27, 2024).

[127] Vivian Wang, "In New York, the Far Left Is Targeting a Close Ally," *New York Times*, September 19, 2019; Shaun Richman and Bill Fletcher Jr., "What the Revival of Socialism in America Means for the

Going forward, I'm concentrating most of my book-writing energy on history and cultural criticism while I continue to enjoy *In These Times*, *Jacobin* and the *American Prospect* as outlets to get my opinions and analysis of current events out there in the discourse.

Cultural Criticism

The other major reason I seek a degree in American Studies instead of, simply, History, is that cultural criticism has been a long-term thread in my published writing. I still keep one piece of writing from my teenage years, "Rise of the Loompa Proletariat," in my clips. In the tongue-in-cheek essay on the 1971 film *Willy Wonka and the Chocolate Factory*, I argue that Wonka's factory could be seen as a depiction of a Stalinist gulag. I was proud to place the piece in the now-legendary 1990s Chicago-based 'zine, *Lumpen* (It's been republished in a few other zines, too).[128]

More recently, I was published in *Jacobin*, offering a Marxist critique of the television series, *Mad Men*. On the 15th anniversary of its premiere episode I wrote that, to my surprise, no one had yet to note the fairly obvious reference to a classic mid-century Marxist text that was employed as the first example of series protagonist Don Draper's talent. In 1966's *Monopoly Capital: An Essay on the American Economic and Social Order*, Paul A. Baran and Paul M. Sweezy devote a crucial chapter to the waste of productive capacity that the advertising industry employs to convince consumers that they have choice, and that one of a dozen identical products can be superior because, well, "It's toasted!"[129] "This was not a famous advertising campaign," I wrote. "It's hardly 'Where's the Beef?' and was for a completely different cigarette maker." It seemed clear, I argued, "that Matthew Weiner read *Monopoly Capital* and drew some inspiration from it. But what, if anything, was he trying to say about the advanced stage of capitalism and artistic creativity in an industry built on lies and deception?"[130]

Also for *Jacobin*, I wrote a piece titled, "When Unions Fought Rock-and-Roll," that was initially motivated by my fandom of the Kinks and curiosity about Ray Davies' grouchy and vague complaints that the band was "banned" from the U.S. by the musicians union in the late

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Labor Movement," *In These Times*, October 9, 2017, https://inthesetimes.com/article/labor-movement-workers-socialism-united-states (Accessed September 23, 2024).

[128] Shaun Richman, "Rise of the Loompa Proletariat," *Lumpen*, Volume 6, Issue 11 (April 1998).

[129] Paul A. Baran and Paul M. Sweezy, *Monopoly Capital: An Essay on the American Economic and Social Order*, Monthly Review Press, 1966, 112-141.

[130] Shaun Richman, "15 Years Ago, *Mad Men* Quietly Began Its Engagement With Leftist Ideas," *Jacobin*, July 4, 2022, https://jacobin.com/2022/07/mad-men-15-years-advertising-left-ideas-monopoly-capital (Accessed September 22, 2024).

1960s.[131] Primarily a book review of Michael James Roberts' *Tell Tchaikovsky the News: Rock 'n' Roll, the Labor Question, and the Musicians' Union, 1942-1968*, I focus more on explaining how rock-and-roll eroded union standards and why the union's many efforts to repress the new artform made sense from a trade union perspective. The article fits into the "union change" material that I was writing around the time, particularly in reinforcing how unions often get stuck in strategic blind alleys:

> In the labor movement, many organizers tend to assume that the way unions are organized and bargain makes sense because someone smarter than us evaluated all the options and decided on our present course as the best possible one. "It is what it is," we shrug and tell ourselves. But maybe we should be asking something more along the lines of, 'Are we trying to kill rock-and-roll?'

I spent the last third of the article playing with ideas of how musicians could rebuild their union power, mostly focused on strategic choke points in chain management of live music venues. The article was noticed by *Rolling Stone* magazine, who called on me as a subject matter expert in an article that explored the professed growing interest in unionization by some pop stars, and the legal and institutional hurdles that stand in their way:

> Musicians hoping to unionize also face obstacles unlike those in many other industries. "You've got stars passing in and out of union databases, sometimes as the employer, and sometimes as a card-holding member," explains Shaun Richman, a former organizer who now serves as the program director at the Harry Van Arsdale Jr. Center for Labor Studies. If 2 Chainz hires a string section to record with him, he's the boss; when he turns around to negotiate a contract with his label, he's the employee. "That's totally screwy," Richman says.
>
> "Richman attributes the uncertainty of this system, in part, to the success of rock and roll. Before rock came along, 'the AFM had a very high-functioning model and basically a 100% unionized workforce,' he says. 'They approached it as, the producers are the boss. The producer hires the songwriters and the band is just working musicians.' The

[131] Shaun Richman, "When Unions Fought Rock-and-Roll," *Jacobin*, April 14, 2017, https://jacobin.com/2017/04/music-rock-and-roll-musicians-union-the-beatles (Accessed September 21, 2024); Michael James Roberts, *Tell Tchaikovsky the News: Rock 'n' Roll, the Labor Question, and the Musicians' Union, 1942-1968* (Duke University Press, 2014).

lines between worker and employer eroded when rock "started to merge the role of songwriter, producer and artist."[132]

I recently had a chapter published in a peer-reviewed book, *Scenes from the American Working Class: This Hard Land* is published by Lexington Books, as part of its interdisciplinary Politics, Literature, & Film series. My article, "When It Ain't Your Turn: Striving for Meaningful Work in *The Wire*," argues that the legendary "cop show" was really about workplaces. "The 2002–2008 HBO series, created and helmed by David Simon, depicted working life in a bureaucracy with a heavy emphasis on the moral rot that's at the center of many large institutions under late-stage capitalism," I explain.

> "Ostensibly a police procedural, the show depicted a series of wiretap investigations into drug cartels, prostitution rings, contraband smugglers, money launderers, and corrupt politicians across five seasons. In so doing, it meaningfully explored working life up and down the chain of command in the Baltimore police department, its school system, its district attorney's office, City Hall, and even the drug gangs themselves."

Its continued relevance is poignant in the post-COVID era:

> "Workers, tired of caring more about product quality and institutional missions than bosses, shareholders, and stakeholders who sleepwalk through their responsibilities before cashing out, are refusing to go above and beyond their duties. This bit of soldiering has earned the media moniker 'quiet quitting.' The characters on *The Wire* would call it *not giving a fuck when it ain't your turn*."[133]

I was inspired by my involvement with *This Hard Land* and pitched my own edited volume of essays to explore how labor unions, union organizing, and strikes and job actions have been portrayed in mainstream, scripted episodic television shows. I'm currently under contract with SUNY Press to produce *"So Long, Dental Plan!" Unions, Labor Relations and Class Struggle…As Seen On TV* by November 2025 for a 2026 release. As of this writing, the

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[132] Elias Leight, "There's a Musician's Union. Many Musicians Are Unaware — or Unable to Join," *Rolling Stone*, May 6, 2019, https://www.rollingstone.com/music/music-features/theres-a-musicians-union-many-musicians-are-unaware-or-unable-to-join-831574/ (Accessed September 20, 2024).
[133] Steven J. Michels, editor, *Scenes from the American Working Class: This Hard Land* (Lexington Books, 2025), 171-190.

call for proposals is out seeking multi-disciplinary proposals rooted in Labor Studies, Film Studies, History, American Studies, Humanities, Political Science, Popular Culture Studies and the Social Sciences.

We live in an era where art is increasingly replaced by corporate content, particularly the kind that rents and recycles IP (intellectual property). And, yet, many people derive their identity and understanding of the world from the media they consume. What I aim to instigate are projects that, to borrow a phrase from "the late 1900s," jam the culture by pointing out how the working class is represented (or, more often than not, missing entirely from the picture) in media representations of surviving, thriving or fighting the system.

Conclusion

This critical analysis essay is submitted for a PhD by Publication in American Studies. It presents a survey of work by an historian, activist and public intellectual focused on workers' struggle for a better world.

As a labor historian, I am an institutionalist because change is formally made through unions and other worker organizations. Obviously, there are wider social forces and trends at play, but where workers exercise the most control over the changes that they demand in the world it is through organization. Organizations–even the best of them–become rigid or sclerotic. They doggedly pursue old strategies because of a sense of tradition, or more simply what they believe has worked in the past will work in the future. I try to draw my audience's attention to examples of change–moments of strategic pivots or evolutions–and try to draw analogies between the then and now. As an historian of American Communism, I have emphasised the need for, and role of, outside interventions to help get unions out of their strategic cul-de-sacs. "I don't even mean good, wise, or principled disagreement," I argued in *Tell The Bosses*. "Just simple disagreement: looking at a challenge or opportunity and proposing an alternative plan."[134]

As an activist, I have stressed the need for experimentation in tactics and strategy; for simply looking at a problem differently. As historian and activist, I have dug deeper on the law to look at the drafting debates and the underlying constitutional theories and arguments–intellectual realms that leftists dismiss at our peril–because whatever follows Trump II (hopefully, eventually, a new and better constitutional regime) must be shaped by articulate and historical informed articulations of the human rights involved in our work, and the occasional refuse to work.

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[134] Shaun Richman, *Tell the Bosses We're Coming: A New Action Plan for Workers in the 21st Century* (Monthly Review Press, 2020), 21.

In my historical scholarship, I continue to be interested in the lesser-explored stories of the labor movement before the advent of regulatory legal protections; of the supposedly conservative unions of the old American Federation of Labor; of the actual role and influence of organized radicals within unions; and of unions' exercise of power when they enjoyed it in the 1950s through 1970s. I intend to tell these stories *as stories*, accessible to a general audience, with a focus on narrative, biography, as well as institutional development.

I aim to democratize labor scholarship both by engaging with my audience of rank-and-file activists, journalists and non-traditional scholars to sharpen my areas of focus on the questions they are asking in their pursuit of interpreting and challenging the status quo, and by encouraging and aiding that audience to pursue their own research and publication in books that I edit and magazines with which I maintain an affiliation.

I will continue to comment on labor law, union strategy and current events as an author of op-eds and magazine articles as well as a subject-matter expert as called upon by journalists. My ability to draw historical parallels (and object lessons and cautionary tales) to current events is enhanced by the experience of researching and writing *We Always Had a Union*, and in pursuing this PhD.

We are in an environment in the United States where the stories that we tell ourselves about the American project are as contested and vulnerable as the very constitution and social fabric of the nation. The fascists understand that stories matter (less, for them, than the underlying facts). The craft of writing matters as much as research methodologies. I hope that I have set a positive example by presenting my research as well-constructed stories about how workers fought for more power in the workplace and in society.

Portfolio

We Always Had A Union: New York's Hotel Workers Union, 1912-1953 (University of Illinois Press, 2025).

"When It Ain't Your Turn: Striving for Meaningful Work in *The Wire*," *Scenes from the American Working Class: This Hard Land*, ed. Steven J. Michels (Lexington Books, 2025), 171-190.

"Labor Dis-Unity: A 1920s Source of Left-Wing anti-Communism," *American Communist History*, Volume 20, Issue 1-2 (2021), 42-43.

"The Case for 'A Right to Your Job' Campaign" (with Moshe Marvit), *New Labor Forum*, Volume 27, Issue 3 (Fall 2018), 14-18.

"Labor's Bill of Rights" (The Century Foundation, July 18, 2017). https://tcf.org/content/report/labors-bill-rights/ (Accessed October 28, 2024).

"Two Reasons Why Most Unions Don't Do Large-Scale Organizing," *New Labor Forum*, Volume 25, Issue 3 (Fall 2016).