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**Reform Politics in Hard Times:
Battles Over Labor Legislation During the Decline of Traditional
Manufacturing in Massachusetts, 1922-1928**

By

David Koistinen

[L]abor in this state is watching, watching closely what is going to happen to the 48-hour law. Labor put that law here. Labor is going to fight to maintain it.¹

A concerted business campaign for cutbacks in social legislation and corporate taxes is a characteristic response to the demise of long-established industries, or de-industrialization.² Business groups typically claim that social regulations and taxes -- inordinate even in prosperous times -- constitute an intolerable burden when companies in declining

¹ Quotation from a Massachusetts union official at a 1928 hearing on easing the state's strict hours of work statutes. *Report of Hearing Before the Committee on Labor and Industry of the Massachusetts Legislature* (Boston: Associated Industries of Massachusetts, 1928), 97.

² The author's research examines policy responses to industrial downsizing in Massachusetts and Rhode Island in the decades after World War II and responses to economic restructuring in Massachusetts, the United States as a whole, and developed countries abroad in recent years. Business campaigns for cutbacks in social legislation and taxes occurred in all of these places. On post-World War II events in MA and RI, see David Koistinen, "Public Policies for Countering Deindustrialization in Postwar Massachusetts," *Journal of Policy History* 18 (Summer, 2006), 326-361.

industries are struggling to survive. Such arguments have particular force when de-industrialization occurs in locales where social restrictions are robust and producers downsize due to pressure from competitors elsewhere. All of these realities prevailed in 1920s Massachusetts.

The Commonwealth of Massachusetts experienced sharp declines in traditional manufacturing in the years after World War I. Along with neighboring New England jurisdictions, Massachusetts was one of the first parts of the country to experience de-industrialization. As a result of downsizing in textiles, shoes, and other sectors, manufacturing employment in the Bay State dropped by sixteen percent between 1923 and 1929. Cotton textiles, Massachusetts' largest industry, was particularly hard hit. Between 1923 and 1929, the number of cotton-making establishments in the Commonwealth fell from 191 to 135 and cotton mill employment plunged by 38 percent.³

A competitive assault from producers in the Piedmont region of the American South undermined the cotton textile industry of the Bay State and other northeastern locales. Southern firms had gained control over U.S. production of the cheaper grades of cotton fabric during decades of expansion beginning after Reconstruction. By the early 1920s, Dixie companies had sufficient capacity and skill to take over even the markets for higher-quality cotton goods in which the older mills of the Northeast had come to specialize. The key advantage of textile manufacturing in the Piedmont was the low wages that could be paid in a poor, heavily populated, mostly open-shop region. Less restrictive social legislation and a smaller tax bite were additional benefits of a Dixie location. Confronted by lower-cost southern competition, over-saturated markets, and weak prices, scores of Massachusetts cotton manufacturers shut their plants in the years after World War I.⁴ Some firms transferred

³ Total manufacturing employment in the Commonwealth fell from 667,400 in 1923 to 557,500 in 1929. Bay State employment in cotton textiles declined from 113,700 to 70,800 over the same period. All statistics from Massachusetts Department of Labor and Industries, *Statistics of Manufactures in Massachusetts, 1920-1938* (n.p. [Boston], n.d. [1939?]).

⁴ Important works in the considerable academic literature on this subject include Thomas R. Smith, *The Cotton Textile Industry of Fall River, Massachusetts: A Study of Industrial Localization* (New York: King's Crown Press, 1944); Alice Galenson, *The Migration of the Cotton Textile Industry from New England to the South, 1880-1930* (New York and London: Garland, 1985); and Gavin

production to the South, but most simply went out of business.⁵

As textiles and other traditional sectors downsized in the 1920s, the Bay State saw a major corporate campaign for cutbacks in social legislation and taxes. Attention focused on laws limiting factory working hours for women.⁶ Massachusetts' restrictions in this area were considerably more stringent than those in other cotton-making jurisdictions. The statutes had a significant effect in textiles since much of the sector's labor force was female. Bay State cotton manufacturers spearheaded the push to roll back the hours of work restrictions and took full advantage of the depressed condition of their industry in doing so. They argued that the regulations had to be eased for the Commonwealth's remaining mills to continue operating. Labor was the principal defender of Massachusetts' existing work hours restrictions. Bay State unions had won approval of the statutes in more prosperous times after fierce political struggles and were determined to conserve these gains in the harsh new context of industrial decline. Social reform

Wright, *Old South, New South: Revolutions in the Southern Economy since the Civil War* (New York: Basic Books, 1986).

⁵ The number of cotton manufacturing establishments in Massachusetts fell by 86 between 1923 and 1935 according to a state inquiry. During this period, 19 mill "removals" took place. Investigators concluded that in cotton textiles, "[l]osses by bankruptcies, liquidations and curtailment of operations have been much heavier than by direct removals." See "Final Report of the Commission on Interstate Co-Operation...Concerning the Migration of Industrial Establishments from Massachusetts," (June, 1939) Massachusetts *Legislative Documents* 1939 (House, No. 2495), 14.

⁶ The dispute over the working hours of women is the only issue examined in this article but fights took place over other questions. Business interests agitated during the 1920s for cutbacks in corporate taxes and government spending but made little progress. On other social questions, labor and reform forces actually won improvements during this period. The benefits available through the state workmen's compensation system were improved, and the legislature in 1930 enacted a system of old age pensions for retirees over age 69 in need of assistance. *History of the Massachusetts State Federation of Labor, 1887-1935* (n.p. [Boston?]: The Federation, n.d. [1935?]), 91-92; *Industry* (Associated Industries of Massachusetts), 8 December 1934, 4-9; Associated Industries of Massachusetts, *Annual Report of the General Manager...1930*, 76.

groups had provided key support in the earlier drive to pass the laws and joined labor during the 1920s in fighting to retain the status quo.

The corporate drive to roll back Massachusetts' hours of work laws was unsuccessful. Bills to ease the regulations were introduced regularly in the state legislature, beginning in the early 1920s, and went nowhere in most years. Advocates of change came somewhat close to altering the most restrictive of the statutes in 1928, as the Republican governor called for action and the list of shuttered factories lengthened. Nevertheless, at the beginning of the 1930s, Massachusetts' strict statutes on the working hours of women stood exactly as they had in 1919.

The intense resistance of unionists and reformers to altering the regulations was crucial to producing this outcome. Also contributing was a leftward shift in Bay State politics, beginning in the mid-1920s, which foreshadowed the realignment of the New Deal era. Important as well was the fact that manufacturers greatly overstated the impact of the existing restrictions on competitiveness. Examination of cotton industry operating rates shows that in the dire conditions prevailing in this era, Massachusetts' hours of work laws constrained mill operations in only a limited way.

Labor's successful defense of Massachusetts work hours restrictions in the 1920s may be surprising, given the weak and dispirited manner in which American unions of this period are commonly depicted and the general conservatism of the era's politics.⁷ The Bay State's experience in the post-World War I years also contrasts with the findings of social scientists examining similar questions in recent times. Several authors claim that business groups deployed arguments about competitiveness to secure significant reductions in social regulation during the economic restructuring of the 1970s and 80s.⁸

The present examination of battles over work hour regulations in

⁷ On the era's national politics, a good recent account is David J. Goldberg, *Discontented America: The United States in the 1920s* (Baltimore and London: Johns Hopkins University Press, 1999).

⁸ Barry Bluestone and Bennett Harrison, *The Deindustrialization of America: Plant Closings, Community Abandonment, and the Dismantling of Basic Industry* (New York: Basic Books, 1982), 180-182, 185-188; David Vogel, *Fluctuating Fortunes: The Political Power of Business in America* (New York: Basic Books, 1989), chaps. 6-8.

1920s Massachusetts belongs to an emerging literature on policy responses to de-industrialization. Substantial historical scholarship on industrial decline has appeared in the last decade and a half, much of it examining plant closures in the early and middle years of the twentieth century. The impact of factory shutdowns on the workers, communities, and unions directly affected is the central concern of that research.⁹ Only very recently have publications appeared which explore public policies for countering de-industrialization. The latter studies focus principally on efforts to save jobs in declining sectors and generate new sources of growth.¹⁰ The business push for retrenchment in social legislation and taxes has so far not been addressed, although such campaigns were clearly a prime policy response to industrial downsizing.

The Massachusetts hours of work laws that proved so contentious in the 1920s were the fruit of a long-lasting campaign by organized labor and its social reform allies for legal limits on working times.¹¹ Agitation

⁹ Among the significant works here are Jefferson R. Cowie, *Capital Moves: RCA's Seventy-Year Quest for Cheap Labor* (Ithaca and London: Cornell University Press, 1999); William F. Hartford, *Where Is Our Responsibility?: Unions and Economic Change in the New England Textile Industry, 1870-1960* (Amherst: University of Massachusetts Press, 1996); and John T. Cumbler, *A Social History of Economic Decline: Business, Politics and Work in Trenton* (New Brunswick and London: Rutgers University Press, 1989).

¹⁰ Principal works in this area include Steven High, *Industrial Sunset: The Making of North America's Rust Belt, 1969-1984* (Toronto: University of Toronto Press, 2003), chaps. 5 and 6; Guian McKee, "Urban Deindustrialization and Local Public Policy: Industrial Renewal in Philadelphia, 1953-1976," *Journal of Policy History* 16, No.1 (2004), 66-98; and Gregory S. Wilson, "Deindustrialization, Poverty, and Federal Area Redevelopment in the United States, 1945-1965," in Cowie and Heathcott, *Beyond the Ruins: The Meanings of Deindustrialization* (Ithaca: ILR Press, 2003), 181-98.

¹¹ This account of the push for legal limits on working times in Massachusetts is based on Tom Juravich, et al., *Commonwealth of Toil: Chapters in the History of Massachusetts Workers and Their Unions* (Amherst: University of Massachusetts Press, 1996), 9-11, 22-26; Mary Blewett, *Constant Turmoil: The Politics of Industrial Life in Nineteenth-Century New England* (Amherst: University of Massachusetts Press, 2000), chap. 4; Clara M. Beyer, "History of Labor Legislation for Women in Three States," in U.S. Department of Labor

on this subject first occurred in the 1840s and took place on a sustained basis beginning in the years after the Civil War. The principle impetus for legal restrictions on hours came from the more skilled employees in the textile factories, who were usually English-speaking and male. Their unions, first the Knights of Labor, and later craft groups affiliated with the American Federation of Labor (AFL), led the push for state laws limiting the workweek in manufacturing. A legislative strategy for hour reduction was critically important due to the uneven union presence in Bay State textiles. In the leading southeastern Massachusetts production centers of Fall River and New Bedford, the more skilled workers had strong organizations. Unionism was much weaker in the Commonwealth's other textile mills, which were scattered among numerous municipalities in a rough arc around Boston. Since labor did not have sufficient strength to secure uniformly reduced hours through shop floor action, the legal route offered the best chance of success. Advocates of reduced working times sought legislation that applied only to female operatives for purely tactical reasons. It was believed that the gender attitudes of the period would facilitate approval of measures that would protect a seemingly vulnerable group of employees. Unionists calculated that since females accounted for a sizable segment of the textile labor force, limits on the employment hours of women would apply in a de facto manner to their male counterparts. Workers received important support in the fight for restricted laboring times from middle-class reformers calling for an eight-hour day.

In pressing the case for shorter hours, advocates organized rallies, circulated petitions, forged alliances with sympathetic politicians, and campaigned to defeat hostile candidates for office. Most legislators from the Bay State's minority Democratic Party backed hour reduction -- not surprising since the party drew the bulk of its urban vote from Irish Catholic, often working-class, generally pro-union residents. Support also came from Republican legislators representing working class constituents in import sensitive industries who adhered to the GOP primarily due to the party's backing for protectionist tariffs. Reform-

Bulletin of the Women's Bureau, No. 66 (Washington, DC: US G.P.O., 1929); Jean-Claude G. Simon, "Textile Workers, Trade Unions, and Politics: Comparative Case Studies, France and the United States," (Ph.D. dissertation, Tufts University, 1980), 197-226; Richard Abrams, *Conservatism in a Progressive Era: Massachusetts Politics, 1900-1912* (Cambridge: Harvard University Press, 1964), 182-183, 231-232, 234

mindful Republican lawmakers provided additional support. Manufacturing interests vociferously opposed reductions in working times, and the conservative, usually Republican legislators with whom they were aligned fiercely resisted hour restrictions. The labor-reformer coalition made slow but significant progress on the work hours issue during the Gilded Age. The Commonwealth enacted a 60-hour week for female workers in manufacturing in 1874; closed a loophole preventing effective enforcement of the restriction in 1879; and lowered the limit to 58 hours in 1892.

In the early twentieth century, shorter hour advocates shifted their attention to the related question of restricting night work. Textile manufacturers in the preceding years had begun to evade the intent of the existing 58-hour law by hiring one group of women employees for the permitted time during the day and a different set of female operatives for several additional hours of labor at night. Male employees were then pressured to serve on both the regular and the extra shift, which would result in an extremely long mill day for the men. To prevent such maneuvers, the unions resolved to eliminate the possibility of night work by banning the labor of women in textiles after 6 p.m. After a fierce, multi-year campaign, in which the reelection bids of a governor and several key lawmakers opposed to the measure were defeated, labor in 1907 secured passage of the desired 6 o'clock limit. The legislation was known during the period as the Overtime Bill. Unionists' attention then returned to securing further reductions in the work week. In the reformist atmosphere of the Progressive Era, advances were quickly achieved. Massachusetts cut the limit on laboring times for women in manufacturing to 56 hours in 1908 and 54 hours in 1911.¹²

Further pressure from labor and reform organizations brought about passage of the 1919 bill implementing a 48-hour work week for women in Bay State manufacturing. Massachusetts textile unions did not

¹² Herbert J. Lahne, "Labor in the Cotton Mill (1865-1900)" (Ph.D. diss., Columbia University, 1937), 91; *MA AFL 1902*, 22-3; *MA AFL 1904*, 30-1; *MA AFL 1905*, 33; *MA AFL 1906*, 28-9; *MA AFL 1907*, 21-22, 31-32, 34-35; Beyer. (*MA AFL* is the proceedings of the annual convention of the Massachusetts State Branch of the American Federation of Labor. The name of the organization and title of the publication changed repeatedly; the year of the proceedings is as indicated. All are in Massachusetts AFL-CIO Records, Box 1, Du Bois Library Special Collections and Archives, University of Massachusetts, Amherst, MA)

participate in the legislative phase of this campaign. The groups had pledged several years earlier, as a condition of the 54-hour law approval, to refrain from continued efforts to legally limit Massachusetts working times until restrictions in other cotton-producing states came into line with those in the Commonwealth. The initiative in seeking lower legal caps on the work week passed as a result to a network of reform groups. Spearheading the effort was the local branch of the Women's Trade Union League (WTUL), a national organization bringing together reform-minded middle and working-class women that was founded in Massachusetts in 1903 under the partial sponsorship of the state AFL. The WTUL introduced 48-hour bills in the state legislature beginning in 1916, enlisting supporters including the Consumers League of Massachusetts, the local affiliate of the National Consumers League, and a number of women's organizations. The state branch of the AFL, not bound by the textile workers' pledge to abstain from further agitation for legal limits on laboring hours, also sponsored 48-hour proposals during this period.¹³

The drive for shorter hours received added support in late 1918 when the United Textile Workers (UTW), the sector's leading union, announced its intention to impose the 48-hour week through shop-floor action in all of the industry's plants. A heavy majority of the mills in Massachusetts adopted the shorter schedule during the early months of 1919, with a downturn in the demand for textile goods making them more willing to do so. Manufacturers' organizations put up a spirited fight against writing the new limit into Bay State law, but with most textile concerns operating only 48 hours, their exertions had little effect. The 48-hour bill passed both houses of the legislature by crushing majorities that spring and was signed into law by Republican governor

¹³ Beyer, 36, 38-40; Robin Miller Jacoby, "The Women's Trade Union League," in Edward T. James, ed., *Papers of the Women's Trade Union League and Its Principal Leaders: Guide to the Microform Edition* (Woodbridge, CT: Research Publications, 1981), 19-22; lists of legislation supported by the Massachusetts Consumers League, 1908-1916 and 1917-1926, in Box 1, Folder 2 of Consumers League of Massachusetts collection, Schlesinger Library, Radcliffe Institute, Cambridge, MA. [hereafter CLM]; Consumers League of Massachusetts Executive Committee Minutes for 5 December 1917 and 2 October 1918, CLM, Box 1, Folder 10.

Calvin Coolidge.¹⁴

Massachusetts was not alone in enacting legal protections for workers during this era. However, in the period up through World War I, social legislation was more advanced in the Commonwealth than in the other major textile-producing jurisdictions. The Bay State's earlier industrial start and more developed unions and reform organizations doubtlessly accounted for its leading position in this area. As a result, when the northern textile industry went into decline in the years after the war, the hours of work laws in Massachusetts were more stringent than those in competing states. The legal limit on the workweek of women stood at 54 hours in Maine, New Hampshire, and Rhode Island in the early 1920s, and 55 hours in Connecticut. These laws remained unchanged into the 1930s, despite periodic efforts in various New England jurisdictions to move to 48 hours. No other state in the region had anything nearly as strict as Massachusetts' ban on work by women in textiles after 6 p.m. In the textile-producing areas of the Southeast, regulations on female working hours in the early 1920s were even more lax. South Carolina enforced a 55-hour week, Tennessee permitted 57 hours, North Carolina and Georgia allowed 60 hours, and Alabama had no limit. All southern states permitted night work by women, and in the years after World War I Dixie mills commonly ran a full second shift with ample numbers of female employees.¹⁵

In leading the fight to retain existing limits on work hours during the 1920s, organized labor benefited from a significant Massachusetts presence. Union membership in the state stood at 272,000 in 1922, equal to about 15 percent of the work force.¹⁶ By the standards of the era, this was a relatively strong position. In textiles, the largest organizations

¹⁴ Beyer, 40-42; *Boston Globe*, 1 April 1919, 5 and 10 April 1919, 16.

¹⁵ For hours of work regulations in the textile-producing states as of 1923, see Massachusetts State Department of Labor and Industries, *Report of a Special Investigation into Conditions in the Textile Industry in Massachusetts and the Southern States*, (Boston: The Arkwright Club, n.d. [1923?]), 16-17.

¹⁶ Union membership from Commonwealth of Massachusetts, *Statistics of Labor Organizations in Massachusetts, 1921 and 1922* (part III of the annual report of the Secretary of Labor for 1923), 4.

were still in Fall River and New Bedford. The more skilled workers there established stable collective bargaining arrangements with employers by the early twentieth century.¹⁷ Only about a third of textile operatives in the two cities were organized in the 1920s, but all employees benefited from the union role and recognized its importance.¹⁸ Labor remained much weaker in most of the state's other textile centers. With a few exceptions, only the most highly skilled workers in those municipalities belonged to unions -- typically locals of the AFL-affiliated United Textile Workers of America (UTW). Outside of Fall River and New Bedford, the moderately skilled, unorganized, usually "new immigrant" operatives who accounted for the bulk of the textile labor force periodically mounted militant actions with guidance from radical activists. The most notable of these were the great Lawrence strikes of 1912 and 1919. Divisions emerged even among the established textile organizations. In 1915, Fall River and New Bedford operatives left the UTW and set up an independent union. Other Massachusetts industries where organized labor had an important presence in this era included construction, railroads, street railways, printing, cigar-making, shoemaking, metalworking, and iron molding.

The state branch of the AFL served as an umbrella group for Massachusetts labor. Set up in 1887, the organization spearheaded the lobbying efforts of unions on questions of Commonwealth policy. The function was important, since workers had a stake in numerous subjects regulated at the state level, including working times, injunctions, mandatory school attendance, factory safety, and workmen's compensation. The state AFL was weakened by the reluctance of many labor organizations to affiliate and pay the requisite dues. The group had

¹⁷ This sketch of early twentieth-century unionism in Massachusetts is based on Hartford, ch. 1-2; Rudolph J. Vecoli, "Anthony Capraro and the Lawrence Strike of 1919," in Robert Asher and Charles Stephenson, ed., *Labor Divided: Race and Ethnicity in United States Labor Struggles, 1835-1960* (Albany: State University of New York Press, 1990), 267-82; Juravich, et al., *Commonwealth; and MA AFL 1925*, 14-15.

¹⁸ During a lengthy 1928 strike in New Bedford, according to one observer, the "[t]he unorganized workers...followed the lead of the unions" throughout the conflict. See "Is Wage Reduction the Best Way to Lower Costs?," *Factory and Industrial Management*, January 1929, 51-53.

a membership of 53,000 in 1925, two-thirds of whom were in good standing.¹⁹

Institutional weakness did not prevent Massachusetts unionists from presenting a united front in defense of the Commonwealth's hours of work laws during the 1920s. At legislative hearings on proposals to ease the statutes, an official of the state AFL typically headed labor's defense of the existing restrictions, with representatives of Fall River-New Bedford textile workers and the UTW appearing in support. Members of unions with no direct stake in the legislation also turned out on some occasions to back the status quo.

The drive by Massachusetts business interests to roll back the state's hours of work laws began in 1922.²⁰ That year, and annually thereafter until 1928, industrialists sponsored bills in the Commonwealth legislature to return to a 54-hour week. Proposals were also introduced in a number of years to modify the ban on work by women in textiles after 6 p.m. On every occasion, representatives of business argued that the existing restrictions handicapped Massachusetts industry and strongly discouraged future cotton manufacturing in the state. Businessmen and conservatives talked endlessly about the issue and numerous publications dealt with some angle of the controversy. The battles attracted increasing public attention. By the end of the decade, hours of work had become one of the leading public policy questions in the Commonwealth.²¹

¹⁹ On the origins and activities of the organization, see *History of the Massachusetts State Federation of Labor, 1887-1935*. 1925 membership is on 61-2.

²⁰ Widespread factory closures in New England cotton textiles did not begin until about 1924, although the competitive problems of regional producers were apparent before that time. With a wide gap between the legal limit on working hours in Massachusetts and the caps in other textile-producing states, Commonwealth manufacturers might well have mounted a drive to ease the statutes even if the cotton industry had been in good condition in the 1920s. The context of industrial decline undoubtedly attracted more attention to the issue than would otherwise have been the case and increased cotton manufacturers' chances of success.

²¹ The results of the climactic 1928 legislative fight were reported in front-page, banner headlines in at least one Boston newspaper: the *Boston Globe*, 29 March

The 1924 session of the legislature saw a serious effort to weaken the state's restrictions on laboring times. A number of Massachusetts cotton mills had permanently ceased operations by this point, making clear the gravity of conditions in the industry. Measures introduced on the manufacturers' behalf would raise the weekly ceiling on working hours of women in all industries to 54 hours and would alter the night work ban so that women could labor in textile factories until 11 p.m.

The fabric-making interests vigorously pressed the case for change. Robert Amory, president of the National Association of Cotton Manufacturers (NACM), the sector's principal trade group in the Northeast, bluntly laid out at a public debate on the measures how the existing laws discouraged further production in the state. He stated:

A mill can legally be run by women in Massachusetts only 48 hours per week. In other States they are permitted to run 110. Suggestions have been made that we use more automatic machinery. Why put it there if you can only use it 48 hours a week, when you can take it somewhere else and run it longer?²²

At hearings before the legislature's joint Committee on Labor and Industry, to which the measure was referred, the mill men offered further arguments for passage. Ward Thoron, past NACM officer and treasurer of the Merrimack textile company of Lowell, gave a lengthy survey of the deteriorating position of cotton manufacturing in New England. He showed how southern producers had taken over more and more product lines in recent decades, and noted that New England-based companies, including his own, had begun to invest in the South. Thoron concluded with a bald threat: if the Massachusetts labor laws were not changed, manufacturers would build no new facilities in the state, and as existing mills became obsolete "we shall rebuild them in the South and move our machinery there." The NACM's Amory struck a positive note, testifying that the ability to run a night shift would enable Massachusetts manufacturers to reduce costs and make quicker deliveries on rush

1928. An excellent source on the annual fights over labor laws in the state legislature are the newspaper clippings in CLM, Box 29, Folder 499.

²² *Boston Globe*, 23 January 1924, 3.

orders.²³

A delegation of unionists appeared before the committee to argue equally forcefully for the maintenance of existing labor standards. Officials of the state AFL and the New Bedford Textile Council asserted that watering down the state's laws would not reverse the cotton industry's decline. Representatives of shoe workers, carpenters, machinists, and municipal employees also spoke against the proposed changes, as did a "score" of officers from women's unions.²⁴ Members of the latter organizations likely saw the issue in terms of preserving protections for women workers. The carpentry and machining sectors had no female employees. Unionists from those industries presumably appeared at the hearing to demonstrate solidarity in defense of labor's past legislative gains. The union position prevailed. The labor and industry committee reported unfavorably on the bills and both houses approved the recommendation, bringing the matter to a close.

Changes during this era that undermined the Republican Party's longstanding dominance of Massachusetts politics added to the difficulties of those seeking to alter the hours of work laws. The GOP had controlled most elected offices in the Commonwealth since the nineteenth century, based on strong backing from Protestants of British and northern European extraction. Bay State Democrats did well in the anomalous circumstances of 1912 and succeeding years, but Republicans reasserted their dominance soon thereafter. GOP candidates won every race for Massachusetts governor from 1916 through 1928 and controlled both houses of the state legislature by wide margins during that time.²⁵ Although some Republican officeholders of the post-World War I era supported reform, most sympathized with business and followed a laissez-faire approach to policymaking. The nativist currents that appeared in Massachusetts, as elsewhere, during the 1920s threatened the

²³ *Before the Committee on Labor and Industry: Hearings on Senate 93... 94...and...95...: Statement of Ward Thoron... February 13, 1924* (n.p. [Boston?], n.d. [1924?]), in the stacks of Widener Library, Harvard University, Cambridge, MA, 26; *Textile World*, 16 February 1924, 43.

²⁴ *Textile World*, 43-44; *Boston Globe*, 14 February 1924, 22.

²⁵ Richard W. Wilkie and Jack Tager, ed., *Historical Atlas of Massachusetts* (Amherst: University of Massachusetts Press, 1991), 68.

GOP's predominant position in Commonwealth politics. Migrants from southern and eastern Europe had poured into Massachusetts in the preceding decades. Particularly numerous were Italians, Jews, Poles, and Portuguese, as well as French Canadians who had moved from north of the border. In the period after World War I, resentment of these newcomers grew. Prohibition and immigration restriction found strong support among the Commonwealth's white Protestants; the Ku Klux Klan established a sizable presence in the state; and a Massachusetts court presided over by a Yankee judge railroaded Sacco and Vanizetti. In the face of this hostility, new immigrants who had previously voted Republican or abstained from the polls leaned increasingly towards the Democrats. Plant shutdowns in textiles and shoes created additional problems for the GOP. The Republicans had earlier won strong backing from working class voters in those industries through support for the high tariffs that seemingly facilitated prosperity. The party's protectionism proved less compelling amidst the depressed conditions in the fabric and shoemaking sectors.²⁶

An episode from the 1926 legislative session demonstrates the pressures that could be brought to bear in this dynamic political context and indicates why legislators were so reluctant to alter the existing hours of work laws. That year the Arkwright Club, an organization of New England cotton mill executives, sponsored a measure to extend the workweek in Massachusetts manufacturing to 54 hours. Ward Thoron, then president of the organization, appeared in February before the legislature's committee on labor and industry to urge passage of the bill. During questioning, a Lowell Democrat on the panel cornered Thoron into conceding several politically awkward points. The Arkwright president admitted that "[q]uite a number" of the mills owned by Senator Butler belonged to the Club and that the Butler companies favored "some modification" of the 48-hour law.²⁷

The mill owner in question was U.S. Senator William Butler, leading Republican and president of a number of Massachusetts cotton

²⁶ J. Joseph Huthmacher, *Massachusetts People and Politics, 1919-1933* (Cambridge, MA: Belknap Press, 1959), chap. 4-5.

²⁷ "Senator Butler's Mills..." 17 February 1926 clipping in CLM, Box 29, Folder 499.

companies. Butler had been appointed to the Senate two years earlier, filling the post left open by the death of Henry Cabot Lodge, and would have to defend his seat in elections the coming November. His likely opponent was veteran Democratic politician David Walsh. Of working class origin, Walsh was the first Irish Catholic to hold statewide political office in Massachusetts, winning two terms as governor and election to the U.S. Senate in 1918.²⁸ Walsh lost the senatorial seat six years later in a tight race against a challenger who shared the Republican ticket in Massachusetts with President Coolidge, the highly popular native son. During his stints as governor and senator, Walsh had consistently supported social legislation, calling for stronger labor laws, university extension courses for workers, old age pensions, and aid to mothers with dependent children.²⁹ With the GOP facing difficulties on numerous fronts, Walsh would clearly present a tough challenge to Butler in the 1926 Senate race.

The story of the incumbent senator's seeming opposition to the 48-hour law attracted considerable attention against the backdrop of the looming Butler-Walsh clash. The evening edition of one of the Boston newspapers featured a lengthy account of Thoron's travails at the day's hearing under the large-font headline "Senator Butler's Mills Favor 48-Hour Change." The Arkwright Club moved quickly to contain the fallout. The organization issued a statement the same evening in which Thoron asserted that he had misunderstood a committee member's question and believed Butler did not favor the proposed change. Butler himself addressed the issue from Washington D.C. the following day. The senator declared his opposition to any change in the 48-hour statute and made the highly questionable claim that he had worked within the Arkwright Club to head off efforts to alter the law. (Butler had appeared before another committee of the state legislature four years earlier to

²⁸ Huthmacher, 16-17; William Butler entry, *National Cyclopedia of American Biography*, Vol. XXX, 302-3. Walsh profited from the Republicans' Bull Moose schism to win one-year terms as governor in 1913 and 1914. Support for progressivism, questions of foreign policy, and wartime prosperity facilitated his narrow 1918 Senate victory against the old-line Republican incumbent.

²⁹ Huthmacher, 102-104, 107-111; David Walsh entry, *American National Biography*, vol. 22, 564-565.

urge repeal of 48 hours.)³⁰

This series of events, and especially Butler's very public reversal of position on the 48-hour law, is revealing. With the votes of new immigrants and textile and shoe workers increasingly up for grabs in the mid-1920s, Democrats saw an advantage in painting their opponents as enemies of labor legislation. At the same time, mainstream Republicans viewed support for easing hours of work restrictions as politically risky, even when it could be argued that such action would help the Commonwealth's struggling industries. The proposal for 48-hour repeal made little progress in the 1926 legislative session.³¹

Advocates of easing the hours of work statutes came closest to success in 1928. The textile interests played no formal role in that year's legislative fight, having apparently abandoned hope of modifying the restrictions after being stymied at the state house for years in a row. This left organizations representing a broad spectrum of business interests to take the initiative in 1928. The Associated Industries of Massachusetts (AIM), the lobby for all Bay State manufacturers, actively supported altering the laws. So did the Massachusetts section of the New England Council, a business group founded several years earlier to work for recovery of the regional economy.³²

Massachusetts business associations found a receptive audience for their views in Republican governor Alvin T. Fuller. After entering politics as a Progressive in the previous decade, Fuller had drifted to the right during the 1920s. The economic problems of the Commonwealth deeply concerned the governor, and upon taking office in 1925 he called

³⁰ "Senator Butler's Mills"; "The 48-Hour Bill..." 18 February 1926; "Butler Not..." 18 February 1926; "Against 54-Hour Law..." 19 February 1926. All of these clippings can be found in CLM, Box 29, Folder 499; "Hearing, March 16th Repeal of 48 Hour Law," 1922, section beginning with testimony of Mr. Newdick, 5, in CLM, Box 29, Folder 500.

³¹ Walsh handily defeated Butler in the November 1926 election.

³² Tinsley, et. al. to Fuller, 2 February 1927, Case 79, 710-"New England Council," New England Council-1," and Stacy to Peters, 7 March 1928, Case 12, 311-210-19, both in the Boston Chamber of Commerce Collection, Baker Library Historical Collections, Harvard Business School, Boston, MA [hereafter BCoC]; *American Wool and Cotton Reporter*, 19 January 1928, 52.

for the burdens on industry to be eased. Years of inaction on this agenda exasperated Fuller, and he wondered aloud in his opening address to the 1928 session of the legislature whether “we have not traveled so far in the protection we give labor, and in the...taxes that we...exact from [manufacturing]” that many of the state’s industrial firms would be driven out of business. Developments in textiles seemed to support the governor’s view. Another wave of mill closures swept through the industry, causing statewide employment in cotton goods to slump from 91,000 in 1927 to 65,000 in 1928. Continued downsizing obviously ratcheted up the pressure for easing regulations on fabric producers.³³

With the governor and a wide spectrum of business groups agitating for change, a 1928 bill to ease the night work ban by permitting women to labor in cloth-making factories until 10 p.m. came moderately close to passage. The Commonwealth’s late work law was particularly stringent and furthest out of line with restrictions in competing states.³⁴ Anticipating a struggle in that year’s legislative session, the state AFL convened a conference of the Fall River-New Bedford textile unions and the UTW’s Massachusetts locals to “plan...for an active fight” to protect the current regulations. Representatives of these and numerous other labor and reform organizations appeared at February hearings to oppose altering the statutes. Business groups advocating change also made a forceful showing at the session. The measure to permit night work by women in textiles received a favorable report from the legislature’s labor and industries committee, although nearly half the joint panel’s lower house members dissented. The bill then moved to the Senate, where it prevailed by a 20-11 vote in March.

Everyone involved knew that the real battle would take place in the more liberal House of Representatives, and furious lobbying began the

³³ Michael E. Hennessy, *Four Decades of Massachusetts Politics, 1890-1935* (Norwood, MA: Norwood Press, 1935), 241, 304, 341-342, 349-351, 356-357; *Industry*, 7 January 1928; *Statistics of Manufacturers in Massachusetts, 1920-1938*, 9.

³⁴ In letting women work in textile factories until 10 p.m., the proposal would merely apply to cloth-making the standard that currently existed in the Commonwealth’s other manufacturing sectors. While Massachusetts’ 48-hour law was a stricter version of the 54-hour cap found in neighboring jurisdictions, no other fabric-producing state had anything nearly as stringent as the Commonwealth’s ban on work after 6 p.m. by female textile operatives.

next day. The New Bedford Cotton Manufacturers Association pressed members of its House delegation to permit “fair play” for the industry. The Joint Committee on Industrial Conditions for Women and Children in Massachusetts, which brought together representatives of the WTUL, the Consumers League of Massachusetts, and numerous other reform groups, wrote each member of the lower chamber opposing changes to current law. At the previous month’s hearing, the manager of a textile finishing firm from southeast Massachusetts had appeared with a group of young female operatives from the fabric mills of Taunton who affirmed their support for legal changes making possible late work. Labor leaders charged that the women had been coerced into taking this position. The industrialist returned with a similar delegation as the House took up the night work question, but this time the unions were ready. Labor officials from Fall River and New Bedford arrived at the statehouse that day accompanied by young female workers from their cities. The women pressed legislators to retain the current regulations. Onlookers crowded the galleries as the House debated allowing late work. After lengthy and sometimes heated addresses on the floor, the bill failed on a roll call, with 90 representatives in favor and 116 opposed.³⁵

An analysis of the “no” vote on this measure provides a good window on how, in the generally conservative 1920s, defenders of the hours of work laws mustered the legislative support necessary to maintain the status quo.³⁶ The Massachusetts House of Representatives

³⁵ *MA AFL* 1928, 15; *Boston Globe*, 21 March 1928, 9; 28 March 1928, 16, and 29 March 1928, 1, 3; Joint Committee on Industrial Conditions for Women and Children in Massachusetts, program and minutes for meeting of 26 March 1928, in CLM, Box 25, Folder 418; Wiggin to the members of the House of Representatives, CLM, Box 25, Folder 420; *Report of Hearing*, 20-22, 59.

³⁶ Such an inquiry can be carried out by matching information on the voting records of House members on labor issues from a Massachusetts AFL pamphlet with data on party affiliation and district from a directory of public officials. These publications are, respectively, Massachusetts State Federation of Labor, *Roll Calls of the Massachusetts Legislature, 1927-28, on Labor Measures* (Boston: The Federation, n.d.), in Massachusetts AFL-CIO Records, Box 24, Folder 1054, Du Bois Library Special Collections and Archives, University of Massachusetts, Amherst, MA; and *Public Officials of Massachusetts, 1927-28* (Boston: Boston Review Publicity Service, 1927).

had 240 members at this time. Given the habitual level of legislator absenteeism, it was likely that somewhat more than 200 representatives would be present and voting on repeal of the night work ban. To defeat the measure, opponents thus had to mobilize slightly more than 100 negative votes. Constituting a hard core of support for the night work law was a bloc of legislators who might be termed reform stalwarts.³⁷ Several political elements made up this group. Accounting for the largest numbers, and representing heavily Irish Catholic, mostly working class constituencies, was the relatively small Democratic House contingent. (There were 63 Democrats in the 1927-28 House, not all of whom appeared to vote on the night work bill.) Present as well was a cluster of Republican "labor representatives" elected by working class voters toiling in tariff-dependent industries who adhered to the GOP principally because of the party's protectionist stance.³⁸ Finally, there were a number of Republicans representing more affluent or non-industrial districts who supported social reform out of personal conviction. Of similar political complexion to the stalwarts was a smaller group of representatives who inclined strongly in favor of reform causes but occasionally voted against labor's position.³⁹ On the critical day, the stalwarts accounted for 66 "no" votes and those who leaned heavily in favor of reform another 15. Moderates -- mostly Republicans whose votes on labor issues were about evenly divided between support and opposition -- plus a few representatives with such poor attendance records that no pattern was discernable, added another 15 voices to the negative column. This brought the number of representatives opposed to the measure to 96.

What put the anti-night work cause over the top, and indeed gave it a secure margin of victory, were the 20 "no" votes from Republican

³⁷ On the nine roll call votes on labor issues (other than the night work bill itself) that took place during the 1927 and 1928 legislative sessions, these representatives did not once oppose the position of the state AFL.

³⁸ Wilkie and Tager, ed., 68; Abrams, 182.

³⁹ The lawmakers strongly inclined towards reform registered one, or at most two, votes against the labor position during the 1927 and 1928 legislative sessions.

members of the House with records of strong opposition to labor-backed measures. Why did these legislators depart from their usual political position to support the existing restrictions on working hours? A few came from outlying, non-industrial parts of greater Boston. In such suburban areas, the gendered rhetoric of reformers about the hazards of late factory work for women might have had some appeal. Most of the surprising opponents of late work represented districts in manufacturing cities.⁴⁰ Fear of the consequences of countering labor on this issue likely motivated these lawmakers. Massachusetts Republicans were losing ground in the late 1920s among new immigrants and workers in declining industries. The state's relatively strong unions mounted a vigorous defense of the current restrictions on laboring hours, and feelings on the subject likely ran high in blue-collar districts. In these circumstances, some Republican legislators from manufacturing centers who generally opposed reform probably calculated that a vote to permit night work might end their political career. Even GOP lawmakers representing industrial cities who had favorable prospects for reelection may have worried that taking an anti-labor position on this prominent issue could cost their party's candidates crucial votes in upcoming statewide races.⁴¹

After the failure of 1928, no more proposals to repeal or ease the statutes on working hours of women came before the legislature for several years. Even in the unpromising atmosphere of repeated plant closures, Massachusetts unions and reform groups had defended with complete success the state's advanced hours of work laws.

What motivated Massachusetts cotton manufacturers to press so insistently for easing of the state's hours of work statutes? The question

⁴⁰ For example, Frank Eaton, who voted twice for and six times against the union-backed position on the other roll calls, came from the shoemaking town of Brockton.

⁴¹ In the 1928 elections that took place half a year after the House opted to retain the night work law, Walsh won a full six-year term in the U.S. Senate by a considerable margin; Al Smith edged out Herbert Hoover in the Commonwealth's presidential race; and the Democratic candidate nearly won the governorship after a campaign calling for expanded state social programs that would benefit the working class. Huthmacher, 180, 185-187.

is more complex than it might appear since analysis of statistics and other information on the industry's operating rates in the 1920s demonstrates that the restrictions had only a limited effect on the competitiveness of Commonwealth producers.

In principle, the impact of the laws should be significant. Longer running times allowed companies in other localities to spread the fixed expenses of mill buildings and equipment over a larger quantity of output, lowering overall production costs and raising profit rates.⁴² In the style goods market that was increasingly important for some Bay State mills, inability to run enough hours to turn out fabric quickly could lead to the loss of time-sensitive orders. Business advocates put forward precisely these arguments in pressing for the regulations on working times to be eased.

Although sound in theory, these claims did not apply well in practice given the realities prevailing in Massachusetts cotton textiles. On the question of daylight operating times, from the early 1920s onward most of the state's factories did not even run all of the hours permitted under existing law due to the depressed condition of the industry. Statistics on operating rates for the Bay State cotton textile sector as a whole show that, on average, mills ran considerably less than 48 hours per week.⁴³ The figures are somewhat misleading because they are industry-wide aggregates. Operating rates appear to have varied dramatically from company to company, with some firms running full schedules despite the generally dire state of the market.⁴⁴ Those mills that could secure enough business to operate all of the permitted hours were the ones that might have suffered competitive harm from the

⁴² For details, see the text and chart in Chas. T. Main, Engineer, "Status of the Cotton Textile Industry in the United States" 24 February 1926, 24-25, in BCoC, Box 12A, 311-210-19, "New England Industries Surveys - Cotton (3)."

⁴³ See the statistics in the monthly U.S. Bureau of the Census publication *Activity in the Cotton Spinning Industry*, available at the Science, Industry, and Business Library of the New York Public Library System, New York, NY.

⁴⁴ Statistics compiled by the Massachusetts state government in late 1923 and early 1924 and reported in the Federal Reserve Bank of Boston's *Monthly Review* show significant numbers of the Commonwealth's cotton firms running all of the legally permitted hours.

Commonwealth's strict limits on working times.

Massachusetts manufacturers potentially hindered by the 48-hour statute could avoid any restraints stemming from the law by operating a second shift at night. Late work enabled mills to accommodate surges in demand for standardized products. Night running also permitted rushes orders for style goods to be turned out quickly.⁴⁵ Bay State textile managers could not employ women for night work due to the Commonwealth's 6 p.m. law, even though females normally accounted for a substantial segment of the textile labor force. The personnel on second shifts therefore had to be all male.

Employers insisted that it was not possible to hire adequate numbers of male operatives for the typically short-lived stints of night work.⁴⁶ Labor leaders contested these claims. They asserted that with high levels of joblessness in the industry, mill managers could find sufficient employees to run all-male shifts at night.⁴⁷ Union representatives at a legislative hearing in 1928 insisted that certain Massachusetts mills were operating late shifts at that very point in time.⁴⁸ There were similar reports in earlier years, not all of them originating

⁴⁵ As a representative of Massachusetts cotton manufacturers put the matter in 1928, late operations were desirable "when you have a business which is sporadic, which requires for a month or two months, or a week or a few days, the operation of a night shift in order to complete rush orders, or to complete an unusual volume of business which has come in suddenly on the mill." *Report of Hearing*, 36.

⁴⁶ See, for example, *Report of Hearing*, 36. A business representative conceded that textile mills operating at night on a permanent basis could without difficulty find sufficient numbers of male workers to staff the late shift. A similar statement by another business witness appears in *Report of Hearing*, 21.

⁴⁷ As one union representative explained in 1928, "If there is a rush order comes into any of the mills in New Bedford, they put women on through the day, and then after the women are done men start on the machines. From the carding department to the spinning, the weaving, and all through every department the rush order is taken care of" (*Report of Hearing*, 76). In normal circumstances, a heavily female work force tended the carding and ring spinning machines.

⁴⁸ *Report of Hearing*, 60, 69, 87.

from labor-friendly sources.⁴⁹ Given the ban on employment of female operatives after 6 p.m., such work could only have been carried out with male-only crews. At least some of the reported instances of night operation seem to have been of short-term duration. It appears that, at a minimum, certain Bay State mills were able to carry out night work on a sporadic basis with a labor force of men.

The picture that emerges taking all of the above into account is not entirely clear. Massachusetts' hours of work laws did not constrain the cotton industry as a whole in the 1920s. Particular firms were potentially hindered, although certain of these could apparently circumvent the problem by running all-male shifts at night. It seems likely that the hours of work laws significantly limited the operations of some Bay State cotton manufacturers. It is easy to understand why such employers would press vigorously for modification of the statutes. More difficult to explain are the vociferous calls for change coming from manufacturers on whom the laws had no substantive effect. Most of the firms in the industry were probably in this position. Yet all seemed to support the push for repeal of the restrictions with equal enthusiasm. In particular, the existing regulations almost certainly had no impact on the company managed by the principle spokesman for easing the working time laws.

This industrialist was Ward Thoron, of the Merrimack Manufacturing Company of Lowell, Massachusetts. Merrimack had begun operations in the early nineteenth century. Thoron took over as treasurer, the firm's chief executive position, in 1920, serving until 1932. He became a leading figure in the cotton industry's business associations. During the 1920s, he filled various posts at the NACM and was president of the Arkwright Club.⁵⁰

⁴⁹ *Monthly Review* (Federal Reserve Bank of Boston), 1 January 1923, 9; 1 February 1923, 9; and 1 March 1923, 9; "Only Five Votes....," 18 March 1927 clipping, CLM, Box 29, Folder 499.

⁵⁰ Minutes of stockholders meeting of 15 February 1920, in Volume 2A, Merrimack Manufacturing Company Collection, Baker Library Historical Collections, Harvard Business School, Boston, MA [hereafter MMC]; Joseph Thoron obituary, *New York Times*, 30 March 1901; Ward Thoron obituary, *Boston Evening Transcript*, 1 March 1938, 9; "Senator Butler's Mills..."; 24 February 1927 clipping, CLM, Box 29, Folder 499; *American Wool and Cotton Reporter*, 17 March 1932, 52.

Thoron emerged as the leading advocate among Massachusetts cotton manufacturers for changing the hours of work laws, and it does not seem an exaggeration to say that the issue obsessed him. Four times during the 1920s, Thoron appeared before committees of the state legislature to testify on behalf of easing the statutes. His lengthy 1924 testimony was published twice -- in pamphlet form and as an article in a trade periodical. The text of his talk on the subject to Lowell civic groups the following year was also distributed as a booklet.⁵¹ In business circles behind the scenes, Thoron agitated on the hours of work question with a determination matching his public rhetoric.⁵²

Despite the determined, years-long, public and private effort that Thoron mounted against the Massachusetts hours of work restrictions, the records of Merrimack Manufacturing demonstrate that the statutes had no significant impact on the firm. Indeed, due to low rates of capacity utilization and the maintenance of large inventories, the Bay State's laws on working times probably had no effect whatsoever on company operations throughout the 1920s. Nor from early 1923 to the end of the decade was there ever a reasonable basis to expect that the laws would constrain Merrimack's functioning in the near future.⁵³

Why then did Thoron expend so much energy seeking repeal of the

⁵¹ See newspaper clippings in CLM, Box 29, Folder 499 for appearances before the legislature; *Before the Committee on Labor and Industry*; Ward Thoron, "Handicaps of Northern Textile Mills Competing with Those of the South," extract from *The Manufacturer*, April 1924, 11-22, in the stacks of Wilson Library, University of North Carolina, Chapel Hill, NC; *Problems of Eastern Cotton Manufacturers, Address by Ward Thoron...at a Joint Meeting of the Lions Club, the Rotary Club, the Kiwanis Club and the Lowell Chamber of Commerce, at Lowell Massachusetts, April 21, 1925* (n.p., n.d.), in the U.S. Department of Labor Library, Washington, DC.

⁵² At mid-decade, Thoron delayed by eighteen months publication of a Boston Chamber of Commerce study of cotton textile manufacturing in New England because he felt it did not take a strong enough position against the work hours laws of Massachusetts. See documents in Case 12, 311-210-19, "New England Industries - Surveys - Cotton (1)" and Box 12A, 311-210-19, "New England Industries - Surveys - Cotton (3)," both in BCoC.

⁵³ These claims are based on an analysis of statistics and information appearing in MMC, Box 45 and Vols. 13, 47, 48, 61.

Commonwealth's restrictions on work times and particularly the 48-hour statute? A careful reading of the manager's statements from the period offers an explanation. Despite the constant rhetoric about the intolerable burden the regulations created in the present depressed state of the industry, it seems that Thoron's true concern was the constraints the laws would impose in some future period when prosperous conditions returned.

The Merrimack executive's 1925 address to Lowell civic organizations on conditions in cotton textiles demonstrates that he anticipated a relatively bright future for northeastern manufacturers of quality goods, such as his company. Thoron observed in the speech that although southern mills controlled the market for cheaper fabrics, Northerners still dominated in the production of quality cloth. He expected this to remain the case. The labor cost advantage of southern firms was narrower on the higher grades of goods, he commented, and even the present differential would lessen over time due to increases in Dixie pay rates that were the "necessary consequence of increasing prosperity." In Thoron's view, northern and some southern producers, all paying approximately the same wages, would eventually contest the market for quality cotton textiles.⁵⁴ In these circumstances the 48-hour law could create substantial problems for Merrimack. The company would have to spread its fixed costs over 48 hours worth of output, while producers elsewhere spread their expenses over 54 hours of production.⁵⁵ Merrimack would likely have higher costs and lower profits as a result.⁵⁶

Massachusetts cotton manufacturers found themselves in a palpably ironic situation in the 1920s with respect to the state's hours of work laws. The mill men mounted a major effort to ease the statutes as their

⁵⁴ *Problems of Eastern Cotton Manufacturers*, 8-12, 15.

⁵⁵ In prosperous times, Merrimack could theoretically make up the shortfall in running hours by hiring men for part-time work on the late shift. It would be unwieldy to pursue such a system on an ongoing basis, however, and in a more favorable labor market the necessary male employees might not be available.

⁵⁶ For additional evidence that the long run was the key factor in the thinking of Thoron and other textile industrialists seeking to ease the hours of work laws, see Thoron to Coonley, 2 July 1925, BCoC, Case 12, "311-210-19 New England Industries - Surveys - Cotton (1)"; *Report of Hearing*, 28.

industry downsized. They doubtlessly knew that the harsh current conditions improved their chances of receiving a sympathetic hearing from the legislature. The actual effect of the restrictions was limited at present, since average operating hours were so low and male labor for overtime shifts so plentiful in the industry's ongoing depression. The laws could have a substantial impact if and when conditions improved. However, as the manufacturers surely appreciated, the legislature was much less likely to ease the statutes during prosperous times.

The longstanding antagonism between capital and labor in cotton textiles may have been another factor motivating Thoron and other manufacturers unaffected by the hours of work laws to campaign for their repeal in the 1920s. Industrialists in cotton had ample reason to resent the labor movement, its leaders, and its accomplishments. Over the years, Massachusetts had seen numerous clashes on the shop floor and in the streets as textile workers sought an organized voice, improved working conditions, and higher wages. Actual or threatened textile strikes in 1919, 1922, and 1928 were but the latest episodes in a decades-old history of clashes.⁵⁷ The industry's employers and workers battled it out even more frequently in the halls of government. Leaders of the two groups crossed horns over laboring times and other questions specific to cotton-making in virtually every year until the 48-hour law passed in 1919. The work hours issue aside, the political struggle between capital and labor in textiles continued during the post-World War I years within a broader context. Cotton operatives were part of a union alliance that fought business interests led by the association of state manufacturers (AIM) for government protections in a range of areas. On a number of these questions, the unions prevailed. Against this backdrop of conflict, manufacturers may have seen the campaign to roll back the hours of work laws as a chance for revenge -- an opportunity to strike at a cherished accomplishment of the labor movement at what seemed to be a propitious moment.

⁵⁷ The walkouts threatened by the UTW in 1919 as part of its push for the 48-hour week were mentioned above. Workers at cotton mills in northeastern Massachusetts went on strike in 1922 to contest a pay cut (Leonard Tilden, "New England Textile Strike," U.S. Bureau of Labor Statistics *Monthly Labor Review* XVI: 5 (May 1923), 13-36). New Bedford operatives struck for six months in 1928 to oppose a wage reduction in that city.

What of the defenders of the existing hours of work laws? Why did unionists, the primary supporters of the statutes, and their reformist allies fight with such determination to maintain the status quo? The question is particularly interesting because it seems that the laws probably had some impact on certain Massachusetts cotton manufacturers, resulting in at least a slight decrease in the employment and earnings of Bay State textile workers at a time when joblessness and reduced wages haunted the mill towns. Examination of the arguments put forward by officials of labor and reform organizations shows that they acted as they did for a range of reasons. The published transcript of a 1928 legislative hearing on altering the hours of work statutes is a particularly useful source for illuminating the thinking of union and reform leaders.

The unionists opposing change to the hours of work laws clearly did not believe that much economic benefit would come from easing the present restrictions. Labor leaders repeatedly pointed out that many Massachusetts cotton firms were operating less than the number of hours permitted under current law. They argued as well that companies in neighboring New England states with less restrictive legislation were also performing poorly. Observed a Fall River union official while testifying in 1928: "Rhode Island is not better off than Massachusetts. Mills are shut down, mills are threatening to go South, and some of them, although they could run their mills night and day are running three days a week."⁵⁸

Union resistance to raising the cap on the workweek was spurred by the belief that altering the statutes would produce lower hourly wages rather than higher total earnings. As a result, operatives might end up receiving the same total pay for 54 hours of work that they had previously received for 48. UTW official Francis Gorman alluded to this possibility in 1928 testimony, stating that proponents of change "lose sight of the fact that wages and hours go together. If shorter hours make higher wages, then longer hours tend to decrease wages."⁵⁹

Unionists also feared that easing Massachusetts's statutes on working times might lead competing states to alter their regulations in the same fashion. If this occurred, the competitive position of the

⁵⁸ *Report of Hearing*, 75-76.

⁵⁹ *Ibid.*, 62.

Commonwealth would not improve, while working conditions would decline for operatives in all locations. A union representative from Fall River discussed this possibility in terms of a recent pay cut by the mills in his city that producers elsewhere had tried to replicate:

I know from a city where a 10 per cent reduction has been in effect that it was the opinion of the majority of the mill owners that it would do the mills some good, but before it went into effect the reduction passed on to someone else...This repeal of these laws...I consider...the same way.⁶⁰

Bay State laws on adult labor hours applied only to women for the pragmatic reason that drafting the legislation in this manner made it easier to pass. Protecting female operatives was not a prime motivation for the workingmen who led the campaign for these measures. Defenders of the statutes nevertheless cited the welfare of women as one reason for preserving the status quo. Male unionists deployed such arguments for rhetorical effect, but the views expressed by female employees and reformers concerned with women's issues were clearly genuine. At the 1928 hearing, the president of the Consumers League of Massachusetts (CLM) cited "the principle of restrictive and welfare legislation for the women in industry," as a reason to retain the existing limits. A representative of the unionized operatives of the Naumkeag Steam Cotton plant in Salem, Massachusetts reported that female employees there "bitterly opposed" the prospect of night work.⁶¹

The long battle against the manufacturing interests that had been necessary to win approval of the hours of work laws clearly motivated unionists to defend the status quo. Labor leaders remembered both the heated nature of these fights and the lengthy span of time over which the struggles had taken place. During a 1927 legislative debate on easing the 48-hour law, New Bedford representative John Halliwell, a life-long textile worker and vociferous defender of the existing standards, attacked the association of industrialists sponsoring the proposal. For him, the

⁶⁰ Ibid., 72.

⁶¹ Ibid., 87, 90.

identity and legislative record of this group was reason enough to reject the measure: “This is an organization of manufacturers, and I defy any man who intends voting for this bill to point to a single instance when this Arkwright Club has come here and favored any piece of humanitarian legislation for women or any other textile workers.” At the 1928 hearing, one labor leader recalled the lengthy struggle that had been necessary to enact the standards under dispute. He observed that the bill to abolish the night work law “carries my thoughts back to a little over twenty years ago when this present petition was...called an overtime bill.” Now, two decades later, “[t]hey [the manufacturers] are coming back...asking you to establish the same conditions...we had” before the measure passed.⁶²

Another political factor that surely entered the calculations of those defending the hours of work statutes was the interactive nature of state labor legislation. With social reform in this era occurring almost entirely below the federal level, a vanguard dynamic had arisen. The most liberal states, such as Massachusetts, enacted laws that put their industrialists at somewhat of a disadvantage in relation to producers elsewhere. Other locations then matched the higher standards. Through this process, conditions improved for workers everywhere. Catch-up by the less progressive states also allowed advanced jurisdictions such as Massachusetts to enact further reforms with minimal competitive damage to their own industry. In reversing itself on a key item of reform legislation such as the hours of work, Massachusetts would upset the established pattern. One possible outcome would be to endanger further progress on social legislation in all locations. Speaking on behalf of the 48-hour law at the 1928 hearing, the CLM president referred to the vanguard logic just described: “...having arrived at the 48-hour week, which...is the peg on which the country is now tenting...it would be a step in the wrong direction if you should now step back and extend the hours.”⁶³

In defending Massachusetts labor standards that were more stringent than the regulations in other states, unionists insisted that considerations

⁶² “Only Five Votes...” 18 March 1927 clipping, CLM, Box 29, Folder 499; *Report of Hearing*, 59.

⁶³ *Report of Hearing*, 87.

of competitive harm to the Commonwealth's industries could not be allowed to undercut the progress that had been achieved. According to this view, any loss of jobs to jurisdictions with less advanced legislation was the necessary, and acceptable, price of social progress. A New Bedford unionist articulated this idea in eloquent terms at the 1928 hearing:

[M]y view...is that the plea of commercial necessity is inadequate to change legislation of this kind. Once you admit the principle that commercial necessity should be sufficient to scrap social legislation...then everything that is intended to promote human welfare is at stake. You can scrap your Workman's Compensation Act under the same excuse...[and] all your safety laws...There is no stopping once you begin to recognize that as an adequate cause.⁶⁴

Advocates of the existing hours of work statutes had numerous social and political reasons to resist any modification of the current standards. They expected any benefits from easing the restrictions to be slim. Given this balance of factors, staunch defense of the laws unionists and reformers had worked long years to enact was the only position they could be expected to take.

Examination of battles over Massachusetts's hours of work restrictions in the 1920s lays the basis for a number of conclusions about policy responses to de-industrialization. The Commonwealth's experience in this era confirms that business efforts to cut back the social wage constituted a major policy response to industrial decline. The outcome of the resulting struggles in the Bay State shows that the corporate push for retrenchment in de-industrializing locales is by no means assured of victory.

Massachusetts events may also have utility for assessing the labor movement of this period. Bay State unions of the 1920s mounted a potent defense of existing hour protections and on this issue seemingly provided decisive leadership for the working class. The vitality

⁶⁴ Ibid., 70-71.

Massachusetts labor displayed in the political arena seems at odds with the portrait of a weak and dispirited union movement that appears in earlier and more recent labor scholarship on the 1920s.⁶⁵

⁶⁵ See, for example, Irving Bernstein, *The Lean Years: A History of the American Worker, 1920-1933* (Baltimore: Penguin, 1960); Dana Frank, *Purchasing Power: Consumer Organizing, Gender, and the Seattle Labor Movement, 1919-1929* (Cambridge and New York: Cambridge University Press, 1994); Goldberg, *Discontented America*, chap. 4; Melvyn Dubofsky, *The State and Labor in Modern America*, chap. 4 (Chapel Hill and London: University of North Carolina Press, 1994), 4.