This paper argues that the State encouraged the development of associations among workers in early-twentieth-century Chicago, thus complicating our notions of State, Civil Society, and the development of the American labor movement. Social scientists generally define Civil Society as the realm of social life not governed by the State, and indeed, dependent upon the absence of State power for its existence. The United States, many have argued, is exceptional for the historical weakness of its government and its correspondingly well developed Civil Society. At the same time, labor historians have constructed American trade unions as voluntary associations, as building blocks of Civil Society, which filled the administrative vacuum left by the weak State of the Lochner Era. I argue that historical research into the daily operation of both labor unions and municipal government in Chicago challenges these arguments, as well as the widely assumed barriers between public and private, State and Civil Society.

Labor historians such as William Forbath describe early-twentieth-century American labor organizations as those unions often presented themselves: as voluntary associations independent of the State. These scholars note that, before the First World War, the American Federation of Labor declined either to form an independent labor party, or to ally with existing parties. This same Federation decried the courts for enjoining strikers and
restraining legislatures, and not coincidentally refused to place its strength behind statutory social insurance programs. Instead, A.F.L. unions favored a patchwork of private trade agreements and claimed for themselves exclusive authority to govern the wage bargain.

But contrary to these accounts, American craft unions were never voluntary associations whose members advocated laissez faire, freedom of contract, and the rule of law. Labor organizations petitioned government where it was potent, in local trade, public contracting, commercial licensing, and transportation, using party power to organize employees employed by the State and its affiliates. Politicians brought unions into their coalitions in exchange for the votes they controlled. Moreover, labor leaders drew upon personal experience in government, modeling their unions upon the State, enacting constitutions, taxing members, and electing delegates to police work rules. Together, unions and local government regulated Chicago’s economy through a combination of private punishments

like fines, strikes, boycotts, and violence and public rewards like licenses, permits, and contracts. In other words, the supposed divide between public and private, upon which both notions of Civil Society and much of American labor history depend, never existed.

While unions were undoubtedly ambivalent towards the State, I argue that local unions joined with political parties and government agencies to regulate Chicago’s economy. While labor clearly abhorred the courts, other government departments, commissions, inspectors, and contractors greatly enhanced union power. And despite myriad failures, the Chicago and the Illinois State Federations of Labor continued to lobby the Illinois legislature for Progressive legislation. Though unions advocated contract, they turned away from courts to other agents of the government—inspectors, commissioners, and aldermen—to help them enforce their agreements and strengthen their organizations.

Local labor leaders were deeply involved in Chicago politics. Settlement House proprietress and prominent social reformer, Jane Addams, noted in 1904 that,

> It is a charge made by certain “old time” trades-unionists that the Civil Service regulations have turned out of office a number of adroit politicians.


The one reform few Chicago unions favored was civil service reform. Eugene Staley, History of the Illinois State Federation of Labor (Chicago: University of Chicago, 1930); Leidenburger, 187-210.

For a good example of this attitude see Samuel Gompers testimony before the United States Congress. Industrial Commission, Reports, v. 7, 600-608.
who, finding “nothing doing” in politics have turned their attention to “grafting” among trades-unions.

Though overstated, this accusation suggests the close personal relationship between labor unions and local politics. In 1899, an investigation showed that nearly two thirds of the officials of the Building Trades Council and of the Chicago Federation of Labor held public offices such as brick inspector, examiner of engineers, and others. Two years later, a businessman, W.J. Chalmers, claimed twenty-two labor men held city jobs, while other accounts claimed between thirteen and fifteen. The most infamous such labor politician was Edward Carroll of the Plasterers Union, served simultaneously as the President of the Chicago Civil Service Board and as the President of the Building Trades Council.

Leaders in labor and politics often sprang from the same ambitious ethnic working-class families. Chicago Mayor Carter Harrison II called the Curran family a “long tailed tribe.” The family included a Republican state representative, a county employee, a city bridge tender, a municipal court judge, a bailiff, and the superintendent of the Bridewell jail. It’s scion was William H. “Red” Curran, who worked as a bailiff, a deputy sheriff, a brewery agent, a Republican aldermanic candidate, a plumbing contractor, an officer of the plumber’s

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5 Ernest Bogart, “Chicago Building Trades Dispute. II,” Political Science Quarterly, 16:2, 227-8; W.F. Behel, a carpenter contractor, claimed the mayor had appointed over fifteen unionists. Industrial Commission, Reports, v.8, 6, 395.
union, President of the Chicago Building Trades Council, and Illinois State Factory Inspector.

Similarly, Simon O’Donnell, the President of the Chicago Building Trades Council from 1912 to 1920, came from a political family well connected to the Democratic party. His father, Simon Sr., was the chief of the Chicago police during the late 19th century. Simon Jr. also served on the force while his brothers, Edward D. and Joseph, worked intermittently for the city clerk’s office, the police force, and the sheriff’s department. Even after Simon accepted his first union office in 1902, he remained interested in local government and ran two close races for 19th ward Alderman in 1904 and 1905.

Once in power, union officials like Curran and O’Donnell used their authority to strengthen their unions. City and state governments exercised direct authority over the skilled labor

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market in engineering, plumbing, and barbering through licensing ordinances. Such laws made control accessible to politically active unions and trade associations. In 1900, non-union hoisting engineers accused E.A. Davis, secretary of the Building Trades Council of using his influence on the City Board of Examining Engineers to have their licenses revoked. Previously, Davis had organized all the stationary engineers-- the operators of steam boilers for heat, electric power, and refrigeration-- with the help of P.F. Doyle, the president of both the Engineers Progressive Union and the City Board, by making licenses contingent upon union membership.

Unions organized construction workers in the city with the support of building inspectors. In 1904, Jane Addams noted that

It is easy for a city inspector who is also a union man to give a contractor to understand that unless his building has been constructed by union labor, he is going to have constant difficulty with the department, that it will be much simpler for him in the very outset to insist that all of his men shall join the union. The inspector is therefore a powerful factor in the increase of membership in all of the organizations connected with the building trades, and may regard such action as perfectly legitimate piece of trades-union extension.

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10 Addams lamented this use of the polity, arguing that union membership ought to be based upon an educated decision of the workers rather than under pressure of the union and the State.
Charged with enforcing ordinances, inspectors used their sufficient discretionary on behalf of labor organizations. Property owners in the city frequently complained that when they discharged union firemen and steam engineers, inspectors promptly served them with notices for excessive smoke.  

Through ordinances, representatives of the Chicago Federation of Labor repeatedly ensured that public contracts for coal, building materials, construction, and printing were with unionized firms. In September 1897, for example, the Chicago Board of Education granted the Building Trades Council a closed shop in public construction. Large contractors, such as Knisely Brothers Steel Roofing, successfully convinced the Illinois Supreme Court to overturn this rule in Adams v. Brenan, but Edward Carroll, civil service commissioner and labor leader, used his power to circumvent the decision.  

Having established these relationships, unions organized thousands of men and women working for government and for government contractors. In 1929, economist Carroll Lawrence Christenson calculated 21,424 union members (out of 54,797 or 39 percent) among the teachers, janitors, teamsters, repairmen, repairmen, repairmen,

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11 "Union Sued for Damages," Chicago Daily Tribune, 10/24/1903, .

12 John L. Adams v. Thomas Brenan et al. (1898) 177 Ill. 194, 197; This Board of Education’s closed shop requirement is also examined in Building Trades Council v. Board of Education of the City of Chicago (1898) 1 Ill. C.C. 378; Industrial Commission, Reports, v.8, 353-4; James A. Miller, “Coercive Trade Unionism as Illustrated by the Chicago Building-Trades Conflict,” Journal of Political Economy, (June 1901,) 336; Industrial Commission, Reports, v.8, 276, 305, 435.
inspectors, and others working for the city of Chicago and Cook county. Yet another 98,369 union members (out of 121,468 or 81 percent) worked indirectly for the State building government buildings and maintaining parks, road, and bridges. Similarly, 43,517 union teamsters (out of 56,813 or 77 percent) carted goods through the city, many employed by contractors hired to haul garbage, coal, and other materials for the municipality. Together, these three groups accounted for over ten percent of the city’s total workforce and over half of its union membership.13

In other words, the State encouraged union governance, yet this kindness spurred provinciality and party factionalism in the labor movement. Unions became dependent on the government, and they prayed for the victory of friendly politicians at the polls. Sometimes victory wasn’t enough. In 1901, bankers refused to grant the city a short term loan unless the Mayor removed Plasterer’s President Edward Carroll from his position on the Civil Service Board. His replacement, Frank Wenter, though Progressive, proved quite hostile to organized labor. In 1906, Wenter fired fire fighters who refused to testify in front of his commission upon advice of their union.14 Such defeats only

14 Montgomery, 29; For examples of the Board’s hostility to union labor after Carroll’s dismissal see Carter H. Harrison, Growing Up With Chicago (Chicago: Ralph Fletcher Seymour, 1944,) 276; “To Fight Civic Unions,” Chicago Record-Herald, 12/11/1906, 6; “City Firemen on Rack,” Chicago Record-Herald, 12/12/1906, 9; “Fire Fighter is Out; Blow to Federation,” Chicago Record-Herald,
reinforced the necessity of retaining close connections with the major party factions and the seeming folly of an independent labor party which could anger those in power and alienate their supporters.

If the interaction between the State and labor unions was practical and personal, it was also cultural. Men like Curran and O’Donnell modeled their organizations upon governmental and political bodies. Trade unions established constitutions, passed laws, elected officers, and obeyed parliamentary procedures. They levied taxes, established courts, and exacted punishments. On first glance, such patterns seem “natural,” yet craft organizations might have assumed any number of different forms. Workers might have, for example, have established hierarchical, bureaucratic corporations to sell their “labor.” A set of expert managers, elected by a board of directors itself elected infrequently by the membership, might have run such corporations.15

Yet instead workers and proprietors chose a more explicitly governmental, democratic, and especially constitutional form. Chicago’s craft unions evinced a strong belief in democratic

12/13/1906, 1-2; “Union Costs Fire Job,” Chicago Record-Herald, 12/14/1906, 1; Book of Chicagoans, 1905, 604.  

15 For examples of union and association constitutions see Industrial Commission, Reports, v. 8, 555-63; Also see copies of constitutions of attached to Bill of Complaint, 6/30/1899, in Union Pressed Brick v. Chicago Hydraulic Press Brick et al., Case File # 196935 in the Circuit Court of Cook County. The fact that unions and trade associations resemble political bodies more than large corporations is not to say that many did not incorporate under the law. See chapter 4, “Controlling the Charter...”
election of officers. Though much has been made of the
dictatorial craft union, union’s were committed in principal to
regular elections and even to the Australian (or secret) ballot.
Indeed some unions were far more assiduous about democracy than
the local parties. In 1900, the city’s 5,000 Hod Carriers
elected walking delegates every six months.¹⁶

Craft producers formed their own legal systems to enforce
their agreements. Craft unionists signed contracts, but they
utterly rejected what we call rule of law. Having suffered
persecution in the courts for over a century, workers refused to
risk the decisions of elite judges. Beginning in the 1890s,
building trades unions began hiring “walking delegates” to
represent them at the work sites scattered around the city of
Chicago. These men traveled from site to site, checking for
infractions, including the employment of non-union workers, the
payment of wages below scale, and the purchase of out-of-state
materials. When the walking delegate found such violations, he
notified the offender and attempted to negotiate a resolution.
Failing conciliation, he returned to his central office to confer
with his peers and determine a course of action.¹⁷

¹⁶ According to Business Agent Frank Buchanan, the Structural Iron
Workers Union used the Australian ballot to elect their
officials. Industrial Commission, Reports, v. 8, 471-2, 118,
555, 62.
¹⁷ For a description of the responsibilities of the business agent
see Robert A. Christie, Empire in Wood: A History of the
Carpenters Union (Ithaca, NY: Cornell University, 1956), 63-6;
Royal E. Montgomery, Industrial Relations in the Chicago Building
Trades (Chicago: University of Chicago, 1927), 8-9; For concrete
examples of delegates in action see Minute Book of the Chicago
Building Trades Council, 1912-14, Chicago Historical Society.
Unions and trade associations established their own courts to try offenders. The Chicago Federation of Musicians administered a fairly advanced judicial system, that prosecuted members charged with violating price and wage provisions and allowed the right of appeal. Trade agreements granted arbitration committees broad disciplinary powers. Created to enforce labor contracts, these committees regulated trade overall. In masonry, sheet metal, and local transportation, such committees cited firms for cutting prices, hiring non-union workers, using “illegitimate” materials, and other infractions. These organizations punished violators first with fines, then with more stringent penalties such as suspensions, strikes, and boycotts. In 1900, the Bricklayers and Masons International Union Local # 21 suspended one of its members, James Gavin, for failing to pay a $100 fine. In order to obtain work, Gavin posed as a union man, but the other bricklayers recognized him and demanded his dismissal. Unwilling to risk losing all his skilled workers, the contractor agreed to fire Gavin. With no way to make a living at his chosen profession, Gavin faced a choice: obedience or bankruptcy.

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18 See for example Henry Doehne v. Chicago Federation of Musicians Local #10 (1904), Case File #255329 in the Circuit Court of Cook County.
19 For examples of arbitration committees fining workers and employers see Bill of Complaint, 6/30/1899, Union Pressed Brick Co. v. Hydraulic Pressed Brick Co. (1899), Case File #196935 in the Circuit Court of Cook County; “Indictments for Nineteen Contractors," Chicago Daily Tribune, 10/4/1903, 4.
20 Second Amended Bill, 2/9/1903, James Gavin v. Bricklayers and Masons International Union (1903), Case File #227562 in the Superior Court of Cook County; Bill, 1/12/1903, James Gavin v.
The walking delegates who enforced craft rules resembled city inspectors, policemen, ward leaders, and precinct captains because so many had experience in government and politics. Men like “Red” Curran and Simon O’Donnell were immersed in local politics and government before they ever joined labor unions, and they ran their unions like big city political machines. Indeed, it is ironic that historians see American labor organizations as apolitical and anti-statist at the turn of the century, for during this period local unions resembled nothing more than political parties and government agencies.

To conclude, understandings of American labor union development that assume the strict separation of State and Civil Society are deeply problematic. William Forbath is correct; law indeed shaped the American labor movement. But regulation of commercial life strengthened labor organizations, making them dependent on, rather than averse to, local politics. Labor not only filled the governmental gap left by the constitutionally-limited State of the Lochner Era, but harnessed State authority and aped its outward form. American unions perhaps imagined themselves independent rivals to the State. But in fact, organized labor was a mode of governance interdependent with the State, tied to politics at the local level, and wholly vested in the concept of regulation.

_Bricklayers and Masons International Union et al._ (1903) Case File #227562 in the Superior Court of Cook County.