In the wake of the lockout of 1852, leadership of the machine-builders union, the Amalgamated Society of Engineers (ASE), gathered in London to consider their next step. The British labor movement had seen great movements come and go in the past two decades—the glory years of organization in the early thirties followed by repression, then revival, particularly on the political front, with the Chartist movement. In 1848 London bourgeois had armed themselves to fight against the revolution that never happened. Then, in the fifties, British capitalism set on a course of development that made England the undisputed economic (and political) power in the world for two decades.

Mid-Victorian England and Eisenhower’s United States, while a century apart, had much in common. To prepare the way, both societies quickly shed their radicalism inherited from the earlier period. While physical-force Chartists suffered fates less dramatic than U.S. Communists, an anti-Socialist tenor beset England as surely as it did the United States a century later. Richard Cobden and Hubert Humphrey kept the fires of liberalism glowing by roasting the reds of their respective societies.

The beleaguered members of the Amalgamated Society of Engineers decided upon a different form of trade unionism. Explicitly condemning political radicalism while reinforcing ties with the Liberal party, emphasizing the importance of “responsible leadership,” and, above all, stressing the building of union resources and avoiding strikes if possible, they made the best of a bad situation. Historians would call it the “new-model union.” By the mid-1870s, ASE leaders and those of other like-minded unions who had formed the Trades Union Council were called the “junta.” Their ranks, along with hordes of the unorganized, were increasingly restless.

Historical parallels can always be overdrawn, so we shall stop. But union movements go through waves of change and they normally correspond to larger changes in the economic and political circumstances of the time. Walter Reuther
was hardly a William Allan (ASE general secretary), but the adjustments within the UAW and in its relationship to the society and politics of the postwar United States bear a striking resemblance to what happened in Allan’s organization. Benefits, in terms of fringes, wages, and other economic guarantees, improved dramatically while worker power both on the shop floor and within the union deteriorated. The classic trade-off that ascendant capitalism always managed to effect in good times, money for authority, worked well in both cases. Neither Allan nor Reuther need to be viewed as villains (though many contemporaries of radical persuasion viewed them so): they followed their noses in a context where their moderate political principles, dedication to trade unionism, and thirst for personal power coincided with the trends in their booming economies. (How fleeting was the boom in the case of pre-Great Depression England is known; Americans are now facing the consequences of the Eisenhower-era freeways, suburbs, and gas guzzlers.)

Despite its hard-line, militant character, the GM strike of 1945–46, led by Reuther, itself represented the trade-off in action. Important gains in shop-floor autonomy made during the war were relinquished in the “reconversion,” and the strike failed to address the issue. Money, instead, got all the attention. From a certain perspective, even Reuther’s “open-the-books” demand posed a danger because in calling current profit levels “indecent” and demanding to expose them, it implied that there was a level that was decent.

It was within the union, however, that the changes wrought by the “new model” would become most striking. By 1951, Reuther had removed or co-opted most of his opponents (Local 600 remained a thorn in his side, and he ultimately put it under receivership, and his supporters there red-baited opponents before the House Un-American Activities Committee), revised the constitution to give increasingly greater power to the executive board, and ordained triennial conventions in the name of economy while multiplying the numbers of paid staff people beholden to him. The union ran efficiently and “served” its members well enough, much like a mutual insurance company serves its customers. To be sure, idealism remained, but its principal locus was at the leadership level, particularly among the key officers and department heads. Reuther himself came to be regarded as a “labor statesman,” brushing shoulders with the main liberal and social-democratic leaders in this country and abroad and proposing grand schemes for social progress such as a national health plan.

For the rank-and-file, the main consequence of all this was withdrawal from union activism. Meeting attendance declined substantially, and union dues, increasingly “checked off” by most companies, became just another deduction box, like social security or group insurance, on a member’s paycheck stub. Occasionally the ranks would mount a protest against their loss of power, but the majority remained complacent. They had good reason of course, because the union treated them well—wages and benefits increased with the boom in the auto market and with unheard-of programs like Supplemental Unemployment Benefits, instituted first in the 1955 Ford contract.²
Maurice Sugar

Trade unionism in the postwar United States, if successful, operated on such principles, and there is certainly no guarantee that if the Addes-Sugar forces had won, the results would have been much different. But the way the winning occurred does require comment. Basically, Reuther combined the use of the anticommunism that ran rampant in the Cold War era with acquiescence to the legal shackles now replacing the legal aid of the past. Inasmuch as Sugar was at the heart of the story on both counts, his perspective and what happened to him personally help us grasp the entire problem.

The general framework of the UAW’s last great factional fight is well known. Having taken a stand during the war that hedged a bit more on the no-strike pledge than the Addes forces and then proposing its repudiation for nonmilitary production, Reuther led the postwar General Motors strike to a successful conclusion. This momentum allowed him to mount a strong campaign for the presidency of the union, and at the Atlantic City convention in February 1946 he defeated R. J. Thomas in a close race. Addes had thought of running, too—and had told a number of people that he was “rather sick of Thomas”—but decided not to, largely because the CIO hierarchy again discouraged him. (One of the things that historians have little appreciated about Addes was that he really enjoyed his job as secretary-treasurer. He was good at it and confident in his abilities. The presidency was uncharted territory.) Reuther’s victory, however, was incomplete because only seven of his people, including Emil Mazey (who was still in the armed service), were elected to the executive board. This gave Addes, Thomas, and Leonard, who emerged as the triumvirate opposed to Reuther, a solid (“automatic” said their detractors) majority of fourteen to eight. Under the anti-Martin constitution, this effectively contained the president.

Over the next year and a half, the struggle raged. It was the most publicized internal union fight in U.S. history. The daily press, news magazines, newsreels, and radio commentaries gave it full coverage. The bias was clearly toward Reuther, whose boyish good looks, intelligent manner of speaking, and consistent denunciation of Communists found wide appeal. Every executive-board meeting was a battleground, as Reuther tried to use his presidential power to remove this or that “red” staff member, while the Addes bloc tried to embarrass him at every turn. Every local union became a scene of factional bloodshed. The jockeying for position, the intrigues, dirty tricks, and vicious attacks in hundreds of local unions left marks that remain to this day. Little by little, the power of the presidency, Reuther’s personality, his wider public support, the logic of his paycheck/security program, and the remarkable discipline of his army gained him the upper hand. The Addes faction was especially embarrassed by the support it gave to the strike by Allis-Chalmers Local 248 in Milwaukee, which the press characterized as a Communist conspiracy, an opinion Walter Reuther felt had sufficient validity to warrant ending the strike.
The anti-Reuther forces became desperate in the spring of 1947. They first attempted to merge the Communist-influenced Farm Equipment (FE) Workers into the UAW, a good idea two years before, but now grist for Reuther’s publicity mill. The referendum vote on the FE merger in the summer showed just how much the Addes people had slipped and caused a stampede of the uncommitted to Reuther’s side. In the last days of the campaign (the convention did not take place until November), the Addes-Thomas-Leonard coalition disintegrated, while they tried futilely to discredit Reuther as a stooge of U.S. capitalism.

This brief survey will suffice to set the scene. The story of the fight is well told elsewhere. Its emotional content was perhaps best captured by novelist Clancy Sigal in *Going Away*. The sense of frustration and bitter enmity toward Reuther can be seen in this passage (Reuther appears under the name *Victor Hauser*):

> The people who hated Hauser most . . . were the militants and the old-line shop stewards: theirs was the clearest case. These old ones (in the auto industry you are old at thirty-five), with their memories, looked back to the thirties as the high point in their lives because they had a chance, for the first time, to fight back and give the front-office the well-deserved works, and now here was Victor Hauser, flanked by teams of social psychologists and campus economists, proposing replacement of this (granted, frequently anarchic) militance with a morbid philosophy of “sound labor-management relations,” “centralization of union authority,” “co-operation,” “responsibility.” Had a major employment crisis hit in ’46 or ’48 Victor Hauser would have gone down the drain. It didn’t.

Those characterized here were the types Sugar respected and trusted most. They were the sit-downers, the Ford firees, and, for better or worse, many of the wartime wildcatters.

The factional fight was not the only—or even the main—thing affecting the union in 1946–47. In November 1946, U.S. voters elected the most conservative Congress since the early twenties. The campaign had been filled with fear of the Soviet Union and good old “Americanism” (including a massive dose of antiblack racism), and Truman was running scared. Robert Taft led the charge against labor, and before the cherry blossoms bloomed in 1947, the House had passed the Fred Hartley-sponsored version of the bill, and on May 13 the Senate overwhelmingly supported Taft’s. They got together, passing a “compromise” that largely featured the Taft “moderate” bill. Although Truman vetoed it on June 20, he was overruled, and the Taft-Hartley Act became law at the very moment the bottom was falling out of the Addes campaign within the union.4

Sugar’s relationship to both the factional fight and the rightward turn of labor law was intimate.
Maurice Sugar

His feelings about Walter Reuther were conditioned by past experience. On occasion after occasion he had cringed at Reuther's opportunism and mistrusted his politics. Two more recent incidents seemed to confirm his opinions. The first occurred in 1943. Union officials often went to Washington to meet with the War Labor Board on various questions, and Sugar sometimes accompanied them as legal advisor. Only once, however, did Reuther ask him to go, and this was to a particularly sensitive discussion of possible ways around the wage-freezing Little Steel formula as it related to GM. Sugar recalled that Reuther's behavior was most unusual, because no sooner did they arrive at the conference room than Reuther headed for a seat as far away from Sugar as possible. Sugar, of course, made no move to join him, and that was clearly the way Reuther wanted it. Throughout the discussion, Reuther never once invited Sugar to contribute. The general counsel uttered not one word. The meeting adjourned without any progress being made and Reuther returned to Detroit empty-handed. The only reason Sugar could think of for Reuther's requesting his presence was so that the Left would know that "their man," Sugar, was also a party to the failure.

A more delicate situation arose during the General Motors strike. The issue was whether or not to mount a picket line of tool-and-die workers and thus risk a battle with police and an injunction. Both Reuther and Sugar knew that these skilled workers were so solid, and the possibility of finding scabs so remote that anything more than token picketing was not called for. Reuther had to talk to the leaders of the tool-and-die workers, who were generally leftists and came out of a strong confrontationist tradition dating back at least to 1933. So, again in an unusual move, he asked Sugar to come along to the meeting. Rather than taking the floor himself he did the even more unusual thing of calling first on Sugar to offer his opinions, legal and practical, on the question. Sugar did so, and Reuther then followed by agreeing that mass picketing would not be necessary.5

These instances demonstrated Reuther's deft political touch, but naturally left Sugar with the sense that he had been used. Combined with earlier experiences, they convinced him that Reuther was consumed by personal ambition and would stop at nothing to achieve complete power. With Reuther's election as president, Sugar therefore prepared to fight back.

Sugar was, perhaps, fortunate to be involved at all. At the Chicago board meeting (April 1946), the first confrontation between Reuther and the Addes majority almost ended Sugar's career as general counsel. Reuther certainly wanted to get rid of him, but since the board had to advise and consent on all appointments and Reuther wanted desperately to control the publicity and education departments, he "traded Sugar for Vic Reuther and Frank Winn," as board member Percy Llewellyn put it. This same board meeting saw a good deal more horse-trading and was the source of a policy statement from the board that condemned red-baiting. The fight was on, but Sugar was sorely dissatisfied with the first round. He was upset that compromises had been made. This created the
framework for his blistering internal “Memorandum on the Existing Situation in the International Union,” of May 23, 1946. This statement, essentially a list of instructions on how to fight Reuther, was not signed, and it circulated only among the top people in the Addes caucus. With it, Sugar became the chief strategist in the fight. It predicted the course of events with uncanny accuracy.6

After reviewing Reuther’s long-range planning in the past, Sugar noted how he fell short of his objective at the last convention; “but no one who has the slightest knowledge of Reuther’s personality could believe that he has changed in his objectives. . . . He proposes to ‘take’ [the officers and opposing board members] at the next convention.” His first move, wrote Sugar, would be to try to eliminate more staff members, specifically Irving Richter (UAW lobbyist in Washington), George Crockett in fair employment, Allan Saylor in radio; and William Levitt in education. (This certainly was to be the case as time went by.) He would further try to undermine the board members’ prerogatives in choosing their own International representatives. (This also happened—the following year at Louisville Reuther attempted to set a precedent by blocking the appointment by Region 1A director Percy Llewellyn of Chester Mullins, a somewhat mercurial figure by all accounts. Reuther failed.)

Sugar went on to give a pep talk, basically, for the officers to present to their board allies: “There must be no deals.” The board had the power, it had to “be made to understand and feel that the Board is the highest authority in the union.” Reuther had divided the membership and “been guilty of flagrant anti-Union conduct” by presenting his own program contrary to the program passed by the board. Reuther had already violated the board ruling on red-baiting by explicitly stating that he would eliminate the “10% of the Union who are Reds.” (Reuther later attempted to beef up the innocuous anti-Communist clause in the Union’s constitution passed back in 1941 by eliminating local-trial rights for “admitted” Communist officers. This move was blocked at the March 1947 Louisville board meeting by Addes using a constitutional law brief prepared by Sugar.)

Sugar felt that Reuther’s red-baiting, his pronouncement of people guilty without proof was “a point of great vulnerability on his part. No one with a drop of fairness in his blood would even attempt to justify it.” In this, Sugar was wrong, as were all who believed that constitutional guarantees, Anglo-American liberal concepts of equity, and old-fashioned fair play would condemn the red-baiters as they had in the past. A whole organization of alleged liberals dedicated to something other than “fairness” would soon be formed. The Union for Democratic Action, as it was first called, would have as charter members Walter Reuther and his friend Eleanor Roosevelt, who attacked board members for being “unfair” in trying to gag Reuther’s anticommunism in Chicago. Phil Murray might condemn witch-hunts at two successive steel conventions, denounce the Taft-Hartley affidavits, and all the rest, but ultimately he would shake Walter Reuther’s “good little hand” after Reuther wiped out the board at the next convention. Sugar, on page 10 of his memorandum, confidently urged,
“The contrast between Reuther and Murray must be exploited to the utmost. It is dynamite for Reuther.”

Reuther took every opportunity to paint the Addes-Thomas-Leonard caucus with a red brush. He formed alliances with the Association of Catholic Trade Unionists and with the followers of the eccentric Trotskyist, Max Shachtman. The ACTU published a newspaper called the Wage Earner, the purpose of which became to extoll Reuther while minutely researching the “pinko” past of as many of his opponents in locals throughout the country as it could. Shachtman’s associates, Irving Howe and B. J. Widick, did much the same in the widely disseminated newspaper, Labor Action, and later wrote a book justifying everything Reuther did.7 Walter Reuther and the UAW (later shown to be in error on dozens of questions of fact by historian James Prickett) did demonstrate the Reuther strategy clearly: attack the Communists not because they represented a disruptive force in U.S. society, but on the grounds, first, that they were not really good trade unionists, having allowed Soviet foreign policy to dictate their stand favoring harmony with the bosses during the war and second, that now, while they might have toughened up, their association with the trade-union movement only hurt it, due to U.S. citizens’ alleged hatred of the Soviet Union.

The Addes caucus, encouraged by Sugar, responded in kind, vilifying Reuther at every turn as a power-hungry opportunist with little concern for the true interests of the workers. The easiest—and ill-advised—path to follow was to emphasize that all the attention Reuther was getting from the “capitalist press” (there were hundreds of positive stories about him in the Luce publications Time and Life, Colliers, the Saturday Evening Post, and the mass daily press) meant that he was dancing to the corporations’ tune. The final sally, prepared by Jim Wishart with the blessings of Sugar and the entire Addes leadership, proved a disaster: a pamphlet called The Bosses’ Boy attempted to hang Reuther as a tool of capitalism by mixing accurate information with half-truths and downright lies. It was an unedifying conclusion to an unedifying campaign.

Reuther played for keeps. Jack Conway, Sugar’s counterpart as chief strategist for the Reuther side, knew it well. Conway called the preparation for the convention triumph in October 1947 “a juggernaut.”8 The other side thought it was fighting a tough battle too, but they were not really in the same league and constantly had to deal with the “Communist question” gingerly. A good local-union example and the actions and attitudes of George Addes himself take us a long way toward understanding how hopeless the struggle actually was.

Bendix Local Number 9 in South Bend was one of the oldest and most militant locals in the UAW and a traditional Addes stronghold. Two incidents here in 1947 illustrate what was happening. Outstanding documentation allows us to give more detail than usual.

The first was the August 11 statement of Ralph Hershberger, a pro-Addes officer, read into the minutes of the third-shift meeting on the Farm Equipment Workers–merger referendum, which accurately reflected the oppressive anti-Communist atmosphere.
I have no more love for the communists’ basic philosophy than they have for my basic philosophy.

The red herring [sic] is being dragged around over this merger issue. Some say anyone favoring this merger is following the party line. They may as well say that because the commies favor a wage increase, that anyone else who favors a wage increase is also a fellow traveler.

Let’s face this matter on pure union principles and not let the matter of who is for or against it determine our vote and not let any phoney propaganda sway our judgement.

The merger lost in his shift twenty to three and seventy-eight to twenty-eight overall.

More complex was a successful power play by Reutherites based on charges of pro-company, antiunion behavior. John Neff and Cyril Rogers, both pro-Addes, had been elected local vice president and recording secretary, respectively, the previous March in one of many spring elections that seemed to show a swing of the pendulum towards the Addes forces. The president, John Saxton, several other officers, and a number of committeemen were in the Reuther camp. On July 19, 1947, Neff was called to the plant by Brother Ladd, a Reuther committeeman, to check out a threatened wildcat strike in one department. When he arrived, Rogers also asked him to come to another department floor where it appeared that Florence Yates, who had done something to irritate her foreman, was about to be fired. Neff heeded Rogers’s call first and ended up by berating Yates (in private) as a troublemaker. He also failed to deal with the other situation, which fortunately resolved itself. Yates then filed charges against Neff and Rogers for behavior unbecoming an officer (although she did keep her job) and shortly thereafter Saxton filed charges against Neff for trying to form “a rump group to oust Saxton unconstitutionally.” He argued in meetings that Neff was tied to the Communists. Rogers resigned in the midst of the storm under agreement that Yates would drop her charges. He thus admitted his “guilt” and lost his credibility as a union leader.

Neff fought on. On August 14, the local voted him suspended of all duties and any eligibility for “elective or appointive office” until his trial. This meant (1) that his delegate credentials to the Indiana State CIO convention were voided and (2) that unless the trial were scheduled before September 21, he could not stand for nomination as a delegate to the UAW national convention. It was not. Only on October 2 was he tried and convicted on the grounds both of having “taken management’s side” against Yates and for having failed to deal with the more serious—and potentially costly—wildcat threat. The matter did not end there. For on October 6, while nominees campaigned for slots in the delegation, the local magnanimously rescinded the conviction by a vote of 137 to 127! But no matter, the basic work was done: chalk up at least 28.66 votes more for the Reuther camp, that many fewer for Addes. Glenn Porter, Neff’s friend, attempted to have the delegate election of October 21 declared fraudulent, but was simply ignored at the next local meeting.

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Whether this was all a prearranged railroad or not (Yates and Ladd certainly might have been part of a plot), it allows us to penetrate the daily reality of union politics that year. Neff and Rogers may have exercised bad judgement and possibly sexist behavior, but did they deserve to be ousted from power? The keys to the Saxton strategy were those used by Reuther on the national level: keep the fear of communism percolating and appear to be taking a stand more militant than the Addes forces. They also knew how to go after the weak links: neither Neff nor Rogers, as demonstrated by this story, seemed particularly competent.

What happened here goes well beyond a mere example. Local 9 was the second largest in Region 3 (after Studebaker Local 5, also in South Bend). These two locals alone took the entire region into the Reuther column at the November 1947 convention. Local 5 had some shady elections, too. Arnold Atwood, located in Indianapolis, was the head of the region and a loyal Addes man. But in the end, because he saw the Reuther steamroller taking his region, he attempted to save his skin in a variety of ways.

The most important was of historic proportions, for in the October mail ballot on the Taft-Hartley Anti-Communist Affidavit sent to executive-board members, which Reuther recommended signing, Atwood cast the deciding vote in favor. Taft-Hartley, besides outlawing the closed shop and granting management a dozen other advantages, also stated that in order to receive certification from the NLRB, unions had to sign affidavits that their officers were not members of the Communist party. It was possible to refuse and a few unions, notably Lewis's United Mine Workers, did so, but the costs were great, particularly when one remembered how hard the battles to organize had been before the Wagner Act. Nevertheless, the vote in the UAW—with its strong anti-Reuther and anti-anti-Communist majority—was close. Two pro-Addes regional directors, O'Halloran of California and Kerrigan of the East Coast were fighting the International Association of Machinists-AFL, which had already complied, in major representation fights, and their shift to Reuther's side on the issue is somewhat understandable. But, with George Burt from Canada abstaining, one more vote was needed and it was Atwood's, thus aligning the UAW with the majority of the labor movement who complied. This was the last act before the convention in the Reuther drive to victory.

Finally, even Sugar's closest friend in the UAW, George Addes, was not entirely immune to the enormous pressures the anti-Communist environment put on a union officer in 1946-47. After the 1946 state CIO convention in which his forces were soundly whipped, in part, he felt, because the Communists rode herd on the coalition and lost a lot of moderate votes as a result, Addes wavered for the first time. On June 27, 1946, Blair Moody, then labor editor of the Detroit News, reported that a meeting between Addes and several east-side Detroit local presidents had resulted in a "decision" to "purge reds" from the Union. Although he vehemently denied the allegation three days later, Addes still stressed that Socialists, Communists, ACTU people, and Trotskyists "all attempt to use the union as a vehicle for achieving . . . their political goals."
Addes demonstrated inconsistencies on the “Communist issue” right through to the end. He went down the line in support of the beleaguered Local 248 and its nine-month Allis-Chalmers strike in Wisconsin and never flinched in his determination to bring the Farm Equipment Workers and its Left-voting members into the UAW despite daily crimson badgering from Reuther. But other instances showed him in a different light. For example, at the Louisville board meeting (March 1947), Reuther had suggested that the two of them bury the hatchet because a Communist “spy hysteria” was soon going to grip the nation. The hatchet was not buried, but the thought, perhaps, remained. Oddly, Addes failed to support Percy Llewellyn’s motion for a full, positive vote of confidence for Irving Richter, whom the board had just saved from Reuther’s real hatchet. Then, on the fateful question of the Taft-Hartley affidavits, while Addes in the end voted not to comply, he took a legalistic, wait-and-see attitude, obviously disturbed at the prospect of losing members because of the loss of NLRB instruments. He also pointedly noted that his remarks were made “without advice of counsel”—meaning Sugar. Moreover, in contrast to Llewellyn and Paul Miley from Cleveland, he spoke out little in opposition to Reuther’s red-baiting tactics at any of the board meetings.

At the same time, Addes maintains that he never knowingly violated the constitution by making interpretations that would benefit his caucus. “I was always fair and square. Integrity was always my watchword and I wasn’t going to change then,” he said in a recent interview. But Sugar did not either. A close examination of his constitutional advice during this period has not turned up a single instance to support Emil Mazey’s charge that he had made legal and constitutional interpretations in a “factional manner.”

And this is the final point. Despite the shrillness of his instructions to the board, despite his massive mistrust of Walter Reuther, Sugar assumed that the high road would win out. This he shared with Addes. Expose Reuther’s red-baiting and justice would take its course. Justice did not take its course, however, as a new red scare engulfed the nation. This assured that any Left-liberal alliance in the U.S. labor movement—one that would stand firm against the power of a corporate capitalism greatly enhanced by World War II—would not be politically viable.

For Maurice Sugar, who represented this alliance as clearly as anyone in the country, this course of events was a tragedy. Not only had all he worked for within the union collapsed in the face of the tactics that he believed basic U.S. morality would counter, but also the law, which he had been lured to believe could render positive aid to the labor movement, had turned on it and destroyed much of what he had worked to build. In the end, Sugar wanted to go back to square one: do not sign the anti-Communist affidavits and forget the NLRB. The union movement had lived without it before and could do so again. These sentiments were expressed at the Buffalo board meeting in early September 1947 by Paul Miley and William Stevenson, who relied on Sugar for advice. But the real thrust of Sugar’s public pronouncements to the union membership
was to urge that they demonstrate against the act and join in the political fight to get it declared unconstitutional. By 1947 labor relations were so dependent on the law that it was almost unthinkable to return to a situation where the sheer will of labor militants could do the trick.\(^\text{11}\)

The final phase of Sugar’s relationship with the UAW was a personal tragedy as well. There was no question that Reuther would fire him once he had captured the board. But the recriminations and plain meanness that accompanied his dismissal established forever a wall of hatred between Sugar, his associates, and the entire old Left community on one hand and Walter Reuther and his friends on the other. The irony that the Walter and May Reuther educational facility would be located on Black Lake directly adjacent to Sugar’s retirement home is multiplied by the fact that the man who was the main attorney for the nation’s largest union for the first decade of its existence was never invited to the Reuther domain nor, save when Sugar was dying, did a single Reuther union official or appointee ever visit the Sugar place next door.

To read the board meeting minutes for November 29, 1947 is to understand why. This was the day Sugar was fired, and the debate lasted eight hours. Sugar himself was not present. Reuther set the tone: “On the question of Maurice Sugar, I frankly want to say this for the record, that I think Maurice Sugar is a competent attorney, but I don’t think he is a brilliant attorney. I think we can get legal talent in America that is more competent than Maurice Sugar. That is number 1.” Quite obviously, that was not number 1, and as the ensuing debate made clear, Reuther’s main objection was that Sugar “had chosen sides within because he has chosen sides without.” Reuther then went off the record to reveal a “secret” meeting that Sugar had arranged with Weinestone and B. K. Gebert, Communists. In fact, it was the one that Reuther and his brother had requested Sugar to set up after the state CIO convention in 1939! Reuther and his allies also made a great deal of the Tessmer case.

Reuther went on to reveal the mentality of the “new-model” union. Whatever Sugar’s politics were, the president claimed, he was too involved in union affairs, too much “a part of the labor movement.” After all, “When you hire an attorney, you don’t hire him because he is part of the labor movement. That ought to be one of the prime requisites, sure, but you hire him to give you expert legal advice.” Reuther went on to compare the ideal labor lawyer to a physician whom one would bring in for “professional” advice, a “technician” who could manipulate the law as a doctor manipulates his implements.

Thereafter, Emil Mazey, the new secretary-treasurer, undertook the task of proving (1) that Sugar and company were worthless in court because they were reds and (2) that Sugar was not only overpriced but that he and his staff were double-billing the union. Regarding the first, Mazey remarked, “Maurice Sugar and his entire staff are tainted in the courts of Detroit. If you want to get somebody convicted, just hire one of Sugar’s attorneys.” Most judges have no use for them “based primarily on what they consider the political leanings of Sugar and his staff.” Not only was this patently untrue for Detroit, where their
acquittals far outnumbered their convictions, despite the often controversial nature of their cases, but on appeals their record was admirable. Ernest Goodman and George Crockett (who joined the firm after being fired by Reuther from the union’s FEPC division, thus creating the first integrated law practice in Detroit) had each logged two U.S. Supreme Court victories and would have several more. Judges may have disliked them, but they could not risk too many overturns; as we have seen in so many instances, Sugar and his associates knew the law.

The second charge was so vicious that it remains almost impossible to believe that a man of the stature and generally good reputation of Emil Mazey could have uttered it. But there they are in the verbatim minutes that Reuther himself instituted during the factional fight in order “to keep the record straight.”

Mazeys conclusion was pure vitriol: “So those of you who may feel that Sugar had made a contribution to the labor movement, I wouldn’t shed any crocodile tears over him because he has been more than amply paid for services that he has rendered to this union. He has received giant fees. He has built up a very lucrative practice, one of the most lucrative in the City of Detroit, and he can’t deliver the goods.” Regarding the question of his retainer, Mazey stated the truth when he said Sugar received twenty-five thousand dollars—a lot of money in 1947. What he failed to mention was that of that only eight thousand was his personal income. The rest went to pay the rent on his office, all the attendant office expenses, and the wages of secretarial help. He also received travel-expense payments from the union. These figures in fact put his salary at a lower level than all officers and board members, including the frugal Mazey. To be sure, he collected a 10-percent service charge from the fees of his attorneys, but specifically not from fees for their work for the International.

The most scurrilous charge, of course, was the double-billing accusation. Richard Reisinger and Paul Miley (the only real opponents of Reuther who managed to get reelected), vigorously denounced it: “Are you calling Maurice an out-and-out crook?” asked Miley. It would appear that George Crockett submitted a bill directly and that the same one was sent in erroneously by Sugar’s secretary (and not paid). The implication was that Addes had been “taking care” of his friend Maurice. Mazey was in fact very short on particulars: the Crockett case was the only one with documentation. It was an incredibly bad show. This is perhaps the one incident in the entire factional battle for which no justification can be found.

To have read Sugar’s voluminous files of correspondence with Addes is to know how careful he was not to overcharge the union. Moreover, he fought again and again with lawyers around the country to get them to reduce their fees in the name of the “cause.” It usually worked. But the saddest thing of all was that after he learned of Mazey’s attack (he was never allowed to respond, despite repeated requests to do so), Sugar spent countless hours in December and January culling through all the bills, gathering together all the correspondence,
sorting out all the agreements with the union in order to deal with this muck. They were kept in that form and remain in a special file for all eyes to see.\footnote{12}

The shock of the Reuther blitz gave way, therefore, to personal attack. Sugar in fact reeled under it. He was fifty-seven and very tired. The old resiliency was not there. He barely took an interest in the Henry Wallace campaign of 1948, although Goodman and most of the firm’s members were deeply involved. As the United States moved toward the dark night of McCarthyism, Maurice Sugar prepared to move north: he would go back to the woods, to Black Lake where he and Jane would live, retired, until their deaths in 1974 and 1985. While he helped Crockett in developing the defense of the Communist leaders tried under the Smith Act in the famous Foley Square trial and kept an active interest in contemporary affairs, it was over. Walter Reuther had won and with his victory an era of U.S. trade unionism, Sugar’s era, came to an end.\footnote{13}

What, then, was the era of the man Len DeCaux called “Mr. CIO”? While in so many respects a unique figure, Sugar led a public life that placed him at the core of the U.S. labor movement for more than three decades, a period during which—despite the trough of the twenties—U.S. workers challenged capitalist authority more fundamentally than in any similar span in our history. Sugar’s life helps us to understand why this was so. Obviously, in the most basic sense, workers make their own history, and Sugar was not a worker. He was a political activist and a lawyer. But his place in labor history—along with dozens of other nonworkers of the era from Debs, Hillquit, and Max Eastman to Browder, Lee Pressman, and Paul Robeson—was important, indeed critically so. What distinguished this era, especially the teens and the thirties, was the profoundly significant role of committed socialist activists within or in relation to the trade-union movement and the work of dedicated professionals—be they writers, artists, teachers, scholars, lawyers, or physicians—who simply became part of the workers’ struggle. Although there was always some dissonance between “pure and simple” union issues and the larger goal of social transformation, socialist zeal gave a special urgency to trade unionist demands. And during the dark days of the late twenties and early thirties, it can almost be argued that socialist zeal kept trade unionism alive.

Lawyers were of particular significance because of both their obvious practical use to the labor movement and their natural political proclivities. By the late thirties, politically committed lawyers by the dozens had become involved in labor’s struggles in the courtroom, on the hustings, and as trusted advisors to labor leaders. It was a fruitful marriage. That Walter Reuther should shun that commitment announced a new age.

Sugar’s life, then, has allowed us to examine in some detail two key buttresses of the U.S. labor movement in the most dramatic era of its growth: left-wing politics and the law. It has also contributed to an understanding of how each, almost dialectically, became an impediment to labor’s outgoing drive for power—in large part because of the remarkably resilient social system that had
been forged over the last century and a half. In the end, Sugar—profound analyst of the American scene as he may have been—was fooled by this system. Sugar's misassessment is all the more important because it has nothing to do, as was so often the problem for Communist party members, with a new turn in Soviet international interests. His independence assured that what Browder called the "living struggle" between Leninist doctrine and U.S. realities normally tipped, in Sugar's framework of analysis, toward the latter. Essentially, Sugar remained a Debsian socialist who appreciated the U.S. Communist movement (at least until 1938) as the most effective instrument for the realization of labor's emancipation.

Let us now review the main steps on Sugar's way. From the beginning, the law, socialist politics, and the labor movement were intertwined. Contacted by the typographical union because he was a Socialist, Sugar put his legal expertise at the disposal of the union's struggle. He immediately established an approach that would distinguish his work and pay off in a way "bread-and-butter" unionists could applaud: detailed attention to "technicalities" won cases—or else lost them with practical positive results, as by delaying injunctions long enough to win strikes. He also established himself as an effective legal analyst and legislative critic with his work on injunctions and learned very quickly that politicizing even this issue was not to the liking of Samuel Gompers. But no matter: his work in the courtroom and on labor's behalf in public forums helped to generate a sympathy for him and the Socialist party that put the Detroit AFL substantially to the left of the national federation. Sugar also ran for public office for the first time in 1917. With Debs and the other Socialist leaders, he viewed electoral politics as an educational tool, above all, but was by no means averse to the idea that the Socialist party might become a mass party capable of challenging the Democrats and Republicans.

The First World War and the Bolshevik Revolution changed everything. Sugar's experiences in relationship to the dramatic events of 1917, 1918, and 1919 yield important insights into the evolution of U.S. Marxism during this period. In the first place he, a lawyer, consciously broke the law. Although he claimed a constitutional right to do so, he was in fact giving primacy to Marxist revolutionary theory over U.S. constitutionalism. He thus entered a phase in his own development that increasingly corresponded to the view of thousands of fellow Socialists—and, more important, hundreds of thousands of workers—that U.S. society might be transformed, that power to the working class was possible. And if the Constitution stood in the way—as it seemed to—then the Constitution be damned. As it turned out, of course, it was the other side that violated the Constitution with impunity as the new decade opened with the Palmer raids. Capitalist hegemony was reestablished by force. Sugar stood by helplessly as the system separated the Left from the labor movement, with plenty of leaders in both seemingly applauding the process. The charms of anti-communism had been discovered and dreams of a workers' America were shattered.
Then began a long, arduous period of rebuilding. Sugar in the 1920s provides fascinating commentary on this process. He remained firmly fixed on the emancipation of labor as the essential goal, but had to sort out the two key questions of the law and labor and Left politics and labor all over again. The complex dynamics of how he made his choices included important personal dimensions rooted in his past and his prison and postprison experiences. But they also had to do with world and national trends. Most fundamentally, Sugar made his peace with the Constitution, or at least with the Bill of Rights. This involved modes of thinking that seemed, at the time, at variance with Leninist orthodoxy and might most easily be interpreted as the pragmatic response of a lawyer who wanted to practice again. But Sugar was also reassessing the law and what it could do for the labor movement. The perspective he developed recognized the vast potential of "bourgeois" law as an instrument to use against the bourgeoisie and also made him leery of current Communist bravado and proletarian adventurism. This, combined with his personal disinclination to "belong" anywhere, kept him out of the Communist party in the late twenties.

With the coming of the Depression, Sugar radicalized along with the Party, but basically maintained about the same distance from it as he had before. He retained this separateness throughout the remainder of his career, emerging as one of the nation’s better-known independent leftists. In this role, Sugar and others like him contributed to the American labor movement in ways that have been neither well understood nor appreciated. It was they, above all, who forged the renewed links between Left politics and labor, links without which the CIO and indeed the prolabor orientation of the Roosevelt administration might never have developed, at least in the same magnitude. In Sugar’s activities from 1930 to 1939, we see how it worked.

Using his expertise as a lawyer who knew how to make the law work in harmony with workers’ interests, Sugar blazed a trail of precedent-setting casework in Michigan. Victories were not always clear-cut, but real setbacks were rare. Judge Black and lawless Flint were exposed in 1930. The legal cover-up after the Ford Massacre, despite its outward success, did not fool thousands of Detroit workers, employed and unemployed. Working for the International Labor Defense, Sugar defended workers arrested in demonstrations and strikes. He defended—with exceptional success—black workers pilloried by the public and the courts in one of the United States’ most racist cities. And with the emergence of MESA, he moved to the heart of the work that would occupy the rest of his career: lawyer, advisor, and strategist for organizing automobile workers. His many-sided role in the UAW culminated the process. As he developed the "unclean-hands" doctrine, justified the sit-down strikes, and broke the Dearborn ban on leafleting, the former inmate of the Detroit House of Correction made U.S. legal history, using the instruments of the law for the advancement of the class struggle.

While his work as a lawyer often reflected concerns of the Communist party, and he was sometimes drawn into cases by Party organizations or indi-
vidual members, his liaison role was less evident here than in the political arena itself. Following the old Socialist-party dictum of education through electoral politics, Sugar, more than anyone else in Detroit, brought the message of the organizing autoworkers to the larger public. He did so with the tireless support of the Communist party and its various “front” institutions. But above all, beginning in 1935, he organized a labor presence cutting across party lines the likes of which had never before been seen in Detroit politics. Even the AFL split did not derail the fall campaign. Moreover, a variety of other community political and social efforts that Sugar helped to animate contributed to a growing awareness of labor’s drive in “open-shop” Detroit. Through those bastions of black conservatism, the churches, Sugar and his allies began to spread labor’s message and “Mr. Ford” began to realize that his ability to manipulate racial antagonisms might not last forever.

The glory years, the harvest, came from 1936 to 1939. Popular Front meant that Sugar’s politics and Communist politics were virtually indistinguishable, at least until the Browder-led disaster of Cleveland, 1939. The new UAW had fights-a-plenty both against the bosses and within, and Sugar, despite his solid middle age, was like the grand old man of the struggles with his personal knowledge of virtually all the problem people in the great events, from Frank Murphy to the goons and spies in the plants, and his warm ties with almost all the militants, whatever their political persuasion or union affiliation. Certainly the UAW would not have developed as it did without him and his role in creating a framework of understanding between the Communists and such trade unionists as George Addes.

As critical as this activity was, Sugar’s real place in the age of the CIO derived from his work as a lawyer. First as a critic of the old Blue Eagle and then as a gifted practitioner of the opportunities presented by the Wagner Act, Sugar emerged, along with Lee Pressman, George Abt, and a handful of other radical attorneys, as one of the key figures in the development of a complex and immensely important new branch of the U.S. legal system: labor law. During the Second World War it became even more complex and important. We have chronicled the many contributions of Sugar and his firm to the field. Seemingly, the law could work for workers, and the Constitution remained a reliable instrument of the class struggle.

Within the union Sugar helped to create an internal structure, a law, that reflected the ideals of the Bill of Rights and grass-roots democracy. If it meant factionalism and sometimes unruly behavior, it nevertheless meant that most voices could be heard. The annual conventions ruled all. The officers and the board were always on their toes. In 1939, even in 1941, it seemed that both internally and in the nation the constitutional frameworks in which the UAW existed were “progressive” and democratic. And in the latter year, the final triumph of the NLRB-supported drive to organize was won: Ford was theirs. Internally, despite massive anger against the Communist flip-flop and its often disruptive consequences for the union, the “traitors” were not all crucified, and
George Addes, proclaiming his opposition to purges and his belief in union democracy, was reelected. Sugar, despite his sadness at what had happened to his old friends Mortimer and Kraus, could nevertheless feel confident that the victory over Ford and the continuing vitality of the internal structures proved that democratic constitutionalism was still the road to follow.

These opinions, nurtured by success, were born in the great days of 1937. Homer Martin had to be laid to rest before either the full benefits of the NLRB or internal democracy could be realized, but after 1939 that road was opened. It is interesting, however, that Sugar stopped writing about the sit-down—which was declared unconstitutional early in 1939—during this period. There is no evidence that this was a conscious decision, but the very success with the NLRB in unfair-labor-practice cases and in jurisdictional battles seemed to make the legality of the sit-down a less important issue. The mood, in other words, was to go with the law because the law was on their side. In 1940, Sugar began to sense the trap into which labor was falling when he showed grave concern about the changing personnel at the NLRB, but it was only during the war, with the imperious attitudes of the War Labor Board and the reactionary direction taken in state law, that the danger became truly apparent. Unfortunately, because of wartime patriotism, a meaningful critique had become virtually impossible, doubly so because the strongest bastion of the U.S. Left, the Communist party, had turned superpatriotic, losing almost all critical capacities. Challenging the law’s hold on labor became a dangerous business, as rebels like Matt Smith, Emil Mazey, and a variety of Trotskyists discovered. After the war, with the conservative tide mounting, fueled by the Cold War, the squeeze was even greater, and the Wagner Act was thoroughly revised, embedding labor in the law once and for all.

This all demonstrates what an immensely sophisticated instrument of social ordering the U.S. Constitution is. Sugar fought it, lived with it, and finally embraced it as it appeared, after 1936–37, that the Wagner Act was indeed “labor’s bill of rights.” However independent, critical, and intelligent a Marxist he might have been, Sugar was unable to see the dangerous potentials of being drawn too far into the net of the law. The bill of rights also meant that there was a bill of wrongs—clearest among the wrongs being “expropriation of the expropriators.” Nobody seemed to think again of the often excellent articles in the pre–Popular Front Daily Worker attacking the Wagner Act as a bourgeois smokescreen.

The juxtaposition of the international threat of fascism, a slight internal economic recovery that gave new verve to an already burgeoning labor movement, and a remarkably intelligent group of proponents of an updated capitalism in Roosevelt’s “New Deal” administration combined in 1935–37 to adjust the U.S. Constitution to the new circumstances of a maturing corporate capitalism. Labor was given a defined institutional niche in the revised constitutional system. The potential critics backed off due to the perceived need to create a united Left-liberal effort against fascism. (Indeed many Communists, with Browder,
welcomed with open arms the chance finally to be “real Americans.”) The way was thus left open for the New Deal synthesis that firmly reestablished capitalism in a new social structure of accumulation (to use economist David Gordon’s phrase) that became known as the welfare state. This synthesis tolerated, indeed encouraged, appropriate trade unionism, but not as a movement whose goal was fundamental social change. Rather it would help define a small, privileged segment of the labor market.

In the new alignment of forces that followed World War II—in which the superpowers vied for world domination, proper patriotism became anti-Russian, and unprecedented prosperity created the illusion of equality of opportunity for the vast majority of white Americans—trade unionism, if it were to survive at all, had to accommodate, had to become a “new model” providing service to its membership, neatly regulated by public law like the electric company. Walter Reuther perceived what was happening, and his close friendship with Eleanor Roosevelt symbolized the place of the new-model union in the new social structure of accumulation that accompanied the New Deal. Those who sought to live outside the law by not signing the anti-Communist affidavits were part of a militant past that could no longer be. But their determination finally to say no to the law should not have been repaid by mindless persecution. It should certainly be remembered today, as we enter a new era of crisis in the history of capitalism. The new model has now become old. The voices from the Sugar era are beginning to make sense once again.