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# Arbitration

by Eugene V. Debs

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Railroad employees, in the train service of the country, engage from time to time in one form of arbitration. They formulate grievances; choose certain members of their organization to present their hardships and wrongs to the officers of the road, where they are exhaustively discussed between the parties involved, and, usually, an amicable settlement is secured.

This, we are aware, is not arbitration, as commonly defined in the books. The employees do not choose an arbitrator; the employer does not choose an arbitrator, leaving it for the two arbitrators to choose a third arbitrator to hear and decide grievances. Feeling entirely capable to manage their own affairs, railroad employees, engineers, conductors, firemen, switchmen, and trainmen, prefer to make their own settlements, and this, in so far as we are advised, is the view taken of the subject by railroad officials.

By a certain class of men, it is assumed, that arbitration would prove a panacea for ills which affect wage-workers in all of the industries of the country. These arbitration agitators do not insist so much on voluntary arbitration where the parties each choose an arbitrator, as they do upon having a State Board of Arbitration appointed by a governor or a legislature, constituted by law, and acting under an ironclad statute, clothed with power to settle all labor troubles. A moment's reflection will suffice to convince the average railroad employee that he has no voice in the matter. Neither of the arbitrators are selected by the railroad employees, and are not likely to know much, if anything at all, about their interests, and taking the average legislature, little effort is required to satisfy workingmen that their interests would not be a disturbing element in its deliberations. Moreover, though the legislature should be composed of intelligent workingmen, the difficulties in the way of framing a law, under which a State Board of Arbitration would be required to act, would be a task

not easily performed; indeed, we doubt if a reasonably just and satisfactory law could be framed.

Those who are the most pronounced in their approval of the State Board of Arbitration, assume that they would put an end to strikes, which they claim are unmixed evils, calamities without a redeeming feature, and they urge the creation of State Boards of Arbitration solely to promote the welfare of workingmen. There may be organizations of workingmen who stand in need of a State Board of Arbitration, though our investigation of labor questions has not led us to such a conclusion. The supreme idea in arbitration ought to be to obtain justice, fair play, fair wages, proper treatment, hours of work that would leave the toiler some opportunities for mind culture, and physical recuperation from exhaustion. The tendency everywhere is to ignore such questions on the part of employers. The vexations and exasperations which they produce are numerous and lead often to open revolt. They are of a character, which, though to workingmen of unquestioned importance, are usually regarded by the public as trivial and deserving of little consideration.

Suppose a railroad corporation concludes to reduce wages 10 per cent, as it has an unquestioned legal right to do, what could a State Board of Arbitration do to modify the ills such a reduction would inflict upon a man whose wages barely sufficed to keep soul and body together? In what way could these wronged and outraged men present their grievance to a State Board of Arbitration? But, suppose the law constituting the board should provide that a strike would be unlawful, and that those having the grievance should first notify the board of their condition, what could the board do in the case? We answer, it could do one of two things: advise the men to submit, or, quit work.

Suppose the board should conclude that the men were not sufficiently compensated for their work, and should direct the corporation to advance their wages, is there a man on the continent reduced to such imbecility as to suppose the corporation would obey the order? In a word, would it be advisable to confer upon boards of arbitration the power to regulate wages, since it would be able to reduce as well as advance a workingman's pay?

In this line it would be an easy matter to suggest grievances which a board of arbitration could not satisfactorily adjust, and to clothe such a board with despotic power to finally determine such questions would be so palpably at war with the liberty of citizens that it could not be tolerated for one moment.

It is pertinent to inquire, what is the chief plea urged by those who favor State Boards of Arbitration? This: that the creation of such a board, properly equipped, would put an end to strikes. These advocates of State Boards of Arbitration assume that strikes do no good, that they are productive of evil, and that legislatures should confer the necessary power upon one or more persons to see that they do not occur.

Such persons know absolutely nothing of the history of organized labor in the United States, or elsewhere. They, while ostensibly pleading the cause of labor, are, in fact, the deadly foes of labor, and the ardent friends and backers of the oppressors of labor.

There are two things which the great majority of employers demand, first the *largest* number of hours possible for a day's work, and the *smallest* possible pay for a day's work. Employers claim the right to place as overseers of employees men of their own selection, regardless of the wishes of employees. Taking these things into consideration, the friction, the unrest, the exasperation and degradation of which they have been fruitful, and they account for nearly every strike that has occurred in the United States during the current century.

It is only required to consult the record to obtain the facts demonstrating that during the past 85 years, hours of labor have been reduced at least 5 hours a day, reduced in every instance by the power of the strike. To obtain the concessions, little by little, men were required to make sacrifices and endure suffering, and it is doubtless true that many a valiant *labor agitator*, and those dependent upon him, endured sufferings as cruel as were visited upon martyrs. They were men who, like other men in battling for emancipation, went down to death, but they achieved a glorious heritage of time — five hours a day for thousands of toilers, who, but for their courage and sacrifice, would today be working *fourteen* instead of an average *nine* hours a day, a sum total of 313 working days of the year, or 1,565 hours, or 173 days of nine hours each.

In the matter of wages, facts magnifying the power of strikes are found in rich abundance all along the luminous track of organized labor. They have advanced prices and they have maintained prices, and except in rare instances there has been neither advance nor maintenance of wages, except by the strike, or, what was its equivalent, the *fear* of a strike, and the sum total of this advance, could it be stated in round numbers, would swell far into the billions the benefits of which are being realized today. But to accomplish such results sacri-

fices were required, sufferings were experienced, hunger and nakedness and death were the penalties to thousands. The benefits have been permanent, and are today luminous among the fruitions which organized labor enjoys.

It is well to remark just here that only organized labor strikes, and we admit (which may go for all that it is worth) that organized labor does not always win in battles against organized capitalists. But in summing up the results organized labor will find nothing disheartening. Napoleon is credited with saying to his troops before the battle of the pyramids, "Forty centuries look down on you," and it may be said to organized labor, "Sixty centuries look down on you." The victories of the armies occupy large space in the history of the ages, but organized labor, by its strikes, has won many a victory for workingmen, which, though no historian has recorded them, while orators in lofty periods have not eulogized them, nor the captains who led on the hosts, though poets may not have embalmed them, nor minstrels sung them, still they have been victories which good men must applaud, for when a workingman, by a strike, secures for himself two loaves of bread, when but one was before obtainable, he has won a victory, compared with which the trophies of Alexander, Caesar, and Napoleon dwindle to contempt.

The purpose of those who advocate the creation of State Boards of Arbitration is, they say, to put an end to strikes. The hand which they extend to organized labor is an iron hand within a velvety glove, soft as a tiger's paw. It means that organized labor, like poor old Sampson, shall, listening to wooing words, be shorn of its strength, and once captured shall have its eyes put out,<sup>1</sup> in the hope that eventually, by the processes of degradation, now in operation, workingmen of America may be reduced to the condition of the Chines, Huns, Poles, and Italians, prostrate in the dirt, willing to accept whatever may be offered to them.

It would be folly to say that our presentation of the case is overwrought. Conditions of wage-workers in Pennsylvania are such that a Raphael could not paint them, nor a Dante describe them, and in all of the great centers of population in America testimony is so overwhelming that the power of exaggeration fails to describe conditions.

What is a strike? The answer is war. And what is war? Resistance to wrong. Such is the history of war in the United States. To say there have been unjust, unnecessary wars, begs the question. Who is the

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<sup>1</sup> Allusion to the story of Sampson in *Judges*, chapter 16.

craven that would have the constitution of the United States so amended that Congress should never declare war? And who but an enemy of organized labor, and a friend of scabs, would advocate the enactment of a law that so much as *squints* at depriving organized labor of the only weapon it possesses of maintaining its rights against those whose policy is oppression?

*Edited with a footnote by Tim Davenport*

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