

“Company-Owned Americans”: Militant Unionism and the Merging of Corporation and State in Southern West Virginia 1900-1925

BY BRANDON DIGREGORIO

“There is no fact more generally known, nor more widely believed, than that without coal there would not have been such grand achievements, privileges, and blessings as those which characterize the nineteenth century civilization, and believing as we do, that those whose lot it is to daily toil in the recesses of the earth, mining and putting out his coal which makes these blessings possible, are entitled to a fair and equitable share of the same.”

–UMWA Constitution, 1890

“You didn’t even own your own soul in those damnable places,” recalled an elderly miner while describing the company towns of years past. “The company owned everything, the houses, the schools, churches, the stores – everything.”¹ This simple statement describes an epoch of West Virginia history in which the coal industry exercised extensive influence over the lives of its employees. Coal fueled the economy in the industrial golden age of the United States, giving rise to pressing moral and political questions about the future and consequences of industrial capitalism. The formation of corporations and the prospering of big industry in the wake of the industrial revolution created enormous disparities between the working and managerial classes, and subtle tensions began to rise in the midst of such economic growth. In southern West Virginia during the early 20th century, these concerns were particularly stark and tangible.

Partly due to rapid industrialization in the area and partly to geographical isolation, coal companies were able to operate with paternalistic authority over the communities on the land to which they owned the mineral rights. Because many towns owed their existence to corporate interests, the company was the first and most visible authority in a given area. In many towns there was scarcely a government presence at all, or rather an ambiguous one, with government authority substituted with private employees and institutions. Even local “police” were private hires, many of whom were employed through the notorious Baldwin-Felts detective agency, a unanimously detested organization among the coal miners. Through the legal protection of private property rights and compliance with these private institutions, it becomes clear that the state and local governments did not exist to regulate the practices of these companies, but rather to legitimize and enforce them. Therefore, it was not necessarily the working conditions that drove miners towards unions and/or socialist principles. In fact, West Virginia coal miners enjoyed a good deal of autonomy while working in the mines and were rarely even visited by a foreman – much more autonomy than their factory-worker counterparts, whose movements were meticulously measured by overseers to ensure maximum efficiency. Instead, it was the restrictive, paternalistic atmosphere outside of the workplace that drove workers to radicalism – an atmosphere in which companies controlled the rights, pay, and social activities of their workers.

Scholarship regarding the Coal Wars has been wary of reducing the struggle to a Marxist “class war.” Although an exorbitant amount of evidence exists to support such a claim, it seems too simplistic for the myriad factors at play. Retrospective analysis makes it difficult to support the actions of the coal companies, and indeed much of the historiography regarding the Coal Wars disparages the mine operators as brutal and authoritarian. David Corbin, a West Virginia native and compiler of *The West Virginia Mine Wars: An Anthology*, even explicitly states that his work might not satisfy a reader looking for a more favorable representation of the coal industry, and his narrative

¹ David Alan Corbin, compiler, *The West Virginia Mine Wars: An Anthology* (Appalachian Editions: Martinsburg, 1997), 1.

therefore focuses primarily on the various abuses the coal operators committed.² However, the companies could not have exercised such control without the support and permission of governmental institutions. Although the corporate-state alliance is alluded to in historical accounts of the Coal Wars, such as Lon Savage's enlightening work, *Thunder in the Mountains*, the extent to which industry and state and county governments were intertwined is lacking in most studies. This is not to say the blend of industry and government was so complete as to be a "capitalist dictatorship," as a Communist newsletter exclaimed in 1921, but merely that the connecting tissue between the two is of particular note in West Virginia during a time of exponential population increase and significant extension of corporate power.³

Historians of Appalachia have made clear that the paternalism of the coal industry had much to do with the competitive, sink-or-swim economic atmosphere at the time. As John Williams explains in his introduction to *Thunder in the Mountains*, West Virginia industrialists were disadvantaged from the start due to the added transportation costs of being farther away from "the biggest markets on the seaboard, lakes, and rivers."⁴ To account for the higher costs of production, workers' wages were consistently reduced to make more room for profit. Predictably, this caused an antagonistic relationship between the workers and operators, and eventually invited the presence of unions. Labor history titan David Montgomery also illustrates how the Coal Wars fit into the greater arc of economic history, attributing the frustrations held by workers and managers alike to the political and economic climate of the country at that time.

Consequently, much of the present scholarship credits the circumstances surrounding the Coal Wars to the adverse effects of industry, corporate interaction with a growing labor movement, and the shifting economy between wartime booms and peacetime depressions. All of these are important claims that cannot be forgotten, but there seems to be a factor missing in the equation when considering West Virginia specifically: mainly, the overlap of government and industry, and the ideological forces behind both. Without fully understanding this relationship, we cannot claim to have a complete account of the Coal Wars, of the nature of the coal operators' power, or of labor history as a whole.

Furthermore, the macro narrative tends to undermine the agency of the West Virginia miners, instead attributing their actions to the greater economic forces beyond their control. While it is true that the drive to unionize was partly fueled by the union leaders' initiative to prevent lower-priced nonunion coal from undercutting the prices in unionized areas, these reasons alone are not enough to justify the intermittent violence and massive uprisings in the region. The long duration of the Coal Wars in such a condensed region of southern West Virginia suggests factors of greater intensity were at play. The firm resistance of closely affiliated nonunion coal operators in the southern coalfields went beyond the mere protection of economic interests that occurred elsewhere. The operators could not have singlehandedly posed such a formidable front without the integrated help of government institutions, and the workers could not have organized such significant rebellions without the aid of the unions. Thus the situation resembles that of oppressed people fighting against a peculiar system of corporate and government compliance rather than a coincidental battlefield where unions and operators fought a greater economic battle via worker and mine guard proxies. Therefore, instead of viewing the miners as tools of the unions used to spread their influence to nonunionized areas and thus ensure the protection of trade agreements, this research proposes that the workers used the unions as a tool to organize themselves and dispel the industrial

2 Corbin, iv.

3 Corbin, 116.

4 John Williams, introduction to *Thunder in the Mountains*, Lon Savage (University of Pittsburgh Press: Pittsburgh, 1990), x.

tyranny under which they lived. From the scope of federal law, the West Virginia coal companies utilized the liberal philosophy inherent in the U.S. Constitution that favors the autonomy of business and industry.

As Selig Perlman, a prominent labor historian in the 1920s, aptly stated in his influential work *A Theory of the Labor Movement*, business and industry theoretically constitute a sphere of unhindered individual liberty, but in reality operate under their own “industrial government” rather than under the regulation of the American state.⁵ Such “industrial government” allows for the expansion and prioritizing of industry and capital over the laborers who produce it. Furthermore, the constitution protects the right of industry to expand by acknowledging the importance of individualism and, by extension, the sanctity of private property. In this vein, it is the government’s duty to protect private interests, just as it is the duty of the individual to compete and produce.

However, the consequences of this relationship began to change as capitalism in the U.S. developed throughout the 19th century. When businesses and organizations merged to form corporations, control over the new operation was often held by investment-bankers who handled the initial shifting of securities, appointed a board of directors, and selected managers of local plants. This formed what Perlman calls a “business aristocracy” of professional managers who themselves held little stake in the business as investors, but were able to dictate how management operated on the ground.⁶ Hence a division between ownership and management began to form, allowing for a hierarchy in which local managers answered to the financiers of the business, who essentially worked as absentee managers. The invention of this new absentee-owner-local-manager system subtracted authority from each plant and created a gulf between laborers and owners in which the managers served as middlemen caught between corporate interests and labor demands. In southern West Virginia, this difficulty was even more tangible with the strong, unrelenting pressure from unions to reform the workplace.

In addition to union pressure from below, there was also pressure from the federal government above to comply with legislation that inhibited the companies’ power. In the specific case of U.S. Steel, the company executive Elbert Gary took careful measures to ensure that “U.S. Steel not be viewed as a monopoly operating in violation of the Sherman Antitrust Act” in southern West Virginia, which included “maintain[ing] U.S. Steel’s original size in order to keep the government at bay.”⁷ Such self-aware actions taken by U.S. Steel suggest that big industry had to carefully navigate federal law so as to not reveal its extensive influence. The fact that companies did not take similar precautions in light of state laws says a great deal about the expectations of different levels of government – mainly that local (i.e., county) governments were perceived as friendly and the federal government as an obstacle. However, the federal government (via the Constitution) also provided the right to private property, which served as the foundation for the companies’ endeavors and was protected by all levels of government. The extent of the friendliness between companies and county governments may have varied from region to region, but the overall trend seemed to be one of compliance, if not active partnership. To the labor movement pushing for reform, this bond was nearly impenetrable.

The height of conflict between the laboring and managerial classes can be identified as roughly 1900 to 1935, the latter year being when President Roosevelt passed the National Labor and Relations Act. Throughout this period, the industry was able to exercise near-total authority in operating areas because it owned everything down to the land itself, and state officials did little to hamper this authority. In fact, there are many indications that the state complied with companies’

⁵ Perlman, Selig. 1928. *A Theory of the Labor Movement*. (New York: The Macmillan Company), 170.

⁶ Perlman, 217.

⁷ Garay, 51.

excessive paternalism. Firstly, “yellow dog” contracts were legally upheld, which prevented the employee from joining a union at the risk of being fired and pursued with a lawsuit. These contracts were binding by state and federal courts, and served as an apt antiunion device. Secondly, the coal operators’ hired guns partnered with the state police and volunteer militia during strikes, and especially during the Battle of Blair Mountain, the tumultuous week-long culmination of a quarter-century’s worth of labor struggles in southern West Virginia. Local law enforcement was also intertwined with the companies’ private hires in the civil sphere, mainly through the use of mine guards deputized by the sheriff and paid by the companies. Thirdly, miners and union organizers were indiscriminately imprisoned – often without fair trial and for indefinite periods of time – while corporate officials were indiscriminately *released* from prison and acquitted. A prime example of this is the acquittal of Charlie Everett Lively, who murdered agitators Sid Hatfield and Ed Chambers on the steps of the McDowell County Courthouse in 1920 and was acquitted of his crimes thereafter. Additionally, the guards aboard the “Bull Moose Special” (an armored train with machine guns), who committed a “drive-by” assault on striking miners during the Paint Creek – Cabin Creek strikes as well as “countless other acts of terrorism,” were never so much as detained.⁸ Conversely, labor organizer Mother Jones and forty other miners were incarcerated indefinitely after the Paint Creek – Cabin Creek strikes, and were only released after substantial outside pressure from the media. The treason trials of 1922, which will be discussed in more detail later, also illustrate the disparity in justice with which the state and county governments treated workers and industrialists. Essentially, by pulling back on the enforcement of law where industrial interests were at play so as to allow control by private parties, and by actively enforcing laws that robbed laborers of individual agency, the West Virginia state government used inconsistent application of law to support the local coal operators.

At the turn of the century, coal was one of the only means of work that could be found for hundreds of miles across mountainous terrain. In fact, according to a 1924 survey, eighty percent of West Virginia miners lived in company-owned towns, leaving the people in the coalfields subject to the whims of corporations and the demands of capital.⁹ At the same time, West Virginia’s economic relevance quickly became based solely on coal, leading to increased corporate presence and an influx of laborers in the area. As Bob Johnson explains in his enlightening sociological work “An Upthrust into Barbarism,” “the coming of coal had completely restructured the state’s economy around this single extractive resource and concentrated economic power in the hands of a few corporations that owned the rights to that resource.”¹⁰ This “acute concentration of power in the state,” Johnson continues, “translated...to almost total social control over a quarter of the state’s population and to indirect political control over local and state governments besieged by the coal industry’s deep pockets and active lobbyists.”¹¹

Thus the government and coal industry became intertwined out of mutual interests and necessity, that interest being the production of capital and that necessity being relevance in the national economy. To ensure these mutual interests, the industry and the government operated on a system of patronage Johnson alluded to in the above quote. Coal barons often dominated the counties in which their operations were located for the parties to which they belonged by using business control methods such as gerrymandering, obtaining citizenship papers for potential voters, and the “careful” use of patronage. Politicians very often had investments in industry, and so it was in their best

8 Elliott J Gorn, *Mother Jones: The Most Dangerous Woman in America*. (New York: Hill and Wang, 2001), 191.

9 Savage, xv.

10 Bob Johnson, “‘An Upthrust Into Barbarism’: Coal, Trauma, and Origins of the Modern Self- 1885 – 1951.” *Journal of American Culture* 33, no. 4: 265-279. *Academic Search Premier*, 270.

11 *Ibid*, 270.

interests to cooperate closely with the coal barons to preserve those investments. Likewise, it was in the coal barons' best interests to continue supporting a party or politician that protected and supported their business endeavors via legislation, and many barons were outspoken patrons of one party/politician or another. The linkage between the two therefore resulted in exacerbated autonomy for the coal barons and the ongoing prominence of a given party in certain areas. Barkey and Fones-Wolf, the authors of *Working Class Radicals: The Socialist Party in West Virginia, 1898-1920*, elaborate on and confirm Johnson's claim with the specific examples of George Watson, the owner of the Fairmont Coal Company, who controlled Marion County for the Democratic Party, and "King Samuel" Dixon of the New River Company, who overwhelmingly supported the Republicans.¹²

The overwhelming power of the coal companies was bitter and complete at times, which attracted the attention of unions and spurred socialist agitators into action. Conversely, the companies quite often tightened their control over the workers in response to the UMWA's militant unionizing. West Virginia was one of the only states not included in the Central Competitive Field (CCF) trade agreement, which set a standard of wages at sixty-five cents per ton of coal and established the eight-hour day. Wages in nonunion coalfields were significantly lower than those in the CCF; in fact, in 1912, miners in the southern West Virginia coalfields earned only about thirty-eight cents per ton – two-thirds the amount of the lowest paid worker in the unionized Midwest.¹³ After years of tension, the miners' strikes to bring the companies under the agreement quickly became bloody. Companies attempted to ward off union influence with the use of competitive "welfare capitalism," where each company would attempt to supply its employees with social services and favorable work conditions to attract and retain new employees and direct them away from unionism. Quite often these attempts were unsuccessful, however, and miners continued to strike for better wages and the abolition of the "industrial Kaiserism" of the company towns, demands that the companies continued to obstinately deny.¹⁴

Furthermore, the coal companies were prone to think of the UMWA as a tool of their competitors to the west that strived to undercut the capital that could be earned by selling cheaper, better-quality coal. Since the West Virginia state government relied on its local companies for economic stability, it was only natural for the government to support the interests of industry and trust the needs of the company. Consequently, companies continually refused to allow any outside influence of unions to touch their laborers, and legally upheld "yellow dog" contracts backed these actions. According to the Bituminous Operators' Special Committee to the 1923 Coal Commission, the operators believed contracts with the UMWA were of benefit to neither the operator nor the miner, and instead "stifled efficiency and individual initiative" by creating "a relationship based not on mutual confidence and sense of responsibility, but on mutual hostility."¹⁵ The significance of this relation, according to Hoyt Wheeler, was the nature of ongoing industrial warfare with clear goals on each side that refused to be met because both sides considered themselves "locked in a struggle to the death":

The union correctly perceived that its continued existence depended upon the complete organization of the bituminous fields. The operators correctly perceived that the radical position of the mine workers on nationalization of the mines was a threat to their existence. Both sides

12 Barkey, Frederick A, Fones-Wolf, Ken, . West Virginia and Appalachia, Volume 14: *Working Class Radicals : The Socialist Party in West Virginia, 1898-1920*. (Morgantown, WV: West Virginia University Press, 2012), 79.

13 Gorn, 170.

14 David Montgomery, *The Fall of the House of Labor: The Workplace, the State, and American Labor Activism, 1865-1925*. (Cambridge: Cambridge University Press, 1987), 397.

15 Garay, 55

suspected, with good reason, that the other was a party to a conspiracy with outside forces, and was therefore bent not on the immediate economic issues under discussion, but rather on the destruction of the other side for broader reasons. For these and other reasons, both sides were intransigent and unwilling to compromise.¹⁶

These “broader reasons” included the coexistence of unionizing efforts along with socialist efforts to persuade workers to join the Socialist Party, especially in the early 1910s. These were two different objectives, but they shared certain elements that at times made distinguishing between them difficult, especially for the coal operators, to whom both efforts posed a threat. Union organizers often utilized socialist rhetoric to foster class consciousness and thus make unionizing efforts more effective, which created a concerning overlap for industrial capitalists. At times such rhetoric was even infused with religious principles to articulate ideas of class consciousness through traditions more familiar to the average workingman. For instance, Barkey and Fones-Wolf cite the example of a Parkersburg Socialist who related class struggle to biblical themes: “We are aware,” he wrote, “that our fight against capitalism is the same fight that Jesus fought... We know the Capitalist [sic] class of that day crucified Jesus because he preached the truth, and the capitalist class is crucifying the truth and justice as long as they have the power to do so.”¹⁷ Not only was drawing from Christian symbology effective in realizing the union organizers’ and socialists’ respective goals, but it also backed the workers’ cause with moral incentive.

This incentive, when coupled with the material interests at hand, led to a formidable movement on the part of the miners and a reactionary backlash on the part of the coal operators. Pragmatically, the operators knew as well as the miners the measures that must be taken to secure their respective economic objectives, whether it was hiring private guards to “protect” company property from union influence, or striking for fair wages and the guarantee of associational freedom for the workers. What complicated each position was the conflation of their disagreements with the notion of “class war,” and the unions’ erosion of managers’ control did little to mollify that concern. Compromise became more difficult when it was seen as an admission of defeat, especially when corporate officials believed the unions were attempting to take over mine management and guide company policy as they wished.¹⁸ Joining the union was therefore a protest against the excessive protection of private property, and the mission to unionize all of West Virginia was an act of war, both ideologically and concretely, to the coal operators.

Given the concurrent Russian Revolution, a rampant suspicion existed that the labor movement would evolve into a movement resembling Bolshevism, a prospect that threatened not only the coal operators but also the political system at large. Although in reality many union organizers such as Samuel Gompers were openly against the socialists, whose interests diverged dramatically in certain respects that will be discussed later, such talk of “controlling the means of production” was rampant among the southern West Virginia miners. Even the UMWA’s 1890 constitution contained hints of socialist rhetoric with its mention of fair and equitable distribution of wealth amongst the miners. The mine operators were wary of the socialists’ ability to “inject politics” into the already violent conflicts, especially during the 1912 election in which Eugene Debs ran on the Socialist ticket.¹⁹ Rabble-rousers such as Mother Jones also drew unprecedented national attention to the conflicts and posed a boisterous anti-capitalist front that frightened coal operators into thinking their employees were part of an incipient social revolution. Welfarecapitalism and the imposition of

16 Hoyt N. Wheeler, “Mountaineer Mine Wars; An Analysis of the West Virginia Mine Wars of 1912 – 1913 and 1920 – 1921” *Business History Review* 50 (1), 1976, 90.

17 Barkey and Fones-Wolf, 53.

18 Ibid, 89.

19 Green, 32.

heavy restrictions on those living in company towns characterized the companies' frantic attempts to quell these threats. In this sense, the miners' attitude toward the coal operators was both a response to and a cause of the tightening of company control over the areas in question, which led to a cycle of mutual hostility that propelled each side into violence.

However, to call the miners socialists or their cause a socialist movement would be to place a label upon them in retrospect that may have had little to do with their self-identification at the time or with their intentions. While socialist influences *did* exist, not the least of which were Eugene Debs and labor organizer Mother Jones (who had previously been involved in the Socialist Party of America), the unionizing effort stood firmly apart from the socialists in vision and practice, especially under the leadership of Samuel Gompers. The socialists envisioned a future political system free of capitalist interests, but union organizers (and Gompers in particular) advocated for a collective bargaining campaign that aimed to improve material circumstances, especially through the increase of wages. Therein laid the greatest divergence between union organizers and socialists: while the socialists viewed the labor unions as a tool to eventually achieve a broader end, unionizing was itself the goal for which the union organizers strived. Unions intended to operate within the capitalist system, and at times used socialist rhetoric of class consciousness to create more sympathizers for their cause; socialists intended to dispel capitalism altogether, and saw unions as auxiliary organizations that served as a stepping stone to a socialist society.²⁰ This is not to say that the miners were united by socialism alone, but rather by “a developing consciousness of a common set of grievances” that unions and socialist rhetoric helped to realize.²¹ Nevertheless, no matter how influential the socialist presence was, companies disparaged the push to unionize as an economic threat to the state *and* an ideological threat to the political system.

Consequently, the presence of socialist rhetoric was enough reason for the West Virginia government to side with the coal operators and encourage anti-union tendencies. If the essence of American society (i.e., capitalism and private property) was at stake in the presence of fervent unionizers and restless workers – especially when joined against the main economic suppliers of the state – the state government's logical response was to quell such potentially dangerous insubordination. Once the strikes turned violent, Governors Hatfield and Glasscock both declared martial law in a handful of counties (Kanawha County during the Paint Creek – Cabin Creek strikes, Logan and Mingo Counties during the Battle of Blair Mountain), suspending civil law, the writ of *habeas corpus*, and the right to trial by jury. Since many companies had their own private police force hired by the Baldwin-Felts detective company, the ruling of martial law made it much easier to exercise increased control over their areas of operation, imprison insubordinates, and expel agitators. During times of federal intervention, state troopers, federal troops, and private guns all worked together to suppress uprisings – a joining of forces particularly visible during the Battle of Blair Mountain. In fact, Bill Blizzard, leader of the “redneck” army of miners that marched on Logan County during the battle, made no distinction between Baldwin-Felts agents and state troopers. Blizzard referred to his opponents indiscriminately as “Baldwin-Feltses,” as did many of the miners in his ranks, suggesting the miners saw either no separation or a blurred line between private hires and state officials.²²

The excessive authority and brutality with which the Baldwin-Felts guards treated the miners is perhaps the most apt example of the merging of government and corporate power in the area. The New York based magazine *Outlook* published an article in September of 1921 investigating the possibility of mine guards being “sworn in by the state but hired and paid for by the operators,” and

20 Howe, Irving, *Socialism and America*. (San Diego: Harcourt Brace Jovanovich, 1985), 15.

21 Gorn, 170.

22 Savage, 150.

denounced the act as an egregious misuse of corporate power.²³ Indeed, Baldwin-Felts agents were often deputized as county sheriffs and paid by coal operators. The duties of these agents involved obstructing union organizers from entering the area, ejecting union sympathizers, and breaking up strikes when necessary.²⁴ Don Chafin, the Logan County sheriff, was especially notorious for the brutality with which he fought the unions, and he made the most use of deputized mine guards. The miners' hatred of Chafin became a rallying point for their uprising, and even spurred a marching tune with the lyrics "We'll hang Don Chafin to a sour apple tree."²⁵ Chafin was extensively involved in government functions and industry alike, and his co-opting of the police force to suit the needs of coal operators made him a symbol of government corruption and industrial tyranny among the miners.

With the help of Baldwin-Felts guards, the coal operators in the Pocahontas Coalfields (McDowell and Mercer Counties) made their aggressively anti-union vision a reality. According to Howard Lee, West Virginia's attorney general from 1925-1933 who aimed to end government corruption, the McDowell County coal operators formed a "super-oligarchy" that controlled "every branch of the county government and every phase of the lives of the people" in a "complete industrial autocracy."²⁶ Operators ardently suppressed union influence with hired guards under the guise of protecting private property, sometimes even with the help of union-busting spies, such as the aforementioned E. C. Lively. As a result, those who associated with unions (or who were even suspected of associating with unions) were expelled from town, often evicted from their homes ostentatiously as a warning to other potential union sympathizers. This lack of associational autonomy and freedom even outside of the workplace – all in the name of the constitutional right to private property – pushed many workers to radicalism. Henry Franklin, one of Huntington's leading Socialists, became a fervent union organizer due to these very conditions. Despite being paid "well enough," according to his daughter, "he often stated that a man couldn't call his soul his own in those communities."²⁷ This type of complaint was very common in nonunion coal camps, which implies the extent of the companies' intrusiveness into everyday facets of life.

In his account of West Virginia after the Paint Creek – Cabin Creek strikes, American Federation of Labor (AFL) president Samuel Gompers described the extent to which corporations abused their right to private property and caused civil unrest – a problem that the state government had utterly failed to address: The coal corporations own vast contiguous tracts of land in West Virginia and claim the absolute right to do what they will with one hundred thousand acres. The only roads through this land are those permitted by the companies; the only houses and villages, those constructed and owned by the company; no church or post-office can be erected or used without the approval of the owner; sanitation, school, social intercourse, business transactions, are all subject to the interference of holders of the proprietary rights. No one is allowed on that private soil who has not given a satisfactory account of himself and his mission to the police authority employed and directed by the owners. In short, the coal operators who own this section of the state arrogate to themselves all rights of government except such as must be conceded to the county.²⁸

Gompers challenged the ability of coal barons to manipulate state structures and constitutional rights to enhance their power by using a provocative hypothetical example. If a corporation bought

23 "The Federal Peace in West Virginia." 1921. *Outlook (1893-1924)*, Sep 14, 41. <http://search.proquest.com/docview/136663800?accountid=10629>.

24 Garay, 55.

25 Savage, 77.

26 Garay, 54.

27 Barkey and Fones-Wolf, 36.

28 Corbin, 17-18.

the Louisiana Purchase instead of the U.S government, he mused, could that corporation constitutionally exercise absolute control over such an enormous area with their right to private property? Although the tracts of land owned by the coal companies in West Virginia were substantially smaller than his example, he claims that “the size of the two territories does not affect the underlying principle” of unrestrained private property rights.²⁹ In a system where large landholders exercise unlimited power, own all property, and control all social institutions, those who live and work on that land are reduced to little more than serfs and debt peons. Furthermore, Gompers claimed the use of martial law ensured a transition from civil to military government that was never completely reversed. In this new dynamic, “all the constituted forces of government were exerted in behalf of property,” essentially causing civil authority to be uprooted and “displaced for military force” in the name of materialism.³⁰ These circumstances formed a practically feudal society that Gompers called “Russianized West Virginia” in reference to czarist Russia. To this end, Gompers promoted the cause of unionism as a harbinger of economic freedom with the claim that “organized labor has forced these conditions and perversions of justice upon public attention and now demands that the wrongs be righted.”³¹

Although Gompers, being the head of the AFL, wrote this article with the intent to demonstrate the need for unionizing the southern coalfields, the fact that his argument was simply a sequence of observations about how industry operated in the region implies that this need should be self-evident. In this sense, the transparency of his motives does not necessarily subtract from his argument, especially in light of the more recent scholarship of historians Savage, Corbin, Garay, and Williams, all of who largely reaffirm Gompers’ claims.

Discrepancies in such scholarship are not about the degree of power coal operators exercised; it is widely agreed to have been extensive. To illustrate this point with an example, Williams explains how the coal operators’ monopoly on authority in the area “meant that mine owners and miners confronted one another not only as employers and workers, but as landlords and tenants and as purveyors and consumers of goods and services,” which exacerbated social tensions and “helps explain why the worst violence – like the worst housing and the worst working conditions in the industry – seemed always to be found in the Appalachian states.”³² With contemporary research firmly in support of Gompers’ description of the southern West Virginia coalfields, Gompers’ article can serve both as a persuasive argument and an accurate description.

Gompers’ vision of unionizing was not appealing to every miner in the area, however. In an article to *The New York Times* in 1913, directly after the Paint Creek—Cabin Creek strikes, E. A. Bradford describes a situation with the Hitchman Coal Company in which the UMWA’s demands were unfavorable for both the company and the workingmen, spurring the miners to form an outside organization called the Independent Mine Workers of West Virginia and draw up a private contract with their employer.³³ Although Bradford, being a New York businessman, has an evident bias favoring the coal operators throughout the article, his claims hold true: unionizing was not a panacea for working people’s problems, and could at times make matters more difficult. However, these anomalous cases made exaggerated points for the anti-union argument when used to show the failings of the UMWA. Workers who did not desire unionization usually felt this way for one of three reasons, none of which was the unions’ supposed uselessness, of which corporate officials wished to convince the public. Firstly, it is possible that welfare capitalism provided an adequate

29 Ibid, 16.

30 Ibid, 17

31 Ibid, 18.

32 Savage, xv.

33 E. A. Bradford, "West Virginia's War Competition Between Capitalists." *New York Times (1857-1922)*, Jun 29, 1913.

living standard, thus discouraging the workers from seeking a union. While life in mining camps was demanding and exploitative, families could “scrape by” as long as the market demand for coal remained high enough.³⁴ Secondly, the wave of violence between unions and industry in the area may have disinclined the workers to associate with the UMWA. Thirdly, the workers may not have been willing to strike at the demands of the UMWA as part of a greater militant effort to unionize southern West Virginia, especially since their particular operation may have been functioning acceptably – far from ideally, but acceptably. Regardless of the situation, however, the paternalistic nature of the employer-employee relationship was still evident through the omnipresence of company ownership, even in these anomalous determinedly non-union areas.

Although the gritty details of corporate oppression are best identified on the ground level, perhaps the most telling instance of the corporation-state overlap took place beyond the coal camps and in the courthouse of Charles Town, West Virginia. In the wake of the Battle of Blair Mountain, Bill Blizzard was tried for treason, and the close relationship between the government and industrialists manifested in a new and revealing way. Although eventually acquitted (treason is an enormously difficult charge to prove), Blizzard’s trial spurred a heated debate throughout the country concerning the legitimacy of the charge in the complicated case of West Virginia. Many condemned the charge and cited it as further proof of the state’s alliance with the coal operators, and a cascade of newspaper articles followed the indictment to publicly disapprove of the actions taken. According to two New York newspapers, helpfully consolidated in the June 1922 issue of *Literary Digest*, “no government existed in West Virginia against which treason was possible” because “government in West Virginia had broken down, and its power had passed in part to the mine operators.”³⁵ Treason was therefore not a feasible charge, since the miners who marched on Logan and Mingo counties were only trying to “take the law into their own hands,” which “the non-union coal operators, controlling the local government in the two counties, had already done.”³⁶ Indeed, treason is not possible against a corrupt or absent government – “it cannot be treason by any definition to rebel against a denial of constitutional guarantees.”³⁷ An article from the *New York Times* succinctly stated the popular opinion against the charge of treason: “Logan County can scarcely be said to have been under the rule of law or to have had a republican form of government. Private war was answered by private war.”³⁸

However, it was not only during war that private interests were pitted against each other. Private interests had a hand in the legal proceedings as well. During the treason trials, the prosecuting attorneys were corporate attorneys – not the attorney general of the state, the district attorney of Jefferson County (where the trial was held), or the district attorney of Logan County (where the indictment was issued). The choice to have coal operators’ attorneys prosecute against treason – a charge that indicates conspiracy against and betrayal of the *government* – truly shows the extent to which the coal operators and government represented the same interests – that is, the interests of capital and the corporate class. The *New York Herald* was apt to point out that “a State which allies itself unfairly with one class against another invites what, when it happens, it is likely to call ‘treason.’”³⁹ As these many articles suggest, the previous failings of the state and local governments to protect workers’ civil liberties disqualified their ability to charge those same workers with such a serious crime as treason. The selective enforcement of law became clear, as did the use of the court

34 Gorn, 170.

35 Corbin, *Literary Digest* (June 17, 1922), 139.

36 Ibid, 139.

37 Ibid, 141.

38 Ibid, 139.

39 Ibid, 140.

as an instrument to punish those who revolted against the increasingly militarized corporation-state alliance. In this instance, the state apparatus was tainted by its close relationship with the coal industry, and the treason trial reflected this blemish with the use of corporate attorneys to represent the West Virginia government – a joining of forces that aimed to replace justice with retribution. Luckily for Blizzard and his associates, the pressure from outside to abandon the charges was immense, and the corporate-state apparatus could not incarcerate them for treason against a highly dysfunctional system.

Although similar situations of corporate authoritarianism occurred throughout the country, the overlap between government and private institutions – especially at the local level – had never been quite so explicit. The state government declared martial law to a degree hitherto unprecedented, which inevitably and, as much evidence suggests, *intentionally* worked in the favor of the coal industry. Additionally, the degree to which the miners mobilized in opposition to the cooperation between public and private institutions exceeded conflicts in other areas of the country. While the West Virginia Coal Wars were a culmination of working people’s tensions in light of industrial exploitation throughout the nation, the conflicts were also spurred by a set of exaggerated conditions unique to the area – conditions that did not cease to exist with the explosive 1921 Battle of Blair Mountain, which was the largest armed uprising since the Civil War.

Even after years of strikes and violence, the miners of West Virginia did not accomplish all they intended to. In fact, one of the only successes of the Battle of Blair Mountain was the attention it garnered in the national media for the plight of working people. Corporations still operated with a great deal of autonomy and paternalism in West Virginia, and it was not until 1935 that the right to unionize was granted under federal law. However, not long after this victory for the workers, the boom of industrial America began to quickly give way. Just as the coal industry gave economic life to the region in the late 19th century, it just as well took that life away as deindustrialization swept through the region. Since corporate interest was the only reason for the existence of many coal towns, the towns relied utterly on the companies for economic support. Once those interests withdrew from the area, local economies collapsed, causing an upsurge of unemployment and poverty that now makes up the little-regarded economic class referred to as the “invisible poor.”

The importance of this epoch has unfortunately been forgotten by many both inside and outside of West Virginia. Complex and violent narratives are hidden under “trivia, distortions, and ersatz pleasantries” in primary schools, creating a vacuum where important lessons should be.⁴⁰ Corbin makes the provocative point that “far lesser events in American history have received far greater attention than similar, but more significant events in West Virginia.”⁴¹ The “historical distortion” of West Virginia history is therefore defined by its absence in the greater course of American history and the outright negligence of meaningful, accurate historical education in the area. Ironically, despite the inadequate attention given to West Virginia’s industrial history, the legacy of this history has become ever more apparent in recent years. In 2010, a devastating mine explosion in the Upper Big Branch coal mine in Raleigh County killed twenty-nine miners due to Massey Energy’s violations of workplace safety. Later, in 2014, the coal-cleansing agent MCHM leaked from a Freedom Industries chemical plant into the water supply of over 300,000 people. As of early 2016, West Virginia has become a Right to Work state, limiting negotiation between unions and employers, and essentially decreasing the leverage employees have in the workplace. Indeed, much of the radicalism present in West Virginia at the turn of the century has succumbed to what appears to be passive exploitation, a circumstance that James Green poignantly described in his newest work:

40 Corbin, ii.

41 Ibid.

Today, outsiders seem to pay attention to the people of West Virginia when a mine explosion attracts television cameras to some little white church building in the hills, where viewers see worried faces of the miners' friends and family members awaiting news of their loved ones trapped underground. News reports of impoverished conditions and chronic diseases, flooded creeks and toxic rivers, mine disasters and exploding mountaintops, have conditioned many Americans to see the people of coal country as pitiful casualties of modern history, not as mindful people who made their own history.⁴²

As Green suggests, the historical agency of Appalachian people has been overshadowed by urban history and overwritten by the ebb and flow of economics. Nowadays, coal has been incorporated into the regional identity of West Virginia as a positive aspect of the state's history. Instead of being an enduring symbol of exploitation, coal has been transformed into a symbol of pride for working-class Americans with organizations such as Friends of Coal, an advocacy group for the coal industry deceptively named to convey a harmless image of a large industrial benefactor that hides the state's violent past. This contemporary transformation of West Virginia people's historical narrative from one of radicalism and leftist politics to one of isolated conservatism and docility is a curious phenomenon that Appalachian historians have recently attempted to uncover.

After deindustrialization took a heavy toll on the economic wellbeing of the area, the resulting poverty seemed to eradicate the radical component that pushed workers in similarly desperate circumstances to rebelliousness years earlier. Unfortunately for West Virginia, the deindustrialized post-Reagan era stands out in the nation's historical memory as the main narrative and erases any trace of this radical component. Furthermore, the lack of national attention to the area has allowed for a massive amount of environmental exploitation at the hands of the coal industry, sometimes even by circumventing safety measures and government regulation, as in the case of the Upper Big Branch mine explosion. While Ronald Garay described the dilapidated coal town of Gary, West Virginia, as a "symbol of industrial obsolescence," the industries themselves have actually continued to work relatively unhindered with labor that has largely been replaced by machines.⁴³ Indeed, the tangled, overlapping relationship between industry and government has not come to as final a halt as many might think. It is simply much less visible than it was in the first quarter of the 20th century.

The importance of this research therefore lies in connecting West Virginia's industrial history to the present to synthesize the historical narrative and gain a better understanding of the relationships between industry, government, and the populace. Perhaps the most important finding is that the concentration of power in industry during the Coal Wars directly paved the way for widespread poverty and continued environmental exploitation by coal companies. Furthermore, the combination of liberal business philosophy and capitalist paranoia in the early 20th century enabled the consolidation of private and public authorities to suppress a radical labor movement while simultaneously benefitting the production of capital. Through selective law enforcement, protection of the right to private property (even when it became excessive), and unorthodox overlap of government and private institutions (such as the deputizing of mine guards), the West Virginia government allowed the coal companies to build a massively powerful industrial empire at the expense of working people's civil liberties.

42 James Green. *The Devil Is Here in These Hills: West Virginia's Coal Miners and Their Battle for Freedom*. (Grove Atlantic: New York, 2015), 7.

43 Ronald Garay. *U.S. Steel and Gary, West Virginia: Corporate Paternalism in Appalachia*. (Knoxville: University of Tennessee Press, 2011), 215.

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