

## **Labor History: Danbury Hatter Case**

*By Ed Leavy, SVFT Executive Union Representative*

Recent news stories, from the rolling back of hard-won collective bargaining rights in states throughout the country to the string of pro-business and anti-labor Supreme Court decisions, make it feel like the combination of business, government, and the courts has never been more unified in defeating the interests of working men and women. History shows us that these forces have confronted labor for decades, and only the willingness of workers to support one another has allowed labor to move forward. The 1908 Supreme Court decision against the AFL in what became known as the Danbury Hatter's Case is an example of working people helping each other in the face of entrenched interests.

In 1902, the National Hatters of North America began efforts to unionize D.E. Lowe & Company. Despite their efforts, company owner Dietrich Lowe refused to even meet with union representatives. The workers went out on strike, and Lowe hired replacement workers. The Union went to Lowe's regular retailers and asked them not to carry Lowe's products. They also had the AFL list Lowe's on the "We Don't Patronize" page of the AFL newsletter. Lowe filed an injunction against the Union and the AFL for interfering with his business.

The Supreme Court ruled on the case in 1908 that the AFL's boycott was an illegal restraint of trade under the Sherman Act. Labor leaders were outraged. The strike and the boycott did not directly prevent Loewe's from doing business in the way the Sherman act had previously been understood to prohibit. The decision threatened to make all strikes illegal, crippling the one tactic labor had to create leverage in negotiations.

The news for the D.E. Lowe workers who had joined the union continued to get worse. Under the provisions of the Sherman Act, Lowe sued the workers for triple economic damages. The company even attached the individual bank accounts of the workers, and the courts supported the action. More than two hundred workers saw their homes threatened with foreclosure. Rather than let the workers face financial ruin, the AFL agreed to pay the damages by holding two "National Hatters Day," in which AFL members individually agreed to donate an hour's pay to the besieged workers. Danbury representatives to the CT General Assembly remember the anniversary of these days by wearing hats to the Legislative Office Building.

Though the case is over 100 years old, the details are eerily familiar. Workers take appropriate steps to address their working conditions. Companies unwilling to negotiate in good faith have their intractable positions defended by conservative courts. Union members join together to protect the members who are now vulnerable because of the just action they took. Then, as now, unions must be sure that in the struggle to move forward we protect what we already have, and no one is left behind as a casualty of the struggle.

*Most of the information for this article is from [There is Power in a Union](#) by Philip Dray*