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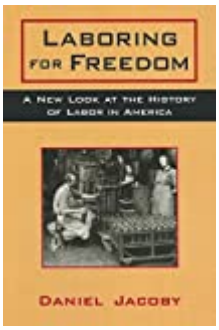

Daniel Jacoby. *Laboring for Freedom: A New Look at the History of Labor in America.* Armonk, NY: M.E. Sharpe, 1998. ix + 209 pp. $30.95 (paper), ISBN 978-0-7656-0252-7; $91.95 (cloth), ISBN 978-0-7656-0251-0.

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Not so long ago, Labor History was a simple field chronicling the growth of labor unions and labor-oriented political parties on the assumption that the organized working class was to be the cutting edge of social change. Upholding the banner of the organized working class, labor historians from John R. Commons through Philip Foner and David Montgomery shaped our conception of American industrial history from the 1920s through the 1980s.

In recent years this simple vision of labor history has collapsed along with its Marxist social theory. Critical of white, male-dominated unions advancing a narrow, anti-communist, and sometimes politically conservative agenda, radicals rejected the old institutional history. They sought to substitute a new labor history celebrating the rank-and-file and focused on the radical opponents of the established union leadership. Some rejected unions altogether to chronicle the history of groups traditionally outside the unions, including household workers and racial minorities. Speaking a new language of culture, gender, and race, some have replaced the labor union with the community and transposed the locus of struggle from the state and the workplace to the social group and the family. Instead of strikes and elections, social struggles have become more abstract and universal, contests over the definitions of words and the social constructions of our realities.

>From a different perspective, many neoclassical economists have joined historians and anthropologists in rejecting the old labor history's focus on working-class institutions. Past labor historians, they charge, have underestimated the ability of individual workers to better their circumstances by using competitive markets. They have shown how free workers have improved their circumstances, forcing up wages at undesirable jobs by leaving them for alternative employments. Unions and cultural constructs, they argue, are epiphenomena. The underlying reality is the economic circumstances of society shaped by relative factor supplies and technological change.

No longer is there a shared consensus about what labor history is or how to place new works in a clear, ongoing chronicle. Into this confusion comes Daniel Jacoby with a new vision of labor history as the history of freedom. An economic historian at the University of Washington at Bothell, Jacoby has written on public education and labor relations in the Progressive Era. Here, he interprets American labor history as a struggle by individual workers to gain 'freedom,' to win more power and more opportunity to act without constraint. Jacoby interprets the struggle historically. It changes over time because technology, social constructions, and institutions shape

the possible scope for opportunity and freedom in each period.

Behind this historical circumstance lies a still-greater contradiction, that between 'positive' and 'negative' freedom, between 'freedom from' constraint and 'freedom to' act. Jacoby makes this traditional dichotomy a useful tool by showing how in the United States the distinction between 'positive' and 'negative' freedom has been manifested as a struggle over "independence or contract." The American Revolution, Jacoby argues, made "republican independence" the nation's creed, linking freedom to the ownership of productive property. In 1776 this left little for blacks or women, largely excluded from property ownership. But the American Revolution provided the language with which Americans pragmatically dismantled "remaining bastions of traditional authority" (p. 33) including slavery and gender inequality. Republicanism, Jacoby shows, was an expansive doctrine; its logic demanded that America push freedom forward to encompass others, to free the slave and to make blacks and women the legal equals of white men. But at the same time that American society was conducting this republican struggle for freedom from caste privilege, it experienced growing division between capitalists and a growing class of proletarian wage earners. For women and for ex-slaves, extending the right to sell their wage labor power and to make contracts in the wage-labor market was an extraordinary burst of freedom. (This was true as well, although Jacoby says little about them, for the former European and Asian serfs and small peasants who came to America and comprised much of our wage labor force.) But the situation was very different for white male laborers who became proletarian wage laborers instead of independent producers. For them, the right to contract marked a loss of control over their work, a loss of freedom, compared to some earlier, or anticipated, status as free producers, managing their work independently. As proletarians, they discovered, as Jacoby notes, that in the traditional creed of republican independence "only property, not merely the freedom to contract it, yielded an adequate basis for real independence" (p. 55). No longer able to achieve autonomy on their own, these workers were forced to look towards social institutions and collective action to gain freedom.

Having established the parameters of the controversy over freedom and contract, Jacoby proceeds to interpret American history as the struggle between 'freedom-from-constraints-on-labor- contracts' and 'freedom-as-opportunity-to-regulate-work- collectively.' In the late-nineteenth century, Supreme Court Justice Stephen J. Field extended the Fourteenth Amendment prohibition of legislation denying individuals of any fundamental rights to an absolute protection of the right of individuals and corporations to make contracts. Under the legal doctrine of "Substantive Due Process," courts between the 1880s and 1930s disallowed a broad range of collective legislation and worker action regulating wages, hours of work, and the conditions of employment. Substantive due process protected individuals' freedom from social and political constraints, by assuring them their opportunity to make contracts. But it ignored the basic inequality in opportunity between wealthy employers and their workers. Jacoby shows how Progressive-era reformers sought to reconcile contractual equality with capitalist property relations by extending public education. Education was to assure equality of opportunity, to be "the last countervailing force" to economic tendencies undermining "labor freedom in the United States" (p. 99). But an effective balance to powerful employers came only in the 1930s when state support for labor unions allowed effective collective bargaining and New-Deal era legislation and court decisions restricted the right to contact. Expanding positive freedom came at the expense of negative freedom from constraint.

The old labor history often ended with the New Deal, viewing it as the final achievement of the American labor movement. Jacoby goes further. Although gender disappears from America's struggle for freedom in his later chapters, he carries his discussion of freedom into the 1990s, writing about Civil Rights and union struggles in the post-World War II era. In the concluding chapters, Jacoby warns against the impact of free markets on worker standards in the era of the "global piano." He fears a "race to the bottom" driving working conditions and wages in advanced economies down to the level of the poorest. Jacoby notes how Germany, Japan, and some other advanced countries have avoided this threat from globalization through regulatory policy and advanced education and suggests that the United States might learn from their experience. Thus his work ends on a salutary note, recognizing past progress and warning against future threats.

Laboring for Freedom provides a survey of American history that might be useful for students in courses in economic history and history generally as well in courses in labor history as such. The book provides little new research. Instead, its merit is in the reinterpretation of older material, placing an existing literature into a provocative new framework. Jacoby's book is deceptively thin. It has fewer than 170 pages of text but Jacoby

packs into this limited text a new synthesis of American history built around labor. This is a significant achievement in a work that should be read widely by historians and all social scientists.

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