Tone persuasively argues that welfare employers feared the meddling of the state more than the power of the union. Indeed, American Federation of Labor leaders at times shared employers' fear of the state, arguing as they sometimes did that government intervention threatened potential bargaining gains. Despite Tone's efforts to escape the widely held idea that welfare capitalism was merely an antiunion ploy, however, the rhetoric of antiunionism still emerges from her sources. Employees were suspicious of company motives, and rightly so. They recognized the impermanence of privately provided welfare benefits, which regularly declined or disappeared during economic downturns. While Tone's work is thought-provoking and adds complexity to the historiography of welfare capitalism, it does not completely overturn the "padded glove over an iron fist" thesis. That thesis persists not because of its simplicity, but because workers knew that even though their cage was gilded, it was still a cage.

Workers' Paradox: The Republican Origins of New Deal Labor Policy, 1886–1935, by Ruth O'Brien. Chapel Hill: University of North Carolina Press, 1998. xii, 313 pp. Notes, index. $39.95 cloth, $17.95 paper.

REVIEWED BY ELLIS W. HAWLEY, UNIVERSITY OF IOWA

Once credited with empowering American labor, the New Deal's National Labor Relations Act of 1935 has fallen upon hard historiographical times. Some reinterpreters now see it as containing and thwarting labor's bid for equitable power, and some, like Professor Ruth O'Brien, believe that further scrutiny of its origins can help explain that outcome. In her view, the act implemented a policy choice for "responsible unionism" rather than the "voluntarism" of the American Federation of Labor or the tripartite "corporatism" experimented with during World War I. And the policy chosen originated in efforts to keep labor weak. Its architects were not labor unionists or social democrats but rather legalistic jurists, Republican party leaders, and elite regulationists, intent upon using an expanded state to convert unions into semipublic associations and thereby contain their potential threat to individual rights and freedoms. Paradoxically (the "paradox" of the title), American individualism produced a statist policy denying liberty and equality of opportunity to workers' associations.

O'Brien's history of this "responsible unionism" falls into three major segments. In chapters 2 and 3, she focuses on the pre-1920 emergence of a new labor law concerning union rights and liabilities, noting particularly its derivation from the law of agency, its application in

state and federal courts, and its use to counter the AFL's prescriptions for "voluntarism." By 1920, she argues, the resulting legal principles recognized unions as temporary instruments of worker representation with legally enforceable procedural rights, yet also viewed them as only one of several such instruments, denied them any class- or group-based substantive rights, and held them legally accountable for their actions as organizations. In chapters 4 through 6, she details how Republican politicians and Supreme Court justices used these ideas during the 1920s to establish a state-controlled scheme of labor representation for railroad workers. And in chapters 7 and 8, she explores how Republican progressives made "responsible unionism" the basis of the Norris-LaGuardia Anti-Injunction Act of 1932 and how New Deal policymakers, after some initial bows toward both "voluntarism" and "corporatism," turned what Republicans had crafted for railroad workers into a national policy for workers' associations in general. Senator Robert Wagner, the man chiefly responsible for the National Labor Relations Act, wanted to promote, not hinder, unionization. But he and his aides, recognizing the advantages of grounding such promotion in a body of accepted legal principles, turned to the Republican design for responsible unionism as the way to do this, and ended up with a quasi-judicial agency that fostered union growth but did so along lines that would eventually prove highly costly to its presumed beneficiaries.

In my judgment, O'Brien overestimates the potential during the 1930s for realizing a superior alternative to the kind of unionism fostered by the Wagner Act. I found little in the book to support such revisionism and am still inclined to accept the bleaker potential seen by such labor historians as Robert Zieger and Melvyn Dubofsky. In addition, the book suffers from excessive repetition, a difficult prose that becomes particularly hard going in the sections on labor law, and insufficient recognition of previous work connecting the Railway Labor Act of 1926 to the New Deal solution. Still, I finished it with little doubt that O'Brien has written an important and provocative book. Her central points—in regard to the innovative role of the Republican Party, the momentum provided by the evolution of labor law, and the paradox of individualism breeding statism—are all grounded in extensive new research and convincing argumentation. Her conception of interacting policy orientations (voluntarism, corporatism, and responsible unionism) and her discussion of the scholarly debates she is joining are also well informed and thought-provoking. And the overall result is scholarship that will or at least should force some significant rethinking of the New Deal, its origins, and its legacy, as seen by both historians and political scientists.

For students of Iowa history, the book is relevant chiefly for its findings about a national policy that strongly influenced the pace and shape of labor organization in the state's major industries. It does not deal specifically with labor policy in Iowa, and the only Iowans having some role in its history of "responsible unionism" are Albert Cummins and Herbert Hoover. In addition, students of the changing agricultural system, clearly of great relevance to Iowa history, may find O'Brien's "paradox" intriguing and perhaps adaptable to other policy areas. Indeed, agriculture would appear to be an area in which the phenomenon of continued individualism breeding expanded statism was even more pronounced than in labor.

The Bootlegger: A Story of Small-Town America, by John E. Hallwas. Urbana and Chicago: University of Illinois Press, 1998. xi, 274 pp. Illustrations, maps. $24.95 cloth.

REVIEWED BY KATHLEEN M. GREEN, MORNINGSIDE COLLEGE

Who in the world was Henry "Kelly" Wagle and why did 1,000 people turn out for his funeral in 1929? From the first paragraph until the last, Professor John E. Hallwas of Western Illinois University will hold your interest in answering this question. In *The Bootlegger* he effectively weaves the biography of bootlegger, wife beater, inveterate gambler, and good neighbor Wagle with the history of Colchester, Illinois, to produce an exciting and engaging piece of local history. Imagine writing a town history around the true crime mystery of the unsolved murder of "the most notorious bootlegger in western Illinois" (15) and the meaning of success in a small town.

Hallwas carefully chronicles the rise of Colchester, a small town in western Illinois, from a frontier settlement of mostly British immigrants to a booming mining town in the late nineteenth century and its rapid decline in the early years of the twentieth century. Local characters and the relatives of the bootlegger come to life in the raw and dangerous environment of a coal-mining town where the constant fear of death produces local sightings of a mysterious "Woman in Black." Kelly Wagle came of age in this time of diminishing opportunities for local residents.

This work will be of particular interest to readers of the *Annals of Iowa* because Hallwas understands the cultural context and the close personal bonds of the midwestern small town. He relates local happenings and reactions to broader historical patterns and main historical themes. For example, he shows clearly the divisive nature of the