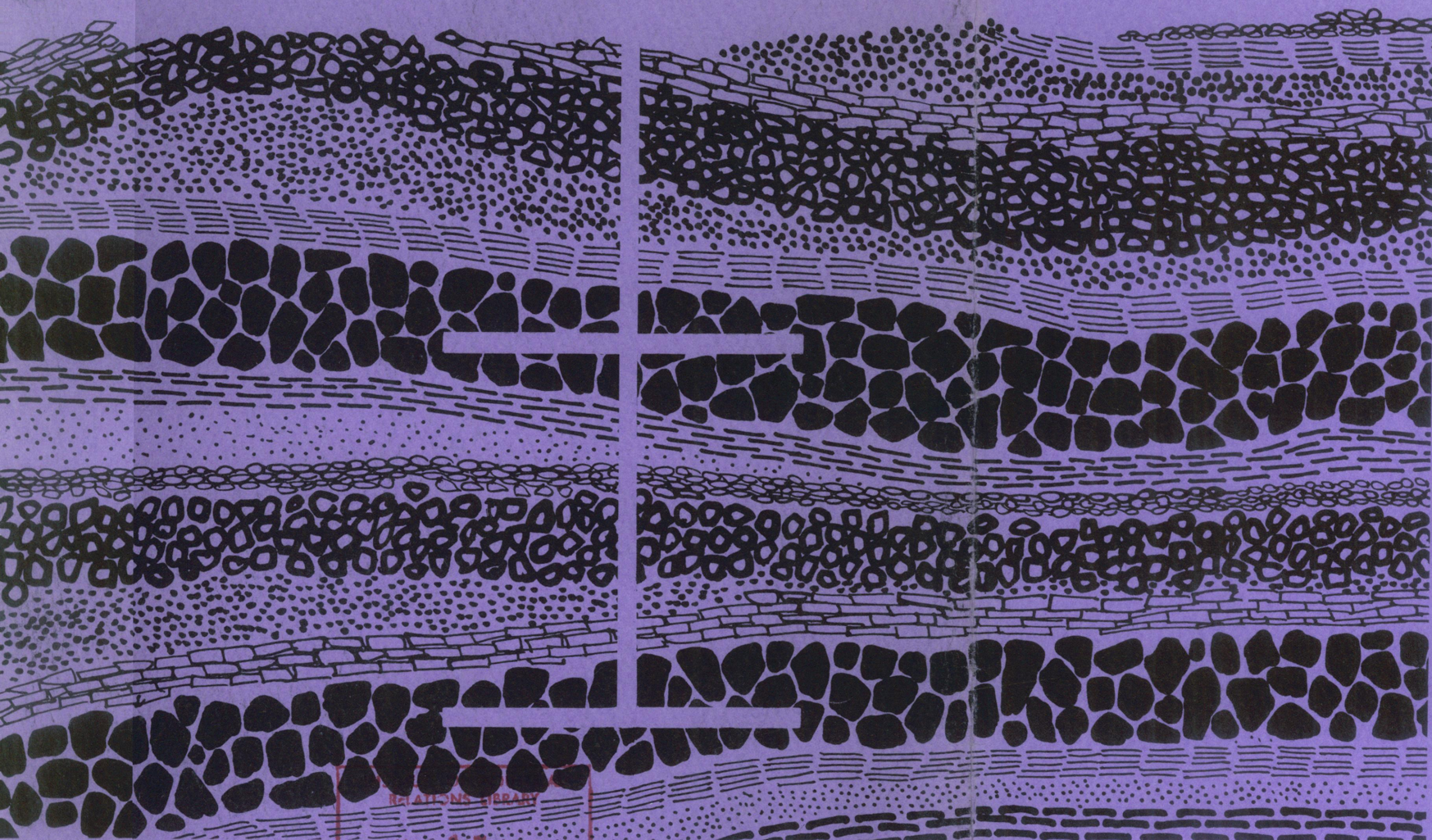


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EUROPEAN COAL MINING UNIONS:

STRUCTURE AND FUNCTION by Frederic Meyers

Institute of Industrial Relations • University of California, Los Angeles

EUROPEAN COAL MINING UNIONS:

Structure and Function

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By Frederic Meyers .

INSTITUTE OF INDUSTRIAL RELATIONS
UNIVERSITY OF CALIFORNIA • LOS ANGELES

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Foreword

The Institute of Industrial Relations is pleased to offer *European Coal Mining Unions: Structure and Function* by Frederic Meyers as the seventh in its Monograph Series.

The growing interdependence of the nations of the world has manifested itself in many areas, including industrial relations. Hence an increasing number of American scholars has been traveling and studying abroad in order to learn more about comparative labor movements, bargaining systems, and labor legislation. Frederic Meyers, Professor of Personnel Management and Industrial Relations in the School of Business Administration and Research Economist in the Institute of Industrial Relations of the University of California, Los Angeles, is prominent among them. The present study is one of several in comparative labor economics upon which he has worked.

The Institute of Industrial Relations is grateful to the Bureau of Business and Economic Research of the University of California, Los Angeles, for a grant to assist in underwriting the publication of this monograph. The Institute reading committee for the manuscript consisted of George H. Hildebrand, Melvin Rothbaum, and Irving Bernstein. Mrs. Anne P. Cook edited the manuscript. The cover was designed by Marvin Rubin.

The viewpoint expressed is that of the author and is not necessarily that of the Institute of Industrial Relations or of the University of California.

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It will be obvious to any reader that I received the most hearty cooperation from officers and members of all the trade-union movements involved. It would be impossible and unfair to single out any of these for special gratitude; my debt is to too many.

I should, however, say that the following persons were kind enough to read early drafts of the manuscript and offered very helpful suggestions and corrections: Mr. David Branton of the National Union of Mineworkers; Mr. Emil Schrumpf of the *Industriegewerkschaft Bergbau*; Mr. Ernest Mandel of the staff of *Le Peuple* and *La Gauche*, Brussels; Mr. Hugh Clegg, Nuffield College, Oxford University; Mr. Everett Kassalow, Industrial Union Department, AFL-CIO; and Professor Adolf Sturmthal, Roosevelt University.

I am sure that none of these persons will agree completely with the selection of relevant fact or the conclusions of the study. The responsibility for these is, of course, wholly my own.

I am deeply indebted to Mrs. Anne Cook, who under most difficult circumstances edited the monograph.

FREDERIC MEYERS

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ABBREVIATIONS

BACM	British Association of Colliery Management
CAWU	Clerical and Administrative Workers Union
CDU	Christian Democratic Party (Germany)
CFM	Centrale des Francs Mineurs (Belgium)
CFTC	Confédération Française des Travailleurs Chrétiens
CGC	Confédération Générale des Cadres (France)
CGT	Confédération Générale du Travail (France)
CGT-FO	Confédération Générale du Travail-Force Ouvrière (France)
CISWO	Coal Industry Social Welfare Organization
CNMM	Commission Nationale Mixte des Mines
COSA	Colliery Officials and Staffs Area
CRMM	Conseil Régional Mixte des Mines
CSC (CSCB)	Confédération des Syndicats Chrétiens (Belgium)
CSTM	Centrale Syndicale des Travailleurs des Mines de Belgique
DGB	Deutsche Gewerkschaftsbund
ECSC	European Coal and Steel Community
FGTB	Fédération Générale du Travail de Belgique
FO	See CGT-FO
IGB	Industriegewerkschaft Bergbau
JNNC	Joint National Negotiating Committee
MFGB	Miners' Federation of Great Britain
MOC	Mouvement Ouvrier Chrétien (Belgium)
MRP	Mouvement Républicain Populaire (France)
NACODS	National Association of Colliery Overmen, Deputies and Shotfirers
NCB	National Coal Board
NCLC	National Conference of Labor Colleges
NUM	National Union of Mineworkers
OEEC	Organization for European Economic Cooperation
PSC	Social Christian Party (Belgium)
SU	Syndicats Uniques (Belgium)
TUC	Trades Union Congress
WFTU	World Federation of Trade Unions

Chapter 1

Introduction

This is a study in the structure of unionism. The term “structure” will be used to mean: (1) the hierarchy of institutions—local unions, intermediate organizations, national unions, federations—within a union movement, and their relationships to each other; (2) the means of government of these institutions; and (3) most important, the distribution of power or authority to make the several kinds of decisions the union is called upon to make, within this hierarchy of institutions and organs of government.

This is a case study. It deals with unions active in the coal mining industries of four countries: France, Belgium, West Germany, and Great Britain. Like any case study, it provides no definitive answers to general questions, or indeed to any questions other than those immediately relevant to the specific case. But because the coal industry and its unions are tremendously important institutions in the economies and social orders of these countries, answers to more general and more significant questions may be suggested.

We give the common denomination “unionism” or “labor movement” to institutions of great social and economic import and power in each of the four countries studied, and in all the nations of the industrialized western world. They are of import because they exercise considerable influence over the course of events in their countries and beyond the borders of the countries in which they operate. They are residuaries of power—to do something, though what they can or choose to do may vary widely.

They have at least one factor in common: they are organizations of people who work for a living in wage or salaried jobs. In general, their ultimate formal objectives are to improve the social and economic status of these people. But the concepts of what will achieve this purpose, the general means toward these ends, the organizational forms or “structures” through which they are sought, may vary widely.¹

¹ For an excellent expansion on this theme, applied to European labor movements generally, see Adolf Sturmthal, *Unity and Diversity in European Labor* (Glencoe, Ill.: Free Press, 1953). Also edited by the same author is *Collective Bargaining in Seven*

Structure, as we have defined it, is both a cause and a result. At a moment of time, it conditions the specific objectives which may be sought and obtained. The values of those at the seats of power in the organization may be, at least temporarily and through an integrating process permanently, imposed on the organization. Resolutions of any conflicts in values within the organization depend in some measure upon the distribution of power to impose a priority of ends. That distribution, furthermore, may or may not be appropriate to the attainment of objectives over which there is no substantial conflict.

Structure may also be a result. Given a system of values, an organization may be initially designed or pragmatically adapted so as to direct a maximum of power toward the achievement of the goals. Changes in the external environment or in the system of values, however, may require constant adaptation of structure to assure the maximum attainment of organization objectives.

The value systems of labor organizations, within the general one of improving the social and economic status of wage workers, vary widely as between different countries and different cultures. In the United States, for example, the objectives of the labor movement are circumscribed by its acceptance of private property and wage employment. In this general commitment to existing social and economic institutions, the American labor movement is virtually unique. Most European labor movements, and specifically those of the countries here considered, regard as among their primary objectives basic changes in the social and economic institutions of their societies. In the generally accepted European concept, a labor movement is a revolutionary institution.

This was not always historically the case. The British labor movement in its formative years before 1890, many of the early individual craft unions on the Continent, and the predecessors of the contemporary Christian labor movement were not revolutionary in concept. Though those early commitments have left their imprint, soon in the development of all but the Christian movements the building of a labor movement dedicated to radical social change became a major purpose. Contemporarily, even the Christian movements regard their function in part as one of altering the social and economic role played by workers in a deeper sense than merely developing effective bargaining with private employers.

Countries (Ithaca: Cornell University Press, 1957). The usual manual on comparative labor movements consists of a series of unconnected essays on the labor movements of several countries. See Walter Galenson (ed.), *Comparative Labor Movements* (New York: Prentice-Hall, 1952).

Common, then, to the value systems of the four labor movements studied is a lack of commitment to existing institutions. The primary function of the American labor movement, that of dealing with employers, though a part of their role, is mixed with another function, sometimes superordinate to the immediately ameliorative purpose.

But the means toward social and institutional change, and the concept of social and economic reorganization, vary widely among European labor movements. In some instances the labor movement itself, in its own capacity, is regarded as the primary revolutionary instrument. This, for example, would be descriptive of the formal philosophy of the Force Ouvrière unions in France, in general. In other instances, such as the left Marxist or Communist unions, the labor movement is an instrument directed by and subordinate to a revolutionary political party. In still other cases, typically the Christian and revisionist Socialist unions, shared roles are played by unions and political parties. In the last case, immediately ameliorative activities occupy a higher order of priority among union goals.

The vision of the new society varies from that of a social order composed of the autonomous work communities described by the anarcho-syndicalist myth, to a dictatorship of the proletariat. Lying in between, or off to the side, are the Social Christian ideal of copartnership in industry, British social democracy, and other variants.

The American who understands and accepts the pragmatic view of its own role characteristic of the American union movement knows these differences intellectually, but expects them to be reflected only as froth. He often anticipates that in their structure and activity European unions will resemble, more or less, the American pattern, or, worse, would if they were real labor organizations. Conversely, many European unionists refuse to grant that what we have in the United States is a labor movement at all, since it is pragmatic and nonrevolutionary.

Within a pragmatic labor movement, structural adaptation to external circumstances is acceptable. Despite the problems of dislocating vested personal power interests, American unions have generally found structural forms appropriate to the performance of their ameliorative roles. In a labor movement in which the bargaining function is primary, structural differences reflect in large measure the peculiar technical and economic circumstances of the jurisdictions of the various unions. The structure of the building trades unions, indeed the very existence of building trades unions rather than a single industrial union, is, at least in large part, a function of the external character of the industry. Team-

sters, Auto Workers, Mine Workers differ structurally among themselves largely because of the nature of product markets, forms of employer organization, technologies, and other "objective" factors, although, to be sure, it is not outside the function of the unions to alter these circumstances, within the boundaries of the general institutional framework.

Within European labor movements, however, the problem of trade-union structure has been related to the different values of the labor movement and of the working class. Trade unions have been designed as revolutionary instruments, and their structures are presumably relevant to this purpose. Differences, then, are related to the power structure of the particular society to be altered, and to the concepts of the technique of revolution and of the ideal society to be achieved.

Except in a rather remote and sloganeering sense, revolution is not a day-to-day activity, though institutional change is a continuous process. European unions, in differing degrees, engage continuously in efforts to influence the nature and direction of institutional change, as well as to ameliorate the lot of their members in the social and economic structure of the communities in which they operate. In some measure, their structures are relevant to these purposes.

This study will describe the formal constitutional institutions and government of unions in the coal mining industry, and the performance of their day-to-day functions, for the purpose of identifying differences in structure and priority of function. A final section will attempt to reconcile these factual data with the hypotheses stated above.

We have selected a single industry for study partly to control whatever influence the industry may have on union structure. The coal industry in Europe is not, of course, wholly homogeneous. But insofar as it is and has been, and insofar as adaptation to purely industrial characteristics is a determinant of structure, differences, if they are found, must be explained by other factors.

Coal seemed an appropriate industry for study, despite certain elements of difference in important characteristics of the industry as between countries, because in each of the four countries it is a large and important industry with a long history. Coal has been mined in these countries for many centuries, and has been a major industry in each for more than a hundred years. It is still in each regarded as one of the principal foundations of national industrial strength.

Great Britain, France, Belgium, and West Germany produce over 90 per cent of the coal mined in the OEEC² countries, and about 30 per cent of the world output. Roughly similar proportions of coal mining

² Organization for European Economic Cooperation.

employment are found in the combined mines of these countries. The only other significant coal-producing areas in free Europe are the Saar (now incorporated into the German Federal Republic), the Netherlands, and Italy, no one of which produces as much coal as Belgium, the smallest producer of the four countries treated. Although inclusion of other countries, particularly the Netherlands, would have been interesting and worth while, some limitations had to be imposed; they were based on the importance of the industry in each country, and of the unions in those industries.

Whatever other characteristics cannot be attributed to the industry factor, it seems indisputably true that proneness to organization is characteristic of coal miners. Strong and militant coal mining unions have existed in each of the four countries since well before the turn of the century. Their militancy has been extreme and proverbial; historically miners have been leaders in the national labor movements of each country. They have held, and expressed in advanced form, the values of workers in their respective societies.

The reasons for this ubiquitous and extreme militancy of coal miners may be attributed to several circumstances. Coal mining, of course, is a dangerous, difficult, and disagreeable occupation, even under contemporary mining techniques; historically it was much worse. But it was probably not the absolute undesirability of wages and working conditions that made miners prone to open and organized expressions of discontent. Rather it was probably their relative position—low economic rewards relative to many other workers, social status associated with the dirt and poverty in which miners lived, the blatant individual and national wealth based on the product of their labor—all these and many other relative disadvantages of the occupation must in large measure account for the endemic discontent among coal miners.

The nature of the industry forced miners in upon themselves in socially isolated communities marked by social cohesiveness and propensities to group action. Coal mining communities of the valleys of Wales, the small coal villages of the Belgian Borinage, and their counterparts superimposed on the seams of the coal areas of the world contained peoples apart, who felt that so long as the society they knew existed, they, their children, and their children's children would go down into the mines. And the very danger and extreme discomfort to which they exposed themselves daily created a pride of craft^a which was offended in every contact with the outside world.

^a See Guillaume Jacquemyns, *La Vie Sociale dans le Borinage Houiller* (Brussels: Librairie Falk Fils, 1939).

German unionism is something of a special case. The German coal mining unions, like all others in Germany, were destroyed by Nazism, though until 1933 their long and militant history was consistent with experience elsewhere. The contemporary structure is a product of the deliberate design with which the German trade-union movement was rebuilt in the postwar period. In many ways, however, it reflects the history of predecessor unions and the experience of those who survived Nazism and participated in the reconstruction of the movement.

Throughout most of their history, then, coal miners in the four countries worked in industries that were substantially similar in that the coal culture produced labor movements of revolutionary vigor. The industries were also similar in other respects. Generally speaking, coal mining technologies were common to the four countries. Until the rather recent development of highly mechanized means of getting coal, it was dug at the face by miners, first with hand and then with pneumatic picks. Problems of timbering, roof control, ventilation, transportation, and other behind-the-face activities differed only in detail, depending upon the depth of the seam, its pitch and extent of faulting, its thickness, moisture and gas conditions, and other geological circumstances.

The more rapid exhaustion of the best seams in certain areas and the development of mechanized techniques differentially applicable to different geological circumstances have produced greater contemporary variations in techniques. Coal is still dug by the individual miner on his belly using a pneumatic pick in a twenty-inch seam, particularly in the old and deep mines in southern Belgium. In the better seams of the Ruhr, Lorraine, Nottingham, or the Campine, newer techniques make the coal miner more nearly a machine tender, placing and controlling power cutting and loading devices.

These differences, however, exist within as well as between countries and unions. In England there are vast differences between the poorer pits of Wales and Scotland and the good ones of Nottingham. In France many old and relatively unproductive mines in the Nord-Pas de Calais basin are still being worked, while others are abandoned and the better mines of Lorraine are being expanded. In Belgium many of the pits still being worked in the Borinage, despite some abandonments, mine thin, deep seams, whereas those of the Campine are vastly better. In Germany great variation exists within the Ruhr and between the Ruhr, Aachen, and the lignite mines of Hesse. These differences create conflicts of interest within a country and a union, which must be resolved

within the structures of the organizations and which influence structural developments. But the problems are common, in greater or lesser degree, to all of the union movements.

This is not to suggest that the coal industry in Europe is completely homogeneous. There are, of course, country-to-country differences in types of coal produced and their proportions, in average physical characteristics of deposits and dispersions around these averages, in degree of mechanization, in markets and market conditions, and in many other characteristics. Nevertheless, the various national industries do have in common the essentials mentioned above.

There are major differences in forms of property holding among the four countries. In two, Britain and France, coal mining was nationalized shortly after the second World War. In each, the over-all management of the nationalized industry is vested in a central authority—in Britain in the National Coal Board and in France in the Charbonnages de France. In each case regional management authorities exercise considerable power, more so in France, where regional authorities hold title to the mines and are, by statute, endowed with considerable power, than in Britain, where the Coal Board owns the mines and is the central repository of authority which may be delegated downward.

In Germany, property in coal mines remains in private hands. However, the laws concerning codetermination limit the correlative control which private owners may exercise, by endowing works councils with fairly extensive potential authority in personnel and labor relations matters, and by giving workers and their unions representation on the boards of directors and veto power over the selection of the Labor Director.

Only in Belgium are the mines held in virtually unlimited private property, after the state grants a concession. Even here, proposals for at least some modification of the structure of the industry are, at this writing, under active consideration.

These differences in property forms undoubtedly have influenced union structures and their implications will be discussed, though they are of quite recent historical origin and their impact has not fully developed, especially in the three countries with a long continuous history of organization. Power structures, once well developed, are difficult to change over the resistance of vested power interests.

Superimposed on the whole of the continental coal industry is the structure and authority of the European Coal and Steel Community. The trade-union delegation to ECSC has added certain functions, neces-

sarily performed by the top leadership of the unions, and the Community through its various activities has altered certain of the economic and social parameters within which the organizations must work. Common prices, the closing of certain inefficient mines, especially in Belgium, encouragement of more nearly uniform wages and working conditions, and the other activities of the Community have influenced the results of trade-union activity. But it is doubtful that they have provoked or necessitated significant structural change, and they cannot account to any great degree for structural differences.

Largely, then, the reasons for differences in the structure of the unions concerned must be found outside these industrial factors. The following chapters will first describe the unions and their formal institutions and organs of government. Then the important day-to-day functions of the organizations will be considered and compared, in terms of their allocation among these institutions and organs. These descriptive chapters will reveal rather wide differences among countries and unions.

The final chapter will deal in general terms with some hypothetical reasons for these differences. In general, it will be argued that the most relevant variable is the union's view of its role in society, and the workers' view of that role. Where, as is the case in greater or lesser degree of all the unions concerned, there is no firm commitment to the institutions of the society, and where the union is conceived primarily to be a revolutionary instrument, the means and ends of that revolutionary activity are the major determinants of union structure. Even the revolutionary myths to which a union holds, despite their intellectual abandonment, bind a union to structures of the past. This seems to be the case in France, where the labor movement is frustrated by the symbols of anarchism and the general strike and by its inability to reconstruct itself in a form appropriate to contemporary activities and ideals.

The analysis of union activities will reveal this only indirectly. Revolution, as we have said, is not a day-to-day activity which can be easily identified, although in certain instances education and partisan political activity are clearly associated with the revolutionary objective. It can only be inferred that these values are determining influences. Perhaps, if it had been possible to give this study greater historical depth, more direct evidence could have been adduced. But such an extensive study was outside the bounds of possibility for this author.

Chapter 2

The Unions and Their Memberships

Among the four countries here considered, in only one, Germany, is there but a single union active in the coal mining industry. The traditions of pluralism along sectarian or ideological lines in Belgium and France have given rise to multiple coal unions in these countries. In England several unions with formally similar views and affiliations divide and compete for jurisdiction, though one union is clearly dominant.

THE COAL MINING UNIONS

In Germany the *Industriegewerkschaft Bergbau* (IGB), affiliated with the principal federation of unions, the *Deutsche Gewerkschaftsbund* (DGB), is an industrial union in the mining of coal and other minerals, excluding only quarrying. It is one of the sixteen industrial unions which divide jurisdiction over German industry. At present the only significant organization outside DGB is a central federation of white-collar workers, which has no great membership in the coal mining industry. In 1955, of 1189 representatives elected to works councils from among white-collar workers, 1038 were members of IGB, 92 members of the competing organization, and 59 unorganized.¹ IGB admits to membership clerical, commercial, technical, and other white-collar groups, as well as manual workers. Its governing bodies provide for special representation of white-collar groups.

Before 1933, the continental tradition of plural unionism along ideological lines prevailed in Germany. In addition to the Socialist unions, there was a federation of Christian unions which had a strong union in coal mining, centered in the western Ruhr. After the war agreement was reached on the building of a unitary, constitutionally neutral labor movement, uniting all the historical "tendencies."

IGB has found, however, that it must take cognizance of the varying ideological and political party attachments of its membership and leadership. Informal understandings give representation in the leadership

¹ *Industriegewerkschaft Bergbau, Jahrbuch*, 1955 (Bochum: Industriegewerkschaft Bergbau, 1956), pp. 214 ff.

hierarchy to both "former Christians" and "former Socialists." The term "former" refers to pre-Hitler activity in unions attached either to the Christian or the Socialist center, and does not imply a desertion of beliefs.

Despite the neutralism in principle of DGB and its affiliated unions, certain Catholic leaders felt either that it was being abused in favor of Socialist goals and the Social Democratic Party or that the tradition of pluralism was ideally superior to neutral unity, and in 1955 at Essen they initiated a movement to re-establish a Christian trade-union center. Though many of the Christian leaders both of the Christian political party and of the labor movement disavowed the movement, organizational efforts were begun. So far as coal mining is concerned, by 1957 almost no inroads had been made. IGB remains the only union of importance.

In Great Britain, though on a somewhat different basis, trade-union unity exists both as a matter of principle and, generally, as a matter of fact. Such pluralism as prevails is not, as on the Continent, on ideological bases.

The principal union in the British mining industry is the National Union of Mineworkers (NUM). Like most British unions, it is affiliated with the Trades Union Congress, the single national center uniting most (though not all) unions. Trade-union unity in Britain has not been achieved by neutralism—TUC and its affiliated unions, including NUM, are Socialist in official philosophy, and a strong tie exists between the labor movement and the Labour Party. This difference between Britain and Germany, however, does not arise from coal mining unionism. It is a reflection in the coal mining industry of differences between the two national labor movements.

Though trade-union pluralism on ideological bases does not exist in Britain, the sanctity of jurisdictional lines and the overwhelming commitment to industrial unionism characteristic of Germany do not prevail. The structure of British unionism is a hodgepodge of overlapping craft, amalgamated craft, industrial, and general unions. NUM claims an industrial jurisdiction. But it was formed in 1945 through a reorganization of the former Miners' Federation of Great Britain, itself a federation of constituent unions organized both industrially and craft-wise on a regional basis, or on a national craft basis. As the later discussion of the union's internal structure will reveal, its federal characteristics have not wholly disappeared.

Furthermore, the two large general unions, the Transport and Gen-

eral Workers Union and the National Union of General and Municipal Workers, had traditionally had members among workers in coal mine power plants. After the war and nationalization, agreements were reached between NUM and each of these two unions, under the terms of which the two general unions ceded to NUM the right to represent their colliery membership, and agreed to pay dues for their members to NUM. General and Municipal also agreed to cease recruiting in the nationalized industry, in return for an agreement from NUM to cede jurisdiction in those coke plants remaining in private ownership. The power worker members of each of the two general unions were administratively organized into Areas in NUM and given representation on the national executive.

Three construction trades unions having claim to jurisdiction over certain crafts in the mines have ceded it by agreement, though these workers may hold dual union memberships.

As a result of these arrangements, NUM has in effect exclusive jurisdiction over manual nonsupervisory workers. A different situation exists, however, as to white-collar workers and supervisors. For underground supervision the National Association of Colliery Overmen, Deputies and Shotfirers is the majority union, though in some areas NUM organizes Overmen and in others Shotfirers. In the case of white-collar workers, including lower-level supervisors, two other unions compete with NUM. Much the more important of the two, though smaller among white-collar workers in mining than NUM, is the Clerical and Administrative Workers Union. The National Association of Clerical and Supervisory Staffs, affiliated with Transport and General, also has some members among colliery white-collar grades, but its competition is largely nominal. It apparently does not actively wish to dispute with NUM, though it is a recognized union.

It might be noted that in NUM white-collar workers are organized into a national Area, the Colliery Officials and Staffs Area (COSA). This group was composed of a formerly independent union absorbed shortly after the war, together with some bits and pieces of white-collar workers already organized in NUM. COSA has expanded considerably since its organization.

Top-level managerial grades, from colliery undermanager to department head, are organized by the British Association of Colliery Management. This union was formed principally by mining engineers after nationalization, although it had a very small predecessor. The reason given for its organization was that with only a single employer in the

industry, professional groups lost bargaining power and needed union representation. BACM is a union in the sense that it actively engages in collective bargaining with the National Coal Board.

Finally, a small union, the Labour Staffs Association, composed of the Labour Officers, was organized by Ebby Edwards, former NUM General Secretary, who became Industrial Relations Member of NCB. Edwards argued that the Labour Officers needed representation, but their function in dealing with other unions was such that they ought to have an autonomous organization.

In both Belgium and France, ideological pluralism prevails in the labor movements generally and in the coal mining industry. In Belgium, two important national trade-union centers exist—the Fédération Générale du Travail de Belgique (FGTB), with a Socialist orientation, and the Confédération des Syndicats Chrétiens (CSC), of Catholic orientation. To each of these centers is affiliated an industrial union in the coal mining industry: to FGTB the Centrale Syndicale des Travailleurs des Mines de Belgique (CSTM), and to CSC the Centrale des Francs Mineurs (CFM). Each of these unions claims an industrial jurisdiction, and within each center no conflicting jurisdictional claims exist.

The most complicated situation is found in France. There are three important trade-union centers, distinguishable mainly on ideological grounds: the Confédération Générale du Travail (CGT), dominated largely by Communists; the Confédération Générale du Travail-Force Ouvrière (CGT-FO), led by the non-Communist French left other than Christian Democrats; and the Confédération Française des Travailleurs Chrétiens (CFTC), the Christian confederation. To each of these is affiliated an industrial miners' union. In each case the claimed jurisdiction extends to all types of mineral extraction, and in each case occupational claims include technicians, commercial and clerical workers, and supervisory groups. Each of the last two includes within its structure, to be described in more detail subsequently, a subordinate national union (*syndicat*) or unions for white-collar workers. In the case of the CGT-FO miners' union, the two subordinate white-collar *syndicats* have a double national union affiliation: the one for "engineers" (in essence, mine managers, though with highly technical training) is affiliated with both the miners' union and a national engineers' union; the other, of white-collar workers, supervisors, and technicians, with both the miners' union and a national union of white-collar personnel.

Furthermore, in addition to the three large trade-union centers, an independent, politically neutral center of unions of white-collar and

supervisory personnel exists, the *Confédération Générale des Cadres* (CGC). To this center is affiliated a union of supervisory, technical, and professional personnel in the mining industry.

Both in Belgium and in France, of course, ideological pluralism is not a function of unionism in the coal mining industry, but of trade unionism in general. Furthermore, in both countries pluralism in principle is accepted only by the Christian labor movements. As to FGTB, CGT and CGT-FO, trade-union unity is an article of faith. In all three centers, denial of ideological tests for membership or special relationship with any political party is official and constitutional policy. In Belgium this official neutralism dates only from the postwar period when it was hoped to unify all tendencies in a strong central movement. In part, it represented a hope of attracting Catholics; in part, a desire to avoid pluralism as between Socialists and Communists in the immediate postwar period of amity. However, since Communist influence has virtually disappeared in Belgium and since the Catholics have firmly maintained their separate existence, the predominance of Socialist ideology in FGTB and its affiliated unions has become more and more apparent, and strong sentiment exists for reaffirmation of the prewar relationship between the Socialist wing of the labor movement and the Socialist Party.

In France unity between Socialist and Communist-oriented groups within CGT was broken shortly after the war, when most of the non-Communist leadership withdrew, after Communist capture of the confederation, to form CGT-FO. Both CGT and CGT-FO proclaim the ideal of unity and neutralism, but in fact each is an expression of ideological pluralism.

NUMERICAL STRENGTH OF MINERS' UNIONS

The membership strength of the several unions of mineworkers in the four countries varies considerably, not only absolutely but relative to the organizable potential. In turn, because of differing traditions as to the recruitment of nonmanual and supervisory personnel, the relationship of organizable potential to total employment varies somewhat. To add to these difficulties, appropriate and common definitions of membership are difficult to arrive at, and, once arrived at, are difficult to apply.

In all cases except the French, union sources reveal membership claims. Theoretically, these membership data are consistent with the constitutional membership requirements. Under these, once having be-

come a member, the individual remains so unless he is expelled for any of the various reasons described in the constitutions, or until he becomes delinquent in dues payments for a period constitutionally described, or until he withdraws by transferring membership to another union in those countries where such procedures exist, or by withdrawing from the industry without transference of membership. However, superannuated or invalided members not actively at work are commonly carried on the books as members.

The constitutional differences as to continuity of dues payments are relatively minor. It is believed that differences in strictness of application of these requirements as between Britain, Germany, and Belgium are also relatively small, and that published union membership claims reflect with reasonable accuracy effective dues-paying membership. In Britain problems of dues collection are virtually nonexistent because of a voluntary checkoff agreement between the National Coal Board and the unions (though certain Areas of the major union, the National Union of Mineworkers, choose not to use the dues deduction method of collection).

In Germany a complex system of union-financed benefits, eligibility for which depends on dues payment, makes for strict control of such payment. Examination by the author of this control convinced him that close correspondence exists between published figures and union-accepted potential liabilities for benefits. The German data are probably a very accurate reflection of constitutional membership.

In Belgium extensive union-financed benefits are not provided and a checkoff was discontinued in 1952. But confidence in the Belgian union claims is enhanced by the fact that membership admittedly dropped upon abolition of the checkoff. Secondly, on at least one occasion, an interunion control between the Christian and Socialist unions took place which should have revealed any gross exaggerations had they existed. None appeared. Further, this author examined the system of control in certain regions, and it seemed reliable. Finally, published data reveal a membership weakness which leads one to doubt that any significant exaggeration has been made.

The French unions publish no membership figures and, if they did, they would be highly suspect. It is probable that neither the CGT nor the FO union has any very good idea itself what its membership is, or how to define it. Dues payment is highly irregular; membership conditions are often made by the affiliated regional and local unions; and the habit of regular dues payment is most uncommon among French work-

ers. An exception should be noted with respect to the Christian miners' union which has a resistance fund with constitutional entitlement to strike benefits. It has extremely good dues control and knows the exact state of its membership. It does not, however, publish data in the light of interunion competition and the laxity of membership control and claims of the other unions.

For these reasons, membership figures for French miners' unions must be taken very skeptically.

Germany

In Germany the *Industriegewerkschaft Bergbau* had, as of December, 1955, 572,932 dues-paying members. Of this total, 79,097 were invalids, leaving 493,835 members active in the industry. Of this active total, 454,167 were manual workers, 39,563 technical and commercial employees, and 105 public officials.

The jurisdiction of the union extends to all types of mineral extraction except quarrying. Of the total active membership, about 433,000 were employed in the hard and soft coal and lignite industries, representing almost exactly three fourths of the total manual, technical, and commercial employees in these industries; 77.3 per cent of the employed manual workers and 66.8 per cent of the technical and commercial employees were members. Brown coal and lignite were almost 100 per cent organized. Geographically, the eastern Ruhr is strongly organized, while membership falls to slightly below 70 per cent in the Essen area, a pre-Hitler stronghold of the former Christian union. Aachen, where more foreigners are employed than in any other basin, is also less well organized, with less than 70 per cent membership.²

Belgium

In Belgium the proportion of mineworkers paying dues is very much lower. Out of employment of 150,000 in all classifications in December, 1955,³ the CSTM-FG-TB reported 27,500 members.⁴ CFM had about 18,500 members in 1952,⁵ and all the evidence indicates little, if any, growth since then.⁶ Total membership of the two unions must have been

² *Industriegewerkschaft Bergbau, Jahrbuch*, 1955, pp. 214 ff.

³ *Annales des Mines*, July, 1956, p. 671.

⁴ *Centrale Syndicale des Travailleurs des Mines de Belgique, Congrès Ordinaire, Rapport Moral*, June 23, 24, 25, 1956. The reported figures are consistent with those reported in the 1952 check mentioned.

⁵ *Centrale des Francs Mineurs, Rapport sur l'Activité de la Centrale de 1951 à 1953*, p. 22.

⁶ See *Centrale des Francs Mineurs, Fédération Régionale du Centre, Rapport sur l'Activité de la Fédération de 1953 à 1955*, pp. 5-6, showing little increase. Also see

TABLE 1
UNION MEMBERSHIP AND ELECTION RESULTS IN BELGIAN COAL FIELDS, 1954 AND 1955

	Employment December, 1955	CSTM-FGTB membership 4th quarter, 1955	Estimated approximate CFM-CSC membership, 1956	Votes for works councils, 1954		Votes for pit delegates, 1955	
				CSTM	CFM	CSTM	CFM
<i>Basin</i>							
Borinage.....	25,463	5,678	? (small)	11,659	3,514	11,335	3,609
Charleroi.....	37,563	3,847	1,000	15,302	4,770	17,384	4,688
Centre.....	19,745	3,224	2,000	8,940	3,496	9,838	3,715
Liège.....	28,789	10,124	2,500	13,241	4,197	15,543	4,750
Total, southern fields.....	111,560	22,873	5,500	49,142	15,977	54,100	16,762
Campine.....	39,300	4,570*	13,000	10,329	16,300	12,586	17,419
Total.....	150,860	27,443	18,500	59,471	32,277	66,686	34,181

* Includes a few members at large or attached to FGTB units outside coal fields.

Sources:
Employment—*Annales des Mines*.
CSTM membership—CSTM, *Rapports d'Activité*.
Votes for works councils and pit delegates—Commission Nationale Mixte des Mines.
CFM membership—Interviews, *Rapports* of regional organizations, *Rapports* of CFM.

slightly over 45,000 at the end of 1955, about one third of total employment and a slightly larger proportion of nonsupervisory workers.⁷ In Belgium there is no substantial participation of office and supervisory workers in the miners' unions.

The greatest strength of the Socialist union, the larger of the two, lies principally in the four older coal fields in the traditionally Socialist, anticlerical French-Walloon areas. The greatest stronghold of CFM is in the newer Campine field, in a strongly Catholic Flemish area.

The relative influence of the two unions may be measured by their relative strength in elections, under the law, for representatives to works councils and pit delegates. In such elections in 1954 and 1955, FGTB union candidates polled about two thirds of the vote, and CSC union candidates about one third. Table 1 summarizes these election results and estimates of union membership, by coal basins.

The membership weakness of Belgian miners' unions is explained in part by the very high proportion of foreigners employed under contract in Belgian mines. In December, 1955, 56.3 per cent of all underground miners and 44.6 per cent of all workers were of non-Belgian nationality.⁸ These foreigners, working under contract and not permanently attached to the industry, are often seeking only to accumulate a capital sum with which to return to their native countries. They rarely join a union, and, when they do, it is often only a temporary membership acquired in order to get union assistance in the solution of an immediate problem.

Certain of the Belgians who are nonmembers are said to be former adherents of an extinct Communist-dominated union. Except in the Liège area, where an absorption of the Communist group into the CSTM was achieved in 1949, old enmities keep many out of the union. It is apparent, however, that most of these, and many of the foreigners though Catholic, vote for Socialist union candidates for pit delegate and works council.

CSC, *Rapport d'Activité, 1953-55*. This report showed 23,000 members for the CFM in 1955, but this is an obvious overstatement, since the 1952 report is 22,000, 3500 more than CFM had at the time of a joint CSTM-CFM control. The significant figure is the increase of only 700 between 1952 and 1955.

⁷ Data on the division of mining employment between manual and other workers are not available for Belgium. In France, however, about 13 per cent of the total employment is nonmanual (Charbonnages de France, *Rapport de Gestion, 1955*, p. 118), and in Germany about 10 per cent (Industriegewerkschaft Bergbau, *Jahrbuch, 1955*, p. 218). If these approximate ratios hold for Belgium, manual employment would be about 130,000 and the proportion holding union membership about 35 per cent.

⁸ *Annales des Mines, op. cit.*

It should be said that there is general agreement that in a crisis, as for example a strike, Italian and other foreign workers would follow union leadership, and have done so in the past. Any such measure of the degree of solidarity, however, is complicated by the pluralism of Belgian mining unionism. All too frequently workers may be exhorted by one union to strike, and by the other to remain at work. In such a situation one cannot assess the motivations of those workers who do not respond to the strike call.

France

In France reasonably accurate estimates of union membership are impossible to obtain. The unions themselves publish no membership figures, and are extremely reticent about them even in private conversation. One problem, of course, is the definition of membership. The criterion of dues payment is unsatisfactory, since the French worker is notoriously reluctant to pay dues, and his contributions are likely to be extremely haphazard and irregular. Among the three principal unions of miners, only in the CFTC does there appear to be strict dues control tied to eligibility for strike benefits, so that only in that union are dues payments likely to be made regularly and currently.

An expression of the relative loyalty of miners to the several unions is contained in the elections to the several bodies administering social security, to the posts of pit delegates, and to the *commissions paritaires*. At the time of writing the bipartite commission elections had been most recently held, in 1956, when the CGT miners' unions obtained 64.3 per cent of the "worker" votes, the CGT-FO 18.5 per cent, and the CFTC 16.9 per cent. As compared with 1953, the CGT dropped from 72.3 per cent, about two thirds of its loss being gained by FO and the balance by CFTC. The loss in 1956 can probably be attributed almost wholly to the Hungarian revolution, and the impact of its suppression by the USSR on the attitude of French miners toward the Communist leadership of CGT. Table 2 provides more detailed information on the relative voting strength of the unions.

These voting results are not a measure of actual union membership, judged by dues payments. In interviews with the author, officials of the CGT miners' union claimed that slightly under one half of those who voted CGT were dues-paying members, or about 30 per cent of the eligibles.⁹ FO and CFTC functionaries would not make similar esti-

⁹ This is also the figure given in his report by Secretary Martel to the 1956 convention. See CGT, *Fédération Nationale des Travailleurs du Sous-Sol, 52ème Congrès*, p. 135. Martel there gives a figure of 30 per cent of employment, and states that in March, 1956, 94,120 active miners and 51,618 pensioned miners bought dues stamps.

mates, but the judgment of the author would be that the dues payment record of CFTC is probably the best of the three, as compared with voting strength, while that of FO may well be the worst. When French union officials speak of dues payment, however, they rarely mean regular payment. A dues-paying member is one who at least occasionally buys a dues stamp. It is unlikely that by the standards of dues payment prevalent in the United States much more than one third of French miners are dues-paying members. But according to the subjective attitudes of the workers, that is, whether they regard themselves as union members, a considerably higher proportion would so consider themselves.

Among white-collar and supervisory workers, the appeal of the non-Communist unions is much stronger. CGT has little strength among these groups, while the strongest is the independent Confédération Générale des Cadres. However, appreciable numbers of white-collar workers, supervisors, and engineers belong to the national syndicats affiliated with the FO and CFTC miners' unions.

Great Britain

Of the more than 700,000 employees of the National Coal Board, of whom about 50,000 are nonmanual staffs of all grades, virtually all are regular dues-paying members of some union. Among manual workers, where NUM has in effect exclusive jurisdiction, an informal union shop exists, though perhaps 15,000 members are in the two power groups, whose members have dual membership in NUM and one of the two general unions.¹⁰

NUM reported a total membership of 674,504 to the Trades Union Congress as of December 31, 1955.¹¹ Of these, an estimated 20,000 were white-collar members of the Colliery Officials and Staffs Association Area.¹² Among white-collar workers, NUM is jointly recognized with the Clerical and Administrative Workers Union, which has about 10,000 members in the coal mining industry. These are concentrated, at least relatively to the potential, in Scotland, South Wales, and the headquarters at Hobart House in London.

¹⁰ Computed on the basis of "Statement of Accounts" in NUM, *Annual Conference*, 1956.

¹¹ Trades Union Congress, *Report*, 1956.

¹² Based on representation on the clerical staffs conciliation machinery. Representation there was allotted on the basis of one delegate for every 1500 members. Membership was calculated on the number of voluntary dues-deduction authorizations. This method of estimate checks very closely with estimates based on financial reports of the union.

TABLE 2
REGIONAL RESULTS OF ELECTIONS TO THE BIPARTITE COMMISSIONS, WORKERS COLLEGE, FRENCH COAL MINES, 1953 AND 1956

	Nord-Pas de Calais		Lorraine		Loire		Cevennes		Blaisy
<i>1956</i>									
Eligible.....	108,474	70.5%	28,241	65.6%	15,844	65.6%	12,322	71.1%	8,654
Voting.....	76,438	68.8	18,519	61.2	10,397	62.5	8,765	68.5	5,464
Valid ballots.....	74,610		17,273		9,900		8,439		5,005
CGT.....	50,648	67.9	8,745	50.6	6,507	65.7	6,033	71.5	3,107
FO.....	14,437	19.3	2,379	13.8	1,199	12.1	1,039	12.3	1,048
CFTC.....	9,525	12.8	6,149	35.6	2,194	22.2	1,367	16.2	850
<i>1953</i>									
Eligible.....	119,321	61.4%	26,299	70.0%	18,554	63.7%	16,954	67.8%	9,276
Voting.....	73,285	60.0	18,415	66.7	11,823	60.7	11,495	65.1	5,569
Valid ballots.....	71,576		17,541		11,261		11,032		5,207
CGT.....	53,405	74.6	11,055	63.0	8,032	71.3	9,266	84.0	3,493
FO.....	10,720	15.0	1,220	7.0	1,610	14.3	909
CFTC.....	7,451	10.4	5,266	30.0	1,619	14.4	1,766	16.0	805
	Aquitaine		Provence		Auvergne		Total		
<i>1956</i>									
Eligible.....	9,477	75.2%	3,264	75.8%	4,026	63.7%	190,302	69.2%	
Voting.....	7,126	71.1	2,475	72.6	2,564	72.5	131,748	66.7	
Valid ballots.....	6,743		2,369		2,516		126,855		
CGT.....	4,022	59.6	1,204	50.8	1,657	65.9	81,923	64.6	
FO.....	2,199	32.6	610	25.7	594	23.6	23,505	18.5	
CFTC.....	522	7.7	555	23.4	265	10.5	21,427	16.9	
<i>1953</i>									
Eligible.....	10,430	74.6%	3,491	77.2%	4,532	71.9%	208,857	64.3%	
Voting.....	7,778	72.1	2,694	71.9	3,257	69.9	134,316	62.2	
Valid ballots.....	7,525		2,511		3,170		129,823		
CGT.....	4,967	66.0	1,435	57.1	2,150	67.8	93,803	72.3	
FO.....	2,134	28.4	600	23.9	656	20.7	17,849	13.7	
CFTC.....	424	5.6	476	19.0	364	11.5	18,171	14.0	

SOURCE: Charbonnages de France, 1956.

The National Association of Supervisory Staffs, affiliated with Transport and General, has around 1500 members, largely in a few Area headquarters of the NCB.

No pressure is exerted on clerical workers by NCB to join a union, partly because even an informal union-shop agreement would be complicated by the multiple union situation. It is likely, then, that a small minority of clerical workers remain unorganized.

The National Association of Colliery Overmen, Deputies and Shot-firers reported 35,000 members to TUC at the end of 1955. These members are in the occupations indicated in the title of the union, throughout the country.

Most of top-level management, from colliery undermanagers up to department heads, belong to the British Association of Colliery Management, but in total numbers this union is small.

Chapter 3

Constitutional Structure and Government of the Unions

UNION INSTITUTIONS

The only institution common to the constitutional structures of the seven principal unions of coal miners in the four countries studied is a national union. To be sure, the powers, functions, and other attributes of the national unions vary widely, but each constitution provides for a national headquarters organization.

One of the major differences in union structure lies in the constitutional concept of the national union. Outside France, the unions are organizations of members; with respect to each of the three French mining unions, the national organization is constitutionally a federation of *syndicats* or autonomous unions of less than national (geographical or occupational) scope. Thus, although each of the Belgian, German, and British organizations describes itself as a union of workers, the French unions describe themselves as federations of *syndicats*. Whereas the former make provision for admission and expulsion of *members*, the constitutions of the French unions provide for admission and expulsion of *syndicats* and only refer to members with respect to dues payment by *syndicats* and representation of other levels of organization on governing bodies.

It should be noted, at least in passing, that until the reorganization of 1945, the British National Union of Mineworkers roughly resembled the three French unions in this respect. The former Miners' Federation of Great Britain was, constitutionally, a federation of constituent associations.

For this reason there is not common to all seven constitutions a rough equivalent of the American local union. The French *syndicat* is not the basic constituent unit of the union in quite the same sense as the pit "branch" in Britain, the pit or community *section* in Belgium, or the *Ortsgruppe* in Germany. These are constitutionally the working units through which the individual members act. In Germany, in addition

to the Ortsgruppe, organized on a geographical basis, a shop committee for each enterprise is provided for.

In all three French unions, however, local organizations subordinate to the syndicat exist—the *sections*—which represent the direct liaison between member and union. These sections are created as part of the autonomous functioning of the syndicat and are extraconstitutional so far as the national unions are concerned. No provision is made in the constitutions of any of the three French miners' unions for establishment, jurisdiction, government, or function of the sections. These are left implicitly within the powers of the syndicats.

The French syndicat, then, is more nearly one of the several organizations intermediate between the base organization and the national union. Such intermediate organizations are constitutionally provided for in all instances. The hierarchy is most complex in the FO and CGT miners' unions in France, and most simple and straightforward in the two Belgian unions.

In the Belgian unions, the sections, whose jurisdictions may constitutionally be either a locality or a coal pit or enterprise, are grouped into regional federations for each of the five coal basins. The constitution of the CSC miners' union provides, in addition, that federations may be established outside coal basins in areas where miners may live, commuting to work. In CSC no other intermediary organization exists between the section and the national union.

In the Belgian FGTB miners' union the regional federation is intended to be, in the typical case, the single intermediate organization. The constitution, however, further provides that the regional federations may, for administrative and propagandistic purposes, subdivide themselves into districts. Only the Liège federation has availed itself of this possibility.

In Germany the constitution of IGB provides for two organizations intermediate between the Ortsgruppen, or local unions, and the national union. The *Geschäftsstelle* unites and supervises local unions within a rather narrowly circumscribed geographic area. From Köln to Dortmund, i.e., in the Ruhr, there were in October, 1956, 18 Geschäftsstellen and nearly 1000 local unions. Outside the Ruhr there were 19 Geschäftsstellen (omitting Aachen, see below) and about 700 local unions.

Between the Geschäftsstelle and the national union lies the *Bezirk*, combining Geschäftsstellen within a wider geographic area. There were 9 Bezirke in 1956, of which 5 subdivided the Ruhr, the remaining 4 being in Aachen, Lower Saxony, Hesse and the Rhineland-Pfalz, and

South Germany. The Aachen Bezirk combined the functions of Bezirk and Geschäftsstelle, supervising directly the 112 local unions in the area.

In Britain the lowest constitutional intermediate organization of NUM is the Constituent Association, generally consisting of the formerly autonomous regional miners' or craft unions, once federated in the old Miners' Federation of Great Britain and now more closely tied together in the NUM. There have been a very few amalgamations among these Constituent Associations since 1945. Of the 38 Constituent Associations, 18 are regional miners' associations (though some of these include craftsmen members); one is a national association of coke and by-product workers; 10 are regional associations of various craft groups; and 7 are regional associations of supervisory and clerical staffs. The remaining two Constituent Associations are suborganizations of the two large general unions—the Transport and General Workers, and the General and Municipal Workers—related thus to NUM for their colliery members.

The 38 Constituent Associations are combined into 21 Areas. In 14 cases, the Area includes as the only Constituent Association the geographically corresponding miners' association. One unites the 4 miners' associations of the Midlands. One includes only the National Union of Cokemen and By-Product Workers, and is national in scope. There are two Areas of craftsmen, each including 5 regional craftsmen associations. One Area includes the 7 regional associations of clerical and supervisory staff. One includes the affiliated group from Transport and General, the National Union of Enginemen, Firemen, Mechanics and Electrical Workers. Finally, an Area has been created to include the affiliated group from the General and Municipal Workers. These Areas then are responsible to the National Union of Mineworkers within the scope of constitutional authority of the national union.

In some instances, by their own rules, Areas or Constituent Associations are divided geographically for administrative purposes.

Complex though the British structure may be, it is probably exceeded in confusion in France. As has already been indicated, the syndicat, though the basal constitutional organization, is intermediate in the sense that an organization subsidiary to the syndicat represents the most direct link with rank-and-file membership. In a very rough sense, the syndicats are parallel structurally to the British Constituent Association. The scope of their jurisdiction under the constitution of the Christian union is indeterminate. In fact, they are typically by basin, but with several in the two large basins and with national syndicats for

workers in certain of the mining industries other than coal. Both CGT and FO unions provide for manual workers' syndicates by concession, groups of concessions, or locality. In addition, all three miners' constitutions make provision for a national syndicat of clerical, supervisory, and technical workers; this syndicat is composed of sections by concession or group of concessions. The FO union provides further for a national syndicat of engineers and higher-ranking staff; this has a double national union affiliation—to the miners' and to a national engineers' union.

The constitution of the Christian union makes no provision for organizations intermediate between the syndicat and the national union—it is by far the sketchiest and most indefinite of the constitutional documents under consideration. However, extraconstitutionally, regional federations exist in each of the two large basins of Nord-Pas de Calais and Lorraine, and in the West and Southwest. The syndicates outside these regions are not regionally federated.

The constitutions of both the CGT and FO unions provide that the syndicates in a region may constitute a regional federation, and this has been done in certain regions. Further, both of these constitutions designate "regions" for the purpose of representation on the National Council. These "regions" are, however, only for this purpose, do not constitute going organizational entities, and do not in general correspond geographically with the scope of such regional federations as may have been created. In general, they group political departments in a coal-bearing region, but include also national "regions" for miners of substances other than coal.

CONSTITUTIONAL GOVERNMENT OF UNION INSTITUTIONS

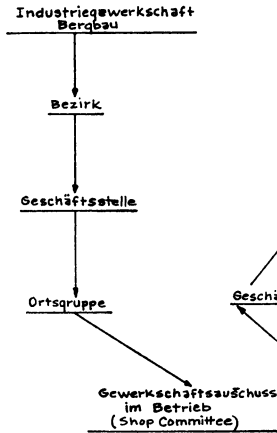
This section deals with the constitutional organs of government of the industrial unions of miners whose institutions have been described briefly above. For purposes of clarity and comparison, these institutions and organs are represented graphically in the accompanying charts.

The supreme governing body in each of the seven unions is its general congress, meeting either annually or biennially. In all cases the congress is a representative body, with delegates elected and voting in at least rough proportion to the membership of the constituent institutions they represent. Some variation exists, however, in the level at which the delegates are elected. In Germany the constitution of IGB provides for election of delegates to the *Generalversammlung*, or General Assembly, by the *Geschäftsstellen*. In Belgium the constitutions of both the

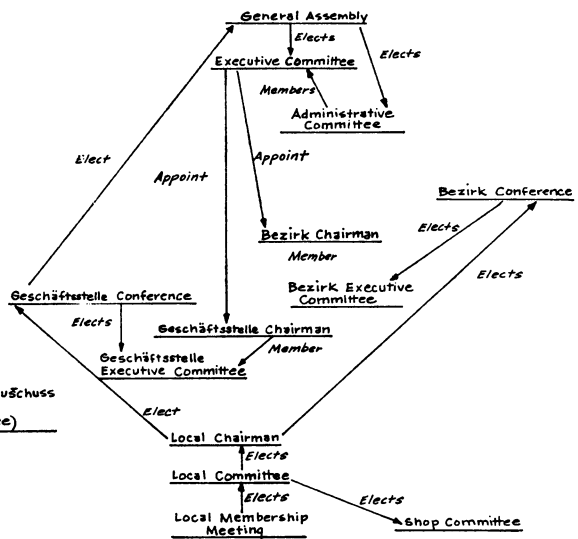
GERMANY

Industriegewerkschaft Bergbau

UNION INSTITUTIONS



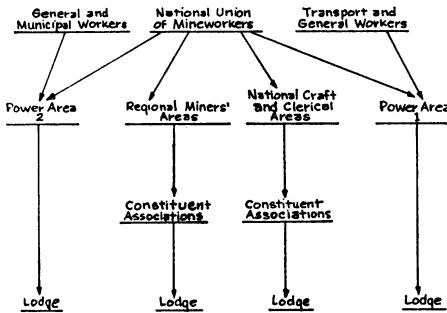
ORGANS OF GOVERNMENT



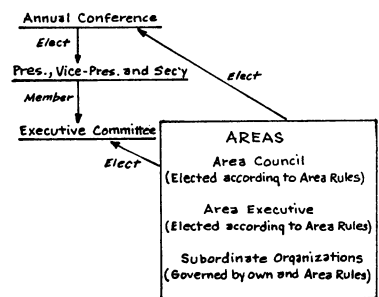
BRITAIN

National Union of Mineworkers

UNION INSTITUTIONS



ORGANS OF GOVERNMENT



CSC and FGTB miners' unions provide for representation from the regional federations to the National Congress. In France the constitutions of all three major unions provide for election of delegates from the affiliated syndicats. In Britain the NUM constitution provides for representation from the Areas to the Annual Conference.

Thus, in no instance is there direct representation from the basal local unit to the highest governing body. This is necessarily the case in France because of the basic structure of the three French unions, as federations of syndicats and not unions of members. In Britain it is probably a heritage of the federal nature of the old Miners' Federation of Great Britain, and may represent a transitory stage between the older federal structure and a new, more unified structural form. In Germany and Belgium, however, it is apparently a matter of deliberate policy.

In addition to a congress as the supreme governing body, each of the seven unions has some form of executive committee functioning between congresses. In every instance except NUM both a large committee or council with over-all responsibility and a smaller executive or administrative committee are provided for. In Germany the *Hauptvorstand*, or supreme Executive Committee, is elected by the General Assembly. Of the 31 members of the *Hauptvorstand*, 11, including the chairman and vice-chairman, are elected to full-time positions. These 11 constitute the *Geschäftsführende Vorstand*, or Administrative Committee.

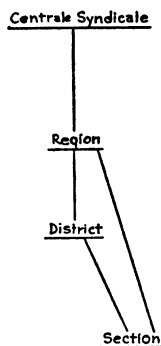
In Belgium the *Comité*, or National Committee, of the Christian Francs Mineurs consists of representatives, apportioned according to membership, of the several regional federations, with provision for representation of groups outside the jurisdiction of a regional federation. The National Committee designates, with approval of the Congress, the president and general secretary for an indeterminate term of office. If these officers are not elected members of the Committee, they become members *ex officio*, with vote. In addition, the full-time *propagandistes*, usually serving in the regional offices and appointed by the national office, are *ex officio* members of the Committee. The National Committee designates the *Bureau Exécutif*, or Executive Committee, composed of the president, general secretary, and a third member.

In the FGTB miners' union, the National Committee consists of the president, secretary, and treasurer elected by the Congress, the president and secretary of each regional federation, and delegates from each such federation. The president and the delegates are designated by the region

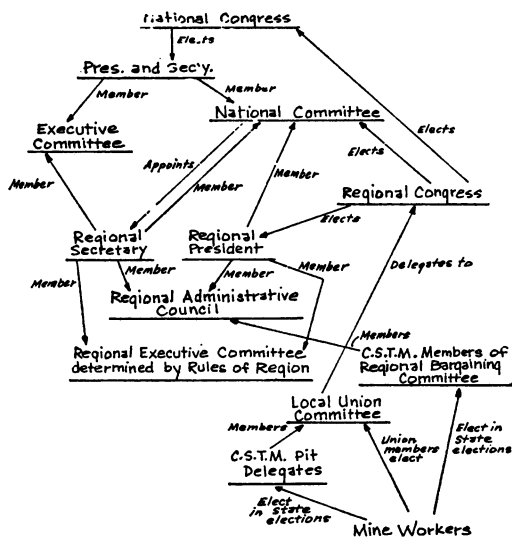
BELGIUM

Centrale Syndicale des Travailleurs des Mines, F.G.T.B.

UNION INSTITUTIONS

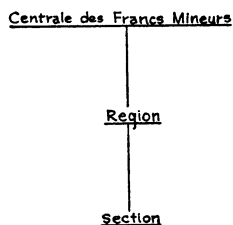


ORGANS OF GOVERNMENT

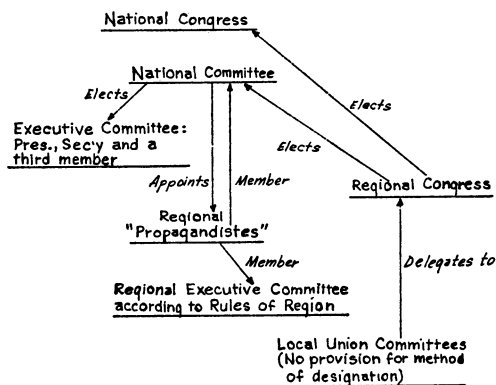


Centrale des Francs Mineurs, C.S.C.

UNION INSTITUTIONS



ORGANS OF GOVERNMENT



itself. The secretary of each regional federation, however, is designated by the national office of the union. The smaller Executive Committee is composed of the national president, secretary, and treasurer and the regional secretaries.

In France the Congress in each of the three cases elects all or part of the large executive committee or council. In the CGT miners' union, candidates for the National Council are designated by the syndicats, which are directly represented. The Force Ouvrière union provides for regional representation in the National Council roughly in accordance with numbers, plus nine members of the *Bureau National*, or Executive Committee, elected at large by the Congress. As to the CFTC union, no specification is made other than election by the Congress of the *Bureau Fédéral*, or Federal Committee.

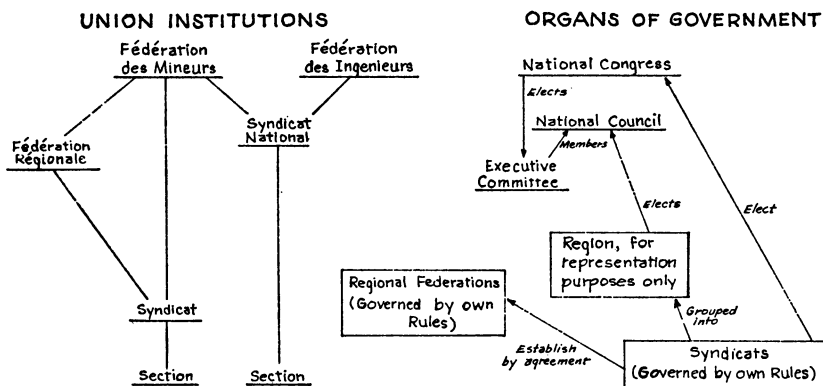
The method of selection of the smaller Executive Committee varies. The constitution of the CFTC union provides for the election by the Federal Committee of the president, vice-president, general secretary, and treasurer. These officers, except the vice-president, together with such other members as may be designated by the Federal Committee constitute the Executive Committee. The FO union's Executive Committee is elected by the Congress separately from the regional representatives to the National Council, but its members are ex officio members of the Council. The latter elects the officers and designates certain members of the Executive Committee to serve as full-time national functionaries. The constitution of the CGT miners provides for election by the National Council of 10 to 15 full-time secretaries, the election to be ratified by the Congress. These full-time secretaries constitute the Executive Committee.

The constitution of NUM provides for the election of the president and general secretary by ballot vote of the entire membership. The president and general secretary are full-time officials and hold office at the pleasure of the union, in effect for life. The vice-president, a part-time official, is elected biennially by the Annual Conference. The three officers are ex officio members of the national Executive Committee, and are complemented on it by representatives elected by the Areas in rough proportion to numbers. There exists no further administrative committee of NUM at the national level, though in practice the Executive Committee performs part of its work through working subcommittees.

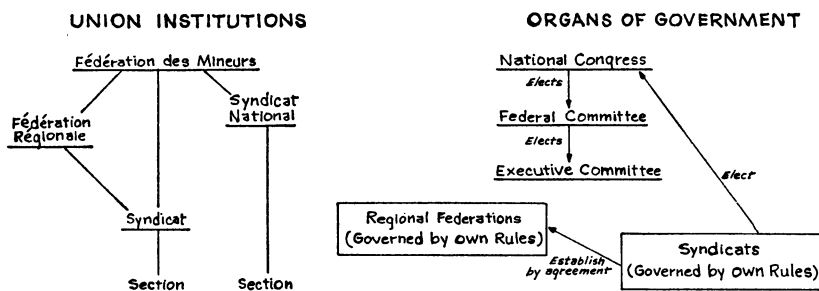
The intermediate organizations of each union also have governmental systems, of course. In Germany the Bezirk is governed ultimately within the constitutional limits of its action by a Conference consisting

FRANCE

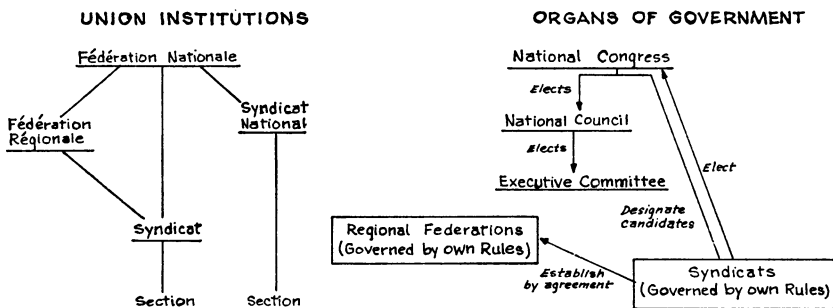
Fédération des Mineurs, F.O.



Fédération des Mineurs, C.F.T.C.



Fédération Nationale des Travailleurs du Sous-Sol, C.G.T.



of delegates chosen by the local union chairmen. The *Konferenz* elects its *Vorstand*, or executive committee, except that the Bezirk chairman and his alternate, appointed by the national Executive Committee, serve as ex officio members. Similarly, the Geschäftsstelle Conference, consisting of delegates chosen by the local union chairmen, elects its executive committee, with the chairman and his alternate, appointed by the national Executive Committee, serving as ex officio members.

Under the first constitution of IGB, both Bezirk and Geschäftsstelle chairmen were elected by the membership in the jurisdiction. This was subsequently changed to provide for their designation by the national executive. This was in part an effort to remove the possibility of election of Communist chairmen, but was also an expression of the growing commitment of IGB to a structure which provides for election of top leaders only, endowing them with full authority to execute a program, subject only to the necessity of their own re-election at subsequent General Assemblies.

A procedure does exist under which a Geschäftsstelle or Bezirk can express no confidence in a chairman. If this expression is grounded on evidence, the national executive is under moral obligation to remove the chairman.

In Belgium each FGTB miners' regional federation has an Administrative Council, composed of the president elected at the Regional Congress, the secretary appointed by the national union, those delegates to the *Conseil Régional Mixte des Mines* elected from the FGTB slate at the state-conducted elections, and representatives of each local union. The Regional Congress is composed of the members of the executive committee of each local union plus the members of the Council. The smaller executive committee of the region is designated in accordance with the rules of each region.

The constitution of the CSC union provides for regional executive committees, but not for their composition or method of selection, which is left to the autonomy of the regional federation.

In France the significant intermediate organizations in all three unions are the syndicats, though provision is made for regional federations in some instances. As a consequence of the federal character of the French unions, the national constitutions make no provision for the government either of the syndicats or of such regional federations as may be established.

NUM rules do not make provision for the government of the Areas or subordinate organizations. However, in an effort to achieve greater

uniformity, the national union has adopted a set of model Area rules, to which minimum common provisions of Area rules are ultimately to conform. The model rules, however, provide only the sketchiest framework of Area government. An Area Council is to be composed of the Area officials, whose method of designation is unspecified, and representatives of local unions. In addition, provision is made for an Area executive committee, whose composition and method of designation rest solely within Area discretion. Current Area rules provide for very great diversity in Area government. Since the salaries of certain full-time Area functionaries are paid from national union funds, the national union retains some control over the number of full-time officials, though not their method of designation.

With respect to the local union, national constitutions specify the forms of government only in the case of IGB and the Belgian Socialist union. The IGB constitution provides for the election of a local executive committee by a general membership meeting. The FGTB union constitution provides for a local committee composed of members elected in a general meeting, plus members of the local union who have been elected in the state election to the pit conciliation committees.

In Germany a further elected body exists—the shop committee (*Gewerkschaftsausschuss im Betrieb*). Originally, in its postwar constitution, the local union organization was pit-based. Later constitutional reorganization eliminated the pit union, and substituted for it the local union organized on a community basis. However, provision was made for a shop committee, elected not directly by workers in the pit, but by those members of the executive committee of any local union who work in the same pit, plus, ex officio, the chairman and vice-chairman of the pit works council, if they are union members. The latter two members of the shop committee must withdraw in case of a strike. The functions of the shop committee will be described subsequently.

The constitutional change was for the purpose of eliminating Communist Party influence in the local union, it being alleged that workers knew less about fellow employees than about neighbors. Furthermore, the local unions were made considerably smaller than the old pit locals. It was felt also that this form of organization would simplify dues collection, to be made by house visits of collectors, after employees refused to continue a previous checkoff arrangement. The shop committees were then created to perform union functions in the pit. They remained, however, under the control of the local union executives through their method of designation.

In the United States, of course, the usual practice is that the ultimate

governing body of the local union, within the scope of authority, is the membership meeting. Among the unions here concerned, practice in this respect varies considerably. In Britain and Germany local union meetings are held regularly, ordinarily once a month or thereabouts. In these two countries the membership meetings elect those officers of the local provided for above, and may give general direction to their officers, within the scope of their functions. As subsequent discussion will reveal, however, the functions of the local union in Germany are more limited than is the common case in the United States.

In Belgium and even more so in France, general membership meetings are rarely held—ordinarily only in crisis situations, to receive reports of superior officers, or to hold elections where this is required. The section in France is primarily an organization designed to effectuate action decided upon at superior levels, rather than a governing body. General membership meetings of the syndicat are also rarely held, it being governed by officers and delegate bodies. In Belgium likewise, membership meetings of the sections are infrequent, and do not perform governmental functions except that of electing officers. In Belgium and France continuous membership contact is maintained by the pit delegates, who in turn remain in constant communication with superior union officers.

The dues collection and recruiting functions in France and Belgium are ordinarily performed by the pit delegates, although they may be supplemented, especially in the absence of elected delegates from a particular union, by *percepteurs* who make home visits for the purpose of collecting dues. In Germany each local union has one or more appointed dues collectors who also personally deliver the union newspaper. This system was instituted when the checkoff was abolished in 1953. These dues collectors report with their receipts to the Geschäftsstellen, whose leadership value very highly the communicative function performed by the collectors.

In Britain an informal union shop for underground workers prevails, as well as a voluntary checkoff, so that, for NUM, recruitment and dues collection represent no problems and are not functions of local union members or officers. In the case of the other unions and of clerical workers, active recruitment is done by organizers and local officers.

It should be observed that even where membership meetings are held, as in Germany and Britain, they are usually poorly attended, 10 to 15 per cent being the usual attendance observed by and reported to this investigator. No great differences between Germany and Britain exist, despite the greater power and function of the British local union.

Chapter 4

Union Functions: Collective Bargaining

An American thinks of collective bargaining, including grievance representation, as the central purpose of a trade union. This function is performed more or less effectively by each of the European unions concerned. The emphasis on bargaining and the adaptation of structure to bargaining imperatives vary, however, from country to country, depending in part upon certain institutional characteristics in each country. This chapter will discuss the impact of these institutions upon the form and scope of coal bargaining, and then describe and compare the subjects dealt with in the bargaining processes.

The first of these institutions is internal to the labor movements. Multiple unionism (except in Germany) and the fact that the principle of exclusive representation, as it appears in the United States, is unknown in Europe condition the forms of bargaining. In two of the countries, France and Belgium, union pluralism is ideological and not unique to the coal industry. In Britain pluralism is wholly structural or jurisdictional and again not unique to the industry. In fact, problems of overlapping union jurisdictions are less pressing in coal than in many other organized industries. In the new German labor movement a higher priority on immediate welfare aims no doubt accounts in part for neutralism and the absence of dual unionism. But again, these considerations are not unique to the industry. Nevertheless, in each country, bargaining forms are conditioned by these facts and differ from country to country as the internal structures of the general labor movements differ.

Second, the scope of bargaining in each country is conditioned by the existence of institutions providing for worker participation in management and by extensive legal determination of conditions of work. Though varying in importance, both of these factors hem in the scope of collective bargaining in all four countries. Their historical development is in some measure attributable to the varying degrees of reliance by the several labor movements on collective bargaining. But again, with some exceptions, these considerations are not unique to the coal

industry. They help to explain country-to-country differences, not in coal union structure, but in the structures of the entire national labor movements.

Except in Germany, where IGB deals alone with the several employer associations, bargaining institutions must account for the existence of several unions representative of coal miners. In Belgium both of the major unions are represented on the central bargaining bodies—the central *Commission Nationale Mixte des Mines* and the *Conseil Régional Mixte des Mines* in each of the coal basins. Since decisions of these bodies must be unanimous, no question of proportional representation need arise.

In Britain the principle of proportional representation on the national and regional conciliation boards has been established by the NCB. As to miners proper, the dominance of NUM is so clearly established that no problem exists—in effect, there is exclusive representation. For clerical workers and surface craftsmen, in addition to NUM, the Clerical and Administrative Workers Union and the National Association of Clerical and Supervisory Staffs section of Transport and General Workers have representation. Since their representation is minority, and since the boards act on the basis of majority vote, NUM is in a position to take effective action. But it is always subject to the limits placed by possible harassment by the minority unions, particularly CAWU. It should be reiterated that the institution of multiple unionism in Britain more nearly resembles that in the United States, aggravated by the absence of the right of exclusive representation, i.e., it follows structural, rather than ideological, lines and expresses the expansionist objectives of the competing unions.

In France a more complicated situation exists. The structure of the Charbonnages de France, with its built-in representation of workers through their unions, incorporates the process of collective bargaining into the managerial structure. Originally, all major unions were represented on the managerial bodies, though at that time the FO had not split off from CGT. The *Statut du Mineur*, the legislation incorporating basic wages and working conditions, was in its original form an agreed document.

In 1947, however, CGT called a general strike, largely political in nature. As an incident to the strike, CGT representatives withdrew from the *Conseil d'Administration* of the Charbonnages de France, and from all but one of the regional councils. Later regretting this decision, they proposed nominees to these bodies. Their designation was refused,

on the ground that the nominees had taken part in sabotage and other illegal acts during the course of the 1947 and 1948 strikes.

Force Ouvrière and CFTC nominees remain on the managing boards. They represent, however, a minority of employees. Among the most important group, the manual workers, together they represent at best about one third, though they represent larger proportions of the white-collar and technical and supervisory staffs. This places them in the position of bargaining without power or authority, or rather, their authority rests on the acquiescence of the excluded CGT. CGT, then, remains in a position of freedom to express demands exceeding those on which FO and CFTC might be willing to do battle. The acquiescence of other functional groups represented and of the Government can be obtained, in cases of conflict, only because these might be placed in an even more difficult position in the case of a showdown, or because they desire to strengthen the hand of the more moderate unions.

The scope of collective bargaining may be defined in two dimensions: in the number and kinds of jobs and workers covered, and in subject matter. As to kinds of jobs covered, wide variety exists among the four countries. In Britain, considering all the recognized unions, collective bargaining covers all but the very highest officials of NCB, including all operating supervision and technical staffs. Much the same situation prevails in France. In Germany agreements cover nonsupervisory personnel, both manual and white-collar. In Belgium the job scope of collective bargaining ceases with the subforeman, and generally does not cover white-collar workers, including commercial, technical, and financial personnel. The geographic scope of bargaining will be discussed in the next chapter. It might be noted that the job scope of collective bargaining extends farthest in the two nationalized industries, and least far in the most purely private enterprise industry in Belgium.

The substantive scope of collective bargaining is hemmed in by two typically European institutions—the provision for works councils with specified functions distinguished in law and practice from collective bargaining, and the more frequent resort to legal determination of conditions of work.

THE WORKS COUNCIL

The works council, appearing in various forms in each of the four countries except France,¹ is an expression of the European dream of

¹ In France works councils are provided for in law for private industry and for certain nationalized industry, but not for the coal mines. For a somewhat longer treatment of the writer's rather heterodox view of the significance of the workers' control movement, see his "Workers' Control of Industry in Europe," *Southwestern Social Science Quarterly*, September, 1958 (Reprint No. 76, Institute of Industrial Relations, UCLA).

"workers' control." British Guild Socialism, French syndicalism, the German Socialism of Bernstein and his disciples, and the Russian "Soviet" represent the same basic idea. In all its forms it expresses the ideal of ownership and control of the individual enterprise by the workers in it. It is antistate in concept.

These ideological streams providing a philosophy for workers' control envisaged ultimately sole management and ownership by workers. A second influential stream, the Social Christian, looked forward to joint control. Founded basically in Catholic social thought, and basing its philosophy of labor relations on two papal encyclicals, *Quadragesimo Anno* and *Rerum Novarum*, the Social Christian movement espoused "comanagement" as an expression of the humanistic principles of the Church.² Defending private property, however, as a natural right, it sought only comanagement and not workers' unilateral control.

The antecedents of the German law of 1952, the *Betriebsverfassungsgesetz* (Works Constitution Law), go back at least to the *Betriebsrätegesetz* (Works Council Law) of 1920, and perhaps to the *Arbeiterschutzgesetz* (Protection of Workers Law) of 1891, which provided for voluntary councils. In both Germany and France, the earliest efforts toward actual formation of works councils appeared during the revolutions of 1848. The *Mitbestimmungsrecht* (Codetermination Law) of 1951 for coal and steel is a further development of the same basic idea.

In Belgium the first legal provision for works councils came with the law of 1948, effective in 1950. Belgium shared in both the French syndicalist tradition and the Social Christian ideology, but even on a voluntary basis the establishment of works councils did not come until after World War II.

The supporting ideology for *cogestion* in France is more than a century old, although legal provision did not come until the liberation.³ But, as indicated above, the nationalized coal industry is not subject to the legislation requiring the establishment of works councils. In it, the idea of worker participation in management is expressed through functional representation on the managing boards.

In Britain the idea of workers' control is an old one. But the major stimulus to organization of "consultative committees" came with the Whitley Report during the first World War. After the Committee on the Relations between Employers and Employed, chaired by J. H.

² For the best full-length sympathetic exposition of the European Social Christian movement, see M. P. Fogarty, *Christian Social Movements, 1820-1953* (South Bend, Ind.: University of Notre Dame, 1957).

³ The Vichy government's labor code provided for a form of works councils.

Whitley, M.P., Speaker of the House of Commons, had recommended plant and industry joint consultative committees, a considerable number were established, and the influence of the report and the movement it stimulated found expression in the statutory mandate to the National Coal Board to establish both conciliation and consultative machinery.

Where works councils are established by law and endowed with statutory functions, these may work to limit the scope of collective bargaining. It should be noted, however, that in general the labor movements advocate the widest possible scope for their role.

Belgium

In Belgium the councils are mandatory for plants employing 50 or more workers, and are statutorily endowed with the following functions:

- 1) To give their advice and to formulate suggestions or objections on all measures which might alter the organization of work, the conditions of work and production of the enterprise.
- 2) To receive from the manager financial and economic information:
 - a) at least each quarter, concerning productivity as well as general information concerning the life of the enterprise.
 - b) periodically and at least at the close of the fiscal year, in the form of reports and documents capable of enlightening the works council on the results of production obtained by the enterprise. . . .
- 3) To give advice or reports containing the several points of view expressed in the council on every economic question pertaining to their jurisdiction . . . which was previously submitted to it either by the appropriate trade council [industry councils set up in the same law] or by the Central Economic Council.
- 4) To expand and modify, within the scope of legislation on the subject, the rules and regulations of the plant and to take all steps appropriate to inform the personnel on this subject; to assure the strict application of protective social and industrial legislation.
- 5) To examine the general criteria to be followed when hiring and discharging workers.
- 6) To oversee the application of every general legal provision concerning the enterprise, in the social sphere as well as on the subject of the fixing of criteria concerning the different degrees of trade qualification.
- 7) To fix the dates of annual vacations and to establish, if appropriate, a rotation of personnel.
- 8) To manage all the social institutions established by the enterprise for the well-being of the personnel, excepting those that may be left to the autonomous management of the workers.
- 9) To examine all proper measures to encourage the development of a spirit of collaboration between the manager and personnel, especially in the employment of the language of the region for the internal reports of the enterprise. . . .

- 10) According to means and conditions established by Royal Decree, the works councils may be empowered to fulfill the functions attributed to the safety and health committees instituted by the Decree of the Regent of 3 December 1946 and that of 23 September 1947.⁴

Of this long list of functions, only the unimportant one of determining vacation schedules, and the more important one of managing the social institutions of the enterprise, give the council more than advisory or information-receiving power. Even the joint management of social institutions, such as funds for the relief of distress, canteens, etc., has been resisted by some Belgian employers to the extent of their abolition or their transference to separate corporate entities. This resistance is frequently countered by the election of the more militant unionists, often shop delegates, to works councils. Mutual hostility often results in the degeneration of the council into a forum for a reiteration of union demands and their denial by the employer. On the whole, the works councils have been ineffective in Belgium—in the coal mines as well as in industry generally.⁵

Although the councils have been ineffective, they set a limit to collective bargaining by creating two presumptions: (1) There is a presumption that the management of social institutions is excluded from the scope of bargaining because of its allocation to the works council, and works council procedures are not bargaining procedures in the sense that coercion is an appropriate technique for gaining agreement. Furthermore, workers are represented as plant employees and not through the union as an institution, even though the delegates must have been elected from union slates. (2) There is also a presumption that the matters on which the council has advisory function lie within the sole discretion of management, and are inappropriate for the making of binding agreements with any body representative of workers.

It should be noted that the elected members of the works council in Belgium, as representatives of the workers, rather than as works council members, are integrated into the collective bargaining process in that, by agreement in the Commission Nationale Mixte des Mines, they serve in effect as shop stewards for the initial handling of grievances.

To the Socialists, the principal function of the councils is training for unilateral managerial control. The gaining of immediate benefit is secondary and is regarded by some as wholly impossible because of the inherent class conflict. A device that lacks coercive power, in this view,

⁴ Law of September 20, 1948, Art. IV, Sec. 15.

⁵ M. Gottschalk, *Les Conseils d'Entreprise en Belgique*, Cahiers de l'Institut de Sociologie Solvay, No. 7 (Brussels: Librairie Encyclopédique, 1952).

is inevitably futile. Nevertheless, the Socialist unions attempt to train works councilors through the various educational devices available to them and, through the regional offices, attempt to guide their day-to-day activity.

Christian unionists undoubtedly work harder at making the councils into effective managerial organs. Their reformist program places this at the head of the necessary structural reforms—of the industry generally, and immediately and particularly of the coal mines. The Christian union, then, tries harder, through instruction of works councilors, especially by regional staffs, to actuate councils to the limit of their powers.

In general, however, works council activity plays a minor role in the totality of Belgian coal mining union action. Insofar as the function is exercised, it consists of local union designation of candidates and general supervision and instruction of them by the regional officers.

Germany

In Germany the powers of the works council are much broader than in Belgium, and at the same time possibly less limiting of collective bargaining, since saving clauses specifically allow functions within the scope of the works councils to be superseded through the bargaining process. Furthermore, the functioning of the works council is more nearly an extension of bargaining.

The legal framework for the operation of works councils is provided in the Works Constitution Law of 1952, which applies, so far as the works council itself is concerned, to coal mines as well as to industry generally. The law gives the worker in industry generally a much more limited right to representation on boards of directors than does the Codetermination Law applicable to coal and steel.

The works council, or *Betriebsrat*, is representative of manual and white-collar workers in a plant or group of plants under common control. It is elected from among employees, regardless of union affiliation.

The functions of the council are divided into four categories—general, social, personal, and economic. The general functions are: to propose measures in the interest of the enterprise and personnel; to safeguard the enforcement of all applicable laws, ordinances, collective agreements, and plant agreements between the works council and the employer; to handle individual grievances; and to promote the employment of physically handicapped and other persons in need of special protection. The social functions include codetermination of: beginning

and end of the workday and rest periods; time and place of wage payment; arrangement of vacation schedules; carrying on of trade instruction; management of welfare services in the plant; plant rules and procedures affecting employees; rules governing piece rates; principles of payment and introduction of new methods of payment; and prevention of industrial accidents and ill health. Personal functions include recruitment, assignment, transfer, and discharge. Economic affairs include, as well as receiving financial information concerning the enterprise: manufacturing and work methods; production program; alterations in plant layout; introduction of new methods and products; and the like.

With respect to most of these functions, the role of the works council is not merely advisory, but codeterminative, within criteria set forth in the statute. Thus, an employer may not engage in large-scale discharges without demonstrating their necessity. New techniques may not be introduced without consent of the council, unless they are shown to be necessary to keep up with technological progress or are required by market circumstances.

Decisions made between the works council and the employer are reduced to a written *Betriebsvereinbarung*, or plant agreement, which is enforceable. Differences between the council and the employer are, generally speaking, to be settled by an arbitration process set forth in the law and, in some instances, by the system of labor courts. Thus, the German works councils have, at least on the statute books, real power.

However, the power of the council remains subordinate to the collective bargaining process. In general, the statute declares that nothing therein shall interfere with the functioning of unions and the process of collective bargaining, and specifically provides for the superior effect of collective agreements over the plant agreement. And, although a function of the council is to handle grievances arising under the collective agreement, that agreement may provide for overriding and different methods of settlement, and may even provide for different methods of settling disputes in the negotiation or application of plant agreements from those provided in the statute. It may, then, properly be said that the functioning of works councils need not seriously limit the bargaining function in Germany; rather, it may provide a tool for the bargaining process, and a limited right to a form of bargaining where unions are weak or nonexistent.

Works councilors are elected by the workers in the pit or enterprise, and may be nonunionists. However, official union candidates are pre-

sented, designated primarily by the leadership of the Geschäftsstelle. In the mining industry a vast majority of councilors are members of IGB, though among white-collar workers a small proportion are members of the unaffiliated white-collar workers' union. A still smaller proportion are nonunionists.

Councilors are elected to terms of two years and are commonly re-elected. In IGB there has been a feeling that the older works councilors tend to forget their obligation to the union and identify themselves primarily with the enterprise. Hence the union plant committee's primary duty is to attempt to keep the works council in line with union policies. The works council chairman and vice-chairman, if they are union members, serve ex officio on the plant committee, but must retire in the event of a strike, when the committee assumes the function of pit strike committee. Considerable effort is expended by the national union staff department in charge of works council activity, and by the more conscientious leadership in the Geschäftsstelle, to push the works councils, directly and through the plant committees, into full performance of their functions. One senses, however, that the record is quite spotty in this respect.

Under the coal and steel Codetermination Law, workers participate in management at a higher level. Five of the 11 (or 7 of the 15) members of the boards of directors of coal and steel companies are designated as representatives of workers. Two (or, on the larger boards, 3) of these are designated by the works council, and 3 (or 4) by the unions. These directors, with the equal number designated by ownership, jointly select a neutral chairman. Among the functions of the board of directors is the appointment of the three-member full-time managing committee, composed of a production director, a commercial director, and a labor director. The latter cannot be named except with the consent of a majority of the members of the board representative of labor.

The union-appointed members are ordinarily designated by IGB and by the federation, the Deutsche Gewerkschaftsbund (DGB). IGB selects its appointees ordinarily from its full-time leadership—officers of the national union or its regional and local organs. The appointments are made by the Executive Committee.

The functioning of this form of codetermination has been variously evaluated,⁶ and it is beyond the purpose of this study to discuss this controversy. IGB leaders, including both some who were and some who were not labor-appointed directors, are persuaded that the possible

⁶ See, for example, the extensive bibliography on codetermination in University of Chicago, Industrial Relations Center, *Foreign Trade Unions, A Bibliographic Review*, No. 4, November, 1955.

division of responsibility has not impaired their functioning in carrying on their more strictly trade-union duties. As the chapter on strikes will indicate, IGB is extremely sensitive to any attack on the principle of codetermination. It may well be, however, that the division of responsibility has lessened the effectiveness of certain leaders in collective bargaining, or even possibly corrupted others who accept large director's fees but do not turn them over to the union as was anticipated. But beyond the added functions of representing the union on boards, codetermination has not had a significant observable impact on the structure of the organization. It is probably true that these functions are largely nominal, since real control of German corporations, even more than is the case in most American companies, lies in the hands of active full-time management. Further, there probably exists an informal division of functions within the boards, so that the labor directors exert influence in most limited areas. However, such subjects as the payment of dividends were reported to be matters of controversy in individual instances.

Great Britain

In Britain joint consultative committees perform at least some of the roles played by the works councils on the Continent. The Whitley Reports, which provided the great stimulus to the growth of joint consultation in Britain, emphasized its wholly voluntary nature. In industry generally, such consultation as there is results from completely voluntary arrangements between employers and their employees. But in the coal industry there is a statutory basis for joint consultation. The nationalization statute requires the National Coal Board to enter into consultation with organizations representing substantial proportions of its employees for the purpose of establishing and maintaining joint consultative machinery. Pursuant to this directive, the Board has established consultative committees at the colliery, Area, divisional, and national levels. The constitution, terms of reference, membership, and procedures of the committees have been agreed upon between the Board and the unions. At pit level, the workers' side is represented by the Area NUM Miners' Agent and the lodge secretary, ex officio. Originally the employees directly elected certain members, including a Deputy (foreman), but all workers' members are now appointed by the unions. Above pit level, the workers' side is designated by each of three unions, NUM, the National Association of Colliery Overmen, Deputies and Shotfirers, and the British Association of Colliery Management.

The statute contains, as well as the consultation directive, a direction to enter into bargaining arrangements, but no very clear distinction is drawn between the purview of each. The Board is mandated to secure the benefit of the practical knowledge and experience of persons in its employ in the organization and conduct of the operations in which they are employed. The Board has taken this to be the fundamental purpose of consultation, and in this the unions have apparently acquiesced.⁷

The constitutions of the consultative committees at all levels describe their functions as concerned with the safety, health, and welfare of employees, the organization and conduct of operations, and any other matters of mutual interest, excluding, however, terms and conditions of employment. The agreed constitution of the colliery-level consultative committees phrases the exception: "but excluding wages questions, or like subjects which are normally dealt with through Trade Union negotiating machinery."⁸

Some of the matters that are specifically described as within the function of joint consultation are accidents and sickness, training and education, technical efficiency, development plans, and colliery welfare. A distinction is made between colliery welfare and social welfare. Colliery welfare includes provision for canteens, pithead baths, laundering facilities, and other directly work-connected activities. Social welfare, which includes recreational and community activities such as welfare halls and other general schemes not directly associated with the job, is jointly handled by a separate organization, the Coal Industry Social Welfare Organization.

It appears to an outsider that the distinctions intended to be drawn between wages and terms and conditions of employment, on the one hand, and matters not appropriate to collective bargaining, on the other, have proved impossible to maintain. As a consequence, joint consultation has played a relatively minor role in the British coal fields. For example, the problems involved in prospective colliery closures would appear to be within the defined scope of consultation. Yet their impact upon the coal miner has been such that they have had to be lifted out of consultation into more effective areas. There is a formal agreement covering disemployment problems arising out of prospective closures. In South Wales, where closures are more serious than in most other areas because of the poor quality of many seams and the extensive depletion of mines, arrangements between the Board and the Area

⁷ See National Coal Board, *Guide to Consultation*, 1948, 1957.

⁸ *Ibid.*

union include the right of a union mining engineer to examine the mine in question. Prior to closure, he makes a detailed analysis of the geologic and economic position of the mine. On the basis of this report, the Area Executive Council adopts a position favoring or opposing closure. If closure is opposed, a scheme for continuance is presented to the Board. This then becomes the subject of negotiation with the Board, outside of the consultative machinery. If closure is agreed upon, schemes for the replacement of displaced workers are negotiated, and provisions of national collective agreements providing for "redundancy" compensation are invoked where applicable. These negotiations are conducted independently of the consultative committees in South Wales. In other Areas discussions of proposed closures are carried on in the consultative machinery. Unofficial strikes have occurred with some frequency over issues of mine closures.

It might be noted that the national agreement providing for redundancy payment reserves the right of the Board to carry through scheduled reorganization and reconstruction schemes, but provides for consultation in cases of prospective closure and for arbitration as to whether reconstruction or reorganization schemes should be scheduled, if they entail exceptional redundancy.⁹

Likewise, the important matters of safety and health escape the consultative machinery and become the subject of negotiation between Board and union. As a consequence, only piddling questions, in general, appear on the agenda of consultative committees, or only shadow discussions take place in their meetings. The real negotiation takes place in arenas in which the union can assume an aggressive posture.¹⁰ The minutes of the consultative committees at all levels are, in general, evidences of the failure of consultation to handle significant problems effectively.

This judgment of joint consultation is harsh and is undoubtedly prejudiced by an American point of view to which the very idea is strange.¹¹ British readers, both from within and without the industry, maintain that joint consultation has been more effective and has played a larger role than the brief observation of this author disclosed. Yet, to this observer, one comment made by one of these readers is particularly revealing. He says: "The National Union at all levels has always been

⁹ Agreement of December 22, 1948, between the National Coal Board and the National Union of Mineworkers, renewed for five years in 1954.

¹⁰ See George Baldwin, *Beyond Nationalization: The Labor Problems of British Coal* (Cambridge: Harvard University Press, 1955), for his observation of the general futility of joint consultation.

¹¹ *Ibid.*

vitality interested in Safety and Health and has tended to deal with these matters more swiftly through its own channels rather than through the colliery consultative committees particularly having regard to the pressure that it has brought to bear at national level through the Miners' Parliamentary Group."¹² This comment is, perhaps, indicative of the tendency to remove from the area of joint consultation matters in which the national union has had a strong interest, and to transfer them to other arenas where quicker and more effective action might result.

The same commentator pointed to the conference held in 1955 between the Nationalized Industry Committee of TUC and the several unions in the coal mining industry to discuss problems of joint consultation in that industry. At that conference, the reader reports, NUM representatives expressed themselves as feeling that joint consultation in the industry had worked reasonably well, particularly after the power to elect members of the pit consultative committees had been transferred from the workers at large to the union lodge.

One must, of course, consider quite seriously this view of joint consultation taken by representatives of the union in an environment in which merely self-serving declarations were, perhaps, least likely to be made. Yet the significance attached to the conference can be partly evaluated by the fact that, though there is a brief paragraph reporting it in the proceedings of TUC the following year, there is no mention of it either in the report of the NUM Executive Committee or in the proceedings of the Annual Conference reviewing the work of the period. Indeed, joint consultation rarely occupies any significant part of the attention of the Executive Committee in its annual reports, or in the work and discussions of the Annual Conferences.

A perhaps more balanced and informed view of joint consultation in general and in coal mining in particular than this author's is that taken by Hugh Clegg.¹³ While not making any large claims for past achievements, he holds out rosier hopes for the future, as both worker representatives and managers acquire the special skills needed to make joint consultation work, and as special problems of adjustment to nationalization and to the scope of consultation in nationalized industries are solved by experience.

¹² Letter to the author from a NUM staff employee who was kind enough to read and comment on an early draft of the manuscript. His comments, among other criticisms and helpful suggestions, indicated that in his view I had understated the success of joint consultation in the British industry.

¹³ Hugh Clegg, *Industrial Democracy and Nationalization* (Oxford: Blackwell, 1951).

Nevertheless, joint consultation, though a task imposed on union-elected representatives to pit consultation committees and on Area and national executives, is not at present among the more important functions of British mining unions. At the time of nationalization, the National Union of Mineworkers, unlike its French counterparts, eschewed the assumption of direct managerial responsibility. It did not demand functional representation on the managing authorities of the National Coal Board. The Board, then, is an appointive body whose membership is chosen presumably for its competence rather than as representative of any interest. This is also the case for managerial appointees at all levels.

Many appointees, including the present chairman of the Board, have come from official positions in the unions. Chairman James Bowman was formerly vice-president of the National Union of Mineworkers. Many labor officers were formerly union officials. But upon their appointment these officials are required by the union to relinquish all union offices and functions. They may, of course, become members of any union to which their new positions make them eligible, such as the Labour Staffs Association or the British Association of Colliery Management, but they do so by virtue of their eligibility in their jobs, rather than assuming the job by virtue of their union position.¹⁴

France

French law exempts the nationalized mining industry from the general provision for works councils. However, the Charbonnages de France and the regional administrative organizations are, in principle, governed ultimately by a managerial board on which members sit as representatives of functional groups—employees through their unions, coal consumers, representatives of the state designated by the Ministries, and persons appointed by the Minister by reason of their financial and industrial qualifications.¹⁵ Workers' organizations designate one third of the members of the governing boards, subject to the approval of the

¹⁴ The Fleck Committee appointed to study the organization of NCB, in one of its more controversial recommendations, suggested that fewer appointments come from the ranks of NUM officials. In 1957 the president of the Boot and Shoe Workers Union was appointed Director of Industrial Relations, an appointment which some NUM people objected to. No doubt, at least in the early days, some preference was given to NUM officers applying for Board positions. But this did not imply any principle of functional representation. See National Coal Board, *Report of the Advisory Committee on Organization* (London: 1955).

¹⁵ For a good brief description of the operation of nationalized industries in France, including the coal mines, see Bernard Chenot, *Les Entreprises Nationalisées*, Series "Que Sais-je?" No. 695 (Paris: Presses Universitaires de France, 1956); also Adolf Sturmthal, "The Structure of Nationalized Enterprises in France," *Political Science Quarterly*, September, 1952.

individual nomination by the Minister. Thus, the "most representative" unions make nominations, but the specific nominations may be rejected. Since 1948, with the exception of the regional board in one basin, all nominees of the CGT mining union, the majority organization, have been rejected.

The FO and CFTC unions are represented on the board of the Charbonnages de France and on each of the regional boards. The law allows the union complete autonomy in the method of designation of its representatives. The very nature of the case, however, makes the national union responsible for nominations to the national governing board. Nominations to the regional boards are made by the syndicats or regional federations, consulting closely with the national union. Top officials of the unions serve on the national board, and syndicat officials on the regional boards.

The representative members of the administrative boards are formally intended to represent a functional interest in the management of the enterprises. But effective management lies not in the hands of the boards of directors, but in the full-time professional management—the *directeurs-généraux*. These managers are professionally qualified mining engineers, normally rising through the ranks of the mines administration. They it is who recommend policy to the board. The board, having no alternatives presented and generally neither time nor technical skill to develop them, inevitably follows the general policy lines laid down by the full-time working management. In fact, in a showdown, representatives of the state and "persons financially and industrially qualified" would hold a voting majority on the board. It is therefore likely that union representatives serve largely as guardians against abuse and as liaison and pressure groups during the political processes of collective bargaining. Except in these circumstances, worker participation in management through functional representation of this sort is probably nominal and ineffective. But such as it is, managerial responsibility is to the national union and, on problems within the autonomy of the regional organizations of the nationalized mines, to the syndicats.

In all four countries, then, in greater or lesser degree, functions that might be performed through the channels of collective bargaining are assigned to and may be performed by works councils.

LEGAL DETERMINATION OF WORKING CONDITIONS

On another side the scope of collective bargaining is hemmed in by statutory determination of conditions that might have been the subject

of collective determination. The extent to which this occurs varies widely as between the four countries.

In France, of course, virtually all conditions of work are determined by law in the nationalized coal industry, and in industry generally the law plays a major role. The national minimum wage, tied to changes in living costs in Paris,¹⁶ forms the real base of the national wage structure. Annual vacation periods and holidays, as well as the method and amount of payment, are fixed by law. Pensions are a part of the national social security system, although in some cases (including the mines, though by decree) supplementary pension arrangements have been arrived at. A system of family allowances, high enough so that for large families the allowance may equal or exceed the basic wage, is legally provided for. Normal hours of work are set by statute. These provisions, for industry generally, severely limit the effective scope of bargaining in private industry. They indirectly limit its scope even in the complicated bargaining processes resulting in changes in the Statut du Mineur, both by setting substantive national patterns and by setting customary standards as to the extent of bargaining.

In Belgium certain significant working conditions are statutorily determined for industry generally, frequently with special provisions for miners. This is the case with respect to vacations, holidays, family allowances, and the whole system of social security.¹⁷ In addition, certain statutory provisions relate only to miners. These include provision for hiring bonuses, intended to attract new miners, and provision for very low interest rate loans to miners for the construction of homes.

In Germany, outside a very extensive social security system, the law does not regulate significantly the substantive conditions of work. These are generally left to negotiation. Generally the same is true for Britain.

SUBSTANTIVE SCOPE OF COLLECTIVE BARGAINING

The substantive scope of collective bargaining varies, then, among the countries, depending in part on the limits placed by areas occupied by the works councils and by statute law.

¹⁶ Or rather, tied to changes in a governmental index of living costs in Paris. Governmental efforts to control the price of the limited number of items in the index, in order to prevent rises in the minimum wage, have been so extensive that there is general recognition that the index is a very poor measure of changes in cost of living, in Paris as well as in the provinces, where many of the controls have not been exercised since price changes there do not affect the index and therefore do not affect the minimum wage. Operation of this escalator system has been modified by the de Gaulle administration.

¹⁷ Parts of the social security system are administered by *mutualités*, which have close connections with the labor movement. These activities will be discussed below.

France

In the French coal mining industry, the approximate equivalent of the collective agreement is the Statut du Mineur, itself a statutory document arrived at by bargaining between the unions, the administration of the Charbonnages de France, and the Ministries concerned. French law and practice distinguish between a simple *accord du salaire*, or wage agreement which merely sets forth the wage terms of employment, and the *convention collective*, or collective agreement, which sets forth more fully the terms of employment. The Labor Code, in dealing with collective agreements, defines the subject matter which *must* be included. These compulsory subjects are:

- 1) The free exercise of trade-union rights and freedom of workers' opinion
- 2) Wage components applicable by trade group
 - a) The national minimum wage of worker or white-collar employee
 - b) Skill differentials applicable to the several trades
 - c) Premiums for difficult, dangerous, or dirty work
 - d) Means of application of the principle "equal pay for equal work" for women and young workers
- 3) Conditions for hiring and laying off, without infringing the free choice of union by the workers
- 4) Period of notice
- 5) Stewards and works councils, and the financing of social welfare institutions managed by the councils
- 6) Vacations
- 7) Procedure for revision, change, or termination of all or part of the collective agreement
- 8) Contractual conciliation procedures for settlement of labor disputes between the parties bound by the agreement
- 9) Means of organization and functioning of apprenticeship and trade education within the scope of the kind of activity considered
- 10) Special conditions of work for women and young people in the enterprises covered by the agreement¹⁸

Besides these compulsory terms of collective agreements, the statute contains a noninclusive list of additional subjects which may be covered. They are:

- 1) Special conditions of work
 - a) Overtime
 - b) Shift rotation
 - c) Night work
 - d) Sunday work
 - e) Holiday work
- 2) General conditions of incentive pay for the appropriate occupations

¹⁸ *Code du Travail*, Book I, Art. 31g.

- 3) Premiums for seniority or diligence
- 4) Indemnities for trade expenses
- 5) Indemnities for moving
- 6) Part-time work for certain jobs, and the conditions of pay
- 7) Contractual arbitration procedures for settlement of labor disputes between the parties bound by the agreement
- 8) A supplementary pension scheme¹⁹

These statutory terms do not, of course, apply to the coal industry, since the Statut du Mineur is not, legally, a collective agreement. But its content lies within these legal terms, except for certain conditions not applicable by the nature of the Statut. Thus, the Statut contains no provision for its revision, change, or termination. Also, since there is no legal provision for works councils in the nationalized coal industry, the Statut does not provide for them, their financing, or their administration of social welfare institutions. Otherwise, all the obligatory terms are included. Basic wage rates are tied to a double sliding scale, with automatic changes consequent upon changes in the Paris cost-of-living index and changes in average production per man-shift.

As to the discretionary terms, the Statut provides for premium payments for overtime and Sunday, for production and attendance, and for length of service. It provides also certain benefits in kind, including free house coal, free housing or a payment in lieu thereof, and free transportation. Provision is made for promotion and discipline. General criteria for piecework payment are also set out. Supplementary pensions for certain employees are made permissible, with provision for double matching of contributions by the employers. The conciliation procedure, setting up *commissions paritaires*, or bipartite boards, at the local, regional, and national levels, provides for final decision, with the Minister in charge of mines having a casting vote at the national level. Thus a form of arbitration is provided.

Provision for moving expenses is not made in the Statut, but subsidies are provided under the terms of the European Coal and Steel Community Treaty and Authority for moves necessitated by reallocation of labor.

Some provisions of the Statut are very general, obviously requiring more detailed working out at the operating level. One of these is the provision for piecework payment, which reads:

Piecework rates will be set by the engineers or their designates after examination of the place of work with the appropriate supervisor. The workers will be informed.

¹⁹ *Ibid.*

The piecework rates will be fixed in such fashion that the skilled worker of normal physique, working well, can earn a wage 60% higher than the minimum wage; the same worker working at an average rate will earn a wage 20% higher than the minimum.

In any case, the rate of 60% indicated above is not to be considered a maximum. Earnings above this rate will not automatically entail a revision of the rate normally set. Every change in the circumstances of a place of work and all unforeseen difficulties occurring during a fortnight must be brought to the attention of the engineer of the pit and will result in a change in the piecework rate corresponding to the changes in conditions of work.

If the workers consider themselves wronged, the matter will be brought by the shop stewards before the management.

For an understanding of this provision, it is necessary to know that a mining "engineer" in continental terminology and practice is not only a technician, but also is charged with general supervision. At the pit level he is in effect mine manager, and at higher levels he has comparable managerial duties. Thus, the manager sets rates initially, guided only by the general criteria indicated. He then sits on the court of appeal against his own ruling. Piece rates are, therefore, unilaterally set. As a consequence, there has been a great deal of dissatisfaction with piece rates. This will be dealt with in a subsequent section treating of the forms and structures through which the unions perform the bargaining function. It may be said in general, however, that where latitude is allowed in the Statut, effective unilateral discretion is given the employer.

Appeal may be had in many types of cases to the bipartisan conciliation and arbitration boards. However, at the local and regional level, the structure of these is such that few decisions are likely to be rendered against management in cases involving a decision of the engineer, i.e., the mine manager. The engineers, regarded as organized employees for the purpose of establishing the boards, are given representation thereon, on the workers' side. The same is true of foremen. Engineers and foremen, then, are called upon to judge, as representatives of the employees, their own actions, or those of their colleagues, in their capacities as supervisors. It would seem unlikely that the procedure would be effective in cases in which appeal is made against decisions of engineers.

Belgium

In Belgium no single document incorporates the collective agreements between the unions and mine employers. Agreements take the form of decisions of the Commission Nationale Mixte des Mines, the

permanent national negotiating agency, or of its subordinate regional agencies. These agreements are on particular subjects and have no specified duration—they can be renegotiated at any time. Their substantive scope is, however, severely limited, and they deal almost exclusively with wage matters. They set basic wage rates, apprentice wages, and the guaranteed minimum piece rates. An escalator clause tying wages to living costs is provided. Paid holidays supplementary to the legal provisions have been negotiated, and are tied in with the hours-of-work agreements. Year-end bonuses have been negotiated from time to time. House coal is provided for mine employees.

These are the only substantive matters dealt with in the decisions of the Commission. A further agreement provides for the selection of shop stewards, the means of their election from lists proposed by the competing unions, their functioning, and the process of passing up to the Conseil Régional Mixte des Mines matters which they cannot amicably dispose of at the pit level. The Conseil is the regional arm of the CNMM.

Germany

In Germany the terms agreed upon between employers and union in the coal industry are incorporated in two basic documents: (1) the covering collective agreement (*Manteltarifvertrag*), including supplemental wage schedules, and (2) the agreed work regulations (*Arbeitsordnung*). The covering agreement runs for an indefinite period, subject to notice by either party, with special notice required to amend particular sections without terminating the entire agreement. The work regulations run until changed by mutual agreement. Both cover an entire coal basin.

The *Manteltarifvertrag* contains the subject matter generally envisaged in the works council law as reserved to collective bargaining. Its headings include a scope clause, hours of work, overtime, Sunday and holiday work, wages, house coal, vacations, and termination. The wage section includes general provisions for special classes of workers, piece-rate minimum guarantees and averages, provision of tools and materials, and various special payments. The last include a form of family allowances, separation allowances, and general provision for allowances for wet, dirty, or unhealthful work, unscheduled work, and the like.

The *Arbeitsordnung*, in general, covers certain matters which might be the subjects of a plant agreement negotiated through the works council if they were not dealt with through the collective agreement.

The agreed work regulations specifically state a mutual intention to deal with the matters in this form rather than through plant agreements. The regulations covering the major coal fields include provisions for hiring and giving of notice, work schedules, wage-payment procedures, methods of piece-rate payment and their application, procedures for giving directions to workers, shift regulations, absenteeism, penalties for rules violations, penalties for loading dirty coal, initial steps in grievance handling, and accident prevention.

Neither Manteltarifvertrag nor Arbeitsordnung provides more than the first step in a grievance procedure, which gives the worker the right to present his complaint either at the next sitting of the formal body provided elsewhere, or directly to management. Settlement of grievances, then, comes within the procedures provided under the works council law, which, it will be remembered, give to the councils the duty to settle questions which arise under the collective agreement, and provide for arbitration.

Great Britain

The substantive scope of collective bargains in Britain is extremely difficult to describe. There is no single document, or even small group of documents which together compose *the* collective agreement. Bargaining takes the form of discussion and agreement on a particular subject. This mutual understanding is put into written form and constitutes the agreement of the parties on the subject until changed. Bargaining, then, consists of almost continuous dealings on specific problems and groups of problems. It is conducted at all levels—national, regional, and local.

The National Coal Board has undertaken to compile the national agreements, including decisions of the several tribunals empowered to settle disputes, entered into since March, 1940. This compilation has reached 11 volumes and about 2000 pages of material.²⁰ A similar compilation by the NUM Area organization in one Area covering agreements applicable in the district or at the pit includes about as much material again.

In general, it may be said that the NCB has given the widest possible interpretation to its mandate to deal with representative unions on wages and conditions of employment. Agreements have been and are

²⁰ National Coal Board, *Memoranda of Agreements, Arbitration Awards and Decisions, Recommendations and Interpretations Relating to National Questions Concerning Wages and Conditions of Employment in the Coalmining Industry of Great Britain*, Vols. I–XI (March 20, 1940, to December 31, 1956).

negotiated on any problem posed by the unions which directly affects the employees. This includes wages, hours, mine safety, job assignment, vacations, holidays, job descriptions, and the whole gamut of matters familiar to those cognizant of American practice.

One exception to the practice in the United States is the virtually complete absence of agreed procedures for hiring, layoffs, discipline, and discharges. The only treatment of these subjects in the British coal industry relates to limitations on the hiring of foreign workers, certain provisions for the recruitment of juveniles, and provision for separation benefits. Choices among job applicants are left to the discretion of management in Britain, and customary procedures govern their induction. Order of layoffs is also governed generally by varying local traditions. Neither of these matters has been a problem since nationalization; if and when they do become so, it may well be that more definite procedures will be worked out.

Discipline is, by official union policy, a managerial matter. It does, however, become subject to informal, and occasional local lodge, pressures. And, despite the absence of formal agreements, it may be introduced into the conciliation machinery discussed in the following chapter.

Chapter 5

Performance of the Bargaining Function

The preceding chapter has briefly described the scope of the bargaining function performed by the unions in each of the four countries and the social and legal limitations within which this function is exercised. The present chapter will attempt to describe and analyze briefly the distribution within the union hierarchy of responsibility and power in the performance of the function. As used here, "bargaining" embraces both the negotiation and the administration of collective agreements.

It should, of course, be clear from the preceding discussion that very considerable differences exist among the several unions, resulting from the patterns of management and control of the industry, from the basic internal structure of the unions, and from other influences. In France, for example, the fact that employment policies are embodied in a statute, changes in which must be achieved through the formal legislative process, is a basic factor conditioning the locus of union responsibility for bargaining policy. The political character of the several unions, their relative strength, and the enforced absence of the strongest union from the council tables of the Charbonnages de France in turn result in imprisonment of the formal union representatives by forces beyond their control. This is accentuated by the lack of correspondence between the formal internal distribution of union power and the necessities of the bargaining situation with its centralized policy-making function.

In Britain no such dual union situation complicates the problem of the most important union, nor is bargaining impaired by the imposition of a limiting legislative process on the freedom of action of the nationalized industry. Nevertheless, a lag still exists between the centralization of managerial control and the adaptation of the structure of a traditionally federal union to the requirements, or possibilities, inherent in the change in managerial structure. And while NUM has progressed toward a more closely integrated formal and informal structure, forces within the union still resist the upward transferral of bargaining power.

Perhaps anomalously, centralization of union authority and responsibility for bargaining has progressed farthest in Germany and Belgium,

the two countries in which ownership is still private and multiple. But in Germany private and in Belgium quasi-public machinery exists for the accomplishment of centralized bargaining. Centralization of power with respect to this function is consistent with centripetal tendencies apparent in both countries with respect to other functions.

In all four countries, considerable responsibility for administration of agreements remains at the local union level. In Britain the typical miners' lodge is an active and vigorous organization, deeply involved, though often with the assistance of the Area organization, in policing agreements and in supplementing the basic bargains arrived at nationally. Although, because of its parallel traditions of decentralization, such might be expected also in France, the inherent weaknesses of the unions themselves impair the performance of these functions. In Belgium effective administrative power lies at higher union levels, though local and pit officials play an important role. In Germany centralization of power has proceeded so far as to deprive the local union of effective power, even in the administration of agreements.

With this sketch in mind as a framework, we proceed to a more detailed description and analysis of the performance of the bargaining function, country by country.

France

As has been indicated above, collective bargaining in the nationalized French coal mines is a politico-bargaining process. Collective agreements in the usual binding sense are not made; rather, conditions of employment are set by law.

The basic Statut du Mineur was enacted in June, 1946. At that time it was a document agreed upon by the then two major unions—the CGT affiliate and the CFTC affiliate. It was enacted into law by a government generally sympathetic to the immediate aims of the labor movements.¹ Since many employers were tainted by collaboration with

¹ It was passed unanimously by the Assembly. Even the CGT, the union most bitter in its attacks upon the administration of the Charbonnages de France and most critical of wages and working conditions in the mines, still boasts of its role in passage of the Statut, but declares it to have been subverted over the years. The report on the Statut adopted by the 52d CGT Congress, Albi, 1956, declared:

"With the current *Statut* and its article 12 (the fundamental wage section), adopted unanimously by the National Assembly February 14th, 1946, the Parliament and the Nation recognized the difficult, unhealthful and dangerous trade of the miner, which it raised in status, making of the miner the best paid worker of France, and this was justice.

"With the *Statut du Mineur*, the corps of miners placed itself in the first rank of the French working class, in its march toward social progress and welfare.

"But, in 1947, changes marked French policy; with the Marshall Plan, the Schuman Plan, our national economy was made dependent on foreign monopolies. Worker

the Vichy régime or with the German occupation forces, employer influence on labor legislation in the immediate post-liberation period was negligible. In addition, in the mines the state had become the employer. It can be said, then, that the Statut was an agreement, basically proposed by the unions, expressing a basis for beginning operation of the nationalized mines, to which government, unions, and mines administration gave unanimous support. In 1946, though union membership was very great, union organization had not proceeded so far as to re-establish clear lines of authority and communication. For this reason and, more significantly, because of the essentially political nature of the agreement, it was negotiated directly between top union leadership, government, and mines administration. Responsibility and authority for making the necessary decisions clearly lay at the highest levels of union authority—the machinery of the national unions.

From 1946 to the present many changes have taken place. One of the most significant was the split in CGT, and the resulting split in its mining affiliate. One consequence of the split, and of the strikes in coal as well as other industries conducted by the CGT, was the withdrawal of recognition from the CGT union. Thus, the Charbonnages de France, the several regional administrations, and the government do such negotiating as is done with the mining affiliates of CGT-FO and CFTC. These two unions together, however, represent, at best, only about one third of the employees; they speak, then, with little authority.

The Statut, together with other applicable legislation, particularly social security legislation, defines the substantive terms of employment in the mines. Legally speaking, the function of management and union, besides proposing changes in the Statut, is only administrative. Furthermore, the Statut is a single document applicable to the whole organization of the Charbonnages de France, though it legally can differentiate terms of employment within its scope. The very nature of the case, then, is that modifications must be made through action of the national or-

Ministers were hounded from the Government and the split in the working class and the corps of miners was organized.

"If, by its unity and its action, our corps had obtained material improvements, the Employer-State and mining employers used with effect the division in our ranks to endanger the improvements obtained, to worsen the condition of miners and their families.

"The *Statut du Mineur* has gradually been drained of its content of social progress to become, in many instances, an instrument of social reaction striking at the miners, pensioners, and widows."

CGT, Fédération Nationale des Travailleurs du Sous-Sol et Parties Similaires, *Rapports Divers, Discussions, Compte Rendu des Travaux*, 52^{ème} Congrès National, Albi, 18-21 Avril, 1956.

ganizations, the only authority whose competence coextends with the Statut.

The procedure by which the Statut is modified consists, first, of discussions between the top leadership of the two recognized unions and management, leading, if successful, to a "Protocol of Agreement." This protocol, if subsequently approved by the responsible Ministries, is published in the form of a decree, after which it has the force of law. The government participates informally, no doubt, in the discussions leading to the protocol. Furthermore, it participates in a more formal sense through its representation on the Conseil d'Administration of the Charbonnages de France. It should also be remembered that the two unions also are represented on the Conseil d'Administration and therefore sit, at least nominally, on both sides of the bargaining table.

Real managerial authority on the employer side rests, however, not with the Conseil d'Administration but with the directeurs-généraux, who usually rise from the ranks of mining engineers. It is highly unlikely that the directeurs-généraux would enter into a protocol without good reason to believe it would receive ministerial approval. It is also certain that the unions use such avenues to the Ministries as are available to them, during the course of negotiations, to bring influence to bear toward favorable resolution of the problems. These approaches may be made through the political parties with which the unions have influence. Although in both cases the unions are constitutionally non-partisan, working relationships exist between the FO unions and the Socialist Party and between the CFTC unions and MRP (Mouvement Républicain Populaire), as well as between CGT and the Communist Party.

The mechanics of collective bargaining, then, consist of negotiation between the highest levels of union officialdom in two minority unions and the responsible management of the mines, against a background of negotiation by both parties with the Ministries.

This statement, however, leaves unanswered the questions of the level at which bargaining policy is effectively made in the unions, and the nature and extent of top leadership responsibility to a constituency for bargaining policy. The simple statement of the case is that leaders in both unions are in large measure prisoners of the militancy without responsibility of CGT and of their own weakness. The CGT exerts continuous pressure by advancing demands, conducting local and regional strikes, threatening national strikes, and otherwise placing the other two unions in a position of having to make comparable demands. Periodic

congresses of the FO and CFTC unions adopt very general statements demanding increased wages and reformulation of other sections of the Statut. Negotiations are then entered into on the basis of mandates capable of the broadest possible interpretation. There is likely to be great pressure from below, both from discontented rank and file and from local leadership seeking weapons to match those of CGT. Concessions are then made by the Charbonnages in the hope of strengthening the two recognized unions as against the majority union, or in the face of strike threats, or their actuality, from a union not at the bargaining table. Any settlement arrived at is not subject to ratification through the union machinery; in any case it presumes little in the way of union responsibility since it is merely a proposal to the Ministry for enactment into law.² Such responsibility as is imposed on the unions is relatively meaningless, since it does not engage the only union in a position to take effective action.

This position can, perhaps, be overstated. It is true that together FO and CFTC represent about one third of the corps of miners, and that many of these are white-collar workers. It is also true that this representation is in many ways no measure of the degree of attachment of the workers. It is calculated on the basis of votes for candidates to the *commissions paritaires, délégués du personnel*, or representatives on the several agencies administering social security, and probably not as much as one half of those voting pay dues, and those that do, pay very irregularly.

Nevertheless, there is a very strong sense of working-class solidarity, and perhaps an even stronger sense of solidarity among the body (*corporation*, as they customarily describe themselves) of miners. On most occasions, this solidarity can be invoked even by a minority organization. Thus, if FO or CFTC were to take the initiative in strike action over economic demands, CGT would of necessity follow suit. In fact, practically speaking, CGT would attempt to assume strike leadership. There is little doubt that the strike would be effective. This solidarity only breaks down when strikes are clearly and obviously political, as in the CGT-led generalized strikes of 1947 and 1948 or in the one-day protest strike in 1956 over the destruction of Communist Party property in

² The protocols may in the "whereas" clauses state the mutual interest of the parties in production, etc., and the intention of the parties to promote peaceable relations. One recent protocol, that of December 27, 1955, also contained provision for the appointment of a Conciliator to compose differences over its application (presumably after it became legally effective), and engaged the parties to refrain from strikes or lockouts until recourse had been had to conciliation.

Paris during demonstrations protesting Soviet intervention in Hungary. But there is little doubt that a strike over bargaining demands would evoke almost unanimous response. In effect, then, FO and CFTC are more effective spokesmen for the bargaining demands of miners than their membership would indicate. This is so, however, in only one direction. They can force CGT into support for demands; they cannot effectively settle an issue. Militant action, once started, cannot necessarily be terminated without acquiescence of the majority group. This means that the minority unions must be extremely cautious in invoking militant action for the reason that its termination may be beyond their control.

In sum, then, responsibility for bargaining rests with the top leadership of the two minority unions, acting within very general mandates from national congresses. But as effective bargaining agents, they depend on the desire of management to strengthen them against the majority union and on their ability to evoke, not loyalty to their unions, but a general solidarity of miners and the endemic discontent in the mines. They have nominal power, but little authority. They are not formally responsible to their constituency for ratification of decisions, yet they are prisoners to the militancy of another union.

An administrative function remains to be performed at lower levels in both union and management hierarchy. Certain clauses of the Statut merely establish criteria on which specific decisions are to be made; others require execution.

An example of the former is the provision concerning piece rates. The Statut directs the engineers to set rates such that the miner of normal physique, working hard, can earn 60 per cent more than the minimum, and the same worker, working at an average rate of effort, can earn 20 per cent more than the minimum. Further provision is made that if the employees feel that rates have not been set properly, they may protest through their representatives to the management.

These criteria are extremely unclear and susceptible of possible abuse. If the term "average" in this context is taken to mean the average of actual performance, efforts to respond to the incentive become self-defeating. In the long run, the incentive aspect of the piece-rate structure can be preserved only if "average" means some standard of work apart from that actually performed.³ But such a concept is incapable of exact definition. Without going into the technicalities of the discussion and the evidence advanced by both sides, it is clear that this provision

³ The language of the Statut is: "fournissant un travail moyen."

is necessarily provocative of difficulty in giving it substantive meaning. All three unions have been bitterly critical of it.⁴

The initial application of the criteria is made by the engineer after examination of the place of work. There is no provision in the Statut for consultation with the workers affected and apparently no such general practice exists. Aggrieved employees may protest through the union delegation to the management. (Note that this is the only function outside protection of safety and health admitted by the Statut to the elected union delegation.) However, the management to which they are to protest is the same management that sets the rate. The Statut provides no further recourse; but the general mandate of the bipartite conciliation commissions would apparently give them jurisdiction over such disputes. Their composition, however, is such that the management setting and upholding the rate is represented both on the management side and by engineers sitting on the workers' side.⁵ Such a recourse hardly seems designed to be effective in protecting the interest of the worker.

⁴ FO leadership has been critical in interviews with the author, as have leaders of the other unions. The official position of the CFTC mining union is expressed in a *Manifeste* of the Angers National Congress, August, 1956, in the following language:

"The unilateral method of fixing piece rates is the source of continual conflicts. It is a profound cause of the deterioration of the social climate in the mines. The Congress asks all its affiliated organizations to intensify their action against this method, recalling the abuses of an obsolete capitalism, which has no regard for the high dignity of the human personality of the worker, in that it denies him the free right of discussing his wage.

"In order to allow mine workers to freely discuss their conditions of work, the Congress directs the Federation to undertake action looking toward research and application of solutions which must result in:

- "1. The total suppression of the concept of average bonus,* which, especially in the mines, arbitrarily limits the development of the daily wage.
- "2. The suppression of individual piece rates, and, in a first possible step, their replacement by team piece rates, especially through the best use of the possibilities which mechanization and organization of work offer henceforward.
- "3. The mutual study, by representatives of the personnel and the management of each establishment, of problems related to piece rates, in order that each may be perfectly informed, and that despotic practices, such as the establishment of norms according to exceptional performance of certain workers, be eliminated."

For a bitter denunciation from the CGT mining union, see "La Baisse Continue des Prix de Tâche," *Le Droit Minier*, July, 1956, p. 1.

* Literally "slip" (glissement). The reference is to the policy of the administration to set rates so that average earnings of pieceworkers should be 40% in excess of the minimum. Thus, in individual mines, and occasionally in whole basins, when earnings exceed this average, attempts may be made to institute uniform cuts in piece rates or to tighten up in setting new rates.

⁵ It might be noted that separate commissions paritaires are set up for grievances involving the engineers. These provide only for representation of engineers on the workers' side. Similar special commissions are provided for white-collar workers and foremen.

The union role in these procedures is not played through the autonomous institutions of the union, but through the legally elected pit delegates or members of the commissions. However, properly designated officers of the syndicat may assist the worker before the commissions. Though the Statut designates the elected delegate as the medium for dealing with management, in frequent cases the syndicat officers effectively handle matters, if for no other reason than that the union membership of the grievant may differ from that of the elected delegate.

The principal function of the local union organization, normally the syndicat, though also possibly its subordinate *section locale*, is to organize and support protest movements. Strikes over piece-rate issues are not unusual; when they occur, the syndicat performs a bargaining function in their adjustment.

The primary administrative function is the handling of grievances arising under the Statut. As indicated above, the Statut provides a grievance procedure through local, regional, and national bipartite discipline and conciliation commissions. At the local and regional level, the workers' side is elected from slates presented by the unions on the basis of proportional representation, but with a rule that engineers and supervisors must be represented. The electorate is divided into three colleges for this purpose.⁶ The national commission contains an equal number of representatives from the mines administration and from the unions, the latter designated by the unions. It is presided over by the Minister in charge of mines, or his designate, who has a casting vote.

The statutory functions of the commissions are:

- 1) To receive notice of every intention to hire. The mines are forbidden to hire foreign workers unless it proves impossible to recruit from workers in the region.
- 2) In general, to safeguard the application of the Statut.
- 3) To establish rules and regulations for adoption by the mining engineer.
- 4) To examine all grievances of workers concerning hiring, firing, and discipline.
- 5) To attempt to compose individual and collective disputes concerning workers.

Disputes not settled at one level are appealable to the next level, except that purely individual matters can be appealed only to the level next higher than that in which it originated, and that original jurisdiction may be exercised by the national commission on collective disputes

⁶ Except that grievances of engineers and supervisors are taken to special commissions of their peers.

of sufficient seriousness. Decisions are final, except in matters requiring subsequent action of a legislative, regulatory, or judicial nature.

In industry generally, where collective agreements provide an equivalent of these commissions, it would be the function of the legally elected union delegate to handle a grievance before the commission, or to assist a worker in his initial appeal to management before going to the commission. But the mining law⁷ is sometimes interpreted so as to limit the function of the union delegate to health and safety matters. Varying from pit to pit and basin to basin, managements admit or deny the competence of the elected delegates to represent workers for grievance purposes.

The aggrieved worker, then, may go individually to management or he may present his complaint through the elected delegate. In either case the union as an institution plays no formal role. The delegate, though elected from a union slate, does not act in the capacity of a functionary of a particular union, or of a particular union organ.⁸ Or, to put the matter differently, he has no formal responsibility to any instrument of the union in the discharge of his duties. His candidature, however, is prepared by his syndicat.

For assistance in handling his grievance, however, at the initial or subsequent stages, the worker may go to a direct union functionary. The union official performing this grievance-handling function would be the secretary of the syndicat or a full-time officer (who may also serve as secretary). The full-time officers, where they exist, are designated and paid by the syndicat or, in occasional cases in CGT, by a regional federation of syndicats. The CGT mining union has considerably the largest staff of full-time officers, followed by the CFTC, with FO depending most upon unpaid services of officials working in the mines.

Where such full-time officials (*permanents*) exist, they hold themselves available at specified times (*permanences*) to receive workers with grievances, as well as for other purposes. Unpaid officials depend upon seeing workers on the job or in their homes.

Grievances, of course, may arise from any of the terms of the Statut, but the handling of discipline and dismissal cases will be briefly de-

⁷ Legislation preceding the Statut had provided for underground union delegates and was unclear as to their function. See Book II, Chap. IV, of the *Code du Travail*. The Statut provides for surface delegates on the same basis as the underground.

⁸ There is an implied obligation to represent all workers, regardless of affiliation, especially in safety matters. The point can be further illustrated by the fact that an elected delegate may change his union affiliation during his term of office without losing office. However, if a delegate dies, quits, or otherwise leaves office during his term, he is replaced by the unelected candidate polling the next largest number of votes on the list from which he was elected.

scribed because they are of particular interest and because certain special provisions apply. The Statut provides for five forms of discipline, to be administered according to the rules, depending upon the gravity of the offense. They are: (1) warning, (2) fine, (3) suspension, (4) demotion, and (5) dismissal. Further, workers may be dismissed for three nondisciplinary reasons: (1) reduction in forces, (2) physical incapacity, and (3) incompetence. These limitations apply to workers having served a six-month probationary period.

Several special provisions are applicable to nondisciplinary separations. In case of reduction of forces, the local commission is required to establish a hiring priority for those affected, for purposes of employment in other enterprises. In case of physical incapacity, a medical arbitration board is provided for. In case of alleged incompetence, the dismissal can become effective only after inquiry and approval of the local commission.

The commissions are specifically assigned jurisdiction over discipline, and local union officials may assist disciplined employees before them. In contested cases suspensions and dismissals cannot become effective until approved by the competent commission. However, general French law and custom do not provide for reinstatement of wrongfully dismissed workers. In general, the employer will be required to continue to pay wages for a specified period of time or to pay a lump sum in damages. Special protection surrounds the elected union delegate, but in case of wrongful discharge he is compensated in the same fashion.

Wrongful discharge may be a violation of the Statut du Mineur; it may also be a violation of the individual contract of work between the employer and the worker. The law of the individual work contract is complex, and peripheral to this discussion. Suffice it to say here that a worker may have recourse against wrongful dismissal to the *Conseil des Prud'hommes*, a local labor court composed of equal numbers of elected employer and worker representatives, presided over, in case of necessity, by a justice of the peace. From the Prud'hommes, appeals may be taken to the regular judicial system. The aggrieved worker may seek and obtain assistance from his syndicat in such cases: an official of his union may appear in his behalf, or a lawyer on the staff or retained by the union may represent him. This is part of the function performed by the syndicat in the coal mines. It relates to the bargaining function in that certain of the terms of the individual contract, particularly those pertaining to required periods of dismissal notice, may be derived from the Statut.

In sum, then, the syndicat performs certain negotiatory-executory bargaining functions under the Statut, with particular reference to piece rates, and also purely executory functions in grievance handling. Both functions can escape the formal organs of the union, to be performed by the union delegate or the worker himself, when recourse to the statutory discipline and conciliation commissions is necessary. Neither the subordinate local sections of the syndicat nor any union institutions intermediate between the syndicat and the national union perform bargaining functions.

It might additionally be noted that occasional interunion cartels, at any level, may be formed to handle particular problems. This is more usual among the several national syndicates of engineers. It happens from time to time as between CFTC and FO on the one hand, and, quite rarely, CFTC and CGT at the local level on the other. Of necessity, CFTC and FO cooperate in the negotiation of national protocols. The political enmity between CGT and FO is so bitter that no form of official contact ever occurs. In 1956, when the Communist line again favored "popular fronts," CGT indicated its willingness to cooperate with FO, but its advances were completely rebuffed, with special bitterness after the Hungarian episode.

Belgium

Collective bargaining in the Belgian coal mines takes place almost wholly through a standing negotiating committee, the Commission Nationale Mixte des Mines (CNMM). The CNMM is composed of representatives of the employers' associations and of the two unions of miners, with a representative of the governmental mines administration serving as secretary, without vote. Unanimous decisions taken by the CNMM have the force of a collective agreement. It may consider at any time any question raised by unions or management; its decisions take effect on agreed dates and run indefinitely.

Subordinate bodies, the Conseils Régionaux Mixtes des Mines (CRMM), are permitted to work out any problems of application of CNMM decisions to their particular regional circumstances. The composition of the CRMM is parallel to that of the CNMM.

There is no legal provision requiring the unions to adopt any particular procedure for designation of their representatives to the CNMM and CRMM. Under the procedures of both the CSC and FGTB mining affiliates, this is a function of the national union organization, and the general secretary of each union serves as the sitting delegate to the

CNMM. Decisions of CNMM are not subject to ratification in any union channels. Thus, the general secretaries have the power to bind the unions to collective agreements. In the case of the CSC union, moreover, a specific constitutional provision forbids both local unions and regional federations from entering into discussions of agreements without prior approval of the national union.

This power to bind, however, is not exercised except after consultation in the executive committees of each union. Communication in the tightly knit unions in this small country is excellent, and the large governing committees, as well as the small executive committee in the FGTB affiliate, contain full-time regional officials. After CNMM reaches a decision, meetings of local union officials and pit delegates are held in the coal basins, at which the agreement is explained. Despite such protest as may develop, it is not subject to revocation.

Bargaining policy is formulated in the light of two special circumstances: (1) the significant roles played by the two union federations and, indeed, the broader social movements of which they are a part, and (2) competition between the unions and social movements. An example of these forces and their interrelationship may be taken from the 1955-56 shorter-hours movement.

It began after the war with the adoption of shorter-hours policies by both federations. In 1954, tripartite talks between federations, employer groups, and government led to a protocol of October, 1955, recognizing in principle a first-step reduction from 48 to 45 hours per week. Only thereafter did the coal unions initiate a demand in CNMM for a reduction consistent with the protocol. Negotiations there led to a binding agreement for 15 additional days off per year with pay. These, with the customary 10 holidays and the vacation weeks, gave the miners a 5-day week every other week, and their regular vacation. The CRMM, performing its bargaining function in each region, had to devise a calendar for the specific application of the agreement, since holidays vary from region to region.

Another illustration may be taken from the controversy over structural reform of the industry. The still privately owned coal industry has been the center of such controversy, in part because of its very great importance in the Belgian economy and also because of its relative inefficiency, due certainly to geologic circumstances and allegedly to the overcautious investment policy of its owners. The Socialists have long demanded nationalization, the Christians broad comanagement.

The Marcinelle disaster in the summer of 1956, in which about 270

miners were killed, served to provoke immediate campaigns for structural reform, based on allegations that private owners were more interested in profit than in safety. On the Socialist side, the demands were pressed most vigorously not by the coal union, but by the Metal Workers, acting through the federation and the Socialist Party structure. Its demands were dampened by those in both the federation and the party who did not wish to endanger the then governing coalition of Liberal and Socialist parties.

On the Christian side, the coal union was most pressing in its demand for legislation to provide much broader worker participation in management. On the left of the Christian movement, it wished also to take advantage of the embarrassment of the Socialist union resulting from its adherence to the position of the parliamentary Socialist Party. Its pressure, however, was dampened by the leadership of the broad Social Christian movement, containing an influential group of conservative Catholic employers. The CSC, influenced no doubt by these forces, was unwilling to go as far as the leadership and majority sentiment of the coal union would have liked. The only immediate result of the catastrophe was the negotiation in CNMM of a quick wage increase from frightened employers.

In sum, then, bargaining policy in the Belgian coal unions is formulated by the general secretaries and executive committees, but after a "feeling of the pulse" by representatives in the regions. Strong influence in the formulation of general movements comes from the federations. The militancy of the Socialist coal union has been increased by prodding from the left of the Socialist movement; that of the Christian union has been dampened from the right of its larger movement.

National agreements arrived at in the CNMM are completed and implemented in the CRMM, as, for example, in adapting the shorter-hours agreement to regional circumstances. Primary responsibility for representing the union on the CRMM rests with full-time regional officials, who, it will be remembered, are designated and paid by the national unions. In addition, they serve, *ex officio*, on either the National Committee or its smaller Executive Committee. The CSC mining union constitution specifically gives to the full-time regional functionaries the exclusive power to negotiate regional agreements, in cooperation with the national union.

The decisions of the CRMM, within the scope of the national agreements, are binding and not subject to ratification. Thus, the national union retains control of administration of agreements at the regional

level. It must be said, however, that the full-time regional officials remain in constant contact with their elected regional executive committees, so that influences are effectively exerted from below.

A further administrative function remains to be performed, basically at the pit level, in handling complaints of nonobservance of the agreements. By agreement between the parties in CNMM, pit delegates are provided to perform this function. They are elected from slates presented by the signatory unions.

Unlike the French union delegation, the Belgian is specifically authorized to represent workers complaining of violations of the agreements or of relevant laws and rules. The safety function lies specifically outside its jurisdiction, being allocated to a governmental mines inspection service and to special safety and health committees representative of employees. Also, unlike French arrangements, elected pit delegates can, under certain circumstances, be removed by the union from whose list they were elected. In a much more effective sense than in France, the pit delegates are responsible to their unions. Nominees are designated by the local union, and they are integrated into the government of the union.

In the ordinary case, then, a worker with a grievance would go to his pit delegate, who would attempt to settle the matter with local management. In the event he failed, the matter could be taken to local conciliation committees, provided for in the agreement, composed of all the pit delegates in the employ of the company and representatives of management. Failing agreement there, the case can be taken to the competent CRMM, which serves as the last step in the grievance procedure. No definitive means of settlement exists, since both the local conciliation committee and the CRMM are bipartite bodies, with powers of decision only by unanimous agreement.

However, as in France, the Conseils des Prud'hommes can definitively settle grievances where a violation of the individual contract of employment is concerned. This may involve an allegation of breach of the individual contract by failure to serve proper notice. But, unlike the French situation, failure to observe the terms of the individual contract implied by reason of the collective agreement generally serves as grounds for action before the Prud'hommes. Each regional office of the two unions maintains a legal service to assist workers in these, as well as other, legal matters.⁹

⁹ In certain of the smaller regions this legal service is maintained jointly with other unions affiliated to the same federation.

Rather than process his case with the aid of the pit delegate, particularly in instances where his union affiliation is different from that of the delegate, the worker may take his problem directly to the full-time functionary in the regional office. Furthermore, the usual procedure is for the pit delegate to seek the help and advice of the regional staff. The latter spend the greater part of their time in negotiations, in person or by telephone, with pit managements on grievance questions. If the case is not settled directly, as it frequently is, the legal service may take on argument of the matter before the CRMM, on which the full-time official in charge usually sits as a member.

Strike threats are often invoked in an effort to win grievances. Only the region may sanction strikes; it is beyond the constitutional power of local unions to call strikes, though wildcats do occur. Thus, in many important ways, the function of handling grievances lies at the regional level, with officials paid and designated by the national union in control of the process.

This would include all types of grievances arising under the collective agreements, including discipline cases. In contrast to France, reinstatement of discharged employees is not unusual. The latter remedy, however, is more likely in cases before the Prud'hommes where a violation of police safety regulations is alleged but not proven. It should, perhaps, be noted that the Belgian agreements do not, as do the French, spell out kinds of discipline. This is left to plant rule, the determination of which lies within the function of the works councils.

It should also be noted that the collective agreements deal with piece rates only by establishing minimums and conditions of eligibility therefor. Since disputes over the applicability of the minimums are specifically subject to the grievance procedure, by implication disputes over the piece rates themselves are not. This is the general case—that piece rates are unilaterally set. However, local strikes over piece-rate setting are not unusual. The Belgian coal unions have taken a general position favoring abolition of piece-rate methods of payment entirely, justifying their position on the ground that their unilateral establishment and the conditions of payment are such that they provoke unsafe practices. It is alleged that, as a result of the emphasis on production, workers are encouraged to avoid taking the time necessary to observe proper precautions in protection of the roof floor, and the like.

For bargaining purposes, then, the Belgian coal unions are very tightly knit. The primary bargaining function is performed at the top level, though with significant influence from outside. Executory func-

tions are performed largely at the regional level, but by officers designated and controlled by the national union. The only purely local function is performed by the pit delegate, whose candidature is proposed by the local union. He depends, however, upon the regional staff for effective performance of his function.

Germany

The basic agreed terms of employment in Germany are contained in three documents: the Manteltarifvertrag, or covering agreement; the Arbeitsordnung, or work rules; and the Betriebsvereinbarung, or plant agreement. The parties to the first two are the national union and the competent association of employers for each coal-producing district. Thus, the scope of the covering agreement and the work rules is the ensemble of mines in a coal-producing district. Agreements exist for each district separately. The parties to the plant agreement are the works council and the local management, covering a pit or a group of pits under common management.

The basic covering agreement is that between the union and the employers' association for the Ruhr area. Like the agreements for other districts, it was completely renegotiated in 1953, and has been amended from time to time since then. It is a continuing agreement subject to termination or modification. It was negotiated and amended by *ad hoc* negotiating committees representing the parties. Negotiations were carried on for the union by its top officers, assisted by technical experts from the staff *Tarifabteilung*, or agreements section, of the national union. The Executive Committee takes responsibility for executing a binding agreement, which is not subject to ratification by any other body.

Very general bargaining policies, to serve as guides to the Executive Committee, are set by the union conventions. During negotiations, and subsequent to the reaching of agreement, meetings are held with delegates from the subordinate organizations, at which demands, offers, and results are explained and sometimes criticized from the floor. These are, however, primarily advisory and educational meetings and have no power to direct the executive to accept or reject offers, or to make proposals.

After completion of the Ruhr agreement, negotiations are entered into in the other districts. The official in charge of these negotiations is the full-time regional officer, the Bezirk chairman. He has authority to enter into binding agreements, acting in behalf of the national union,

in his capacity as a designate of the national executive. His mandate from the executive, generally, is to reach agreement parallel to the preceding Ruhr settlement. He may obtain assistance from the staff in the national union if necessary.

The plant agreement is concluded between the works council and the employer; the union as an institution is not party to it. Nevertheless it provides rules and procedures concerning the enforcement of the two types of collective agreements, and may adapt the terms of those agreements to the circumstances of the plant.

Real bargaining power and authority in the German coal union, then, is exercised by the Executive Committee of the national union. This is so to perhaps a greater degree than in the two other countries heretofore discussed, despite the fact that Germany is the only country of the three in which the geographic scope of bargaining is less than national. This statement of the degree of concentration of authority in Germany is not to deprecate the important role played by consultation with subordinate groups in the formulation of bargaining policy.

However, the works council is much more significant than in France or Belgium. The council can perform an effective part in filling out the crevices left by the two superior agreements, and this can be done in a real bargaining process. The works council, however, is not a union agency, though the union plays a significant role in its designation. In the coal mines virtually all works councilors are union members.

In order to protect the interest of the union in the activities of the council, the shop committee is retained as the only vestige of the old local union organization on a pit basis. The shop committee is not designated by the workers in the shop directly, but by the members of the executive of any local union who are employed at the particular pit. The primary function of the shop committee is to see that the works council adheres to union policies, including those pertinent to the negotiation of plant agreements. Thus, under the guidance of the Geschäftsstelle chairmen, designated by the national executive to supervise the functions of the lower intermediate organization, the local unions through the shop committees indirectly perform a limited bargaining function. This is the only one of the three cases described so far in which anything more than an administrative function is performed at the local level. This function is minor, however, since most works council members belong to IGB and take direction from the Geschäftsstelle chairmen.

The works council is legally endowed with the power to handle

grievances arising under any of the three basic documents determining the conditions of employment. The recognized procedure for an aggrieved worker, then, is to make his initial complaint (following failure of his effort, if any, to compose the matter himself without external intervention) to his representative on the works council. If he fails to obtain satisfaction there, the legal arbitration procedures are rarely invoked in the coal mines. His customary next step is to take the matter to the *Geschäftsstelle*, which maintains an office in the area of its jurisdiction. He may do so directly or through the intervention of the shop committee. In the *Geschäftsstelle* the matter may be handled directly with the management, usually the labor director, by the chairman. He has, however, in every *Geschäftsstelle*, some staff, its size depending upon the size of the jurisdiction. The staff may include a legal specialist with special competence in the law of individual labor contracts, a specialist in collective contractual matters, and a specialist in works council matters. Where this staff exists, and where appropriate, the grievance may be referred to the competent department for handling. Whenever necessary, the staff in any of these departments in the national union may be called upon.

The matter is then negotiated with management. Failing agreement, a decision must be made as to whether to take the case to the special system of labor courts, which have power to interpret and enforce all three types of agreements as implied terms of individual contracts of employment.

It should be noted that, in the main, grievances and other problems of the white-collar workers are handled, not in the *Geschäftsstelle*, but in the *Bezirk*, the higher intermediate organization. The *Bezirk* chairman, also designated by and responsible to the national executive, or a specialist in white-collar matters on his staff, is given special responsibility for white-collar problems. This arrangement was made because, with the strong sense of status among German white-collar workers, it was feared that membership would be lost if their problems were handled by the same machinery as those of manual workers. The staff at the *Geschäftsstelle*, except in the largest, would necessarily consist exclusively of former manual workers.

To continue the comparison of piece-rate determination, German agreements contain the most definitive method of bargaining such rates. The fundamental principle of German practice and law in this matter is that the establishment of the rate is to be the result of free contract between the workers involved and the mine management. But certain

guiding principles are laid down in the covering collective agreement and the work regulations. These provide, first, that the guaranteed minimum must be that provided in the collective agreement; second, that the qualified collier, with normal effort, should be able to earn an average wage provided in the collective agreements; and, third, that only the types of rates and methods of measurement provided in the agreements may be contracted for.

Further, the negotiatory techniques are specified in the collective agreements. These provide that the chargeman in the section or gallery (*Ortsälteste*), who is designated by the management under the terms of the Mines Police Act, and one or more representatives of the workers involved, depending on their number, shall negotiate the rate with the appropriate designate of management. However, the chargeman, who has other functions as well, participates only if he himself is to work under the negotiated rates.

If the rates are agreed to at this stage, they are reduced to writing and posted; they then become incorporated into the individual contracts of the affected workers. If they are not agreed to at this stage, appeal may be made to a permanent Piece Rate Inspector, designated mutually by the parties to the collective agreements. He inspects the site and makes a report and recommendations, which may be accepted or rejected. If the dispute is not settled by the inspector, recourse may be had by either party, or by the works council, to a permanent Piece Rate Commission consisting of two representatives each from the union and the management. Finally, if necessary, appeal may be made to the labor court.

Thus, although German agreements resemble French and Belgian in that specific piece rates are not the subject of collective agreement, they are not left to unilateral determination as in the other two countries. Though the specific rates are the subject of individual negotiation rather than of collective agreement, the union retains some control over them through the choice of the inspector and through representatives on the Piece Rate Commission. This control is exercised by the contracting party, namely, the national union, and within the union would normally be exercised by the *Geschäftsstelle* chairmen.

Great Britain

In Britain a most complex bargaining situation exists. Prior to World War II, bargaining for the most part was done with coal owners and regional employer associations by the constituent associations making up the old Miners' Federation of Great Britain, and by the local lodges

negotiating with pit management. The federation and its executive tried from time to time historically to lay down major guidelines of bargaining policy and, indeed, to introduce national bargaining. The latter effort never succeeded, and the former often faltered under the divisive efforts of the owners and the diversity of interest within the union, as between good and poor fields, fields producing for export and for the home market, political differences, and other centrifugal forces against which the loose structure of the federation could not stand.

Upon nationalization, agreements were worked out between the re-organized union, now the National Union of Mineworkers, and the National Coal Board providing that the NCB would take over all outstanding agreements between the union and its subordinate organizations and the old coal owners. Further, a standing negotiating procedure was agreed to, headed by a Joint National Negotiating Committee, with provision for bargaining and grievance appeals at the national level and for negotiating and grievance-handling machinery at subordinate levels.

The parties to the JNNC are the National Union of Mineworkers and the National Coal Board. In addition, a national negotiating committee has been established for clerical and administrative employees, the parties to which are NUM, the Clerical and Administrative Workers Union, the National Association of Clerical and Supervisory Staffs (a section of the Transport and General Workers Union), and NCB. NUM, representing about two thirds of the covered employees, is given a similar proportion of the representation on the workers' side. Agreements are also reached between NCB, on the one hand, and NUM and the National Association of Colliery Overmen, Deputies and Shotfirers, on the other, covering lower underground supervisory grades. A final national negotiating procedure brings together the British Association of Colliery Management and NCB. The following discussion will be devoted almost wholly to bargaining authority and procedure within NUM, as by far the most important union in the industry.

In beginning a comparative discussion of the distribution of effective power to bargain within NUM, it is a temptation to emphasize decentralization. Quite a different emphasis would appear if the discussion were primarily one of the history of British bargaining. There is no doubt that, historically, NUM has come far on the road to effective national bargaining, as compared with the prewar period.

Under the terms of the nationalization statute and of the agreements establishing the Joint National Negotiating Committee, no problem

is foreclosed to national agreement—the parties may deal, at the national level, with any issue relevant to terms and conditions of employment. In fact, national agreements have been reached on such questions as holidays and paid vacations, hours of work, principles governing employment of foreign workers, special unemployment compensation, and various perquisites both for piece and time workers. The greatest advance thus far has been the establishment of a national wage structure for day-wage, weekly-paid, and salaried staffs. This agreement sets basic wages, by national negotiation, for all workers except pieceworkers, and covers a majority of NCB employees. Furthermore, NCB and NUM have agreed in principle to the establishment of a national wage structure for pieceworkers. If and when accomplished, this would represent a crowning achievement in the nationalization, not only of the industry, but of collective bargaining.

However, two major circumstances warrant comparative emphasis on decentralization, or at least wide diffusion, of bargaining authority. The first is the political composition and responsibility of the national bargaining authority—the union executive. The second is the continued scope of substantive bargaining done at Area or lodge level.

The workers' side of the Joint National Negotiating Committee is designated by the NUM National Executive Committee. Its authority, however, is confined to negotiation; it cannot enter into binding agreements. Offers received are discussed in the full Executive Committee. Even this committee, however, has no power to enter into binding agreements, unlike the national bargaining authority in Belgium and Germany. It simply decides whether or not an offer should be submitted to the Areas for ratification. Area decisions on such questions are taken by their own rules, by vote of the membership as a whole, or lodge by lodge, or by special convention. Area votes are then tabulated, and binding agreements are made only upon approval of a majority of the membership acting through delegates to the National Executive Committee.

A decision to submit a proposed agreement for ratification does not bind a dissenting member of the Executive Committee to its support, or even to maintain silence. In the subsequent campaign for and against ratification in his own Area, he may actively oppose ratification.

Membership ratification is, indeed, no mere formality. Tentative agreements by the national executive have been rejected. Such was the case in 1957 when a proposed modification of the then existing rule granting a sixth day's pay to workers who had worked five days in a

week without an unexcused absence was voted down. The rule has since been modified in a manner more favorable to the employees than was provided by the defeated proposal.

Comparatively speaking, then, the NUM National Executive Committee is a much weaker body, in the performance of the bargaining function, than its counterparts in Belgium and Germany. Its composition and tradition tend, or so it seems to the external observer, to emphasize this relative weakness. Three of its 32 members are elected either by the membership at large or by the union convention. The others are representative of their Areas, and are not effectively responsible to the entire union. This, of course, is a usual pattern of union representation. Yet this observer sensed that the national executive had not, as yet, been able wholly to rid itself of the traditions of the executive of the old Miners' Federation of Great Britain, in which the members quite frankly represented the interest of their Areas, autonomous associations to which they were wholly responsible. One feels that the NUM executive has not as yet been transformed wholly from an aggregation of powerful Area leaders into an effective unified national leadership.

Over-all bargaining policy is set for the executive by the Annual Conference. Major union goals, in the postwar period, have been fixed by the adoption, in convention, of two successive "Miners' Charters," the first in 1946 and the second in 1955. The 1955 Charter consisted of the following:

- 1) The restoration of the seven-hour day for underground workers, and the introduction of the 40-hour week, inclusive of mealtimes, for surface workers.
- 2) The abolition of the principle of the bonus shift (the arrangement giving a sixth day's pay to workers working the preceding five) by incorporating the bonus into a new shift rate.
- 3) The introduction of three weeks' annual holiday with pay, in addition to the six days of statutory holiday.
- 4) Payment for loss of full wages due to sickness to be made for a period of six weeks in any one year.³⁰

The Charter may stand as a goal for some considerable period of time. In addition to the Charter, the Conference may mandate the executive to seek a wage increase, or to give priority to one or another of the demands of the Charter. The executive then forwards demands

³⁰ National Union of Mineworkers, *Annual Conference, 1956, Report of the National Executive Committee*, May, 1956.

through the JNNC and formulates more specific bargaining policy on the basis of its judgment of the tactical situation.

In addition to matters originating in this fashion, the national executive and the Joint National Negotiating Committee receive certain matters originating in the Areas and not resolved by bargaining machinery at the Area level. In general, district questions may be referred to the JNNC if they concern matters likely to assume an importance extending beyond a district, or if the parties at the district level have failed to agree on the terms of a new or modified agreement on wages and working conditions in the district.

Questions unresolved by the JNNC are to be referred to the National Reference Tribunal, consisting of three members appointed by the Master of the Rolls after consultation with NCB and NUM. The Tribunal is assisted by Assessors appointed by the parties, but renders binding decisions by vote of the three neutral members. The Tribunal is a standing, rather than an *ad hoc*, board.

Substantial bargaining on substantive matters remains to be done at levels subordinate to the national union and the JNNC. Subordinate to the latter are 18 District Conciliation Boards, on which are represented the competent Division of the National Coal Board and the NUM Area. The subject matter dealt with at the district level may include certain basic piecework price lists. Many kinds of perquisites are also agreed to, such as for extraordinarily hard coal, poor roof conditions, unexpected faulting, and the like.

In most Areas these allowances are not the subject of formal agreements between union and management. They are usually negotiated between the colliery manager and the individual worker or team of workers, frequently after the work is performed and at the time it is being paid for. The worker may or may not be assisted by the lodge secretary. The demands may be based upon real circumstances or they may merely be a subterfuge to make up for "unrealistic" piece rates. Incidentally, both parties agree that many unrealistic rates still exist. Such disputes are the common cause of unofficial strikes, which are, then, not expressions of a union activity, but expressions of the very great solidarity of the coal miners. This type of dispute especially is likely to provoke a walkout of only a portion of a pit.

British practice makes no clear distinction between bargaining and the function of contract administration. This has in part a historical reason, in that the great solidarity of miners forced employers to discuss any complaint, regardless of the pre-existence of an agreement dealing

with the matter. There developed then a code of practices, varying greatly from region to region and from pit to pit, the violation of which could cause overt conflict. These practices remain effective components of working conditions. Further, the NCB has remained quite willing to negotiate with the union or groups of employees on any questions reasonably relevant to the terms of employment. Any complaint, then, is dealt with, without distinction between those that are based on written agreements, those based on unwritten practices, and those based solely on a violated sense of equity.

For example, the problems of discipline are not dealt with in written agreements, and the union takes the official position that discipline is a managerial problem. Yet what seems to the miners to be unjustified discipline may be referred to the conciliation machinery, or result in spontaneous walkouts. Instances were also mentioned to the author in which a local lodge or Area initiated a demand for discipline against miners provoking unauthorized stoppages. To illustrate another type of case, the minutes of one Area Executive Council contains the following:

Correspondence was read from the above-named person in which he appealed against the decision of the lodge to demote him permanently from his grade of collier because he had tampered with another man's tools.

The Miners' Agent explained in a letter that this had been a very serious problem at this colliery and this drastic decision had been taken at a general meeting to stamp out this practice.

It was further stated that this man had been involved in this kind of action previously.

After discussion it was resolved—

“To uphold the decision of the lodge.”

The conciliation machinery, then, is the agreed machinery for handling grievance cases as well as bargaining. At the pit level there is a six-step machinery, involving (1) the worker and his immediate superior; (2) the worker and the colliery manager or his deputy; (3) the union representative, who may be either lodge official or Miners' Agent, and the management; (4) a Pit Meeting, between union and management; (5) a standing Disputes Committee; and (6) reference to the Umpire for the district. Grievances, as well as bargaining demands, may be transferred to district or national level under the same circumstances as those described above in connection with bargaining matters.

In general, then, administration remains centered at the local level, with lodge officials playing the key role in behalf of the union. In diffi-

cult cases, however, Area officials take over. In general, the latter reserve the right to reject grievances as ill-founded. Depending upon the particular Area and officials this is done with greater or lesser conscientiousness.

Summary and Comparison

Considerable differences exist among the four countries discussed as to the level in the union hierarchy at which control of bargaining policy is exercised. Perhaps the greatest degree of centralization is in Belgium, where not only is policy generally made and executed at the top level of the unions involved, but also considerable influence is exercised from authorities superior to the national union in the labor and social movements of the country. Through regional functionaries, the national unions in Belgium exercise at least potential control over the administrative function.

The situation most nearly similar to that in Belgium is in Germany, with two differences—one formal and one significant. The formal difference lies in the fact that separate basic agreements are reached for the several coal basins, so that authority to bargain in basins other than the Ruhr is delegated to the *Bezirk*, the upper of the two intermediate levels in the German union hierarchy. But close control is exercised over the *Bezirk* in the performance of this function. The second difference results from the negotiation in Germany of plant agreements supplementary to the basin agreements. The parties to these are the works council and the employer, but through shop committees local organizations exercise some influence and control over the content of plant agreements.

In France a very great degree of centralization in a formal sense is necessitated by the legal character of the *Statut du Mineur*. Since it is a statutory document, bargaining is merely advisory, and since the scope of the *Statut* is all-embracing, the function must be performed by the only competent union authority, the national union. Yet the recognized national unions signatory to the recommendatory Protocols of Agreement are unable to formulate policy effectively. Being weak minorities, they can act only within the limits set by the policies of the majority union, and by the pressures brought from below by the discontent of miners generally and from the leadership of the autonomous affiliates in the front line of competition with the Communist-led majority union. Furthermore, in France the administrative function, so far as it is performed at all, is in the control of officials of the autonomous affli-

ated syndicates, who are in no effective way responsible to the national union.

In Britain bargaining authority is widely diffused throughout the union. The national executive, even in dealing with national problems, largely executes a policy set by the convention and depends upon ratification of results from below. The executive itself, insofar as it exercises authority, acts not as a single body but as an aggregation of Area leadership. Furthermore, very significant bargaining authority is formally and actually exercised at the Area level and, in lesser matters, at the local lodge level. Britain is the only case in which great bargaining power is exercised in the intermediate organization.

A later section will deal more systematically with some of the factors behind allocation of function within the union structure. One somewhat unexpected relationship may be noted here, however, with regard to the bargaining function. It might have been supposed that the degree of centralization of managerial authority would be directly related to the level of exercise of effective bargaining authority in the union. At least comparatively, this proves not to be the case. Centralization of managerial authority has proceeded farthest in the two nationalized industries in Britain and France, where the central managerial boards retain power, and, in general, such power as is exercised below is delegated downward. (This statement completely describes the British situation, though in France the regional organizations exercise, by statute, certain managerial functions.) From a managerial point of view, both of these industries are more highly centralized than the privately owned coal enterprises in Belgium and Germany. In the latter two, centralization requires the positive act of delegation upward of authority to employer associations. Yet centralization of bargaining function is most pronounced in Belgium and Germany; least so, though in somewhat different ways, in Britain and France. Apparently, managerial structure is not the predominant force in determining allocation of the bargaining function, though it is undoubtedly of some influence.

These differences in the distribution of bargaining authority among countries obviously reflect something more than adaptation to peculiar national bargaining environments. As the early chapters have shown, and later chapters will emphasize, similar differences permeate all the activities of the several national labor movements. In part, they are related to a particular means toward the general end and to the adaptation of union structure to effective utilization of the most important means. Political action is one of the means common to the several

national movements. But its forms and goals differ from country to country, and to some degree within countries. Differences in structure can partly be explained by differences in priorities as between bargaining and political action, as well as other means, and in the role assigned to political action. The following chapter will discuss the forms of political action and their impact on the structure of coal unions.

Chapter 6

Partisan Political Functions and Their Performance

The aims of European labor movements generally have, traditionally, been oriented more largely to political goals than has been the case in the United States. Lorwin's comment about French unions, "the unions in France are less instruments of collective bargaining than of political action,"¹ is to a greater or lesser degree true of the four labor movements under consideration, the evolution of the German labor movement taking it farthest from this description.

This emphasis on political goals arises from the commitment of all major ideological streams in the European labor movement to basic institutional change, whether by revolutionary or reformist means. This is true of the Marxian Socialists, Guild Socialists, anarchosyndicalists, and, of course, the Communists. It is also true of the ideology of the Christian labor movements, whose commitments generally are to structural reform of such nature as to give workers a considerably larger voice in management and to reduction of the economic and social inequalities they see as a concomitant of capitalism.

Despite this primacy of political goals, great tactical diversity exists among the labor movements, particularly in their relationships to political parties. These range from the affiliation of the Trades Union Congress and most unions in Britain to the Labour Party, to disavowal of such commitments and prohibition of any political office-holding by union functionaries in some of the French unions. In all except the British case, the unions in the coal mining industries, like the labor movements to which they are affiliated, constitutionally disavow any formal ties to political parties

¹ Val R. Lorwin, *The French Labor Movement* (Cambridge: Harvard University Press, 1954), p. 278.

² See Canon A. Brys, "Principles and Organization of the Christian Labor Movement of Belgium" (mimeo) (Brussels: MOC, n.d. [1956]), and Georges Levard, *Chances et Périls du Syndicalisme Chrétien* (Paris: Librairie Arthème Fayard, 1955) for two among many authoritative statements.

France

All three principal French mining unions officially proclaim their political party neutrality. The CGT miners' union repeats in the preamble to its constitution the language of the "Charter of Unity" from the constitution of the CGT itself:

The trade union movement, at all levels, administers and decides its program in complete independence with respect to employers, governments, political parties, philosophical sects, or other external organizations.³

Comparable language appears in the constitution of the FO miners' union, derived from the same source:

Our union movement is absolutely independent with respect to employers, State or private, governments whatever they may be, all political parties, all religions, and all philosophical or other groups.⁴

While the rather sketchy constitution of the CFTC miners' union contains no such disclaimer, it states its adherence to the principles of CFTC itself, whose constitution declares:

[The Confederation] intends to maintain in its action complete independence with respect to the State, Governments and parties. . . .

Limiting its action strictly to the defense and the representation of the general interests of labor, the Confederation assumes full responsibility for that action, which it determines independently of external influence, political or religious.⁵

In both FO and CFTC there are prohibitions against the holding of political office by certain union officials. The FO miners' union forbids any regular or alternate member of the executive from being a member of Parliament. The CFTC union forbids all its officers from holding political office. In the CGT union, officers are forbidden to use their position for electoral campaign propaganda, but they may hold office. In fact, Henri Martel, general secretary, is a member of Parliament. The union publications give space from time to time to activities of members in Parliament.⁶

For these reasons, the relationships between the unions and political parties are informal and unofficial. The closest relationship appears to be between the CGT miners' union and the French Communist Party.

³ *Statuts*, Fédération Nationale des Travailleurs du Sous-Sol, 1956. Also, *Statuts*, Confédération Générale du Travail, 1955. This language is derived from the *Statuts* of the CGT reunified in 1936.

⁴ *Statuts*, Fédération Nationale "Force Ouvrière" des Mineurs, Miniers et Similaires. Virtually identical language appears in the *Statuts* of the parent federation.

⁵ *Statuts*, Confédération Française des Travailleurs Chrétiens.

⁶ See, for example, *Droit du Mineur*, July, 1956.

Virtually all the important regional and national officers of the union are members of the Communist Party. As such, they use the union to attempt to further the programs of the party. Thus, although the union forbids association with any party, union programs follow immediately and closely the Communist Party position on all matters. Much of the effort of the propaganda organs of the union, for example, has recently been devoted to campaigns for "Peace in Algeria," outlawing of the testing of atomic weapons, defense of Soviet intervention in Hungary, attacks on the Schuman Plan and on French participation in NATO, and so on.

The union provides in its constitution for affiliation with the Communist-dominated World Federation of Trade Unions, though this is actually accomplished through its adherence to the affiliated CGT. It is directly affiliated to the International Federation of Miners' Unions, a trade department of WFTU.

Immediate demands of miners are carefully coordinated with the policies of the Communist Party. For example, during the great emotional outburst of French workers against the armed Soviet suppression of the Hungarian revolution, the CGT miners' union in all its areas attempted a protest strike against destruction of Communist Party property by a Paris demonstration.⁷ It also tried to stir up militancy on economic issues, to divert attention from the anti-Soviet protest and to defend itself against recruiting campaigns of competing unions based on the subservience of the CGT to Soviet interests.

It is very difficult, of course, for a casual outsider to gain an insight into the technique of operation of the Communist Party in a trade union. One supposes, however, that it differs in no significant degree within the miners' union from that in any other. For a brief discussion of the operation of Communist factions and cells in the French labor movement, the reader is referred to Lorwin's excellent general work on that movement and the references cited therein.⁸

The FO miners' union is much less deeply committed to support of the policies and program of a specific political party. Its program contains significant political content, and it remains in the tradition of those French unions committed to basic structural reform. But a strong sentimental attachment remains to the anarchosyndicalist tradition, with its distrust of legislation and action through political party organization. Although the alternative of seizing control through the medium

⁷ It is doubtful that any responsible workers' organization participated in—or approved—the destruction of Communist property.

⁸ Lorwin, *op. cit.*, especially Chap. XV.

of the general strike is now little but a reminiscent slogan, a positive program of political strategy has not been developed. Many of the leaders of both FO and its mining affiliate are ideologically Socialist, of one ancestry or another. But the French Socialist Party has never had strong bases in the labor movement or strong mass organizational support.⁹ Such relationship as existed was largely programmatic, the Socialist Party seeking working-class support by the advocacy of ameliorative social measures. The limited attachment may have been weakened during the tenancy of the Mollet Government. Mollet's hard policy in Algeria, though probably nationally popular, alienated the extreme non-Communist left. A leader of the FO syndicat of mining engineers, Lucien Weitz, was among the group calling itself *La Nouvelle Gauche* and seeking a realignment of the French left, partly on this issue.

In the development of a parliamentary program, there is no doubt that French union leaders' wishes were taken into account by the parties of the non-Communist left. However, in the pinch between budgetary and fiscal problems and the demands for social reform, Mollet found himself in no less difficult a situation than his predecessors.

No factory or pit organization of the Socialist Party exists. In fact, since the party is not basically a mass organization, union-party relationships, such as they are, are leader to leader. In sum, the miners' union has no organic connection with any political party and maintains the traditional suspicion of close relationships. Some of its leaders, however, like those of other FO unions, are Socialists and align themselves with the left parties. Legislative liaison is created, largely *de facto*, on specific legislative issues, and particular leaders have played important roles in the periodic splintering and realignment of the left parties. This is the significant extent of relationships between the miners' FO union and political parties.

The party with which the CFTC affiliate is likely to have closest relationships is the MRP. But, like many of the Catholic parties of Europe, MRP attempts to include very heterogeneous economic interests. The rigidity of class structure and class view in France has made it particularly difficult for MRP to achieve stability with such a base. And, in view of the traditional French working-class suspicion of church and state power, the CFTC and its affiliated unions have tried to stay clear of entanglements with apostolic or confessional organizations and political parties. The miners' union, moreover, has been among those in CFTC that wish particularly to preserve political neutrality and to

⁹ See Lorwin, *op. cit.*

dissociate the union from any particular religious connection, especially from papal expressions of social philosophy.

In no real sense, then, can it be said either that CFTC or its affiliated organizations play a major role in MRP or that MRP significantly influences the Christian labor movement in France. The left wing of MRP gives parliamentary voice to the legislative program of the Christian unions, particularly on such matters as family allocations, housing policy, and other programs encompassed in Catholic social welfare policies. There is, undoubtedly, informal contact between union and parliamentary leadership on such matters; and the mine union leaders represent the special legislative programs of miners. But such contact as there is, is informal and entirely outside union machinery. CFTC mine union leaders, when interviewed, state merely that they act as a lobbying organization for their legislative program and that certain representatives of MRP give them a cordial hearing. Beyond that, they deny any relationship to MRP or to any other party.

The French unions in general, and the mining unions in particular, then, are generally committed to a political program of basic institutional change; yet, with the exception of the CGT and its affiliates, their relationships with political parties are informal and very tenuous. For this reason, identification of the locus of responsibility for such relationships within the union hierarchy is difficult. At the national level, in FO and CFTC, personal memberships and personal relationships between union leadership and party leadership establish the contact. At subordinate levels, influence is exerted similarly. In CGT, at all levels union functionaries hold Communist Party membership and, presumably, are subject to party discipline. The influence runs from party to union, and probably not in the reverse. On all questions of policy, at all levels, the union is influenced by direction from the party.

Belgium

The relationships between political parties and trade unions in Belgium are much clearer than in France. Both FGTB and CSC and their mining affiliates proclaim their independence of political parties—the FGTB miners' union through its adherence to the FGTB, and the CSC union both through adherence to the CSC constitution and by direct constitutional provision.

Unlike the situation in France, the constitutional political neutrality of FGTB and its affiliates is a relatively recent development. From the time of the organization of the Belgian Socialist Party toward the end

of the 19th century, unions were directly affiliated to it through its Trade Union Commission. This relationship prevailed until 1940, when German occupation suppressed all Socialist and trade-union activity.

Immediately upon liberation, both the Socialist Party and the trade-union movement were reorganized, but upon bases different from those of the prewar period. The Socialist Party became wholly an organization predicated on individual membership, while the former Socialist unions declared their independence of any political party.

The action of the Socialist Party removed the possibility of organizational affiliation. But beyond that, the trade-union movement hoped to achieve a wider degree of unity by disavowing political ties. On the one hand, in Belgium as elsewhere, there was an upsurge of Communist Party activity immediately after the war, and a revival of unions affiliated with the Communist-dominated *Syndicats Uniques*. The reorganized FGTB hoped by its political independence to recruit workers whose political party sympathies were, at least for the moment, with the Communist Party. On the other hand, hope was also expressed that, by political neutrality, leadership of the former Christian unions could be persuaded to abandon their commitment to trade-union plurality and join in a unified trade-union movement.¹⁰

National negotiations for merger of the *Syndicats Uniques* with FGTB failed. In certain localities, however, notably Liège, local merger arrangements were arrived at, and, in effect, the FGTB unions absorbed the affiliates of SU. In other areas, where mergers did not take place, the SU rapidly disappeared with the virtually complete eradication of Communist influence in Belgium. But many former members of the SU unions, especially in the coal mines, refused to join the militantly anti-Communist FGTB unions. This partly accounts for the weakness of the Socialist miners' union in certain areas of earlier Communist penetration.

The tactic with respect to the Christian unions failed wholly. The Christian labor movement was rapidly revived after the war and rejected all proposals for organic unity, adhering both to its belief regarding the anti-Christian as well as anticlerical character of the Socialists and to its devotion in principle to ideological plurality.

In light of these failures, FGTB has remained an integral part of the Belgian Socialist movement. Its adversaries stigmatize it as the Socialist federation; it and its friends proudly affirm the Socialist faith. Very close

¹⁰ For a brief account of this period, see Léon Delsinne, "The Trade Union Movement in Belgium," *International Labour Review*, May, 1955, pp. 492-521.

relationships exist between the Socialist Party, on the one hand, and FGTB and particularly the miners' union, on the other. Achille De-Lattre, president of both the miners' union and a regional federation, held the portfolio of Minister of Labor in the first postwar coalition Government and presently is Minister of State.

However, strains exist between the two institutions. Though the Socialist labor movement forms the mass base of the Socialist Party, it is divided into left and right wings. The party, while in power in 1954–58, depended upon the parliamentary support of the Liberals for continuance of the Government. Necessity for maintaining this coalition seriously limited the program capable of enactment. The Belgian Liberal Party is a classical European conservative party, supported largely by employers devoted to principles of *laissez faire*. Its sole programmatic bond with the Socialists lay in reform of the state-supported educational system, opposed by the Catholics because it entailed lessened support and status of Catholic schools. This accomplished, the coalition Government survived only by continuing concessions from Socialists to Liberals in the way of limiting social legislation to most modest dimensions. It fell in the elections of 1958 when the Christians elected a majority in one house of Parliament and took over the reins of government with the assent of Liberals in the other.

This "timidity" on the part of the parliamentary Socialist Party led to bitter criticism from the left wing of FGTB, led by André Renard of the Metal Workers' Union. The issue came to a head, in part, on questions involving the coal mines. The subject of this dispute has been adverted to in the earlier chapter on performance of the collective bargaining function. At this point, it is sufficient to say that the Marcinelle disaster of the summer of 1956 provoked widespread demand for structural reform of the industry. In the Socialist labor movement generally, this took the form of a demand for nationalization. FGTB, in a special congress in the fall of 1956, reiterated its official position demanding this reform. At that congress the demand was supported by miners' delegates, yet the leadership for the program was in the hands of Renard and top officers of the miners' union were conspicuous only by their silence on the issue. This was despite the fact that the constitutional goals of the union have always included a demand for nationalization.

The Government, after long delay, finally advanced a program for most modest reform, which would leave unimpaired the basis of private ownership. Again, the program has been bitterly attacked by the Renard group but not by the miners.

One is led to conclude that the Socialist miners' union, with individual exceptions, remained lukewarm to legislative programs which would have endangered the continuance in power of the coalition Government. Relationships between the coal mining union's top leadership and the parliamentary party are apparently good. But the program of the party is conditioned, not by this fact, but by the pressures from the left of FGTB, which does not include the miners, and by the limits to which the Liberals could be persuaded.

It should be noted that Nicholas Dethier, general secretary of the Socialist miners' union, apparently with considerable support from within the union, has expressed himself as envisaging the resumption of official and formal relationships between FGTB and the Socialist Party, resembling those prevailing before the war.¹¹ It should be further noted that at all levels functionaries of the miners' union are active Socialist Party workers.

The CSC and its mining affiliate proclaim their political neutrality. But there is somewhat more formal, if not necessarily more effective, liaison between it and the Social Christian Party (PSC). CSC and its affiliated unions, through it, are members of the superior organization of the Catholic working-class movement, the Mouvement Ouvrier Chrétien (MOC). This rather loose organization includes, besides CSC, the Catholic women's and youth organizations, the Catholic-sponsored cooperatives and mutual insurance organization, and the "political committees."

The political committees are established for the express purpose of maintaining liaison between the various component organizations of MOC and the Social Christian Party. MOC believes that the two other important parties are basically anticlerical and hostile to the social philosophy of the Catholic Church, a view advanced also by members of the Catholic Church hierarchy. MOC then states that, though it is and belongs to no political party, though its constituent groups are autonomous, it "puts its trust in the Social Christian Party." The political committees serve as liaison agents at the local, regional, and national levels between MOC, its constituent organizations, and the PSC.¹² This contact, so far as the individual union is concerned, is through the local, regional, or national CSC organization, rather than directly.

The political committees, as well as more informal leader-to-leader

¹¹ See Nicholas Dethier, *Centrale Syndicale des Travailleurs des Mines de Belgique: 60 Années d'Action, 1890-1950* (Brussels: CSTM, 1950), pp. 33, 75-80.

¹² Brys, *op. cit.*

contacts, serve as two-way avenues of communication: as a means of incorporating CSC legislative programs in the political program of PSC, and of dampening down legislative demands of CSC in order to avoid possible embarrassment to the party. This possibility always exists, since the bond which unites PSC disregards diversities of economic interest. The party includes strongly conservative Catholic employers, some of old-style paternalistic bent, who react vigorously against the basic CSC program of comanagement.

The influence of conservative elements in PSC and MOC was most apparent in the course of development of the issue over structural reform in the mining industry. There was strong rank-and-file sentiment for nationalization; yet the union's program became a rather weak mixture of certain specific measures to improve safety regulation and an indefinite demand for greater worker voice in management. Nationalization was described as a work of the Marxian devil, though the sister Catholic unions in France had no difficulty in supporting initial and continued nationalization of the mines.

In Belgium, then, officially neutral unions play a larger political role than their counterparts in France. In some measure, that role consists in acting through party machinery so as to influence the party programs to include legislative demands of the unions. But in at least as great a measure, the parties, expressing the limits placed on them by interests with which they are integrally associated in the case of PSC and associated by coalition in the case of the Socialist Party, use the relationship to moderate the legislative demands of the unions.

The unions are very actively engaged in the propagandistic and electoral activities of the parties. These functions are carried on at all levels by union officers. FGTB, despite its official political neutrality, remains ideologically Socialist. CSC proclaims its adherence to a program of social reform based on the social ideals of the Catholic Church. With these programs, each group finds itself ideologically and practically at home, though CSC may at times find itself embarrassed by the conservative wing of the PSC, whose newspaper mouthpiece, *La Libre Belgique*, of Brussels is undoubtedly one of the most conservative and antiunion newspapers of significance in Europe.

Germany

The Deutsche Gewerkschaftsbund (DGB), the central German trade-union federation, and its 16 affiliated industrial unions were rebuilt after the war on the basis of political neutrality. Both the federation

and, particularly, its mining affiliate, IGB, constitutionally declare their independence of party, governing régime, or religious faith, so long as democracy is not endangered.

This structure represents a change from the pre-Hitler labor movement, in which ideological pluralism prevailed and in which unions and political parties were intimately associated. Postwar reconstruction of the labor movement entailed accommodations, principally between leaders of the former Christian unions and those of the former Socialist unions. Rigid adherence to political-party neutrality was a principal condition of that accommodation.

The marriage of Socialist and Christian Democratic union leaders and adherents has not always been smooth. It was difficult for the "former Christian" unionists, whose world movement holds ideological plurality as an article of faith and whose counterparts in some countries regard intimate association with Socialists to be sinful. Yet when, in June, 1956, a breakaway movement of certain Catholic trade unionists began, it met almost no response among responsible leaders, either in the labor movement or in the Christian Democratic Party (CDU). On the other side, certain left Socialists speak of the necessity of a *Reinigung*, or cleansing of non-Socialists from positions of influence within DGB and IGB in particular.

Despite these dissidents on both sides, within IGB the accommodation is preserved by maintaining aloof from partisan political activity. In addition, a certain informal sharing of offices is done. Though a majority of the National Executive Committee consists of Socialists, places are given to Christian Democrats. In 1956, 4 of the 11 members were "former Christians." In the appointment of Bezirk and Geschäftsstelle chairmen, care is taken that some come from the ranks of Christian Democrats. Those appointed "former Christian" officials with whom the author spoke expressed themselves as quite satisfied with the informal apportionments and with the treatment of CDU adherents as a minority within the union.

Particularly within the IGB the accommodation is relatively easy since there is little important immediate programmatic difference between the two groups. The union's program formally advocates socialization of the mines. This plank was mutually agreed to. Yet the Socialists, except for a small minority, seem well content with the existing arrangements for control of the industry, including codetermination. At the time of its enactment the codetermination legislation was wholeheartedly supported by the union, which went so far as to

threaten a strike to obtain its passage. At the same time, the legislation was included within the party program of CDU¹³ and passed under the Adenauer Government, with full support of the Socialist Party. The more recent political efforts of the union, so far as structure of the industry is concerned, have been devoted to closing a loophole in the codetermination law which permitted holding companies to control operating companies without being subject to codetermination. This fault was largely remedied by a 1956 amendment to the codetermination law.

Thus, IGB has been able to work reasonably successfully with the Adenauer Government, though the CDU right wing has been troublesome. On measures of special interest to IGB, the combination of support from the Socialist Party and the left wing of CDU has achieved the limited goals of the union. At the state level, IGB has worked well with both Christian and Socialist governments in Rhineland-Westphalia, which includes the Ruhr, as well as with a Socialist government in Hesse.

Not only immediate legislative goals have been achieved by the working coalition of Christian Democrats and Socialists in IGB, operating as a pressure group reminiscent of the political tactics of American unions. Pressures can sometimes be brought on employers. Thus, for example, when it was decided, because of unprofitability, to close a large coal mine in Niedersachsen, IGB was able to obtain major concessions from the employers, through political pressures. These were especially effective because of Government participation in the enterprise through ownership of stock in a holding company at the top of the pyramid in which the company concerned was a lower-level operating firm.

Negotiations with political parties occur, on major issues, through direct intervention of the National Executive Committee, and, at the state level, as part of the duty of the Bezirk chairmen. Further, since many union functionaries are active in their respective parties, union points of view are well represented informally. This was especially the case in Rhineland-Westphalia during the period of control of the state government by a left CDU administration.

¹³ See the "Ahlen Program" of CDU, adopted at Ahlen in February, 1947. Some Socialists interpreted the general terms of the program as advocating socialization. This seems mistaken; it is undoubtedly more consistent with *Mitbestimmung*. Despite the attack upon capitalism in the Ahlen Program and the general commitment of CDU to codetermination, the party had difficulty in maintaining discipline on these issues and has moved rather considerably to the right of its 1947 program.

Great Britain

Britain is the only instance among the four countries studied in which there is no trade-union plurality based on ideology, and in which formal and official relationships between union and political party exist. The Trades Union Congress and its affiliates, including all the affiliated unions active in the mining industry, are also affiliates of the Labour Party.¹⁴

Under the provisions of the Trades Disputes and Trade Unions Act of 1946, British unions may establish a political fund, with compulsory contributions from all members who do not voluntarily "contract out." This fund may be used for very broad political purposes defined in the Act. A part is paid in affiliation fees to the Labour Party, and a part used directly by the unions. Since unions make no accounting to the Labour Party of political contributions, some, though not NUM, pay fees on substantially less than their total "political members." In 1950, NUM paid dues to the Labour Party on 87.3 per cent of its members.¹⁵ The portion of the political fund retained and used by the unions is employed for the support of candidates for public office at all levels and for political education and Labour Party propaganda.

The terms of affiliation with the Labour Party permit the union affiliates to propose parliamentary candidates to the Labour Party executive. Under NUM rules, all Areas with membership under 10,000 may nominate one candidate, and those with over 10,000 may nominate one candidate for each 10,000 political members. Candidates proposed by the Areas are subject to approval by the NUM executive, and then by the Labour Party executive. They then must be adopted by a particular constituency, through action of the local Constituency Association. Their initial proposal in the Area presumes, ordinarily, the adoption in a particular and specified mining constituency. An NUM candidate must have been a dues-paying member for not less than five years before being eligible for proposal.

Upon adoption, the candidate is allowed certain election expenses. Upon election, he is paid £200 per year from the political fund. Elected parliamentary candidates who hold full-time union offices are expected to resign them. However, candidates elected to local offices may continue to hold union positions.

¹⁴ The National Association of Colliery Overmen, Deputies and Shotfirers is not affiliated nationally, but its regional unions are.

¹⁵ B. C. Roberts, *Trade Union Government and Administration in Great Britain* (London: G. Bell and Sons, Ltd., 1956), p. 374.

The Miners have sponsored and elected parliamentary candidates for many years; two officers of county miners' unions were elected to Parliament as Liberals in 1874, and miners have been represented in Parliament by members of their unions ever since.¹⁶ In 1956, 34 members of Parliament had been elected under sponsorship of NUM.

The Miners' M.P.s are organized into a Parliamentary Group, with three elected officers. The officers, and the Group as a whole, maintain very close contact with the NUM executive, including attendance at meetings. The chairman and secretary of the Group are ex officio members of the executive. They take special responsibility for legislation dealing with the mines, including, for example, safety and health legislation and special social security provisions for miners. They are expected to and do take active parts in the debates on the annual reports of NCB and in questioning of the Minister of Fuel and Power on problems involving their industry. In addition, they take general responsibility for Labour's parliamentary program.

The officers of the Miners' Parliamentary Group, in addition to their continuing contact with the executive, make an annual report which becomes the subject of discussion at the Annual General Conference of the union. The report recounts the activity of the Group in Parliament, including party and private bills sponsored and their progress, participation in debates, and a report of the attitude of the Government on matters of interest to miners.

These are activities generally characteristic of all British unions. The only feature distinguishing NUM is the fact that political activity is a more important part of its total range of activities than in many other unions. The Miners' Parliamentary Group is about twice as large as the parliamentary delegation of any other union. NUM's political fund expenditure is the largest among British unions, both absolutely and relative to total expenditure for all purposes.¹⁷ The political activities of the other unions in the industry follow the general pattern in British unions, and are shaped to the needs of their more diverse membership. The two general unions and the Clerical and Administrative Workers, sometimes called the general union for white-collar workers, have membership in many industries, with colliery membership only a small part of the total.

The high level of political activity in NUM can perhaps be accounted for by two factors. First, the industry is one that has traditionally been

¹⁶ For more detail see R. Page Arnot, *The Miners* (2 vols.; London: Allen and Unwin, 1949 and 1953).

¹⁷ *Ibid.*, p. 384.

the subject of various legislative problems. Mine safety, damage done by subsidence, and hours of work in mining are examples of traditional legislation. Further, as an export industry until the last war, mining was involved in problems of international trade policy. It was not mere happenstance that the earliest Miners' M.P.s were Liberals. Miners' unions, then, found themselves from the beginning involved in politics.

Second, conditioned perhaps by the economic insecurity that was characteristic of the industry, miners have traditionally been leaders in British (and other) revolutionary movements. British miners are perhaps more solidly Socialist (or Communist) than any other large industrial group. They are also, by tradition, an extremely group-conscious lot. Thus, with a common ideal, they have tried harder and succeeded better than most unions in electing of their own number to represent that ideal in legislative bodies.

In general, control of political action lies at the Area level. By rule, initial proposal of candidates to Parliament is made by the Area, subject to (usually formal) endorsement of the executives of NUM and the Labour Party. With but one reservation, the national executive will not ordinarily interfere with local choices of parliamentary candidates. The one exception would be the case in which an Area might propose a candidate associated with one of the allegedly Communist organizations proscribed by the Labour Party.

Much of the direct expenditure on political purposes made by NUM is controlled at the Area level. Of political contributions by members, one half goes to national NUM and the other half is retained by the Area. But the national union is responsible for affiliation fees to the Labour Party. In practice, much of the Area political fund is turned back to the lodges for their political purposes. This, however, lies within the control of the Area organizations, acting within their own rules.

NUM is entitled to nominate members of the Labour Party executive. This is done by vote of the NUM Annual Conference. Delegates to Labour Party conferences, to whom the union is entitled, are apportioned among the Areas and designated by Area rules. One common practice, applicable to this as well as many other types of conferences including the Annual Conference of the union, is the establishment of a "rota." Local lodges are given places in turn, and designate at the beginning of a year a list of delegates to conferences. When the Area becomes eligible to send delegates, they are chosen in accordance with this list, each prospective delegate taking the turn falling to his lot. Since the agenda of the conferences are distributed in advance and

delegates are commonly mandated on the issues by their Areas, little likelihood arises of a delegate voting or expressing a position contrary to that of his constituency.

Some difficulty does arise, however, with respect to delegates to Labour Party conferences. Such delegates must be in accord with the principles and constitution of the party. The party has established a list of proscribed organizations, principally those alleged to be Communist-dominated. Members of those organizations are held, *prima facie*, to be ineligible for participation in Labour Party conferences, as may be those who, though claiming not to be members, may have cooperated in various ways. Delegates whose turn arises on a rota may find themselves ineligible, then, under the rules of the party. In such cases, the Area will normally proceed down the list until eligible delegates can be found. This happens rather commonly in South Wales and Scotland, where Communist influence in the Area organizations is significant. These rules, however, do not prevent the Areas from mandating eligible delegates to vote in any way they choose on issues before the Labour Party conference. For example, delegates may be mandated to abolish the list of proscribed organizations and the principle of proscription.

Since this degree of control lies in the Area, there is no necessary unanimity among miners' delegates to Labour Party functions. The kind of disagreement that may arise is typified by the fact that Sam Watson, general secretary of the Durham Area, voted in the Labour Party executive in 1955 to expel Aneurin Bevan, a Miners' M.P., from the parliamentary Labour Party.

The rota system and mandating delegates are not invariably the practice. Each Area elects delegates in accordance with its own rules. Thus, whereas South Wales uses a rota and mandates its delegates, Durham elects delegates to the Labour Party conference, as well as all other conferences, by ballot vote of the coal field, allotting representatives to each "ward." These elected delegates then act freely at the conference.

In Britain, then, the unions are formally and officially affiliated with the Labour Party and are committed both to its long-run program of peaceable development of a socialist society and to its shorter-range legislative programs for the further development of the "Welfare State." Affiliation with the Labour Party entitles the unions to the nomination of Labour candidates for Parliament, as well as for local office. These nominations are subject to approval by the national executives of NUM and of the Labour Party and to final adoption by local Labour

Party Constituency Associations. Constituencies in which miners are found in any numbers are, however, generally composed largely of miners and their families, so that few problems are likely to arise in the Constituency Association.

Within the limits of the rules of the party itself, which requires adherence to its principles for membership and activity, the Areas remain largely in control of Labour Party electoral activity. Under this arrangement, inherited partly from the long political tradition of the formerly autonomous regional miners' unions, a large miners' delegation has been elected to Parliament. After election, the Miners' Parliamentary Group works closely with the national executive of the union. Thus the Area controls the initial selection of candidates, but the national union is the important instrumentality in guiding their parliamentary activity. The national union, of course, has no compulsive powers over M.P.s during their term of office, but in an internal crisis in the party it is the national union delegates to the Labour Party executive who control the union policy on the exercise of internal party discipline.

NUM has been outstandingly successful among British unions in electing its members to Parliament. The Miners' M.P.s work together, in cooperation with the national executive of the union, on legislative matters of particular interest to the union. These include problems of safety, health, policies of the NCB, and all other special problems of the industry. On this kind of question, the Miners' Parliamentary Group is expected to represent the position of the union, as expressed by the Annual Conference and the national executive. On questions of general interest to unions and workers, the Group is expected to follow Labour Party policy.

Summary and Conclusions

Considerable differences among coal mining unions in the four countries appear in the area of partisan political activity. These differences, however, are largely a function of the national trade-union movements, rather than of the industry. That is, political activities of coal mining unions in each country and in each federation closely resemble those of other unions in that country and that federation. There is a difference in degree, perhaps, resulting from the universally great public-policy interest in coal mining. In three of the four countries this has culminated in special treatment going to the very bases of property relationships in the industry—nationalization in two cases and union repre-

sentation on governing boards of private corporations in the third. Even in Belgium structural reform is a very live public-policy issue. For these reasons, coal mining unions have, perhaps, been led to greater concentration on political action than other unions, but the forms of that action have been dictated by the policies and traditions of the national union movements.

In three of the four countries, Britain being the exception, political neutrality is imposed by the constitutions of the federations and of the unions. This neutrality is most carefully observed in Germany, where a unified movement, including active members of both the Christian Democratic and Social Democratic parties, was built after the war. It is rather less well preserved in Belgium and in the French CGT.

Because of the neutrality in these three countries, no formal locus of responsibility for partisan political action exists. In the fourth, Britain, responsibility is allocated throughout the union hierarchy. Informal political roles are played at all levels in the three neutral countries, with greatest centralization in Belgium and Germany and least in France, where, except for the CGT case, political action is primarily an individual rather than a trade-union matter. The CGT is a typical case of imposition of a party program on the trade union by a doctrinaire Communist Party, the decisions being made in the party, rather than the union, machinery.

Political goals, however, may be sought not only by partisan political action but also by direct action. Some labor movements see the strike as primarily a political weapon, while others take the familiar American view of it as a bargaining device. All the movements are organized partly for the purpose of carrying on effective strikes. But the ends of the strikes vary, and consequently their form, incidence, and loci of control are different. The next chapter will describe the several unions' attitudes toward the role of strikes and the resulting adaptation of union structure to the use of this means toward diverse ends.

Chapter 7

Strikes

The strike, or the power to strike, is both the evidence of trade-union power and the symbol of the bond of unity that creates a union. Though not the only union weapon, it is the ultimate coercive power available for the achievement of union purposes. It can be used to coerce either employer or the state. The locus of control over strikes, then, is in considerable degree the locus of ultimate power in the union. In this context, however, control should be thought of not only negatively, but positively—not only where “unofficial strikes” can be called to a halt, but also where official and unofficial strikes can be initiated.

The coal mining industry is one in which some of the great strikes of trade-union history have been waged. In the countries we are considering, coal mining strikes have made union history: in Germany the great strikes of 1889 and 1905;¹ in Belgium the strikes of 1886, 1892, and 1893;² in France the periodic eruptions of miners in the 1870's and '80's (usually related to strikes in the neighboring Belgian fields), and that of 1902;³ in Britain the great strikes of 1893, 1921, and 1926.⁴

Coal mining strikes, like those in many other European industries, have sought diverse objectives, with political ends assuming major importance. In Belgium, for example, the strike was a major weapon in the struggle to achieve universal suffrage, and coal miners frequently led in these struggles. More recently, in Germany, the threat of a coal mining strike was used to force the iron and coal codetermination law through the *Bundestag*. In France the coal strikes of 1947 and 1948 led by the CGT had primarily political objectives, although economic and bargaining demands were advanced simultaneously. In France and

¹ For an account see Max Koch, *Die Bergarbeiter Bewegung im Ruhrgebiet zur Zeit Wilhelm II* (Dusseldorf: Droste-Verlag, 1954).

² For accounts see Emile Vandervelde, *Enquête sur les Associations Professionnelles d'Artisans et d'Ouvriers en Belgique* (2 vols.; Brussels: 1891); Nicholas Dethier, *Centrale Syndicale des Travailleurs des Mines de Belgique* (Brussels: CSTM, 1950); Léon Delsinne, *Le Mouvement Syndical en Belgique* (Brussels: Castaigne, 1936).

³ Accounts of these strikes are difficult to find; they are mentioned in the more general works on the French labor movement. For one example, see Pierre Brizon, *Histoire du Travail et des Travailleurs* (4th ed.; Brussels: Eglantine, 1926).

⁴ See R. Page Arnot, *The Miners* (2 vols.; London: Allen and Unwin, 1949 and 1953).

Belgium the anarchosyndicalist objective of seizure of control by workers through the general strike remains a slogan to which at least lip service is still given.

But in all countries the strike remains a bargaining weapon as well. Strikes or threats of strikes remain the ultimate recourse by which the unions can force reluctant employers, be they private or governmental, to grant immediate concessions.

The strike is a weapon that must be used sparingly and with discipline in order to be effective in the achievement of its announced goals, unless it is used for itself, that is, for the social and economic disruption it entails or as a disciplinary skirmish in the class struggle. For that reason, all unions maintain some form of procedure for the control of strikes.

The discipline of participation in the union is one, often not very effective, sanction enforcing approval or disapproval. The commonly used supplementary sanction is the granting or withholding of strike benefits. Workers are encouraged to answer a strike call if a strike fund exists and if payments will be made out of it. Unofficial strikes can be discouraged by the withholding of strike benefits. Formal control of strikes, then, rests in control over the procedure for calling or approving strikes and over such strike funds as may exist. However, these formal controls may be ineffective. The general occurrence of unofficial strikes implies the existence of informal procedures more effective than the formal ones. The following sections will describe briefly the formal procedures for strike control and indicate very briefly their effectiveness. Where they are ineffective, some effort will be made to identify the informal seat of control.

France

In France the principle of autonomy of the syndicats implies that the national union exercises control only over strikes of industry-wide scope. In general, the constitutions of the three major unions are unclear on the subject. The Force Ouvrière mining union constitution, in describing the attributes of the National Council, says: "Decisions of the Conseil National which might necessitate action and discipline of the entire Federation, for example, for a general strike of all the members without exception, must be taken by two-thirds majority." The FO union has no national or local strike benefit funds.

The constitution of the CGT union is even less definite. It provides that the National Council shall act by majority vote except when the

interest of the entire federation is in question. Then decisions require a two-thirds vote. This can be construed to mean that industry-wide strikes may be called by a two-thirds vote of the National Council. In addition, another provision gives the national union the power to pay strike benefits in case of a local strike, if funds permit and if prior approval of the National Executive Committee has been obtained, or if subsequent approval is granted in the case where it was impossible to await approval before initiating the action. However, strike benefits are never paid, the union not being willing or able to accumulate funds for this purpose.

The constitution proper of the CFTC mining union says nothing about strikes. However, this is the only one of the three unions with a formal national union strike fund, which is handled separately from the other union funds and into which a specified dues payment is made. The rules of the strike fund carry the implication that industry-wide strikes must be initiated at the national union level. Other less extensive strikes, by specific rule, are called by the syndicats "after having obtained the agreement of the Federation." Strike benefits are payable only in the case of approved strikes. Rules of the strike fund further provide that members who return to work without decision of the union, or who take the places of strikers, may be expelled. As indicated in an earlier chapter, however, control over membership generally lies with the syndicat.

The federal character of the French national unions implies that basic control over other than national strikes lies at the level of the syndicat. But the rules of many syndicats are rather casually drawn and often do not provide for constitutional strike control procedures. Of the several such rules examined, one example of a formal procedure is contained in the rules of the FO Syndicat des Mineurs du Nord, which provide: "... when a conflict arises between a member or group of members and one or more employers, on any question whatsoever, the Syndicat will take up the case if it regards it as just and defensible. If the conflict appears to be of sufficient gravity to warrant collective action, the latter will be taken only after consultation, by secret ballot, of the members affected, and on affirmative decision by majority vote."

The supermilitant attitude of the CGT hierarchy is such that there is no desire for control over strikes in a negative sense. When interviewed, CGT miners' union officials derided the very question as to how strikes were controlled. Strike control, in their concept, means the positive act of producing disciplined members who will respond to any occasion for

a strike. In pits where CGT is dominant, sporadic strikes occur over a wide variety of issues, always fully supported, before or after the fact, by syndicat officials. Typical examples of issues include piece-rate disputes, disciplinary problems, or, in one case, the use by a foreman of the German (imply Nazi) term '*raus* (*heraus*, get out) to a worker.

Political issues are frequently the precipitating ones in local CGT strikes, though they may be tied to economic issues. An example is a series of stay-down strikes in mines in the Nord-Pas de Calais area which were to be closed. Basically these strikes were directed against the whole scheme of the European Coal and Steel Community. CGT officials discouraged workers from taking advantage of relocation offers of the administration under ECSC programs, admittedly made no effort to help the workers find other jobs in the area, but used this occasion to whip up sentiment against the European Community scheme.

Political strikes occur not only at the local level, but industry-wide as well. The call for such strikes is issued by the national union. These are also commonly tied to economic demands. An example is the general coal strike of 1948, called by CGT. The undoubted purpose of the strike was to undermine the French economy in a delicate period and to embarrass those Socialists participating in the Government. The union took the unprecedented step of calling out all the maintenance-of-safety personnel, endangering the mines themselves with flooding, gas accumulation, and other possibly permanently destructive eventualities. The result was to force the Socialist Interior Minister to call out troops to protect the mines.

As an example of an industry-wide strike basically political in nature, the 1948 strike illustrates the initiative exercised by the national union, though in this case it probably lay with the leadership of the Confederation and of the French Communist Party itself. Although the strike was a failure in terms of its immediate demands, the call to strike did meet great response because of the endemic discontent of French mine-workers and their traditional militancy.

Although in general the nature of the CGT is such that its problem is not negative control of strikes, but assurance of discipline in obedience to strike calls, occasional instances do arise in which negative control is sought. During the immediate postwar period, when Communist tactics emphasized production above all other objectives, local stoppages over grievances were discouraged and, of course, there was no thought of national strikes. At that time, local functionaries, in pursuance of national policies, were given the task of attempting to keep the men at work.

In later years, when Communist objectives in France changed, this type of problem did not often arise. However, after the split in CGT, political demonstrations were, on rare occasions, called by competing unions over issues on which CGT and FO or CFTC leaders were divided. An example came with the Hungarian revolt, when token stoppages of work were called as demonstrations of protest against the Soviet repression. Of course, CGT leadership, in the mines as elsewhere, attempted to minimize these demonstrations by keeping the men at work. However, no real sanctions exist, except possibly against leadership, to prevent CGT members from answering the strike calls of competing unions.

The problem of strike control is perhaps a more difficult one for FO and CFTC leadership. Both unions are committed, as CGT once was, to the success of nationalization in at least roughly its present form. Both unions depend in some measure on the continued good will of the Charbonnages de France and the regional administrative bodies. As a matter of national policy, neither union welcomes sporadic and unofficial strikes.

As far as local strikes are concerned, CFTC attempts to exert some control through denial of strike benefits. This is, at least in some measure, effective. Control over the strike fund is ultimately exercised by the national union office. As to FO, its sanctions are only those of persuasion. These are not very effective in the face of militant local CGT leadership. In many cases, FO and CFTC may be confronted with one of two equally undesirable alternatives—supporting a CGT-led strike which is regarded as unwarranted or losing face and adherents among the traditionally militant miners, still hostile to any employer.

As far as national strikes are concerned, FO and CFTC face the same dilemma when the apparent issue is an economic one. During the 1948 CGT-led strike, they acceded so far as to call for a 48-hour demonstration, at the end of which they asked the miners to return to the pits.

For the purely political demonstrations led by CGT, the way is clearer. Thus, for example, neither group had any difficulty in opposing the demonstrations protesting destruction of Communist property in Paris after the Hungarian revolt, which appeared to support the suppression of the revolt by the USSR. These demonstrations, incidentally, failed miserably. They were perhaps a real demonstration only that the miners, in majority, support CGT not for its political program but for its economic militancy.

In the positive aspects of strike control, in all three unions authority

to call local strikes lies, in general, at the syndicat level, or, effectively, with any body of workers with a grievance. Authority to initiate national actions lies with the national union. Negatively, the same distribution of authority exists, but negative controls are rarely exercised except in the case of political strikes, when policy is determined nationally and upon the political complexion of the union.

No effective positive or negative sanctions exist, except in the case of CFTC, where the strike fund may be used to reinforce union discipline in an approved strike or to discourage participation in wildcat strikes. Also, with respect to CFTC, syndicat authority to expel workers disobedient to strike calls is expressly affirmed in the rules governing the national strike fund. Such authority implicitly rests in the syndicates in the case of all three unions, by reason of their autonomy. However, syndicat rules are generally silent on the whole problem.

Belgium

Strikes are much more carefully regulated under the rules of the Belgian unions than is the case in France. The spirit is perhaps best illustrated by the first clause of the section of the constitution of the FGTB union governing strikes: "The moral and material strength of an organization resting in the respect of its members for union discipline, these rules, decisions of the Congress and of general assemblies, must be scrupulously observed."

Both Belgian unions make provision for the payment of strike benefits. The FGTB union maintains its own strike fund. In addition it is a member of the FGTB strike reinsurance fund, intended to provide mutual assistance as between national unions in case of need. The strike benefits to which CSC miners may become eligible are paid out of the central resistance fund of the CSC.

The constitution of the FGTB union has complicated and extensive provisions concerning the calling of strikes. When a dispute exists threatening a strike, the local union or district or regional body concerned must call a special general meeting. This meeting will examine the case and recommend possible courses of action, including possible conciliation or arbitration. If these fail, a second general meeting must be held, which, to take action, must include at least 40 per cent of the workers to be directly affected by a strike. It may decide to hold a strike referendum among the members concerned. If more than 25 per cent of the workers in a basin are affected, the national union must be immediately informed, on pain of possible denial of strike benefits.

The referendum must be conducted by secret ballot, two thirds of the workers involved in the dispute must vote, and a two-thirds majority of the voting eligibles must authorize the strike. In addition, the regional executive committee, if the strike involves less than 25 per cent of the workers in a basin, or the National Committee, if more, must approve it. The strike must not begin earlier than on the sixth working day after the referendum. It is to be directed by the regional or national executive committee, depending upon the number of workers involved.

After a strike has begun, either the directing committee or 25 per cent of the strikers, by petition, may demand a referendum on its continuance. To approve continuance, two thirds of the eligibles must vote affirmatively.

Sympathy strikes may not be undertaken except upon demand to the FGTB by the national union directly involved and upon call issued by the former.

These provisions refer to strikes of less than national scope. The implied powers of the national union give it authority to call nation-wide strikes, such as might take place over national demands unsettled in the CNMM or, as may be the case, in negotiations with the government over such matters as revision of pensions or other conditions regulated by law or decree.

The principal sanction enforcing these procedures is the denial of strike benefits. However, other sanctions may be exercised against local leadership. The key local figure is the pit delegate, elected from slates presented by the unions. Under Belgian law, a delegate may be removed by the union from whose slate he was elected. This power can be exercised against a delegate who takes leadership in a wildcat strike. A case of this sort is alleged to have occurred during a strike in January, 1957, called by the CSC, largely on the pension issue. The FGTB union refused to join in the strike. According to the CSC, a pit delegate in the Borinage, elected by the FGTB, was removed for his participation in the strike.⁵ In this case, the authority to remove was said to have been exercised by the regional secretary.

The constitution of the CSC union provides simply that no strike may be called by a local union or regional organization without approval of the national union or its designated agent. The constitutional authority of the *propagandistes* appointed by the national union includes the declaration and direction of strikes within their respective

⁵ See photostat of letter from the regional secretary of the FGTB union in *Au Travail*, the CSC newspaper, January 19, 1957, p. 3.

regions. Again, by implication, clearly supported by actual practice, national strikes can be called on the authority of the National Committee. The only apparent sanction against wildcat strikes is the withholding of strike benefits.

The principal problem of strike discipline for both FGTB and CSC in the mines lies in their membership weakness among the foreign workers who compose a majority of underground miners. It is probably true that these workers would observe a strike call in which both unions participate. But since strikes have become a weapon of interunion rivalry, both groups depend for their success on the observance of their strike calls by foreign nonmembers, or on the nonobservance of strikes called by the competing union. Indirect pressures, as well as direct, may be brought on these workers. Socialists allege that such pressures are brought by the priesthood, while Catholics allege that the Socialists have used their avenue to the Government to threaten noncomplying workers with nonrenewal of their contracts and deportation.

Political strikes, as such, are more rare in Belgium than in France, although worker demonstrations, including cessations of work, have occurred in recent years over the bitterly fought issue of the relations of schools to church and state, and over the status of former King Leopold III. But political issues indubitably become involved in strikes, and particularly in coal strikes. In 1955 a coal strike was called by the Christian union over the issue of the five-day week. In 1957 another strike was called by the same union on a complex of economic demands, the most important of which was an improvement in the pension scheme. In both instances, the Socialist union asked its members to remain at work.

There is little doubt that one of the motivations attributable to the Christian union in both cases was the hope of seriously embarrassing the Government, a Liberal-Socialist coalition. Much of the propaganda in both cases was devoted to showing that the Socialist union was a prisoner of the Socialist Party, itself in turn a voluntary prisoner, in single-minded devotion to power, of the reactionary Liberal Party. On the other hand, the Socialists were unwilling seriously to embarrass the Government, and were anxious to prove that with a Socialist Prime Minister and Minister of Labor sufficient pressure could be brought on employers through established collective bargaining channels to achieve a reasonable solution without a strike.

The political overtones of these disputes no doubt resulted in the admission of other power centers to the development of union strategy.

It was apparent that the whole CSC and the Christian Democratic movement participated in the strike decisions, though the right wing of PSC opposed them vocally and openly through the conservative Catholic press. On the other hand, the Socialist union, tied strongly to the Socialist moderates, was no doubt guided in its decisions by that wing of the party. On other occasions it has refused to be goaded into militant action, particularly on the issue of structural reform of the industry, by the left wing of the Belgian Socialist movement.

In sum, strike control in the Belgian unions is a highly centralized function, with the centers of power located primarily at the national union level and influenced by organizations external to the national union. In FGTB, however, power to initiate less than national strikes rests with the membership, which exercises that power through the referendum process. Even here, however, affirmative action requires the approval of higher functionaries of the union.

Germany

Strike control procedures are carefully delineated in the constitution of the German mining union. The Executive Committee is given primary responsibility for the calling and conduct of strikes, and its permission must be obtained before any strike may take place. Ordinary economic strikes may be permitted by the committee only after all other recourses have failed, after consideration of the likelihood of success in view of the economic circumstances, and after a secret vote approves the strike by a 75 per cent majority. For local strikes, the *Geschäftsstellen* and *Bezirke* are required to report to the Executive Committee their judgment as to the satisfaction of the requirements other than the strike vote.

The only purposes other than economic for which strikes are constitutionally permitted are in defense of the right to form trade unions and in defense of the democratic structure of the state. In these cases, the Executive Committee or a conference of functionaries called by it may declare a strike without resort to the strike vote.

The constitution further provides entitlement to strike benefits of specified amounts in the case of an approved strike. Benefits are withheld in the event strikes are undertaken without resort to the constitutional procedures. Strikebreaking is cause for expulsion.

During the strike the Executive Committee retains general control and direction, though for local strikes this function may be delegated to the leadership in the *Bezirke* or the *Geschäftsstellen*. The immediate

strike tasks are delegated to the pit committees. In the event of a strike, the chairman and vice-chairman of the works council, who are ex officio members of the pit committee, must become inactive.

These procedures have rarely been invoked. One occasion on which they were, however, was during the debate over passage of the codetermination law, when both IGB and the Metal Workers' Union took a strike vote to enforce their demand that the law be passed. In this case, no strike took place, since agreement was reached with the Government. However, in 1955, when amendments to the law to assure the right of codetermination in holding companies controlling iron and steel operating companies were under consideration, a bitter attack against the whole codetermination scheme was made by Dr. Hermann Reusch, general director of a steel company. Reusch said, among other things, that the codetermination law was a result of the brutal pressure of the unions and that it would be broken when the state was no longer a prisoner (presumably of the unions). In response to this attack a 24-hour protest strike broke out in the Oberhausen area, probably organized by the leadership of that Geschäftsstelle without embarrassing the national union by any notification before the event. It was one of the rare instances of a wildcat strike.

When the Deutsche Industrie-Institut, an employers' association, publicly came to Reusch's support, IGB and the Metal Workers' Union decided upon a general 24-hour protest strike. So far as IGB was concerned, this took place under the provision authorizing strikes in defense of democracy, since, the union leaders said, they regarded codetermination as an essential element in German democracy. The strike was authorized by a called conference of functionaries.

Basic responsibility for strike control in the IGB, then, rests with the National Executive Committee. Responsibility for maintaining membership discipline, both positive and negative, rests with the leadership in the Geschäftsstellen and, during a strike, with the pit committees. Discipline, both in response to the very rare strike calls and in prevention of unplanned strikes, is excellent, both among the organized workers and the minority of nonmembers.

Great Britain

Strike control is one of the few specific powers delegated to the national union under the constitution of the NUM. Any dispute at any level in which a stoppage of work threatens must be reported to the National Executive Committee. Strikes are forbidden except with the

approval of the national executive or of a standing or *ad hoc* committee delegated these powers by the national executive. However, the only specific sanction is the deprivation of strike benefits provided in the constitution for authorized strikes.

The NUM constitution further provides that a national strike can be authorized only after a national referendum vote, requiring a two-thirds majority to authorize the strike. The national constitution leaves implicitly to the Area constitutions the question of the means by which strike approval may be sought for prospective actions extending to an Area or a unit smaller than the Area. Certain of the Area constitutions are silent on this question, others require action of the Area executive, and still others require referendum strike votes. However, the supremacy of the national rules means that whatever the Area procedure may be, national approval must still be obtained for a strike.

There have been no authorized strikes since the reorganization of the union, or indeed for many of the last years of the predecessor Miners' Federation of Great Britain. There have been, however, large numbers of unauthorized strikes, principally in individual pits or even portions of pits. The issues involved are of great variety. Many strikes concern piece-rate wages: often when a miner (or group of miners) is dissatisfied with the post-determination of his rate, he downs tools and is followed by his fellow workers, sometimes only those in the gallery in which he works, sometimes all the workers in the pit. Strikes may occur over discipline. Occasionally, workers have walked out to protest prospective pit closures. Strikes as political demonstrations have taken place, frequently involving groups of pits.

The decision to take strike action may be made at various levels. In many cases the strike is the spontaneous action of workers, led by unofficial leaders. In others, particularly in South Wales and other areas where traditions of extreme militancy exist, sometimes nurtured by Communist leadership, strike action occurs frequently, but only after decision of the lodge executive, acting in spite of union rules to the contrary. Particularly in cases of political demonstrations, the action may be led by informal extralegal groupings of lodges, often surviving from the more formal groupings around pits under common ownership in the days of private ownership.

The Area leadership must take a formal position against unofficial strikes. But the real attitude of Area leaders varies widely. In some cases unofficial lodge action may be blinked at or secretly encouraged. In one Area, for example, Area officials let it be widely known that in bargain-

ing, especially over piece rates, with NCB divisional officials, more can be and is obtained for workers who have demonstrated their militancy. In another Area, the officials have an established policy of refusing to permit negotiations while a strike is in progress. The patterned settlement of the grievance after return to work includes an agreement by NCB not to sue for damages for breach of the notice provisions of the employment contracts, given good behavior of the unofficial strikers for a specified period of time.

Within NUM, then, formal control over strikes lies with the national executive and, so far as national strikes are concerned, with the membership at large through the referendum process. This is, apart from the negotiatory function to which it is, of course, related, the most important formally centralized power of the national union. Yet, in fact, the function is not performed by the national executive. A wide variety of patterns exists. In some pits, decisions to strike or not to strike are effectively taken by individual miners or unofficial leadership. The strong sense of cohesiveness of the British miner means that such calls to militancy are obeyed by fellow workers, though group action may extend only to the immediate work group in the gallery, seam, or other face-to-face group. In other instances a higher degree of discipline is imposed, extending through the formal lodge organization. Here the lodge leadership is the effective decision-making body.

Miners' Agents in South Wales observed in interviews that there might be a geographical pattern in this contrasting behavior, with better discipline among the lodges at the tops of the valleys than on the coast. This difference can, perhaps, be explained by the effective social sanctions requiring community conformity in the more isolated villages, or by the fact that the inland mines had been more profitable, with less depression unemployment and more stable organization.

Strike issues may exacerbate conflicts within NUM, and between it and other unions, in such fashion as to slow down the processes of centralization. Many of the disputes likely to lead to walkouts involve the underground, piece-rated workers. But a shutdown underground frequently means that surface day-wage workers are dismissed from work, there being nothing for them to do. The pieceworker may be able to recover part of the wage loss by extra effort upon his return to work. The normal rate of production is commonly exceeded, for example, during pre-Christmas "bull weeks," and can be increased after a strike, though it is doubtful whether the production rates typical of these periods could be long sustained. But the day-wage worker loses pay

because of what sometimes seems to him a capricious cessation of work by the pieceworker. Not only can his wages not be made up, but during the period he may lose his sixth or "bonus" day's wage which depends upon regularity of attendance during the week. Thus, a two-day strike of underground workers may cost a day-wage worker half his week's wage.⁶ This situation tends to strengthen the separatist tendencies among day-wage workers, leading them to insist upon the continuance of arrangements under which they exercise a certain degree of autonomy in their own lodges in some Areas and through the national craft Areas.

Similar issues may divide NUM and certain of the other unions. For example, an unofficial strike of members of the National Association of Colliery Overmen, Deputies and Shotfirers, principally in the Yorkshire Area, occurred during 1952. The issue was primarily a wage one and, secondarily, concerned delays in settlement of wage and other claims. A strike of about 800 deputies resulted in loss of work to 22,000 miners. During the strike, NUM proposed officially that its qualified members replace the striking deputies and that, for the future, more of its members become qualified, in effect to be available as strike-breakers.⁷ These kinds of cases tend to preserve the separate representation of groups other than underground pieceworkers through autonomous unions.

Summary and Conclusions

Very great differences exist between the several unions in affirmative and negative strike control. In Germany truly effective power is centered in the national union, which has used it sparingly. Although the strike is conceived of primarily as a bargaining weapon, and bargaining control itself is highly centralized, strikes have occurred or threatened principally over a political issue, the defense of the principle of codetermination. This, however, was an issue upon which the two major political factions in IGB were united.

At the other extreme, in France control over strike action reflects the historic decentralization of all French unions. This history includes the traditional French philosophy of the strike as a revolutionary weapon, more effective in achieving the goals of the working class than bargaining or political party action. Each strike is seen in major part as prepara-

⁶ Some modifications in the "bonus" day rules were made in 1957, mitigating slightly this effect on the day-wage workers.

⁷ For a brief account of this case, see S. K. Saxena, *Nationalization and Industrial Conflict* (The Hague: Martinus Nijhoff, 1955). This source is also useful in its description of many forms of unofficial miners' strikes.

tion for the exercise of the ultimate weapon, the general strike. In such a context, only the CFTC, which philosophically rejects syndicalism, succeeds in imposing any effective central control over strikes. In CGT, the tradition has been perverted to the ends of the Communist Party.

In between, the situation in Belgium more nearly resembles the German, with the centralization of the movement extending into the area of strike controls. But more than in Germany, strike action carries political connotations, reflecting Belgian ideological pluralism and the partial subordination of the trade-union movement to the larger socio-political movements.

In Britain the strike has been traditionally regarded as a bargaining weapon. Constitutionally, control is in the hands of the national executive. This control, however, is not entirely effective since there have been large numbers of local strikes since the war, all without authorization. Some have occurred with the implicit approval of local or Area organizations, others without. This indiscipline, though reminiscent on a somewhat smaller scale of the French picture, is quite a different phenomenon. Rather than, as in France, reflecting mistrust of the effectiveness of bargaining, it probably continues in part for the historical reason that bargaining until recently was on an Area and pit basis. Newer bargaining patterns have not yet solved the problems of transition to central managerial and union authority. Local union groups, then, find inadequate the machinery established to solve their bargaining problems. They then fill in vacuums left by the inadequacies of their union structure by extraconstitutional bargaining and the enforcement of demands by wildcat strikes.

Chapter 8

Mutual and Service Functions

In this and the succeeding chapter we turn to a group of union functions somewhat more peripheral to the core of union action. Some of these, such as education, are not peripheral in concept, but for various reasons are in reality. Others, particularly the mutual activities described in this chapter, are often fading relics of a different union past. Even as to these functions, however, differences in concept of the role of the union produce differences in emphasis on these several functions, the efficiency with which they are performed, their content, and the locus of responsibility for their performance.

In all seven major mining unions some mutual functions are performed. In Germany, and to a lesser extent in Britain, these are performed internally and may in some measure account for the greater strength and stability of these two unions. But between the two, extent and forms differ greatly. In France and Belgium, except for certain instances of strike relief, as well as in Germany, the old forms of mutual assistance took shape in entities which have since been incorporated into the social security systems of their countries. This chapter will describe briefly the internally financed mutual functions of the unions, as well as the kinds of union participation in administrative bodies of the legal social security systems.

In addition, in greater or lesser degree, each of the seven unions provides certain individual services to members. These service functions will also be described briefly, again in terms of the organizational locus of their performance.

MUTUAL AND BENEFIT ACTIVITIES

France

Except for sporadic attempts to establish resistance funds, of which the Christian union fund discussed elsewhere is the only present example, the French mining unions do not engage in internally financed benefit activities. The extensive French social security system, however, is administered by semiautonomous organizations, governed by representatives of employers and employees. Benefit levels are determined by law.

The social security system for mining, including industrial injury and occupational disease benefits, invalidity and old age pensions, and various minor benefits, is administered basically by local organizations, apart from those provided for industry generally. Payments are made into these local funds by employers and employees in accordance with the law. Disciplinary fines are also often turned in to the funds and are used to provide certain extralegal benefits. The local funds are, in turn, reinsured in regional and national funds and agencies. Substantial deficits in recent years have been made up by the national treasury. Separate supplementary systems are provided for white-collar workers and for engineers.

Further, local societies receive premiums and administer and pay benefits under the system provided in the law for health benefits. These funds are also reinsured nationally. Under a special provision of the law, the local societies for the mining industry administer the comparatively generous family allowances as well. Certain extralegal minor benefits provided under agreement with the Charbonnages de France are also administered by these agencies.

The several administering agencies are largely self-governed, within the statutory limits, by elected representatives of the insured, that is, the workers (or white-collar employees or engineers as the case may be). Employer representatives and medical councilors, as well as representatives of the employees of the societies, participate in administration, but basically they are governed by worker representatives.

The syndicats assume responsibility for proposing candidates for these offices and electioneering in their behalf. In addition to competition between the several unions, opposition candidates may be put up by various societies of retired workers, Catholic organizations to protect the interest of large families, and other private associations. But, in general, the results follow those of the elections of pit delegates, with the CGT polling nearly two thirds of the vote, the other two unions dividing most of the remainder, and nonunion organizations polling only a very small sprinkling.

The functions of the administering agency include provision of facilities for payment of benefits, receipt of premiums and investment of funds within the closely circumscribed provisions of law, arrangement for necessary physical examinations, and determination of eligibility. Important though these functions are, they do not permit policy to be made in the local organization with respect to levels and kinds of benefits. Formally, then, the strictly union functions of the administrator

end with his election. Though proposed by his union, he sits, not as a union representative, but as a representative of the total body of insured. In the performance of these limited mutual functions, except possibly for the degree of responsibility for election campaigns, there is no major difference among the three unions.

Belgium

Other than strike and victimization funds, neither of the two Belgian coal mining unions provides internally financed benefits to its members. However, both Christian and Socialist union confederations provide certain benefits to members of all affiliated national unions.

But both unions, like their counterparts in France and Germany, are involved in the administration of various social security benefits. Belgian arrangements, however, differ somewhat from those in the two other countries.

Health insurance in Belgium is provided by compulsory membership in the once voluntary mutual societies, with reinsurance through a national fund heavily subsidized from public revenues. The choice of a mutual society is voluntary, and, indeed, it is legally possible to insure directly with the national fund through a regional office, but this is rarely done. Virtually all the insured belong to a mutual society sponsored either by the Socialist movement or the Social Christian movement. There are a few neutral societies.

Administration of these societies is autonomous, but is centered at the top in an organization of Socialist, or of Christian, mutual societies, closely allied to the general movements. The unions, as such, play no role in the administration of the mutual societies, except indirectly through participation in the broader movements.

The national fund reinsuring the mutual societies, and the national funds providing for other forms of social security including, uniquely in the Belgian case, the paid vacation program, are organized on what is called in Belgium a paragovernmental basis. The administering boards of the funds, and of their regional subagencies, consist of designated representatives of organizations most representative of employers and of employees. For mining employees, the two unions are "the most representative" organizations, and designate their representatives to the National Fund for Miners' Pensions, which administers most forms of social security for miners under close supervision of the Minister of Finance and the Minister of Labor and Social Insurance.

In addition to their representation on the administrative boards, the two unions are authorized to nominate representatives to the Superior Arbitration Council which hears disputes arising under the administration of the National Fund. The unions nominate twice the required number of appointees, with the Minister of Labor designating from these lists those to be appointed.

The national executive of the union assumes responsibility for the appointment of representatives to the administrative and arbitration boards. So far as the regional agencies of the Fund are concerned, the regional secretary or *propagandiste* is ordinarily appointed.

Germany

In addition to strike benefits, discussed elsewhere, IGB provides for its members two additional forms of benefits—sick and unemployment payments and death benefits. The level of these benefits and the conditions of eligibility are set forth in the national union constitution. They are financed out of dues, and the payment of dues for the constitutionally designated period of time entitles the member to benefits upon meeting the conditions of illness, accident, loss of work without fault, or death. The determination of these constitutional conditions is, of course, a function of the union convention, and they can be changed only by the procedures under which the constitution is amended.

There remains, then, for the continuing union institutions only an administrative function. The most difficult problem, that of determination of eligibility for sickness or unemployment benefits, has been simply solved by making the basic condition the presentation of a certificate of eligibility from the mutual sick fund to which the worker compulsorily belongs as part of the general system of social security, or a certificate from the public office determining eligibility for public unemployment benefits. To determine eligibility under the rules, then, the only union problem is a check of the claimant's dues record. The Geschäftsstelle receives claims and makes the documentary checks of eligibility.

The national union, through its financial department, allocates the necessary funds to the Geschäftsstellen and assures their proper control of funds. Presumably, also, it would be this department which would recommend constitutional changes if for actuarial or financial reasons such became necessary or possible. The Bezirke perform an intermediary role of collating and communicating information for the Geschäftsstellen within their jurisdiction.

In addition to their own internally financed and administered benefits, German miners are the beneficiaries of an extensive compulsory social security system, financed by employers, employees, and the state. In the administration of this system the union plays a major role. As in many other countries, the social security system treats miners preferentially.

The traditional self-administration of continental social security appears in Germany. The worker is required to become a member of some quasi-private organization, which administers the program on standards established by law and makes benefit payments on conditions of eligibility and of magnitudes required by law. In many instances, the mining industry included, these organizations were initially private benevolent institutions in the trade or industry, having their roots far back historically. The associations in the mining industry are the *Knappschaften*. Under German law, the *Knappschaften* administer old age and survivors' pensions and general or occupational disability pensions. Compulsory sick and accident benefits are generally administered either by the *Knappschaften* or by regional or establishment sickness funds. Full and partial unemployment benefits are administered by state-established institutions with special provisions for self-government.

Under the Social Security Self-Administration Law, the rules for the *Knappschaften* are somewhat different than for the parallel institutions in the remainder of the system. The major difference is in the proportions of representation of employees and employers in the governing bodies. In the *Knappschaften*, two thirds of the representation is of employees and only one third of employers; in the other institutions the representation is equal.

There are seven regional *Knappschaften* covering the territory of West Germany. Under the Self-Administration Law, the assured within each of these *Knappschaften* elect a group of trustees (*Versichertenälteste*), the number depending upon the constitution of each *Knappschaft*. The trustees in turn elect representatives to the General Assembly of Assured. A parallel process of election or designation takes place among the employers, but with two thirds of the seats in the General Assembly allocated to representatives of the assured. The General Assembly, in addition to certain policy-making functions roughly parallel to those of stockholders in a corporation, but acting within severely defined legal limits, elects the board of directors of the *Knappschaft*, again with twice as many members of the board coming from the assured as come from employers. The board designates the executive

officers of the institution, again with the same partisan right of designation.

Six of the seven Knappschaften correspond roughly in their geographic boundaries with the IGB Bezirke. The seventh covers the whole of the Ruhr, which, for IGB purposes, is subdivided into three Bezirke. For each of these Knappschaften, elections for trustees and representatives in the General Assembly are conducted, with candidates presented by list from various kinds of qualifying organizations, including unions. In the mining industry, IGB is so overwhelmingly dominant that its lists are either the only ones presented or are completely assured of election. These lists are prepared by the Bezirk functionaries, subject to approval of the national union and after consultation with the leadership in the Geschäftsstellen. The Ruhr Knappschaft, being much the largest and including several Bezirke, is kept under closest control by the national union.

In general, sick and accident benefits other than occupational are administered through special funds in the Knappschaften. But for industrial accidents and occupational diseases, special institutions exist (*Berufsgenossenschaften*), governed by special provisions of the Self-Administration Law. The major differences are, first, that representation at all levels is equally divided between the assured and the employers, and, second, that the intervention of trustees between assured and the General Assembly is optional rather than mandatory. In other respects, for present purposes, administration is similar, though there are fewer regional organizations. So far as union administration of its functions are concerned, there is no significant difference.

The third major social security administrative body is that governing unemployment benefits. This system is governed by one public corporation for the entire system, although subsidiary regional administrative bodies exist. The government of the system is tripartite, with representatives from the unions, the employers, and the government. These representatives are designated by the unions, with representation roughly allotted according to their interest. They are not elected, as in the case of parts of the social security system coming within the scope of the Self-Administration Law. Such nominations as may be allotted to IGB are made by the national union.

One of the staff departments of the national union is the Social Security Department. In addition to special service functions mentioned below in connection with legal action under the social security laws, it is available for assistance to any IGB members concerned with the ad-

ministration of social security institutions. Its primary concern, however, is to develop and evaluate proposals for improvement in the system, ordinarily involving amendment of the pertinent laws.

Mention should be made of the authority and duty of the union to appoint judges to the special social security courts provided to hear appeals on social security questions. These are bipartite courts, with designees of union and employers sitting as judges. Designations to these courts are made in behalf of IGB by its national office.

Great Britain

On a national basis, the Miners' Federation of Great Britain and its successor, NUM, have never had extensive internally financed mutual institutions. The federal character of MFGB prevented it from initiating them. Its constituent associations, however, had traditionally organized mutual benefit funds, and most of these have been carried forward in the reorganized union. Their application is limited to the jurisdiction of the particular Area, and they are administered wholly by the Area.

Typical types of benefits provided include very modest old age benefits, usually payable for a very limited period, similarly modest sick and accident benefits, funeral benefits, and, occasionally, provision for payment of travel and expenses to miners' welfare homes or rehabilitation centers.

The plans may be more or less formal. In the Nottingham Area, for example, the level, duration, and eligibility for benefits are provided by rule, with provision for Benevolent Secretaries in the lodges and at the Area to administer the plan. On the other hand, the Colliery Officials and Staffs Area simply provides that the Area executive may pay such sick and accident benefits as its bank interest and investment income permit. COSA, being a new Area, might not be expected to carry forward the older mutual tradition, but the Leicester Area has a similarly informal plan, with no special provision for funds. South Wales has no constitutional provision, but follows a practice of making certain payments to members at the rehabilitation center.

Beginning in 1920, with the passage of the Mining Industry Act, a miners' welfare organization was established on a national basis financed by a Royalties Welfare Levy. The proceeds of the levy were paid into a central fund, administered by a joint council of operators and union representatives. The funds were used to build and maintain the ubiquitous "Miners' Welfare" halls, which are the centers of so much

of the social activity of coal mining communities. They were also used for the construction of pithead baths, playing fields, and other recreational facilities, provision of scholarships to miners' children, and such other welfare functions as the council may have decided upon, within the limits of the available funds.

This scheme was liquidated in 1952. Under an agreement reached in July, 1951, between NCB and NUM, the welfare function was divided into two major components: colliery welfare and social welfare. The former was allocated to the normal functions of colliery management, supplemented by the joint consultative machinery. It included activities intimately related to the pit and the job, such as pithead baths and canteens, industrial medicine, vocational education, and housing.

The functions of social welfare, including, for example, the provision of amenities such as recreational and cultural facilities, holiday camps, convalescent homes, and general education, were allocated to a new organization, the Coal Industry Social Welfare Organization (CISWO). This was established as a corporation, controlled mutually by the NCB and the union. Its board of directors includes five directors appointed by NCB and five by NUM, one appointed by the National Association of Colliery Overmen, Deputies and Shotfirers, and one appointed by the managerial grades. Appointments for the two unions are made by their respective national executives.

Upon CISWO's establishment in 1952, the NCB committed itself to a minimum contribution of a million pounds and such further contributions as might be agreed upon. By 1957, expenditures were running at the rate of about a million pounds per year. The bulk of the funds was spent on recreational facilities and institutions. Other activities included continuance of the scholarship program and provision of medico-social and rehabilitative services to paraplegics and disabled miners supplementary to those provided under the National Health Service.

Subordinate to the national organization, divisional and subdivisional or Area welfare committees have been established. The basis of representation on these is the same as on the national board, and union appointments are made by the Areas in accordance with their own procedures. The divisional committees prepare annually lists of projects and estimates of their costs for submission to the national board. The board then approves (or disapproves) these projects and allocates funds for their completion. Depending upon the scope of the project, the administration may be at the divisional, subdivisional, or Area level.

In 1950, NUM and NCB agreed to a special Miners' Fatal Accident Scheme, providing for payments in addition to those to which survivors might be entitled under law. At the same time a parallel agreement with NACODS was reached. In most Areas, tradition required that in the event of a fatal accident in a pit, work stopped for varying periods of time. In return for the agreement upon the new scheme, this tradition was to be abandoned, except in extremely limited cases. The new agreement provided that the Board would deduct one penny per week from the wages of every union member authorizing the deduction. A portion of this deduction was to go to the payment of death benefits for the survivors of colliers dying for any cause on the colliery premises, or dying as a result of an accident (but not of industrial disease) within three months of the accident or before he ceased to be incapable of employment. The contribution from the men was to be matched by the Board. The plan is administered by trustees nominated by the NUM and NCB, by divisional committees, and by the colliery manager and a designee of the union at each pit. The trustees were given an initial sum by the parties, and were empowered to call upon the Board and the union for such additional sums as became necessary to pay the benefits provided in the agreement.

Subsequently, the Board agreed to pay three fourths of the cost, with only one fourth to come from the members' penny contributions. But the penny was already more than sufficient to pay the obligations incurred. With the sums left at its disposal, the national union instituted a wholly union-administered program to pay death benefits to survivors of miners dying of industrial diseases. Some 800 claims per year are paid out of this fund, which is the only union-administered, internally financed mutual plan applicable in NUM on a national basis. Area officials serve as certifying agents.

Purely benevolent activities, then, in the British mining unions are organized and administered on an Area basis, with wide variation in extent, techniques of administration, and other characteristics of the plans. In all cases, except the Industrial Disease Death Benefit Plan, the national union has no place either in finance or administration of the programs. The Industrial Disease Plan, by contrast, is intended to complete a program mutually financed and administered by the unions and the Coal Board. It is financed by special membership contributions and is administered wholly by the national union, except, of course, for the certifications of eligibility which must be made by subordinate organizations.

On the other hand, extensive welfare and limited benefit activities are administered mutually by the unions and the Board. In the case of the welfare activities, administered through the Coal Industry Social Welfare Organization, whose antecedents go back to 1920, financing is provided wholly by the Board. Administration is joint, with the national union responsible for the proposal of projects and, in large measure, for their execution. Since the projects are mainly on a community or area basis, more than one local union is likely to be interested in any project.

The Fatal Accidents Benefit Scheme was negotiated at the national level and is administered on an over-all basis by trustees designated by the national union. Areas and local lodges are represented with designees of NCB on subordinate administering bodies, whose primary function is investigation and certification of eligibility.

SERVICE FUNCTIONS

France

The provision of extensive services to the membership requires financing which does not seem to be available to any of the French mining unions. Only the CGT union has any substantial number of full-time functionaries. These officers do assist members in presenting claims for workmen's compensation or other legal benefits to which they may be entitled. The larger CGT mining syndicats also have, on retainer, staff lawyers and doctors to assist in representing members before claims tribunals and, when necessary, before the Conseils de Prud'hommes or appeals courts, especially in cases involving alleged breach of the employment contract or provisions of the law affecting employee rights. CGT, incidentally, makes a considerable point of providing these services to workers regardless of union affiliation.

The CFTC union has a somewhat smaller staff and engages in similar activities on a more limited scale. The FO union has almost no full-time officials outside the national office, which maintains three on full time. Local officials do the best they can in the time available when they are not working, but the assistance they can render is, necessarily, severely limited. In some areas, cooperation of several FO affiliates through departmental or regional federations permits some service work. But, in general, little emphasis is placed on this aspect of union activity, largely because of financial stringency.

Belgium

Both Christian and Socialist miners' unions provide a constitutional entitlement to legal services. In the usual case, the regional office of each union has attached to it a functionary in charge of legal problems. In certain instances, particularly in the smaller Christian union, this service is provided cooperatively by several unions, through the machinery of the regional subsidiaries of the confederation. But since the legal problems of miners are often unique, in Belgium as in other countries the miners attempt where possible to provide their own legal services.

One of the major problems dealt with is representation of workers with claims for occupational injury benefits. Belgian law provides for compulsory insurance by employers, ordinarily carried in the coal mining industry in special insuring agencies for the industry. Adverse decisions of the insurance carrier are appealable to the *Conseils de Prud'hommes*, since the right to compensation is regarded, under Belgian law, as a term of the employment contract. In connection with this service, staff doctors, chosen from the members of the Socialist or Christian doctors' societies, are commonly retained for workmen's compensation examinations and testimony.

The legal service, of course, also gives advice and representation on any other question arising out of the individual or collective agreement, and on all problems involving social security.

In the Belgian mining areas, special efforts have been made to provide adequate housing. Much has been built by the municipalities with loans made by a special national financing agency. The regional offices of the unions work closely with the municipalities in developing housing plans and in allocating new housing to miners. In addition, the individual miner who wishes to build his own home is entitled to a low-interest loan, and the union assists the miner wishing to avail himself of this privilege.

The regional officers also work closely with a wide variety of special agencies in the industry—schools for young prospective miners, special hospitals and health research agencies, and the like. In general, the Belgian miners' unions are more active than those of the other countries in all kinds of community planning for mining communities. These activities are the responsibility of the full-time regional secretaries or *propagandistes*, working in close cooperation with the secretary of the regional organization of the federation and, through it, with other unions.

Germany

The most extensive and significant service function performed by IGB, aside, of course, from processing of grievances, is in legal representation of its members. The constitution of the union entitles all members of at least three months' standing to legal assistance in all matters of collective contract or labor law, and to representation in cases before the labor courts or in the special courts provided in the law of 1953 to hear appeals on cases coming from the Knappschaften or the industrial accident and occupational disease associations for the industry, and on general questions of social security law.

The constitution further provides that application for such assistance or representation must be made to the Geschäftsstellen, and that the latter shall investigate the claim and, if it appears to have proper legal grounds, take the appropriate steps to enforce it. Each of the Geschäftsstellen, then, has a staff person qualified to handle these tasks. In the larger Geschäftsstellen, specialists in general labor law and in social security law may be provided. In the smaller ones, problems presenting any serious difficulty may be referred up to the national union, or assistance may be obtained from the legal department of the local body of the union federation. It might be noted in passing that, because of the special legal problems of workers and unions in the mining industry, IGB is one of the few German unions providing rather complete legal service. In most other instances pooled legal service is provided through DGB.

The Geschäftsstellen, then, are the agencies responsible for this service function of the union. However, several staff departments of the national union are available for assistance and for solutions of policy problems. The Works Council and Labor Law Department has a special section dealing with problems generally arising under the law applicable to individual contracts of employment. The Collective Agreements Department has a section to deal with problems of collective contract law, including those in which an individual worker might get involved. The Social Security Department has a special law section.

The second major service function of IGB is concerned with the provision of adequate housing for miners. Miners' housing, chronically bad and short, was made desperate as a result of war destruction. Major sources of funds for new construction are a tonnage levy on coal administered by a public trust, grants under the European Coal and Steel Community program, and a small cooperative program initiated in

1953 by IGB. IGB functions in the policy-making bodies of the Housing Trust and ECSC through the Housing Department of the national union. Its own program is carried on through a nonprofit corporation, which is in turn a corporate subsidiary of a DGB mutual housing corporation. The union's Housing Department is also responsible for the activities of the corporation. Broad policies concerning volume and location of housing are made through these avenues. The Geschäftsstellen represent the interest of the union and its members in allocation of housing, as it becomes available to eligible workers.

Great Britain

The most important service function performed by British coal mining unions, and most particularly NUM, is assisting and representing members in the filing and processing of claims under the workmen's compensation acts and for damages and injuries under common law. This function is performed wholly by the Areas and Constituent Associations. The only function of the national union in this respect is representation of the interest of the membership on legislation in Parliament and in negotiation with the Ministry of Health and National Insurance on administrative problems and on the recommendation of new legislation.

All the Areas assist members making claims for compensation for injuries or industrial disease. The larger Areas have Compensation Departments, with one or more full-time employees of the Area in charge. Miners' Agents may have this as part of their responsibility, or the Agents' duties may be functionally divided, with certain of them specializing in compensation work. In many Areas, a lodge functionary is designated to take initial responsibility for assisting members in the filing of claims.

Where necessary, the union may pay for medical examinations by independent doctors. Characteristically, the union will provide the member with the necessary legal service by retaining a solicitor. In cases tried under common law, the union typically pays the costs of suits lost, while suits won are paid for by contingent fees or court order to the defendant to pay costs. Medical and legal expenses constitute a substantial item in Area budgets, apart from the cost of providing the service through regular functionaries of the union.

Chapter 9

Safety, Health, and Education

SAFETY AND HEALTH

All unions of underground miners have been much preoccupied with problems of the health and safety of their membership. Mining has always been a dangerous calling. Despite recent improvements in accident-prevention techniques and in the diagnosis and treatment of occupational diseases, accident and disease rates in coal mining far exceed those for most other occupations. From time to time a disaster, such as that at Marcinelle in Belgium in the summer of 1956, temporarily centers public attention on the problem. But individual accidents continue so inexorably that they are taken almost for granted.

Safety and health, then, has been a most important problem to miners and their unions. In some instances, the unions have served only as advisory and pressure agencies to authorities established to protect mine security. In others, legislation has given worker representatives an official function in this regard.

France

In France primary responsibility for mine safety lies with management and with government mining inspectors. But the Labor Code makes provision for elected miners' representatives whose function is primarily concerned with safety.¹ The delegates are elected from lists presented by the unions, but must have certain minimum qualifications, including experience and French citizenship and language.

These representatives are required to make a minimum number of inspections of the mines in their territory, and to report to the mine management and the government inspectors any infractions of safety rules or unsafe conditions not covered by regulation. The delegate also makes annual reports recommending measures which, in his opinion, would serve to increase safety and production.

¹ Note the controversy referred to in the chapters on collective bargaining concerning whether or not these elected delegates may also perform a grievance-handling function.

The union function under the law is to present candidates for election as miners' delegates. The list of candidates is submitted by the union organization to the chief government inspector, together with a statement of those qualifications necessary to meet the legal conditions of eligibility. The actual choice of candidates is made, in all three unions of underground workers, by the executive committee of the syndicat in the relevant jurisdiction. After election, however, the syndicat has no further legal control over the delegate. He cannot be removed before his term of office expires, except for reasons prescribed by law, and then only by the prefect, upon recommendation of the official inspector and approval of the Minister of Labor. Miners' delegates are accorded superseniority—they may not be laid off until after all other employees of their occupation.

Roughly two thirds of the present miners' delegates were elected from lists presented by the CGT, with the remainder divided about equally between the other two unions. Especially in the case of the CGT, there has been an attempt to make the delegates effective shop stewards, rather than merely safety officers. But the safety function has not been wholly neglected. A wide variety of educational efforts have been directed toward the delegates to assist them in the performance of their safety duties. These include conferences of groups of delegates on safety problems and the preparation of written material dealing with technical problems of prevention of accidents and industrial diseases. The CGT union, being apparently much the best financed, has done considerably more than the other unions in these respects. Most of the direction of this effort comes from the national union, though syndicat functionaries conduct regional conferences and the few regional publications that exist give space to safety problems and advice to delegates.

Belgium

Belgian law introduces worker representatives into safety regulation at two points. First, full-time regional workmen's inspectors are elected from lists presented by the unions. These inspectors, once elected, are paid by the state and have no function other than inspection. They must possess certain minimum qualifications and work wholly under the supervision of the mines administration.

The law also provides for a bipartite Safety and Health Committee at each mine, with elected representatives of workers serving with representatives of management. The workmen's inspector is, *ex officio*, a member of the committee.

About two thirds of the present workmen's inspectors were elected from lists submitted by the FGTB union. Candidature is proposed by the regional federation, acting through its secretary and executive committee. The FGTB union maintains a continuing relation with its inspectors, through the affiliated *Amicale des Délégués à l'Inspection des Mines*. The *Amicale* consists only of inspectors, and has its regional counterparts. Its function, however, is primarily to represent the interests of the inspectors in their dealings with the Government over their own wages and conditions of work, rather than to assist them in the performance of their duties.

The pit safety and health committees were established by a Royal Decree of September 27, 1947. They were intended to give workers some effective voice in the prevention of accidents and occupational disease, but their functions are wholly advisory. Responsibility for health and safety lies in the hands of the chief of the pit Safety and Health Service, designated by management. As a consequence of their lack of power, the bipartite pit committees have been generally ineffective and inactive. The decree made provision for the establishment of bipartite regional committees, but these have never been set up. Both coal unions have sought legal strengthening of the pit safety committees.

The union role in the pit committees consists mainly of nominating worker candidates, usually done through the local *sections*. Conceivably, the union could play a larger role in stimulating these committees to greater effort and effectiveness by communicating technical information and providing education. This has not been done in any great measure.

Both unions have agreed that language difficulties, inadequate training, and the desire for quick accumulation of a capital sum have made the presence of the foreign worker dangerous. They have demanded better training and the complete abolition of piece-rate methods of wage payment. But both unions have also argued that production for profit is a major cause of bad safety and health conditions. They have supported their demands for structural reform in part on this ground.

The major activities of both unions in the area of safety and health, then, lie at the legislative level—in both minor and major reforms to be achieved by law. Consequently, responsibility for the achievement of the programs rests in the national union and its relationship with the political parties.

Germany

In the German mining industry the major arena of worker participation in the advancement of safety and enforcement of safety regulations is the works council. Under German law the works council is given codeterminative powers in connection with safety. While IGB is intensely interested in the safety problem, it uses its representation on works councils as the primary vehicle for the achievement of its safety objectives. In fact, responsibility for mine safety and health is given to the staff Works Council Department of the union.

In the performance of this function, the Works Council Department conducts periodic conferences on safety and health problems for works councilors. In 1955, 35 such conferences were held.² In addition, the Works Council Department represents the union in conferences conducted by official bodies on general problems of mine safety and health, and in investigations of mine disasters. The department also attempts to stimulate and cooperate with the *Bergbauberufsgenossenschaft*, the mutual organization administering legal occupational disease benefits, in its research and its administrative efforts to minimize diseases resulting from dust, water, gas, and other mining hazards.

Thus, safety and health activities of IGB are centered largely in a staff department of the national union. The department works primarily through the works councils and with government bodies. Shop committees may occasionally serve to prod the works council. Intermediate and local organizations of the union have little direct responsibility in this function, except, of course, that of processing claims for accident or disease compensation.

Great Britain

The National Union of Mineworkers is much preoccupied with problems of mine health and safety. However, the primary concentration of direct union activity is in health and safety education.

Very close cooperation exists between the National Coal Board and the union in the conduct of various research agencies dealing with health and safety problems. The union assists in every possible way in stimulating research and in aiding various forms of experimentation in the field. In addition, the union has insisted that the Board tackle safety and health problems vigorously, especially that of pneumoconiosis. In this area, cooperative effort is carried on at all levels in the union hierarchy.

² *Industriegewerkschaft Bergbau, Jahrbuch*, 1955 (Bochum: IGB, 1956), p. 737.

Virtually every union conference, local, Area, or national, deals with some problems of health and safety. It is an almost invariable part of such a conference that a speaker from one of the research agencies treats, in a highly technical manner, some problem of safety—dust repression, roof support, and so on. Safety education is a continuous and pervasive aspect of NUM activity at all levels.

Prior to the establishment of the National Health Service, several miners' rehabilitation centers were supported by Areas of the union. These have been turned over to the Health Service, but union representatives from the Areas remain on the administrative boards of these centers and are very active in supervision of the work.

More formally, safety is one of the responsibilities of the joint consultative committees, at pit, divisional, and national levels. By agreement with the private coal operators in 1941, later affirmed by NCB, the consultative committees are formally designated as safety boards. Through these agencies the union tries to work out agreed safety practices. This is probably one of the few areas in which the consultative committees work effectively in the cooperative spirit intended. Safety aspects of new techniques are examined, and methods of introduction of such techniques designed and agreed upon with a view to minimization of dangerous practice. Agreement is reached on methods of dust control in dusty mines, on periodic physical examination to diagnose incipient respiratory disease, and on a wide variety of other such problems.

In addition, a formal agreement has been reached between NUM and NCB providing for the appointment by the workmen of safety inspectors. These inspectors are ordinarily appointed by the Area executive committee, and assume responsibility to it. They make reports to the committee of their inspections and any controversies that may develop over adoption of their recommendations. They also report on examinations of mine accidents. Through the safety inspectors, the Area organizations maintain direct contact with problems of mine safety and the administration of safety rules and practices.

EDUCATION

Educational activities play some role in the affairs of each of the principal miners' unions here considered. The extent, content, and philosophy of these activities vary widely, as well as the locus of responsibility for their conduct. In the French unions, with the possible exception of the Christian union, and to a lesser extent in the Belgian and

British, education tends to center on the revolutionary role of the worker and on general political issues. In Germany educational activities are more closely oriented toward training members and officers in the effective conduct of day-to-day affairs of the union: collective bargaining, works council problems, effective representation before social security agencies, legal rights of workers, and the like. This major difference reflects, in some measure, the different views of the role of the union in society. In some measure it reflects qualitatively different kinds of activity.

France

The formal educational activities of the French mining unions are severely limited, largely because of lack of adequate funds. The CGT union is able to hold occasional institutes, usually in preparation for specific action, as, for example, those held before the 1947 and 1948 strikes.

But this lack of formal educational activity conceals the real extent of education and propaganda in all three unions. In large measure, union meetings at all levels, excepting only those of administrative and executive committees, are essentially educational and propagandistic rather than policy-forming. This is especially true of any general meetings of the CGT union. Thus, for example, the 1956 general congress of the union was devoted primarily to an attempt to put over the new line that errors had been made in the past in attacking FO and CFTC rather than the employer, and that efforts should be made toward cooperation with the two competing organizations. Other speeches were devoted to convincing such delegates as were not already convinced of the correctness of the Communist Party line in Algeria and toward the Marshall and Schumann Plans and NATO, or to giving argumentative ammunition for the defense of the party line.

Except for the National Congress, meetings of the FO union are equally rarely true policy-making bodies. They are commonly devoted to criticisms of CGT and its policies and are intended to give members and delegates argumentative tools for recruiting against CGT competition.

In CFTC this same type of activity is carried on in union meetings, but with somewhat less acerbity, and perhaps with less references to revolutionary goals and more to immediate problems of miners. CFTC also, thus far without marked success, encourages educational activities at all levels of the hierarchy. Local *sections* are asked to form study

groups for activists and to maintain small libraries. Regional federations are encouraged to, and in some instances do, hold annual one-day educational institutes, autonomously or under sponsorship of the national union. They are also encouraged to maintain libraries.

The principal educational role of the national union, in all three cases, besides sponsorship of institutes and educational meetings, is the publication of newspapers and periodicals. The CGT affiliate publishes a weekly newspaper, with special editions for the several coal basins, and a monthly review. The CFTC union publishes a biweekly paper and a bimonthly review. The FO union has a weekly newspaper. Syndicats frequently publish brochures or throwaways during election campaigns and on issues of special interest.

All three unions depend in considerable measure on the general educational activities of the confederations with which they are affiliated, all of which publish weekly newspapers. CGT puts out a wide variety of specialized periodicals and incidental publications, including manuals for shop stewards and local officers. The CFTC sponsors correspondence courses for activists on various aspects of trade unionism and labor relations and maintains workers' schools. Special purpose institutes are held from time to time by all three confederations. The least ambitious program is that of the FO, for reasons of financial stringency. Each confederation carries on educational activities in which miners participate.

Belgium

Both Christian and Socialist miners' unions in Belgium are actively engaged in educational activities, with the content heavily weighted toward issues of general social and economic import. There is, however, a strong dose of the special problems of the mining industry and of technical training of union functionaries.

At the national level, both unions sponsor institutes and study weekends, frequently availing themselves of physical facilities owned by the federations. In the CSC union, leadership is taken by the Executive Committee. In the FGTB affiliate, a special committee was established in 1954, including the secretary of the socialist Center for Workers' Education and the director of the Workers' School. This committee wrote various syllabi and manuals on labor history, work of shop stewards, safety committees, works councils, and on general economic and mining industry problems. These were used as the bases of courses of study for union activists.

The Christian union's *propagandistes* carry on organizational and

administrative as well as propagandistic and educational activities. They run training courses, both general and technical in nature, in the offices of the regional federations. In some measure, a similar function is performed by the secretaries of the FGTB mining regions. All general meetings of both unions, local, regional, and national, have a strong educational slant. In fact, preparation for any delegate meeting is essentially an educational process. The report of the superior body, always including extended comment on social, economic, and industrial issues, is circulated in advance and widely discussed prior to any delegate meeting.

The FGTB coal mining union publishes a weekly newspaper, and both unions encourage the distribution of the weekly issued by the federation to which they are affiliated. Portions of this material are published in Italian, the language of most of the foreign coal miners. Special effort is directed toward foreign workers, by designated foreign-language-speaking functionaries.

Both unions publish special purpose brochures and manuals designed to assist the pit delegate or other union officer. And both are good customers of the extensive educational facilities provided by their parent federation and broader social movements.

All these educational activities are somewhat paternal. Responsibility for determining educational policy and content lies primarily at the national-union, or supra-national-union, level and is dispersed downward by organisms and functionaries of or under the direction of the national union, the federation, or the superior political and social movements. Educational activity, however, permeates the whole of the two unions, reaching all levels of union participants.

Germany

Education is the special responsibility of one of the staff departments of the IGB, and the union press that of another. The magnitude of the programs directed by the education department is indicated by the fact that, in 1955, it spent DM 800,000, or about \$200,000, including expenditures on two residence schools maintained by the union. In addition the Bezirke and subordinate organizations spent on education DM 300,000, or about \$75,000. These expenditures exclude the cost of union newspapers, library, and press.³

IGB owns two residence schools in which courses are carried on continuously—usually courses of two and of six weeks' duration on subjects

³ IGB, *Jahrbuch*, 1955, p. 838.

of technical interest to miners and trade unionists. Great emphasis is placed on labor law, interpretation of collective agreements, piece-rate determination, works council operation, and similar "bread and butter" subjects. Special attention is given to the training of promising young miners for future leadership. The residence schools have a small permanent staff, appointed by the National Executive Committee. They draw on the staff departments of the national union as well.

In addition to the continuing instruction at the two residence schools, regional institutes are conducted by the national union in various facilities throughout the coal-producing regions. One-day educational conferences are common.

Full-time functionaries in the *Bezirke* and *Geschäftsstellen* regard themselves as responsible for carrying on educational programs—primarily training for works councilors and subordinate union functionaries. In some areas special programs are provided for the wives of union members. The *Bezirke*, with general responsibility for work with white-collar groups, have special responsibility for their education.

The emphasis and effectiveness of these programs depend in large measure on the individual chairman. In certain cases he may be particularly conscious of the need for training replacement leadership. This has been a problem to the fore of the aims of the national union and, indeed, was given as one of the reasons for the shift from the large pit-based local union to the smaller community-based organization. It was felt that with more numerous small organizations more members would be drawn into responsible union activity. In some *Geschäftsstellen*, the chairman has taken advantage of this change and has worked very hard with the new young leadership. In others, opportunities appear to have been neglected.

In contrast, then, to the French and Belgian unions, the German has a highly developed formal educational program, conducted by the national union and oriented principally toward day-to-day problems and less to long-range political and social issues. Similarly, the general and periodic union meetings in Germany are oriented more toward discussion of practical problems than toward general political discussion, as in the other two countries.

IGB has an active press department, which publishes a weekly newspaper and a first-class monthly technical journal on social, economic, and technological problems of the mining industry. The union has its own press, which prints these periodicals, the annual yearbook, proceedings, and a considerable amount of occasional literature, manuals, hand-

books, and other materials relevant to mining trade-union problems. The press department also maintains at the national headquarters an excellent library of general and special economic, social, and trade-union literature. All this is under the general direction of the national executive.

IGB also, of course, benefits from the educational and propagandistic activities of the federation, sending students to its labor colleges, distributing its periodical literature, and generally availing itself of these facilities. It is, however, less dependent on these sources than its French and Belgian counterparts.

Great Britain

The British labor movement is one in which workers' education has traditionally held a high place. But the British union concept of the role of education is that it should serve primarily to help the worker understand the world around him, so as to change it. In addition, it should serve to raise his general cultural level. Education to increase the skill of the unionist in his day-to-day functioning in his union has been given relatively less emphasis. Largely for this reason, that educational objectives were common to workers and not to jobs or industries, British unions have relied on external organizations, such as the Workers' Educational Association or the National Conference of Labor Colleges, for the performance of the educational function. Relatively few unions have highly developed internal educational activities.

This factor, plus the historically federal character of the National Union of Mineworkers, has meant that little educational activity has been carried on by the national union. Though proposals for a national educational program have been discussed, thus far the formal educational activities of the national office have been almost wholly limited to the paying of affiliation fees to the National Conference of Labor Colleges.

Emphasis on educational activities varies widely among the Areas. At least one, South Wales, has on its staff a full-time paid educational director. His principal duty, aside from writing speeches and preparing research reports, is to hold classes in the coal field. The subject matter of the courses has included union history, economics, and general subjects of a union orientation, but not union techniques.

In other Areas, for example Durham, the general secretary holds classes at Area headquarters (Durham is, geographically, very compact, in contrast to South Wales), directed primarily to young leadership. At

Durham there is greater concentration on techniques, though more general social and economic matters are also dealt with.

In many Areas short residence summer schools are held, under Area sponsorship, in which problems of the coal industry and of the unions in it are the principal subjects. In many Areas also, scholarships are given for attendance at Ruskin College or at various schools or institutes held under the sponsorship of NCLC. These courses are generally not designed especially for miners, but are likely to deal with national social and economic issues.

Whatever role in formal education is played by the local unions consists largely of affiliation with the Workers' Educational Association and utilization of the facilities of that organization. In addition, workers are encouraged to avail themselves of such facilities as postal courses offered by NCLC on a wide variety of subjects.

The press of NUM is limited to a small monthly information bulletin, mostly statistical in nature. Certain of the Areas publish special reports and very useful compendia and manuals of agreements pertinent to their Areas, for the ready reference of Miners' Agents, lodge officers, and other functionaries. In a few Areas, histories of the union have been written by university people or union members or officers, under Area sponsorship. A history of the national movement has also recently been published under sponsorship of NUM.⁴

Thus, although NUM (in common with other unions in Britain and in the industry) is generally enthusiastic about certain kinds of education, it has not placed high priority on training of union members and officers, as such, for the better performance of their direct union functions. And, in common with most British unions, the performance of the educational function has been delegated to groups external to the union itself. As in other matters, there is considerable dispersion around this generalization among the NUM Areas. Such internal educational function as is performed is largely an Area responsibility.

⁴ R. Page Arnot, *The Miners* (2 vols.; London: Allen and Unwin, 1949 and 1953); A. R. Griffin, *The Miners of Nottinghamshire* (Nottingham: Nottingham Area, NUM, 1955); W. S. Hall, *A Historical Survey of the Durham Colliery Mechanics Association* (Durham: J. H. Veitch and Sons, 1929); R. Page Arnot, *A History of the Scottish Miners* (London: Allen and Unwin, 1955).

Chapter 10

Why Different Structures Have Developed

We have now completed the descriptive accounts of the allocation of the more important union functions to the several levels in the union hierarchies. Terminating here does not imply that these are the only functions performed by these unions; they are only the more important among the identifiable ones. The major omission, aside from reference in the chapter on partisan political action, is the revolutionary function, for which, in certain cases, the activities described are merely preparation or to which they are subordinated and shaped. This chapter will summarize the findings of the preceding chapters, attempting to locate the centers of power in the several unions and the priorities in which the bargaining and the revolutionary or reformist functions, in particular, are placed. We will then proceed to a longer series of speculations on some of the reasons for these patterns.

It should be noted at the outset, however, that it is beyond the scope of this effort to speculate as to why particular unions in particular countries emphasize one major function or lean to particular revolutionary or reformist programs. The object of the investigation is to uncover more immediate factors in union structure, and these forces are taken as given.

CONCLUSIONS AS TO THE DISTRIBUTION OF AUTHORITY

In the German union, IGB, authority is highly centralized. The leading principle of IGB organization is the election of a National Executive Committee by delegate representatives of the membership with almost complete authority to act for the term of office. Subordinate institutions are closely controlled by the Executive Committee and have little but executory or administrative functions. The executive is assisted by a highly developed staff of professionals who necessarily exercise considerable influence over policy in the performance of their staff functions. This tendency toward centralization has been accentuated even in the brief eleven years of IGB's postwar history. Executive offi-

cials of the *Geschäftsstellen*, formerly elected, are now appointed. The plant organization consists now solely of the shop committee designated by officials of the *Ortsgruppen*, which in turn have wholly replaced the pit-based local union.

Policy is made by the Executive Committee. Bargaining policy is effectuated without the necessity of ratification by membership or subordinate organs of the union, though in practice the executive keeps in close touch with the sentiments of membership through subordinate officials.

As to social and institutional change, IGB's formal policies are limited by the political necessities of continued coalition of Socialists and Christian Democrats. Yet the objectives of both factions within the union meet in defense of codetermination and its extension, and in the principle that institutional change is to be accomplished by way of legislation. Furthermore, both Social Democrats in the revisionist tradition and leftist Christian Democrats, uncommitted to preservation of the values of capitalistic society, regard the labor movement as an autonomous power structure coequal with political parties. These common commitments lead to agreement on a structuring of the labor movement of real power, concentrated, so far as political action is concerned, in the leadership of the union.

Even with respect to educational, service, and other activities of the union subordinate to the political and bargaining functions, decision-making tends to be concentrated in the executive leadership, its staff, and its appointees.

The *Geschäftsstellen*, directed by leadership appointed by the national executive, constitute the effective executory organs of the union. It is at this level that the day-to-day work of the union is performed.¹ The *Geschäftsstelle* chairmen, however, are in constant communication with both rank-and-file membership, through dues collectors and *Ortsgruppe* officials, and with the national union office. It is this extremely effective communication function performed by these intermediate officials, as well as the quality of its national leadership, that saves IGB from oligarchy. It is probably a fact that top leadership has adequate means of communication with the rank and file in both upward and downward directions, and that present leadership is quite sensitive to rank-and-file pressures. At the same time, the membership is highly disciplined.

¹ It should be noted again that with respect to white-collar problems, the *Bezirk* often plays the role performed by the *Geschäftsstelle* for manual workers.

The Bezirk is purely an administrative institution, except where it performs for white-collar workers the functions performed by the Geschäftsstelle for manual workers. To an outsider it appears as an unnecessary third wheel, but this judgment must be tempered by the caution of insufficient familiarity with administrative problems.

The local union and its officials have almost no function other than the communicative one. They are not empowered to make any substantive decisions. The same is true of the shop committees, who report to and take directions from the Geschäftsstellen in the performance of their function of overseeing the work of the works councils.

With respect to all functions, then, the IGB is a highly centralized organization, with effective decision-making almost entirely centered in the Executive Committee, responsible only to the periodic delegate conventions of the national union.

The Belgian coal mining labor movement is likewise a highly centralized one. Effective power with respect to strictly trade-union matters lies in the hands of the national union leadership, in both Christian and Socialist unions. In both cases, policies formulated at higher levels of the Socialist or Christian movements influence the course of the union executives. As in Germany, important executive power lies in the hands of regional secretaries appointed by the national union and responsible to it. The local union has no decision-making power. As in the German case, communication from top to bottom and from bottom to top is excellent, and the leadership is reasonably responsive to pressure. Furthermore, the institution of the elected pit delegate places on the front line a functionary with at least some independence. His integration into the trade-union structure by way of ex officio membership in the local union executive, and the integration of elected members of the regional bargaining bodies into the regional union executive, leaven the potentially oligarchic nature of the unions.

But in Belgium revolutionary or reformist political aims are at least as important in the union system of values as the conduct of job relationships. In the Socialist movement, the means toward these ends is the coming to power of a Socialist Party whose mass base is the labor movement. Historically the labor movement was directly affiliated with the Socialist Party and in some measure subject to its policy determination, and it was only for reasons of expediency that this connection was formally broken.

In a somewhat different way, the Christian labor movement is subject to the superior values of the Social Christian movement. In both cases,

these means and values have been predominant factors in the centralization of the labor movement. The important decisions are political decisions, though they may find expression in bargaining and other arenas, and the structure of both organizations is adapted to the ready transmission and effectuation of these political decisions.

The French case is an entirely different one, and with substantial differences among the three major French unions. The tradition of the main stream of the French labor movement was anarchosindicalist in nature. Revolutionary, it placed its main reliance on direct action. It eschewed formal politics completely, regarding the state as inherently oppressive and subject to the control of the employer. The role of the union was preparation for the employment of the ultimate weapon, the general strike. Efforts at ameliorative action within the existing institutional framework were regarded at worst as corrupting and diverting, and at best as practice exercises for the final action. With this primary role, the old CGT developed a highly decentralized movement, based primarily on the syndicat and its relation to workers, who were united on the basis of future rather than present attachment to an enterprise.

This faith remains little more than symbolic, and the real tragedy of the French labor movement is that nothing has replaced it. The structural tradition remains, especially in Force Ouvrière and in its coal mining union. Shifts in the locus of authority have taken place as bargaining and other functions have been haltingly superimposed. Yet one would more appropriately talk about the powerlessness of Force Ouvrière in the industry, rather than about the distribution of power. In part this results from organizational weakness, but in part as well from a fundamental mistrust of the exercise of power for bargaining objectives. Insofar as the power to effectuate direct action exists at all, it is probably centered in the syndicat, the traditional base of the French labor movement. Insofar as the bargaining function is performed, it is by the national leadership. But again, insofar as the *Statut du Mineur* is effectuated, it is by the action of the syndicat.

The CGT mining union is firmly under the control of Communist-oriented leadership. Its formal structure remains within the old tradition, and there is no inclination on the part of the leadership to alter this, for a decentralized and chaotic organization is well suited to the superimposition of decisions taken through other machinery and expressed by a leadership primarily responsible to Communist Party machinery. Traditional and orthodox Marxism always regarded the labor movement as an instrument of and subordinate to the Marxist political party.

The CGT mining union does no formal collective bargaining—the management refuses to deal with it at this level. It does, however, make demands, formulated probably through the party organization and transmitted to the syndicats through the national union organization. The syndicats are relied upon, then, to carry on a guerrilla warfare and occasionally a disciplined industry-wide warfare in nominal support of these demands. The ultimate purpose, however, is to create a disciplined working class responsive to the political and revolutionary requirements of the party. To this purpose are subordinated all other functions. The internal centers of power in the union, insofar as there are any, lie at the level of the syndicat. The executive of the national union is powerful, but only in its capacity as a transmission belt for decisions taken elsewhere and, as the case may be, by virtue of party rather than union position.

The CFTC mining union presents a somewhat more familiar pattern. Its structure was, no doubt, strongly influenced by the traditional pattern of the earlier and larger French labor movement, and its constitutional distribution of authority is reminiscent of that in the other two unions. Yet it has developed an informal pattern in which the national union is a more important center of authority. In part this derives from national union control over the strike fund; in part, from the greater emphasis placed on the bargaining function, performed, so far as bargaining is performed at all, through national union machinery. Failures of performance lie mainly in strategic weakness rather than in principle. Syndicat functionaries also, insofar as the strategic situation permits, perform the administrative function of attempting to enforce the provisions of the Statut.

The CFTC, including its mining affiliate, adheres to the general reformist program of the Christian world labor movement, with its condemnation of uninhibited exercise of control over property in means of production by private owners, and its espousal of a program of complete worker participation in management. Yet, so far as mining is concerned, the union supported and supports nationalization. In the light of the tradition of French workers, it is more insistent upon the political independence of the Christian labor movement than are its counterparts in many other countries, and emphasizes more a negative anti-clericalism than any positive program of reform. Thus its structure is less influenced by its relation to Christian political parties than is the case in other countries.

In Britain the real residuaries of power are the Area organizations.

This is expressed through their political influence within the Area and their political autonomy with respect to the national organization. The national union is the bargaining instrument, but not the effective determinant of bargaining decisions. Each Area takes its own position on such decisions, and its autonomy is infringed only in that the political majority of the Areas imposes its will on the minority. That is, with respect to bargaining, the national union is not yet a real policy-formulating body; it is a device for composing differences among Areas. This, of course, is important, and given the great emphasis placed on the bargaining function, the tradition of Area autonomy is very gradually yielding to centralization.

Not only is such bargaining policy as is expressed on a formally national level in fact decided at inferior levels, but large areas of bargaining decisions remain to be made at inferior levels. The Area formally, as well as politically, deals with management at pit and division level on many subjects of considerable import. Furthermore, local lodges, and even informal groupings of workers within the pit, effectively determine significant conditions of employment.

Along with the other British unions with substantial membership in coal mining, NUM strongly emphasizes political objectives. And, though coal has been nationalized, these unions continue to participate actively in working toward the goal of a Socialist society. But the relationship, as it has developed in Britain, between the Labour Party and the trade-union movement differs materially from that, for example, in Belgium. In Britain, the Labour Party is more nearly an instrument of the union movement than the reverse. But, as in the bargaining function, the making of political decisions is well distributed throughout the union hierarchy, though perhaps the national executive more nearly exercises a function of leadership in this field than in bargaining.

REASONS FOR DIFFERENT STRUCTURES

It is apparent that the structure of coal mining unionism in the four countries displays considerable variation. We come now to some hypotheses as to why this is so. Or, to put the problem in different form, on the basis of the data gathered in this case study what hypotheses are suggested as to the major determinants of the structure of unionism?

The study was deliberately limited to a single industry, for the purpose of controlling that variable. The hypothesis subjected directly to test was that the physical and economic character of the industry is the

crucial determinant of union structure. If so, structures of the unions examined should have been substantially similar.

The term "structure" needs a restatement of definition. In general, it is used here to mean the distribution of effective authority in a union or a union movement. This definition is intended to encompass not only the distribution of authority within a largely self-governing union institution, but the patterns of jurisdiction between self-governing institutions.

The first section of this study indicated that there is a considerable degree of multiple unionism in the coal mining industry. Only in Germany is there effectively a single industrial union, though even there IGB must defend itself against the claims of the white-collar union. In Britain the situation approaches unitary unionism, but substantial remnants of multiple unionism exist.

In France and Belgium multiple unionism is the clear pattern, but on quite a different basis than in Britain. In the two continental countries, plural unionism is primarily based on ideological plurality; in Britain, on strategic grounds. The small unions which contest with NUM for jurisdiction do not do so on the basis of differences in ultimate objectives, but on claimed differences in the immediate interest of subgroups within the totality of Coal Board employees.

Before dealing with the significance of multiple unionism, attention should be called to the fact that the very definition of the case assumed a degree and kind of uniformity. In selecting the coal industry for study, it was implicitly assumed that "unionism in the industry" could be observed and measured, that is, that the unit "coal industry" could define in some way the boundaries of empirical observation of a labor movement, at least within a nation. This assumption was based on the historical observation that this industry has defined such boundaries, and that unions, and specifically coal mining unions, have been active for long periods of time. This is probably more nearly true of the coal industry than of many others. In all four countries, the coal unions have a history of leadership in the national labor movements.

The first generalization, then, resulting from a methodological assumption, but an assumption that did not prove unworkable, is that the coal industry is one which, somehow, was conducive to the early development of unionization among its employees. Second, the coal industry is one which has tended to set boundaries for most of the unions in it. In the more recent period, European unionism, like the American, has tended increasingly toward division of jurisdiction along industrial

lines, though in its formative period this was not universally or even generally so. Though it is true that the historically predominant unions in the industry have claimed industrial jurisdiction, intra-industry craft unions have existed and, in some instances, still do. But such "horizontal" unions as have and do exist, with rare exception, cease at the boundaries of the industry. Instances include NACODS, the Winding Enginemen, the old colliery craft unions in Britain, and the engineering and white-collar syndicates in France.² Exceptions include the CAWU and the two general workers' union groups in Britain.

Though most of the unions in the coal mining industry have operated entirely within the industry, they have not always exhausted its occupational limits. They also have not always exhausted its geographic limits, even within national boundaries. The early development, notably, of the British unions was on an autonomous regional basis, developing toward the loose federation in the Miners' Federation of Great Britain and the somewhat tighter national organization of NUM. In France the syndicates have still not formally surrendered a large degree of power to the national union.

Though industrial unionism has become the predominant organizational form, this happened earlier and more markedly in coal than in other industry generally. This would seem to indicate that characteristics of the industry have something to do with organizational form. In coal, it may be accounted for by the limitation of particular skills, in general, to the industry itself, by the tendency toward physical isolation of coal mines, and by the economic and cultural environment which led, until the postwar period, to possibly lesser generation-to-generation occupational mobility.

It is, of course, stating the obvious to say that ideological pluralism is not a function of the industry. It seems to be characteristic of national labor movements and is either nearly universal to them or is wholly absent. Only among white-collar unions are politically neutral unions significant at all, in those countries with plural movements. Even in this case, political neutrality does not forefend at least some competition from segments of the basic plural unions.

Dedication to a political ideal does not, of course, necessarily lead to pluralism, as witness Britain. In our four cases we have three types of situation within the coal industry—ideological plurality in Belgium and France (though, in France, with formal avowal of political neu-

² These syndicates, however, may be affiliated with broader unions which have some of the character of federations, rather than national unions. In some measure this is also true of CAWU in Britain.

trality), a single formally neutral movement in Germany, and a single Socialist movement in Britain. It is quite clear that industrial characteristics have little or nothing to do with this element of structure. We shall return to this problem later in the chapter.

Industrial characteristics may, however, be somehow associated with the relative strength of various ideological strains in coal mining unions in those countries of ideologically plural movements. In Belgium the Socialist miners' union relative to the Christian is stronger than the FGTB generally relative to CSC. In France, CGT is stronger, relatively, among coal miners than elsewhere.

In Belgium this may be attributed at least in part to the location of coal mines relative to the ethnic and linguistic distribution of the population. Until the development of the Campine, the miners were in areas dominated by the French-Walloon group. These are, in and out of the coal mines, relatively strongly Socialist and anticlerical. But this is not the whole story, for the Socialist union has material though minority strength in the Campine, among Flemish workers. And furthermore, the Christian miners' union is on the left of CSC.

The mining industry seems, universally, to have produced militancy and radicalism among its workers. The reasons for this are various and beyond the scope of this study. But, in structural terms, it has had the effect of strengthening, relatively, the left miners' unions in the two countries whose labor movements are characterized by ideological pluralism.

It might be suggested that forms of property in the mining industry would in some way be related to internal structures in the labor movements. Since there are diverse forms, it might be possible to account for structural diversity in a common industry. In the four cases considered, there are two instances of nationalized industries, relatively pure private ownership in Belgium, and at least formally advanced co-management of privately owned mines in Germany.

Before affirming a relationship because of common diversities, however, some deductive links between the two variables must be hypothesized. Property forms might affect the distribution of union authority in at least two ways. Forms of property-holding may be related to distribution of managerial authority. Thus, nationalization, in both Britain and France, has resulted in the creation of central decision-making authority, though, in both cases, certain authority has been delegated downward to regional and pit managements.

Nationalization, of course, is not the only device through which cen-

tral managerial authority can be achieved. In the two countries without a nationalized industry, substantial concentration of ownership and control exists. In Belgium, for example, the Confinindus-Brufina financial group controls a substantial number of the large Belgian coal mining companies, and, through steel interests, controls other captive mines. La Société Générale de Belgique controls an even more important group of mining companies. Evence-Coppée controls a somewhat smaller group. According to FGTB, these three groups control 58 per cent of Belgian coal production.³ Despite "decartelization" by the Allied governments, ownership and/or control of the German industry is highly concentrated. Moreover, there are interconnections between these centers of control, and formal national and international agencies control or dominate sales, exports, and imports, though these are subject to some control and regulation by the European Coal and Steel Community.⁴

Differences between nationalized and privately owned industries, then, are not as significant as may appear in terms of centralization of managerial control. Furthermore, nationalization in both Britain and France is a postwar phenomenon. Ten years is not long enough, perhaps, to expect significant adaptations in structures as old and well developed as those in the unions concerned.

The shape of early British mining unions was undoubtedly influenced by the ownership structure of the industry. Managerial problems, and hence managerial practices of private owners, differed among the several coal basins. The differences between basins whose markets were primarily export and those selling primarily to the home counties, combined with significant differences in geological circumstances, undoubtedly were the principal influences in the decentralized development of British mining unionism.⁵ These have left a mark not easy to obliterate, not only in the continued power of the Area organizations but in the continuance of informal groupings of lodges around the old accustomed lines of common former ownership.

Indubitably a force contributing to the slow process of greater centralization in NUM is the existence of the Coal Board as a centralized managerial authority which must be dealt with by some more highly centralized union authority. This shows itself in the development of

³ Fédération Générale du Travail de Belgique, *Holdings et Démocratie Economique*, 1956, p. 175.

⁴ See ECSC, *The High Authority and the Trusts*, High Authority Information Documents No. 2, Luxembourg, September, 1955.

⁵ See R. Page Arnot, *The Miners: A History of the Miners' Federation of Great Britain, 1889-1910* (London: Allen and Unwin, 1949).

certain bargaining practices described in the chapters on that subject, particularly the negotiation of time-rate standards and the prospective negotiation of a piece-rate "wage structure."

The influence of nationalization, resulting in the creation of a centralized managerial authority, on French mining unions has probably been even less marked. To the view of their function which at least certain of the unions hold, this is a relatively minor and irrelevant factor. Centralized managerial control is relevant to the structure of unionism if and when a union regards its function primarily as one of dealing with the employers of its members for improvements in working conditions. If, however, this is only an incidental function, the structure of employer control cannot be expected to influence in any important way the structure of union control.

At least so far as CGT is concerned, and indeed so far as traditional French unionism is concerned, this has not been regarded as a major function, nor has it, in the main, ever been very effectively performed. French unionism has been, and still largely is, revolutionary unionism. In a limited sense, the revolution has been accomplished in coal mining—the mines are now socially owned and operated. Yet the efforts of the FO and CFTC unions to make nationalization work have only succeeded in putting the CGT union in a strategic position to maintain its superior strength. To the philosophically minded it argues that the nationalized mines have merely been put to the service of the capitalist ruling class. To the worker interested largely in bettering his wages and working conditions, it sets its militancy against the compromises that the other unions have made in the interest of an agreement and of the long-run success of nationalization.

The major function of CGT, then, is still the training of a revolutionary class. This requires and has resulted in a high degree of centralization for strategic policy-making and greatly decentralized authority for tactical purposes. The individual syndicat still wages guerrilla warfare on its own, though it must be responsive to calls by higher authority to participate in a major engagement. The job of the other two unions is, primarily, to attempt to win the allegiance of the workers. Basically, this must be done by hard work at the local level. It is probably hindered, rather than helped, by the assumption of bargaining authority by superior union organisms because of the advantages this gives to the majority union.

Thus centralization of managerial authority has been largely irrelevant in the context of French unionism and has had but little impact

on the traditional distribution of union authority. Basically, this is because traditional union authority is not used for the purpose of dealing with particular employers.

Belgian, and particularly German, experience indicates that private ownership, even though there be multiple owners, is not a circumstance prohibitive of creation of central union authority. In both cases, bargaining power is highly centralized in the union (or unions), and, in both cases, centralized union authority has resulted in the creation or strengthening of a centralized managerial bargaining authority, with sufficient power delegated upward by individual managements to deal effectively with the union. In Britain, prior to nationalization, there was a very much slower process working in a parallel direction, though the setback to national bargaining resulting from the lost strike of 1926 had not been wholly overcome twenty years later.

This would seem to indicate that the crucial consideration is not the pre-existence or nonexistence of a centralized managerial authority, but the emphasis on the bargaining process in the hierarchy of union objectives. Where, as in Germany, dealings with the employers are a major function, centralization is likely to occur, and to create sufficient pressures to result in employer centralization. But where other objectives rank higher and bargaining is relatively unimportant, this becomes irrelevant to the distribution of union authority.

Property forms may be significant in another way, though again related to bargaining. Nationalized industries invariably introduce broader criteria than profit-making into the managerial decision-making process. In fact, piecemeal nationalization presumes a social decision that profit-making as the crucial criterion in the particular industry inadequately serves the social interest. Managers of nationalized industry, then, must account for their broader responsibilities. In the coal industry, these may include provision of an industrial raw material at an advantageous price, keeping the price of domestic fuel low, rational exploitation of a national resource in the long-run social interest, softening the effects of international competition on employment in the mines, and enhancing the status of an historically, socially, and economically underprivileged group of workers.

In general, the assumption of society-wide responsibilities implies the introduction of criteria that have little meaning except when viewed from a national level, and thus requires national policy-making. For example, when pricing serves other than profit-making objectives, a national price policy is required. This national price policy then influ-

ences wage policies, and requires that the entire industry, workers included, assume responsibilities of a nationwide scope. Specifically, for example, wages based on district "ascertainments" of profitability, the traditional British method of wage-making, became irrelevant when the industry was commanded by statute to operate so as to break even, industry-wide, over the long run, and when prices were set so as to provide low-cost coal to railroads and steel and power industries. The bargaining criteria then became, in some measure, how wage demands could be made consistent with these national objectives.

Nationalization, then, required the making of a *national* wage-cost policy, with which only national bargaining was consistent. Furthermore, those unions which were devoted to making a success of nationalization, and which had espoused nationalization largely on the ground of the inherent social irresponsibility of private enterprise in the industry, had to admit the relevance of these criteria, even when, at times, they hurt. This has been, no doubt, a rather subtle force tending toward concentration of bargaining authority in the British unions and in the non-Communist French unions. Yet the qualifications noted above with respect to the French unions are still relevant. Bargaining influences on structure are only relevant when bargaining is a significant function.

Differing property forms, insofar as these are expressed in differing degrees of centralized managerial control and in differing criteria of managerial decision-making, have had limited influence on union structure. Though the influence is perceptible, its limits are placed by the degree of emphasis upon bargaining as a function in the union, and by the ability of a coal union that places the bargaining function in the forefront to force upon multiple managements the development of centralized authority.

These observations lead to the further conclusion that one of the crucial determinants of union structure is the view that a national labor movement or a national working class takes of its own role. That these views differ widely is obvious, but is made even more forcibly apparent to an American when certain Europeans question whether there is a labor movement at all in the United States. By the definition of these European trade unionists, a labor movement is primarily an instrument for the abolition of capitalism; any other aims are secondary. If structures develop to the service of function, major differences in function can be expected to produce major differences in structure.

Except for tiny fringes of liberal or neutralist unions, the labor movements in the four countries concerned accept institutional change as a

function, though its ranking in the order of priority differs from country to country. For strategic reasons, this objective may not be constitutionally stated; nevertheless, almost as a matter of definition, a European trade unionist is so because he views the economic system as essentially exploitative.

Though European unions have this in common, they differ with respect to (1) the revolutionary prescription and (2) the regard for the efficacy of immediate palliatives. British trade-union Socialism differs from Belgian or German social democracy. Each of these differs from the peculiarly French mixture of Socialism and anarchosyndicalism. All of them differ from the philosophies of the Catholic social movements of France and Belgium. These traditional and historical differences, whatever may have been their origins, have left an impact on the whole of the trade-union movements of their respective countries, and the resulting basic patterns all but obliterate structural adaptations to the peculiar circumstances of a particular industry.

The example of the FGTB in Belgium is perhaps as good an illustration as any. The Belgian Socialist labor movement was in large measure a creature of the Belgian Workers' (Socialist) Party. From 1898 until World War II, the federation was an organ of the Workers' Party: the Trade Union Commission of the party was the central trade-union organization. Furthermore, the major struggles of the Belgian labor movement in the first fifty years of its existence were political. For nearly twenty-five years, the struggle was carried on for universal suffrage. Thereafter, even the principal economic demands were sought by political means. Among the objectives of the great strikes of 1932 and 1936, led by coal miners, was the reduction of hours of work by legislative act.

In this kind of setting, centralization was almost inevitable. Belgium is sometimes called the "crossroads of Europe," subject to all the flows and counterflows of European thought and policy. Vandervelde and Destrée have described the sources of Belgian Socialism:

Socialist Belgium, at the confluence of the three great European civilizations, takes on the characteristics of all of them.

From the English she has borrowed the concept of "self help," chiefly in the cooperative form; from the Germans political tactics and fundamental doctrine set forth first in the Communist Manifesto; from the French their whole conception of socialism considered as an extension of the revolutionary philosophy, like a new religion, continuing and accomplishing Christianity, making it descend upon an earth shining with the light of the heavens.⁶

⁶ Emile Vandervelde and Jules Destrée, *Le Socialisme en Belgique* (Paris: Giard et Brière, 1898), p. 18.

With respect to trade-union structure, so closely related to Belgian Socialism, similar external influences appeared. In the years immediately before World War I, an active debate was carried on in Belgium over the issue of trade-union centralization vs. federalism. Among the leaders on the side of centralization was Bernstein, the German revisionist Socialist. Speaking in Belgium for the French tradition of federalism were Léon Jouhaux and Victor Griffuelhes. When Louis de Brouckère and Emile Vandervelde, the great theoreticians of the Belgian Socialist movement, threw their weight toward centralization, the outcome was decided.⁷

But the reasons given for, and the forms of, centralization were not wholly relevant to the development of Socialist political action. Bernstein placed great value on effective collective bargaining, primarily in preventing wage reductions in times of depression. For effective collective bargaining, centralized industrial unions were necessary. Belgian unionists had seen certain crafts sacrifice the general interest to their own particular welfare—in the glovemaking industry, the glass industry, the printing industry, among metal workers, and others.⁸ Particularism of craft interest prevented the development of an industry-wide strategy with which to face the employers. Incidentally, the mine-workers, perhaps because of the relatively undifferentiated nature of their occupations and their geographic isolation, were least prey to this craft particularism and, in Belgium as elsewhere, developed industrial unions from the beginning.

In Belgium, then, the dominance of social democracy as a philosophy, combined with the revisionist emphasis on collective bargaining backed by strike capability, in turn supported by industry-wide and inter-industry resistance funds, led to the development of powerful centralized industrial unions, united in a strong federation. Geographic unity, which took so long to achieve in Britain, was quickly arrived at in the small and relatively unified territory of Belgium. Not only is Belgium small, but its important industrial areas were concentrated in the area from Mons to Liège, with exclaves in Brussels and the great Flemish cities. But most of Flanders was, until recently, agricultural.

Belgium, then, derived its tradition of centralization primarily from German revisionism. Its pluralism came principally from French sources. The French-Walloon working class participated in the violent

⁷ For an account of this controversy, see Joseph Bondas, *50 Ans! F.G.T.B.* (Brussels: Fédération Générale du Travail de Belgique, n.d. [1949]), pp. 60 ff.

⁸ See Emile Vandervelde, *Enquête sur les Associations Professionnelles d'Artisans et d'Ouvriers en Belgique* (Brussels: 1891).

anticlericalism derived from Gallic history of the late eighteenth and nineteenth centuries. And, unlike Germany and Britain, except for a few exotic sects in the Borinage⁹ the protest against Catholic power did not take the form of religious protestantism, but of undiluted anticlericalism.

As early as the 1870's, the associations of Catholic workingmen, anti-Socialist in character, began to appear.¹⁰ These gained strength from the development of a world-wide Catholic social movement, beginning perhaps with the encyclical, *Rerum Novarum*, in 1891. Unions of Catholic workingmen received strong ideological and organizational support from the Church, appealing in Belgium especially to the strongly Catholic Flemish population.

These unions tended to be centralized, partly because of their relationship to the Church, but also for many of the same reasons as the Socialist unions. They emphasized political action not only to combat the political program of the Socialists, but also to achieve positive programs of their own, such as, in recent times, extended schemes of family allowances and comanagement. In the coal mining industry especially, they have sought centralized power to achieve their bargaining aims. But these tendencies toward centralization in the Catholic unions of both Belgium and France have been modified by the ultimate concept of the role of the union as a copartner in the management of autonomous local enterprises.

In France, the tradition and philosophy of the labor movement led away from centralization. As we have indicated, in the great debate in Belgium, the two outstanding leaders of the French movement, Jouhaux and Griffuelhes, argued for a decentralized movement. Though the French labor movement has always been dedicated to institutional change, it has, in the main, argued that change is best advanced by direct action at the local level, rather than by working through revolutionary political parties. The French movement grew around the local *syndicats* and the *Bourses du Travail*, or labor exchange-social club local central bodies.

The great early leaders of the French movement, such as Fernand Pelloutier, saw in the *syndicat* and the *Bourse* an instrument for both the achievement of direct workers' control in the long run and the

⁹ See Guillaume Jacquemyns, *La Vie Sociale dans le Borinage Houiller* (Brussels: Librairie Falk Fils, 1939); also symposium on the Borinage in *Revue de l'Institut de Sociologie Solvay*, 1950, Nos. 2 and 3.

¹⁰ See Joseph Arendt, *La Nature, l'Organisation et le Programme des Syndicats Ouvriers Chrétiens* (Brussels: A. Dewit, 1926).

wresting of immediate gains in the short run. And in a still decentralized industrial France, these tactics were quite possibly appropriate. But as France developed greater concentration of economic and industrial power, local action was less effective, and, perhaps for this reason, French unionists saw increasingly less hope of amelioration by collective bargaining. The French trade-union movement, then, retained its earlier structure, though it had lost its bargaining effectiveness, except, perhaps, for brief interludes in the latter thirties and latter forties. Even in these periods, government played a larger role than that traditionally assigned to it in the achievement of these ameliorative measures.¹¹

Force Ouvrière is the heir of this French tradition, and perhaps much of its futility is traceable to its inability either to bargain effectively or to appeal to the revolutionary French tradition. But its internal structure reflects its history, and has adapted only very slowly to new forces which demand greater centralization for effectiveness, either as a bargaining instrument or as a political arm of the working class.

The CGT has, constitutionally, preserved the older forms. But effective centralization of authority is achieved within it through the supra-union instrument of the Communist Party. It has, thus, departed in fact from the traditional French union structure. At the same time, it has allowed sufficient liberty of action at the local level to perform more effectively than FO the function of militant representation of the job interest of the individual workers. This is especially important in the coal industry in which, because of the geologic and technological characteristics of the industry, local representation is so important, for example, in piece-rate determination. Starting, at the time of the split, with the greatest membership and power partly because of the name and the traditional ideal of trade-union unity, it has preserved that power by centralized control invoking militancy without responsibility and by effective use of power at the local level. It is thus not surprising that few inroads have been made by the competing organizations.

Perhaps the most effective challenge to CGT has come, not from FO, but from CFTC. The French Catholic labor movement began, as did the Belgian, with an appeal to the Catholic segments of the French working class, as a reaction against anticlericalism. It is still strongest in the predominantly Catholic areas of Alsace and Lorraine, and it is in these areas that it holds most of its mining strength. It has, rather nervously, insisted on maintaining the French tradition of independ-

¹¹ For a good interpretation of the early development of French union structure, see Val R. Lorwin, *The French Labor Movement* (Cambridge: Harvard University Press, 1954).

ence of political party and, at the same time, adherence to an anti-capitalist philosophy. It derives a certain unity and centralism from the authoritarian tradition of the Church, yet in the main has adhered to the traditional structure of French unionism. Its emphasis on amelioration has allowed it to combine occasionally with CGT at the local level on local issues, and it has succeeded in organizing the militancy of the French worker at the local level more effectively than FO. Its greater effectiveness lies largely in this—that its unclear program of social reform does not deter it from concentration on effective representation of its members at the local level. At the same time, the authority of its national leadership allows it to speak with effectiveness in dealings with organized employers or, in the case of coal mining, with the Charbonnages de France. It is simply more of an *organization* than FO, whose effectiveness is impaired by ideological preoccupation and inattention to representation of its membership.

Because of the historical discontinuity in the German labor movement, its present form is more clearly a consciously constructed one than that of any of the others under consideration. Yet it was influenced by pre-Hitler experience. The basic controversy over centralization in the German labor movement had been waged in the 1890's.¹³ The victors were those supporting the establishment of strong national unions and a strong federation—certain union Socialists and “pure and simple” trade unionists. They had been opposed by other Socialists who feared impairment of the leadership of the Socialist Party and by the anarcho-syndicalists.

Though centralization and emphasis on support of the immediate economic demands of workers became the dominant form, there continued to be close working relations between the larger union federation and the Socialist Party. This fact stimulated growth of Catholic unions, strongly anti-Socialist in ideology and closely allied with the Catholic Center Party. In structural form, however, these came to resemble closely the forms developed by the majority Socialist group. The Catholic unions were especially strong in the Ruhr, among miners in the Essen area. A considerably smaller group of liberal unions (called the Hirsch-Dunker unions after their cofounders), modeled after the pre-1890 British labor movement, maintained a tenuous existence until the Nazi period.

The post-Hitler trade-union movement in Germany revived the strong centralization of the earlier movement and attempted to ration-

¹³ For a good short account, see Philip Taft, “Germany,” in Walter Galenson (ed.), *Comparative Labor Movements* (New York: Prentice-Hall, 1952).

alize it by dividing jurisdiction among 16 industrial unions. At the same time, it was possible to establish trade-union unity, as between Christian and Socialist ideological streams. Jurisdictionally, the movement may have borrowed from the organization of the Nazi Labor Front: the division of industry within DGB resembles the internal structure of the DAF.

Programmatic differences between left Christian Democrats and Social Democrats were, in the immediate postwar period, relatively minor. Specifically among miners, for example, there was considerable sentiment for nationalization among certain Christians and devoted support for codetermination from Socialists. The Christian state government in Rhineland-Westphalia was most sensitive to demands for legislation to improve the material well-being of the workers. Furthermore, anticlericalism had never become, in Germany, the basic article of faith that it had among Gallic Socialists, perhaps because of the success of the Protestant Reformation in Germany. The German worker was not, as he often was in France, basically antireligious.

Long-run programmatic differences do exist between leaders of the Catholic social movement and the Social Democrats. These have thus far been prevented from dividing the newly constituted German labor movement, diligently preoccupied with immediate programs. Some restlessness has already been evidenced among Catholics, leading to an abortive movement to re-establish a separate Catholic labor movement. The reincorporation of the Saar, with its strong Christian labor movement, may revive these efforts. But thus far, the German labor movement has preserved its centralized structural form and its avoidance of pluralism.

Britain was the only country of the four that had a really viable labor movement before the development of a working-class Socialist or syndicalist movement. Before the 1890's the dominant political complexion of the British labor movement was liberal. It had a solid foundation in struggle for the immediate economic welfare of its members under capitalism before it turned toward Socialism and intimate relationships with the Labour Party. It has continuously maintained to the forefront of its purpose the attainment of immediate goals. And, rather than being dominated by a political party, it tends to dominate the Labour Party. It is more nearly true to say that the British Labour Party is an appendage of the union movement than the reverse.

For these reasons, the forms and structures of the British labor movement have probably developed more nearly in response to bargaining

imperatives than those of any other of the labor movements considered. This accounts in large part for the tremendous complexity and variety of structural forms in the British labor movement.¹⁸ In particular, the historical development of the structural forms of the miners' unions seems best accounted for in terms of coal markets, the structure of ownership, geology, and other economic circumstances, and the responses of the unions to these forces in adapting their structures to deal most effectively with employers and to force changes in employer relationships to their own advantage.

The imprint of the early county coal miners' unions, organized to deal with employers on a basin or county basis, has never wholly disappeared. Repeatedly it has become obvious in the course of this study that real centers of power in the National Union of Mineworkers lie in the Area organizations, the immediate lineal descendants of the autonomous county and basin organizations. Centripetal tendencies were apparent from time to time in the MFGB, largely for purposes of dealing more effectively with the owners. But the failure of the great strike of 1926, whose principal purpose was to establish certain bargaining minimums on a national basis, postponed the beginnings of effective centralization until the 1940's. The heritage, however, of effective centers of power in the Areas has impeded the development of a powerful central organization.

A certain lack of effectiveness on the part of the national union may serve in part to explain the seizure of role by the local union and the contrast in the importance of the local union as between Germany and Britain, two countries in which the bargaining function is extremely important. Given, in Britain, a rationale which emphasizes bargaining, and given its incomplete performance in the designated formal centers of power, organization and discipline among the membership may take the course of apparent indiscipline by performing the function locally in an internally highly disciplined fashion. But in Germany higher levels of authority have adequate power; and, further, there exists in the works councils formal machinery through which workers express, more or less effectively, certain of their ameliorative needs. The local union, then, remains largely a communicative, administrative, and educational organ, rather than, as in Britain, an effective residuary of power.

Although some British unions, and specifically the dominant miners' union, lack the centralization of power characteristic of all but the

¹⁸ See B. C. Roberts, *Trade Union Government and Administration in Great Britain* (London: G. Bell and Sons, 1956), for detailed descriptions of the structures of British unions.

French unions on the Continent, they have not developed the kind of dispersion of authority resulting from the ideological pluralism which, except in Scandinavia, characterized continental unions historically and still characterizes all but the German. There have been two major ideological streams that have appeared so incompatible as to produce separate working-class movements on the Continent—the Socialist-anarchist-syndicalist group and the Catholic group. In many ways, religious nonconformity in Britain parallels continental working-class anticlericalism; indeed, many early British trade-union leaders were also nonconformist preachers. But few adherents to the Roman Catholic Church remained among British workers, and the Established Church did not react to socialist and reformist movements in the same way as did the Roman. In fact, being an established church, it probably partook of the same traditional limitations as did the Crown. At any rate, the traditions and circumstances peculiar to Britain resulted in a single labor movement, in contrast to the ideological plurality of the Continent.

Students of labor movements are prone to discuss various national movements as if they were essentially similar phenomena. This author, in fact, in this study has necessarily made this initial basic assumption. In organizing the material by function, it was implicitly assumed that each of the movements dealt with performed the same group of functions, though perhaps with different emphasis.

According to the broad definition of the Webbs—that labor movements are continuing collective efforts to improve the material and social status of workers—the phenomena commonly described as labor movements are homogeneous. But in terms of the primary means to be employed toward these ends, “labor movements” are so heterogeneous as to be scarcely recognizable, at least at the extremes.

Structural forms are at least in some measure responsive to function, though structural forms distribute authority and status and, for this reason, are resistant to change in response to changing objective circumstances and changing functions. The experience of the British coal mining unions is an example of extremely slow adaptation as old centers of power are forced reluctantly to cede to new.

Similarities exist among the structures of coal mining unions—similarities imposed in part by the common function of bargaining in an industry with certain common characteristics wherever it is found. Essentially, these similarities lie in the development toward centralized authority in the unions. In the contemporary coal mining economy of

the several countries, centralization is an imperative to effective bargaining, regardless of property forms. Nationalization accelerates the process by clearly establishing a central managerial authority, while under multiple private ownership union pressures have, historically, been a necessary force to centralization of managerial bargaining authority. Nationalization also accelerates the process by the introduction of new bargaining criteria which make sense only when applied on a national basis.

But the influence of the imperatives of bargaining varies with the significance of the bargaining function in the hierarchy of objectives. French unions, including the coal unions, have been decentralized, historically, because their primary purpose was not to ameliorate immediately, but to wage a guerrilla class warfare with a view, ultimately, to seizing control of plants by a "general strike" which was really envisaged as a concomitant series of local strikes by independent local organizations. The general strike remains largely as a myth—the myth of the ultimate weapon. Yet the French worker who joins a union joins a mass movement and only incidentally an organization of his industry or trade.

Decentralization remains. In CGT it remains within the labor movement because the Communist Party undoubtedly does not wish to create a possible rival center of power in the working class. Trade-union decentralization serves the purpose of a dominating, highly controlled political party. This has historically been the position of orthodox Marxists.¹⁴ It is, perhaps, ironic that the structures devised by French syndicalists have so well served the purpose of their historic opposition. In Force Ouvrière, and perhaps also in CFTC, decentralization remains because it is consistent with philosophy and tradition and because they cannot escape—their minority position forbids the wielding of central power.

In Belgium and Germany, historically, the development of trade-union structure was conditioned by the revisionist concept of the role of a labor movement and of the relationship of that movement to political parties. In Belgium that development was continuous. For tactical reasons, prior to the second World War, the role of the federation was played by the Trade Union Commission of the Socialist Party, but the

¹⁴ In Germany the Marxists, led by Bebel, opposed the creation of a strong central union authority. See Taft, *op. cit.*, pp. 249 ff. In both Germany and Belgium it has been the revisionists who, historically, have favored the development of a centralized labor movement upon which the Socialist Party is dependent, rather than a dispersed labor movement available to do tasks of the party.

unions formed the base of the party. In Germany, perhaps because of extensive factionalism among Socialist parties, the central union organization maintained its separate identity. And, for tactical reasons, this separate identity was established in Belgium after the second World War. But in both countries greater emphasis on the ameliorative role of bargaining, and a revolutionary philosophy that cast the trade unions in the role of the core of Socialist power, led to a more highly centralized movement, particularly in coal mining in which effective bargaining required centralization. In Germany the postwar reconstruction laid even greater emphasis on the bargaining function, with some neutralization of the explicit political role as requisite to the building of a unified movement. At least in coal mining, Germany is more reminiscent of the United States than any of the other movements studied.

Starting from the immediate postwar blueprint, the IGB developed even greater concentration of power than was envisaged, partly for the precise purpose of preventing the kind of control exercised over CGT in France. Shop organization was replaced by community organization because, in part, highly organized Communists were more nearly able to control large, uncohesive pit organizations than they were smaller, more tightly knit community organizations. Control over shop action was removed from the hands of leadership chosen by an organized political minority. Protective measures went even, and perhaps unnecessarily, further by providing for the appointment of *Geschäftsstelle* and *Bezirk* chairmen, so that the only elected leaders in the IGB are the local (community) union and national officers, though members of *Geschäftsstelle* and *Bezirk* executive committees are still elected. These centralizing measures were bitterly fought by the Communists in IGB.

Labor movements, at least in the four countries considered, vary widely in function and emphasis on different functions. The coal mining unions partake, in general, of the view which these movements have of themselves. Consequently, their structures, shaped by function, tradition, and philosophy, are widely diverse. Basically, it is this national variable which conditions the structure of individual unions. Where bargaining is a dominant function of the union, and where structure is adapted to this function, common bargaining problems are likely to create common structures. In the coal mining industry this means tendencies toward concentration of authority in the union; in other industries it may mean dispersion of authority, as might be the case, for example, in the building construction industry.

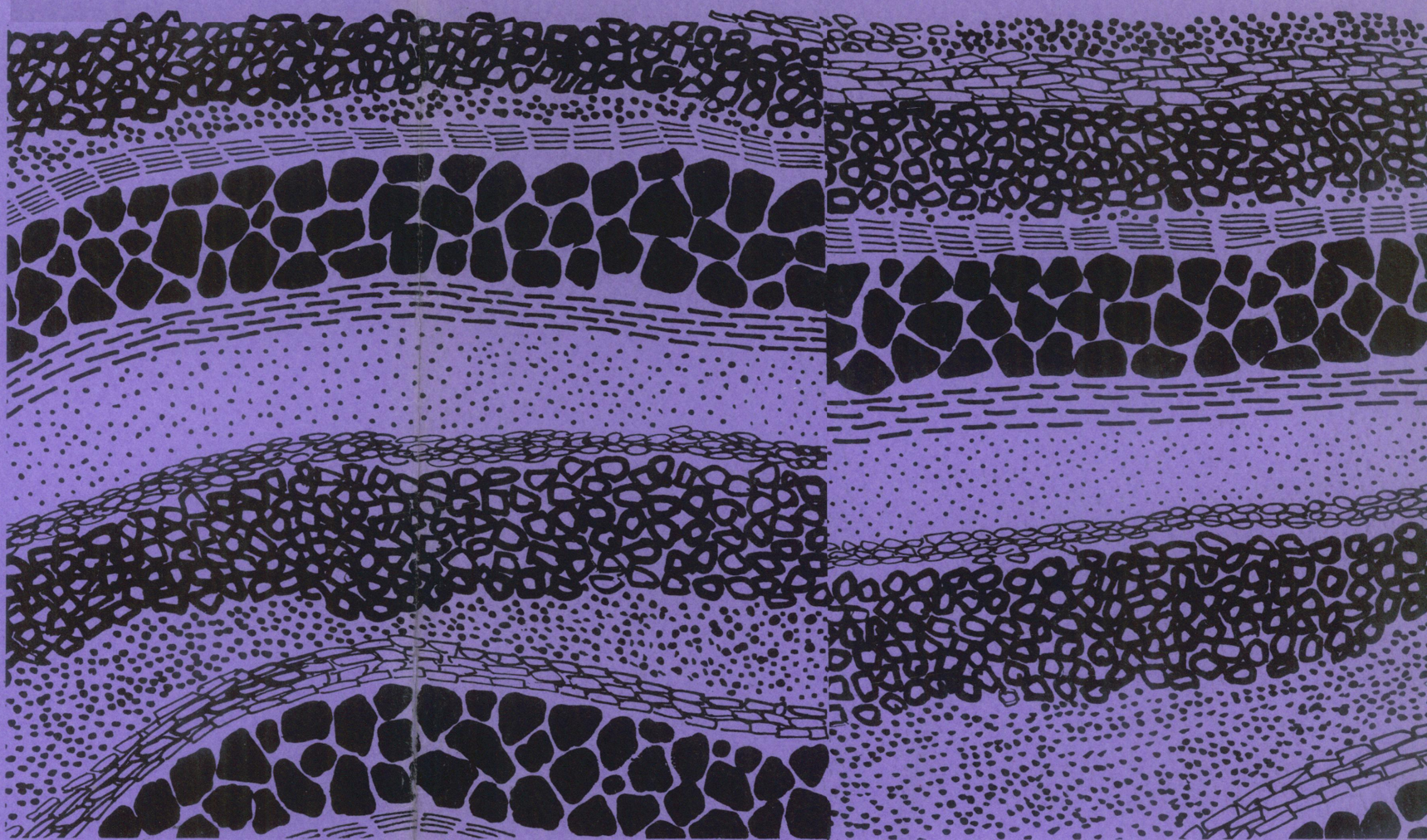
On the basis solely of this study of unions in a single industry in only

four countries, then, one is led to the conclusion that as labor movements are diverse in their views of their own role, historically and contemporaneously, and as structures are adapted to these views, common patterns are likely to be found only where there is a reasonably common history of trade-union roles. Structures are likely to be similar within a country if the revolutionary role is and has been emphasized, so that the industry or craft union unit is largely a matter of convenience. It is almost certainly true also, though this has not been the object of this study, that the structures of unions within a country are likely to differ if their function is primarily a bargaining one, and if adaptation to that function has been a critical determinant of structure.

Between countries, national structures are likely to resemble each other if (1) institutional change according to similar patterns and by similar means is a common end, or (2) if bargaining is the primary function and structures are adapted to it and, further, if the economic, technological, and managerial structures are such as to require common union forms.

These are tentative generalizations drawn from a limited study. They require further support. They may, on reading, seem obvious. Yet the application of a common denomination, "labor movement," to these organizations and activities may have led to a considerable glossing over of the tremendously wide divergencies among them. It may be worth while to emphasize diversities.

However diverse these movements are, they are significant for their diverse activities. And their structures are a significant variable in the way in which these activities are performed. Structure is in part a result, as the preceding discussion has emphasized. But it is also in part a determinant of function and the way in which it is performed. Structure, by definition, is a systematized distribution of authority. Centers of authority tend to exercise that power defensively, that is, to counteract threats to their own destruction. In terms of accepted function, then, a study of structure is significant since it constitutes a variable in the adequacy of performance. It is hoped that understanding of the particular unions here dealt with has been increased by an examination of the determined and determining aspects of their structures.



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