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Preamble

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3. These Regulations are subject to requirements of any body under whose sponsorship the research project giving rise to the thesis/dissertation is carried on.
A STUDY OF THE STRUCTURE AND FUNCTION OF TRADE UNIONS BASED ON
AN HISTORICAL, COMPARATIVE ANALYSIS OF ORGANISATIONS IN BRITAIN
AND THE GERMAN FEDERAL REPUBLIC WITHIN THE EXPERIENCE OF THE 1970s

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A thesis submitted for the degree of Master of Philosophy

Department of Linguistic
and International Studies,
University of Surrey.

August 1985
ABSTRACT

The study examines the interrelationships between trade union structures and functions during the late 1970s by comparative investigation of the traditions, activities and power structures of the trade union movements of Britain and the Federal Republic.

The study includes an historical review of the comparative movements which shaped the organisations of the period in question. It also takes account of the academic sources of critical analysis of the objects and methods of trade unions published up to the end of the decade.

Case studies conducted in Germany in 1978 and 1979 investigated the activities of selected unions in the public services, mining and textiles. The investigation relied upon structured interviews with full-time officers. It revealed details of union activity, suggesting alternative and accommodating power structures within their organisations correspondent to the changing systems of collective bargaining, political action and internal democracy.

The empirical and comparative historical evidence leads to conclusions about the dynamic relationship between union structures and functions and its impact on the cohesion of the industrial relations system as a whole. Collective bargaining remains the primary function of trade unions, not least because it provides for a structural fusion of union effectiveness with democratic control. The methods employed to achieve given trade union objectives embrace the 'power' structures of the particular organisation and the wider IR system. The example of the 1970s indicates that the parameters of power structures within industrial relations systems may emerge partly historically from the structural and political development of organisation and institution, partly from the rate and direction of change.
in the economic and social conditions at the time of investigation. Stability within industrial relations relies upon 'positive bargaining' between parties from positions of strength. Organisational structures which are incompatible with positive bargaining may diminish cooperation within the system, and therefore its stability.
INDEX

CHAPTER 1  Introduction  1

CHAPTER 2  The Structural and Political History of Trade Unions in Britain  22

1  The Evolution of a British Trade Union Movement  22
2  Case Histories  63
   - "New Unionism" and the Growth of the General Union  63
   - The Development of the Textile Unions:
      - The Cotton Industry  69
      - Trade Union Organisation in the Woollen, Worsted and Finishing Trades  74
      - The Traditions of the Miners  78

CHAPTER 3  A Short History of the Structural Development of Trade Unions in West Germany  90

1  The Establishment of a German Labour Movement 1800-1848  90
2  The Emergence of Sectional Unionism 1848-1900  92
3  Union Development by 1919  103
4  Trade Unions in the Weimar Republic 1919-1933  113
5  The Third Reich 1933-1945  117
6  Birth of a New Union Organisation  122

CHAPTER 4  The Evolution of Political Tradition and Purpose in the German Labour Movement  136

- Determining Trade Union Function  137
- Towards a Trade Union Consciousness  139
- Collective Bargaining  143
CHAPTER 5  The Functions of Trade Unions in West Germany and the United Kingdom - A Critical Review

- Society and State
- The Philosophy of the Social Market Economy
- Pluralism and Corporatism in the Industrial Societies of Germany and Britain
- The Functions of Trade Unions
- The Political and Public Service Functions of Unions
- Conflict Regulation
- Political Conflict
- Union Democracy and Workplace Representation
- A Union for the Workers
- Summary

CHAPTER 6  Some Observations of Trade Union Practices: A Case Study of the German 'Model'

1  Trade Union Structure
   I  Constitutional Structure
   II  Functional Structure
      - the Bargaining Role of the Unions
         GTB IGBE AND ÖTV - summary

2  The Property of Power
   I  Power in Rules
   II  Power from Within: Internal Rules and Organisational Independence
### III Power from Without: Relations with Works Councillors, Management and Government Authorities

<table>
<thead>
<tr>
<th>Section</th>
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<tr>
<td>III Power from Without: Relations with Works Councillors, Management</td>
<td>235</td>
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<td>and Government Authorities</td>
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<td>IV The Power of Information</td>
<td>245</td>
</tr>
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<td>3 The Issues</td>
<td>247</td>
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<td>4 Summary and Conclusions</td>
<td>251</td>
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</table>

### APPENDIX

<table>
<thead>
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### BIBLIOGRAPHY

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CHAPTER 1

Introduction

During the 1960s and 1970s, the high incidence of industrial conflict in Britain directed public, as well as academic attention to the apparent conduct of industrial relations by a form of collective bargaining characterised at that time by unofficial stoppages and trade union rhetoric, which suggested, publicly at least, that Britain was perhaps "strike prone".

By comparison, however, major strikes in 1978 in the German docks, printing and engineering industries bore witness to a changing pattern of industrial relations in that country which may also have been symptomatic of a change in direction in trade union thinking, in keeping with a changing economic and industrial climate. Germany's recovery from the recession which followed the 1973 oil crisis had been disappointing. By the mid-1970s there were a million unemployed. With profits squeezed, wages were depressed and the spirit of consensus in industry was, if not dead, certainly ailing. In July 1977, the forum for "Concerted Action", the round-table council of industry, government and trade unions folded as the union representatives pulled out.

The decision of the unions to disentangle themselves from the politics of consensus was attributable in large part to a growing dissatisfaction among union rank and file, supported by a new generation of more politically conscious and radical full-time officers, with the rewards it offered. The terms and conditions of employment on the shop floor and in the office did not reflect to the workforce the success of the policies of the trade union hierarchy had continued to pursue into the 1970s. The expression of this dissatisfaction had evidently brought about a shift in power within the trade unions which led to change in the political will of the leadership.

The proposition that the 'British disease' had spread to the West German workforce raises the question as to whether the German system of industrial relations is any better equipped than the British to support the political culture and economic values of
the society in which it operates. Is it reasonable to suppose that the German trade unions behave fundamentally differently for complex sociological or political reasons?

Rather, the concept of shifting power structures within the organisations themselves suggests an alternative basis for international comparisons of trade union behaviour. It is therefore the proposition of this study, which draws on observations of trade union activity during the 1970s, that the behavioural patterns of trade unions in different countries are a function of structural factors, given that such features are likely to be themselves influenced, if not determined, by historical and socio-political variables.

The study of comparative industrial relations systems on a theoretical level now has a long history itself. A "general theory" of the industrial relations system was first presented by J T Dunlop², and indeed advanced by A W J Craig³ in the 1970s. The model provided by this approach is a conceptual device and not a framework for empirical research. It assumes the term "system" without offering a definition of it, suggesting that there are structured relationships between the moving parts of the whole without explaining what those relationships are.

The 'Oxford approach' theory⁴ emerged from amongst those academics, chiefly Allan Flanders, who had contributed to the research of the Donovan Commission which reported in 1968⁵. Essentially, the Oxford school of thought concluded that industrial relations is the study of the institutions of job regulation. Emphasis was placed on the function of collective bargaining as a rule-making process, which describes the system in terms of its "output" but fails to address the role of economic, technological or political change as factors which condition its operation. It does not therefore account for industrial action as a primary feature of the system⁶.

By contrast and in observing the industrial relations field as a whole, the industrial sociologists have defined its main concern as "studying the resolution of industrial conflict (more) than its generation"⁷. Whilst this model for the study of the industrial
relations system is limited by its reliance on sociological factors alone, its general 'behavioural' approach to the resolution or avoidance of conflict is thought to be more helpful for the purposes of this study in observing the interrelation of trade union structure and function within the historical and socio-political context.

The need to account for industrial conflict as a feature of an interactive group system of industrial relations suggests that pressures exist within that system which are in some way linked to the structural characteristics of the actor components by the capacity of the latter to create or accommodate those pressures. Pressure may be said to be symptomatic of the relative distribution of power throughout the system. Hence the proposition that the structural characteristics of the actor components condition a relationship between the exertion of power within the system and its propensity to create industrial peace or discord.

This study is not concerned to follow any of the mainstream theories in attempting to define the industrial relations system as a basis for international comparison. In recognising the 'system' as a mere abstraction of human behaviour within a multiplicity of abstracted human systems, the interest of the study is in the interactions within the structures of the organisations which result from the exercising of power. It is the attribute of power which makes the system of interaction dynamic: the distribution of power may shift; possession of it by any single organisation is not absolute, but partial, relative and fragmented. It is therefore not the power of an entire organisation which sets the industrial relations pattern, but the sum of the partial changes which occur at different levels.

The study recognises the important role of political and social history in the development of the trade union organisations. The legacy of a particular political culture is presumed to influence where the 'actors' within an industrial relations 'system' find themselves in terms of their structure, methods and objectives.
Moreover, it influences the perception and critique of the academic observer in attempting to analyse the effectiveness of trade unions within a single culture. This point becomes evident in chapter 5 of this study.

The observation above of a changing pattern of industrial relations in Germany during the 1970s signals a deviation at that time from a long-standing tradition of the institutionalisation of conflict, the origins of which are said to be deeply rooted in the paternalism of the German state and polity. Within a political culture in which 'political action' owed its birthright to Marxism, a fundamental rejection of the unionisation of workers as the articulated opposition in industry led directly to the principle of participation of all workers, embodied in the codetermination legislation in the coal mining and heavy engineering industries (Montanmitbestimmungsgesetze) and the Works Constitution Acts (Betriebsverfassungsgesetze).

The system of integration and co-responsibility was starting to show signs of strain by the late 1960s. The worker representative committees (Betriebsräte) had only a limited brief in respect of consultation with management; the trade unions remained outside the system. The legislation of 1972 in respect of the Works Constitution acknowledged a trade union presence at plant level for the first time whilst it broadened the range of issues within the purview of the Betriebsrat. The effect was to allow greater de facto union involvement at plant level, although one interpretation of such involvement might be that this heightened the degree of institutionalisation of industrial relations in some industries. In any event, the leadership of some of the trade unions found themselves during the Seventies having to recognise the fact of unconstitutional strikes in the late 1960s and the pressure to break up that symbol of industrial consensus, the Concerted Action forum.

In Britain during the same decade, the trade unions were seemingly held responsible for the national decline which followed the economic crisis. In a period of serious inflation, employees
chasing higher wages joined the trade unions, bringing with them a relatively new union consciousness oriented towards the workplace and a sense of collectivism in pursuit of private goods. The increase in shop floor bargaining, which had begun in the 1960s, meant more work for the local officers of the unions in dealing with issues such as productivity, job evaluation, procedural agreements and new technology. Furthermore, as members became more aware of their rights in respect of health and safety, redundancy and unfair dismissal, so the demands on the resources of the full-time officers increased.

Whilst union membership was growing overall during the 1970s, the pattern of employment was shifting, as seen from these figures:

<table>
<thead>
<tr>
<th>Employment Sector</th>
<th>Year</th>
<th>% of all workers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Manufacturing</td>
<td>1961</td>
<td>38.4</td>
</tr>
<tr>
<td></td>
<td>1974</td>
<td>34.6</td>
</tr>
<tr>
<td>Industry</td>
<td>1961</td>
<td>12.6</td>
</tr>
<tr>
<td></td>
<td>1974</td>
<td>19.7</td>
</tr>
<tr>
<td>Finance, Professional</td>
<td>1961</td>
<td>5.9</td>
</tr>
<tr>
<td>Scientific</td>
<td>1974</td>
<td>7.0</td>
</tr>
<tr>
<td>Public</td>
<td>1961</td>
<td></td>
</tr>
<tr>
<td>Administration</td>
<td>1974</td>
<td></td>
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</tbody>
</table>

From the same source, the growth in trade union membership over a similar period for those large organisations of particular interest to this study is given as follows:

<table>
<thead>
<tr>
<th></th>
<th>Male 1964</th>
<th>% change</th>
<th>Male 1974</th>
<th>% change</th>
<th>Female 1964</th>
<th>% change</th>
<th>Female 1974</th>
<th>% change</th>
<th>Total 1975</th>
<th>% change</th>
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</thead>
<tbody>
<tr>
<td>TGWU</td>
<td>(1311.4)</td>
<td>+ 18.0</td>
<td>(1547.1)</td>
<td>+ 18.0</td>
<td>(205.7)</td>
<td>+ 36.0</td>
<td>(1517.1)</td>
<td>+ 36.0</td>
<td>1,856,165</td>
<td>+ 20.4</td>
</tr>
<tr>
<td>GMWU</td>
<td>597.8</td>
<td>+ 0.1</td>
<td>598.5</td>
<td>+ 0.1</td>
<td>285.4</td>
<td>+ 52.8</td>
<td>784.5</td>
<td>+ 52.8</td>
<td>883.8</td>
<td>+ 12.7</td>
</tr>
<tr>
<td>NALGO</td>
<td>214.9</td>
<td>+ 50.7</td>
<td>323.8</td>
<td>+ 50.7</td>
<td>123.4</td>
<td>+ 76.7</td>
<td>338.3</td>
<td>+ 76.7</td>
<td>541.9</td>
<td>+ 60.2</td>
</tr>
<tr>
<td>NUPE</td>
<td>123.0</td>
<td>+ 51.6</td>
<td>186.5</td>
<td>+ 51.6</td>
<td>117.0</td>
<td>+174.6</td>
<td>240.0</td>
<td>+174.6</td>
<td>507.8</td>
<td>+111.6</td>
</tr>
<tr>
<td>CPSA</td>
<td>60.5</td>
<td>+ 14.0</td>
<td>69.0</td>
<td>+ 14.0</td>
<td>85.9</td>
<td>+ 69.4</td>
<td>146.3</td>
<td>+ 69.4</td>
<td>214.4</td>
<td>+ 46.5</td>
</tr>
<tr>
<td>IPSA</td>
<td>53.1</td>
<td>- 78.4</td>
<td>94.8</td>
<td>- 78.4</td>
<td>2.0</td>
<td>+122.2</td>
<td>55.1</td>
<td>+122.2</td>
<td>99.2</td>
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<tr>
<td>NUM</td>
<td>479.1</td>
<td>- 32.4</td>
<td>371.7</td>
<td>- 32.4</td>
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<td>-</td>
<td>479.1</td>
<td>-</td>
<td>375.8</td>
<td>- 31.6</td>
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<tr>
<td>NUTGW</td>
<td>19.6</td>
<td>- 28.5</td>
<td>14.0</td>
<td>- 28.5</td>
<td>91.6</td>
<td>99.3</td>
<td>111.2</td>
<td>99.3</td>
<td>113.4</td>
<td>99.3</td>
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</table>

* 1984 figures include membership of the National Union of Vehicle Builders & the Chemical Workers Union.
The prospect of expanding trade union function and influence by integration and participation in industry has not been recognised in Britain as it was by tradition in Germany. Worker participation and collective bargaining through trade unions have always been regarded as mutually exclusive as methods of conducting industrial relations, with collective bargaining as the generally preferred method. The only model of joint consultation to have stood the test of time is the Whitley Council system in the public sector, but such councils operate effectively only within the ambit of collective bargaining and with exclusive representation of the employees' side by recognised trade unions.

There is an acceptance by all parties within the industrial relations 'system' in Britain that conflict is inherent in the method of collective bargaining, yet it remains the method most highly prized and guarded. Indeed, efforts by governments to curb collective bargaining in the field of wage determination have often led to greater conflict within industry over the very principle itself.

However, the intrinsic quality of the method of collective bargaining in this country does differ from its German counterpart: the pattern of industrial relations in Britain is determined by the voluntary participation of the actors rather than legislative measures. It is proposed that changes in the support and motivation of particular member groups may modify the distribution of power and therefore the pressure points within a trade union.
organisation. In Germany, this process is conditioned in part by binding national or regional agreements with associated legal formality; in Britain, whilst there is a degree of national bargaining, the body of collective bargaining, its shape, its format, its very existence is dependent upon the mobilisation of the workplace and their motivation to support it. Under such terms, the capacity of the system for conflict is higher and the commitment of the actors to avoid conflict also voluntaristic. Arguably, therefore, the level of social responsibility which representatives of union and management are called upon to exercise is higher in Britain in the maintenance of industrial peace than in Germany. In his comment on the 1970s, Taylor reports that amongst shop stewards disputes were unpopular, and they would always prefer the use of procedure to militant action in resolving problems and this despite the growth in shop floor bargaining beyond the single issue of pay.

'Consensus politics' within the remit of the Concerted Action forum in Germany has also found a place within the functions of trade union organisation in Britain in the form of the National Economic Development Council (NEDC) and other QUANGOS (Quasi-Autonomous Non-Governmental Organisations).

The criticism which trade union leaders have attracted for their involvement in exercises of co-responsibility is itself a reflection of the expectation of mutual exclusiveness of the 'participation' and 'collective bargaining' functions:

"Their incorporation into the official life of their countries has mainly served to saddle them with responsibilities which have weakened their bargaining position, and which has helped to reduce their effectiveness."


The challenge of the shop floor movement of the 1970s in both Germany and Britain also raised questions of principle surrounding the 'industrial union' model. The assumption behind the
Einheitsgewerkschaft had been that of the contribution of the trade unions towards industrial peace and welfare for all through their integration with the new state system. This imposed pluralism in synthesis with the German political philosophy of society and state suggests a neatness and simplicity which has been described as a form of centralisation, even within those industries which conduct regional bargaining. The German pattern of industrial relations can be said to reflect a higher degree of corporatism, if only because the structures for collective bargaining on both the trade union and employer sides facilitate coordination and corporate activity. Within the context of conflict resolution, the significant structural feature of the German trade union organisation therefore is not so much the degree of centralisation, but of consistency and compatibility with the system as a whole.

In Britain, by contrast, the employers are not well organised, and it is unlikely that, even with industrial unionism and greater centralisation of trade union organisation, a greater degree of corporatism within the social or industrial framework would develop. There is no cohesion of bargaining policy, as is possible in Germany; hence the influence which may be exerted by the shop floor movement, the converse of which is the not infrequent wish of management to confine the scope of industrial relations difficulties to the workplace. Neither the process of industrialisation, nor the history of trade union organisation has been steered by state intervention, thus confounding the corporatist foundation of social stability.

The public desire for and need of stability aroused debate in Britain and Germany during the last decade as to the function of trade unions within the confines of social policy and responsibility. In a changing political, economic and industrial environment, the observed responses of trade union organisations to imposed shifts of the industrial relations parameters have been described as ranging from conciliation, centralism, corporation on the one hand to antagonism, sectionalism,
pluralism on the other.

What critics may have been observing was alternative sources of power which enabled the trade union movement within the corporate environment to behave differently (interpreted by some as more responsibly) to the trade union movement within an essentially voluntaristic bargaining environment. Free collective bargaining may appear more destabilising, but only so in a "localised" sense; viewed overall, the system of fragmented bargaining breaks down the propensity for large-scale conflict, thus preventing fundamental disequilibrium. The negative attribute of the British structure of bargaining is that it also prevents the actors from acting corporately, and thus they are unable to respond positively to corporate decline.

The central hypothesis of this study is that trade union function, ie the objectives and methods of the organisation, rather than what it ought to achieve from any moral, political or economic perspective, is closely linked with its structure. Trade union structure has been the subject of academic study since the Webbs. It has been described as:-

- morphology: the size and distribution of the membership, its composition and boundaries of recruitment

- government: the democratic structure responsible for policy decisions, the electoral procedures, the executors of union policies in relation to the issues involved

- inter-union relations: cooperation or rivalry of different organisations.

The functions with which the trade union organisation is likely to be concerned are

- the pursuit through collective bargaining of an enhanced
standard of living for its membership,

- the political representation and advancement of the membership within the democratic order,

- the strengthening of trade unionism as a movement by extending recruitment and encouraging the solidarity of the membership.

The proposition in support of the hypothesis to be explored in the final chapter is that the relationships within union organisations which underlie their structure and activity are of power, the source of which is largely historical rather than technical, socio-political rather than economic.

The conceptualisation of the 'power variable' as a catalytic element of the industrial relations system is intended to facilitate international comparative assessment of industrial relations systems by breaking down the traditional components of trade union structure and function into relative 'power' factors.

Some empirical work was carried out in Germany during 1979 in order to establish a basic understanding of trade union activity and organisation during a period when, as has already been stated, pressures upon trade union structures were already in evidence.

The trade unions selected for the survey were those in mining (IG Bergbau und Energie), textiles and clothing (Gewerkschaft Textil-Bekleidung) and public services (Öffentliche Dienste, Transport und Verkehr). They were so chosen for their diversity in industrial and economic structure, membership composition, legal prescriptions, historical ideology and political outlook.

An introductory pilot survey was conducted during the summer of 1978 which involved brief discussions with a small number of regional and local officers of each union. Their comments have in part been included in the brief introductory notes which follow.
The membership of GTB (Textiles and Clothing) is characterised by the large number of women in the industry. One regional official, based in Monchengladbach, quoted proportions of 60% and 80% women in textiles and clothing respectively in his area of organisation. This high percentage of women in the union presented it with an organisational problem peculiar to it, in that women were seemingly less willing to become union officers. Other groups organised by the union are white-collar workers, who, according to the officials have suffered relatively higher nationalisation than the blue-collar and who may seek alternative representation in the Deutsche Angestellten-Gewerkschaft (German Staffs Union); also foreign workers, particularly in spinning (a figure for M Gladbach quoted 70-80%) which remains rather poorly paid in comparison with the German-dominated weaving plants. The foreign workers naturally also raise problems other than pay with their union, in particular annual holiday, additional time off, religious observance etc. Within the textiles and clothing industries some 80-90% of all Works Councillors were members of the union GTB and regarded by the union as shop stewards. The union officials interviewed placed a great deal of importance on the role of the union works councillor and saw no problems arising out of a conflict of function of works councillor and shop steward. They admitted that conflict situations were possible, but did not specify in what respect nor how this is not a problem for the union. The officials make efforts to support the Works Council, to process concerns more easily for its members and, above all, to stave off any possible competition between Works Councillors and shop stewards. The emphasis by the union on the role of the Works Councillors may have depended to some extent on the importance to the members of the locally negotiated rates of pay above the minimum laid down in the collective agreement; plant rates are negotiated by Works Council and Management. The union has gained more influence in plant bargaining since the most recent works constitution legislation of 1972 which acknowledged union backing of Works Councillors. Full time union officials from
the local office or even regional office were reported to be frequently called upon to attend the plant in cases of grievance on the part of their members, but such an application to bring in the union had to be brought forward in the proper manner to the union by the shop stewards or Works Councillors.

Because of the concentration of collective bargaining at the regional level, GTB is in terms of decision-making far more decentralised than say IGBE (Mining and Energy). Clearly the strongest centre of power outside the executive committee of the union is the function of Regional Secretary (Bezirksleiter) and particularly in those regions where the textiles industry is dominant; in the clothing industry, although all Regional Secretaries have influence in the negotiations of collective agreements, they are not responsible for their conduct. As a possible consequence of this, the Secretaries for regions in which the clothing industry is predominant have arguably less influence in the overall organisation.

As the textiles industry has shrunk, so problems of organisation have arisen for the union. Not many years prior to the present pilot survey GTB had brought in measures to rationalise the organisation which involved cutting out almost all one-man local offices. All the officials interviewed agreed that much of the daily work had become increasingly legalistic in content and the one-man branches were thought to lack the expertise necessary for the efficient handling of such work. The reason for the change in the type of work handled by the local branch was thought to be the increasing rationalisation, which had brought about redundancies and short-time working particularly in textiles. It had also to some extent caused the local and regional offices, as well as local and central office, to cooperate more closely in handling legal matters.

The attitude of the German mineworkers with respect to unionism reputedly relies heavily on two historical factors:

1) the status of the job as compared with those in other industries up to the economic crisis in coal mining in the 1960s
2) the Christian and Social Democratic tradition formalised under the principle of industrial unionism from a synthesis of the old Catholic-Christian and Social Democrat factions.

The union boasts some 90% organisation of the total workforce. In a 1970s study of the industry, Treu\(^\text{16}\) attributes this to structural factors of the industry, i.e. large plants and, certainly up to the coal crisis, a close link between place of work and dwelling. In addition, the industry employs a large number of foreign workers who, Treu maintains, are easy to organise. The number of white-collar workers organised by the union is growing and one respondent in the pilot survey claimed a high degree of organisation among the top salaried employees in the hard coal industry, which, he asserted, has increased (rather than decreased) solidarity amongst other mine-workers by providing stronger leadership. Following the coal crisis, IGBE came under severe organisational pressure to retain its members. The spate of rationalisation in the hard coal industry broke up many mining communities and the union responded by switching the organisational emphasis from the place of dwelling to the plant. The membership was sustained by this move and encouraged by the introduction at about the same time of the "check-off" system, i.e. the direct deduction of union contributions from wages and salaries. Before the crisis, moral pressure appeared necessary. Instead of increasing expenditure on the provision of benefits, the union invested more in education at the local level\(^\text{17}\). The crisis had undermined the collective solidarity of the mineworkers and their sense of identity with the industry, thus the drive towards organisation at the plant was intended to cultivate solidarity and bind members and shop stewards to the central body of the union.

In the pilot interviews, over 90% of the Works Councillors were quoted as being union nominees. They and the local lay officials at the workplace were officially regarded by IGBE as shop stewards. Working "side by side" with the Works Councillors is an elected "Union Pit Committee" (Schachgewerkschaftsleitung) whose head is not a Works Councillor,
but whose other members may be. It is not the membership which elects the Committee but the shop stewards, and they have to be nominated by the local officials.

When questioned about potential conflict between the Works Councillors and the other shop stewards, one union official admitted that problems did arise from time to time because Works Councillors recognise themselves as being Works Councillors first and shop stewards second.

A further response by IGBE to the rationalisation of the coal industry had been to cut back on full time officers. Treu records a figure of 39% reduction in the number of officials from 1960 to 1973. The regional and district offices were reorganised and reduced from 50 to 24, a cut of 52%. At the same time, the union was able to extend its organisation to the supervisory boards of the hard coal industry under the terms of the codetermination laws. The centralisation operation resulted in a concentration of full-time officials at the top of the organisation: Treu gives a figure of 29.4% of FTOs in the central body in 1960 which rises to 40.0% in 1973.

Treu describes the organisation of IGBE as a strict hierarchy. He comments that, whilst other unions are run on a basis of what he terms "Kollegialität", this is combined in IGBE with the hierarchical structure to produce, in his opinion, a highly efficient machine. One query about the degree of centralisation in the union which arose out of the pilot interviews was the intensity of control of the central body over the activities of the Regional Committees who negotiate their own collective agreements. The impression gained from the Regional Secretary in Aachen where regional bargaining took place, was that he had more freedom and power of decision than his colleague in Essen who operated a national agreement for the hard coal industry. Of course the membership represented outside the Ruhr hard coal industry constitutes the minority, but the point is worthy of note.
The largest single group organised by OTV (Public Services, Transport & Communications) are the blue-collar workers in public sector employment. Union membership difficulties were reported in the pilot survey to have arisen out of the status differentials between blue- and white-collar members and the civil servants. The union policy was to eventually remove such differences of status for the good of the membership as a whole. Officials interviewed also expressed a desire to limit the growth of the senior civil service in Germany as a further means of consolidating the future membership base.

The problem facing this union was therefore one of employee attitude and awareness, in a field of recruitment lacking any traditional trade union consciousness or organisational history. This, linked with a fear of job loss in public employment since 1974, had raised the level of conservatism on the part of some sections of the membership. Particularly affecting the OTV organisation was the strength of the Deutscher Beamtenbund (DBB), the alternative organisation open to civil servants. Officials of the union suggested that this body constituted far more of a problem to them than the DAG whose competition the union could presumably contain.

In 1975, OTV laid down official guidelines for the role and conduct of shop stewards. Up to this point any shop stewards had been elected by the members on a purely voluntary and flexible basis. After 1975, elections of stewards were only to be carried out in accordance with new procedures and the job of the steward was clearly specified. According to the respondents from the union, reasons for this were twofold: to make the function of the shop steward a more efficient one, and to separate out the roles of Staff Representative (Works Councillor equivalent) and shop steward. (This was a noticeable contrast to the stand taken by the other two unions in the study). OTV rejected the principle of plant bargaining by the union, on the basis that, for their members, theirs was largely a single employer, ie government bodies, and therefore any variations in pay would be illogical; also...
on ideological and organisational grounds. This view may have been a simpler one for OTV to take since it was relatively weak at plant level in comparison with other unions. In effect, OTV stewards could not take direct action on behalf of their members; as stewards they could only inform and recruit, as prescribed by law. The union officials interviewed appeared reluctant to encourage a vertical extension of the union organisation downwards into the Staff Representative Councils. OTV did not regard the Staff Representatives who were members of the union as instruments of the union; indeed, the strength of members as Staff Representatives could evidently cause some strain between themselves and the union district office. However, problems arose more for the union organisation where the non-union Staff Representatives were strong, a situation exasperated by the competitive strength of the DBB.

Again, because of the distribution of responsibilities under collective bargaining, OTV was probably the most decentralised of the three unions. This was more likely a result of the structure of employment rather than any deliberate policy in favour of greater democracy on the part of the central authority of the union. Moreover, officials at all levels of organisation were reported to be involved on supervisory boards and government bodies as representatives of their members in their own right, and thus constituted quite separate centres of influence or authority within the union organisation. Although the regional and district officers may have been subject to direction from above, such direction was limited relative to other union structures by nature of the delegation of responsibilities.

The centres of most influence were again the Regional Secretaries since they were involved in collective bargaining at national level as well as being directly responsible for the conduct of negotiations at their own level, and they had in practice a certain amount of personal influence over decision-making at district level. Their position in the union may have been comparable therefore to the Regional Secretaries in the textile side of GTB.
Trade Union Objectives

From the emphasis placed by GTB officials included in the pilot survey on the increasing volume of legal case work at their district and regional offices, it is reasonable to propose that a primary function of the union had shifted away from negotiating wage increases to securing better severance packages. Respondents admitted that they had no control over rationalisation, nor indeed was it their intention to stop technical progress, so their quote of a 95% success rate in the law courts represented not 95% of jobs retained, but improved terms of compensation for redundancy or unfair dismissal won for the 95% of their members who had lost their jobs.

Through "their" Works Councils the union was in a position to have some influence over working conditions, piece rates, work study etc at the workplace, and they invested a great deal in training the Works Councillors to become tougher bargaining agents on their members' behalf.

IGBE representatives seemed particularly concerned with the well-being of the mineworkers in the short- to middle term. Of primary concern were the job losses in the hard coal mines of the Ruhr, but consideration was also given to the social and cultural, as well as economic interests of the miners and their families. The objectives of the officers union remained very inward-looking, with little reflection of the future roles of the movement as a whole. With the decline of the industry, the union was concerned to re-establish the high economic and social status once associated with coal mining and its trade union. This would correspond with Treu's observation that the restructuring of the union organisation towards greater centralisation facilitated a wider role for its full-time officers in quasi-public functions and parliamentary activity. His conclusion that this has impaired the internal democratic effectiveness of the union was not investigated in this context.
Representatives of ÖTV seemed more aware of the position of the worker in society outside the union organisation. They spoke of a "political responsibility" of unionists to struggle for changes in the social and economic systems and of the accountability of the trade unions for such control over the economy as was already in their grasp. They also cited more pragmatic or immediate objectives of the union, such as social and economic security for their members through the mechanisms of national or regional collective bargaining, and parliamentary lobby on issues such as the introduction of new office technology on terms which were fair and equitable for their members; a national energy policy which would not threaten public sector jobs; and the extension of public service employment generally to allow redeployment from areas of rationalisation.

Object and Method of the Field Work

During the 1970s in Germany, governments and other authorities became increasingly involved in industrial wage bargaining, whilst the bargaining process itself became more technically determined and reliant upon influences beyond the direct interests of the parties to the barter. Although the trade unions were expected to be involved in wage negotiation, it was unclear as to how much influence in practice they now had over wage levels; their position was weakened by the persuasions of government economic argument, and by the independent channel of plant bargaining conducted by the nominally non-union bodies, the Works Councils.

Information produced by the pilot study also indicated that increasing involvement of trade union officials at the top of the organisational hierarchy in public functions could conceivably drive a serious wedge between the leadership and the rank and file membership.

Both developments, emergent in the Seventies, suggest a failing on the part of the trade union organisations to carry out their representative role. The main body of research carried out
in late 1979 sought to investigate the organisational structures, the patterns of communication and the sources of influence and authority of full time officers within the selected unions which enabled them to function effectively in these changing circumstances. The report of the case study is presented in Chapter 6.

The investigation sought to identify the organisational structures of the trade unions, chiefly involving full-time officers, which had been created to cope with those functions of the unions which the membership would most readily recognise, mainly collective bargaining.

Secondly, the means by which officers could carry out their duties, their sources of influence and authority, were examined in terms of communication and contact within the organisation and with other bodies. Finally, the issues, in pursuit of which the unions were expected to function, were assessed in terms of the workload and concern of the officers interviewed.

During October and November 1979, 34 regional and district officers of the unions GTB, IGBE and OTV were interviewed. Also one national officer from each. (The OTV national officer was only interviewed once in 1978; the other two national officers participated in both surveys.)

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Interviews were carried out according to the schedule of questions given in the Appendix to this study. Whilst a tape recorder had been used for the pilot survey, it was not used for the main body of interviews.
[In addition to interviews, informal visits were also made at the invitation of IGBE officers to the School at Haltern, the Südwestdeutsche Salzwerke AG, Heilbronn, and a full local branch meeting, Frechen District.]

A simple graphical presentation of the responses, based on a rank correlation analysis of the priority ratings of trade union activities by the union officers, is also given in the Appendix.

The observations drawn from the field work report, together with the propositions of the preceding chapters in respect of the socio-political and historical terms of reference of the trade union organisations in Germany and Britain are considered in the final chapter of the study. From the conclusions, a 'model' of trade union behaviour is presented, based on officer access to 'power', defined for this purpose as authority and influence.
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The Structural and Political History of Trade Unions in Britain

1 The Evolution of a British Trade Union Movement

The transformation of the medieval community in England to a 'modern' society was characterised by the emergence of the state as the embodiment of national government as the central authority, which encroached upon local political and social life and was able to develop the machinery (a bureaucracy) to effect its decrees. In this new society, labour also emerged as a complete and separate element, made up of masters, journeymen, apprentices, described in Tudor times as "of the fourth sort of men who do not rule".¹

It was during Tudor and Stuart times that the State developed a controlling interest in labour affairs, particularly in the direct regulation of wages. As new economic forces became active and the feudal order destroyed by the onslaught of manufacturing, the State acknowledged the necessity of intervention to contain them. Pelling² reports cases of statutory intervention in the control of wages of the unskilled as early as the 14th century, which was subsequently extended to the skilled and culminated in the Statute of Artificers, 1563. This first legislative document provided for 'one sole law' on industrial relations "to yield unto the hired person both in the time of scarcity and in the time of plenty a convenient proportion of wages."³ To this end, Justices of the Peace were allotted the responsibility for determining annually the maximum wage rates for a craft or trade. The Statute was replaced by a later Act of 1604 which attempted to take account of the cost of living in wage fixing and set minima rather than maxima: the need to protect employees had been recognised. Other legislation at this time intended to direct the movement of labour to preserve local stability by maintaining employment. The social implications of the strictly moral interpretation of this aim were severe, as reflected in the legislation on apprenticeship and the Poor Laws.⁴ Labour-saving work was regarded as anti-social and employers were often required to provide work even at a loss. Following a period of depression during the years 1620-24, the first Royal Commission into the causes of unemployment was set up.

The intense monarchical-state control promoted the evolution of industry
and commerce as separate interest groups alongside labour, such that
the constitutional dissent found alliance with the economic and commercial
interests of landowners and industrialists. Thus the principle of
liberty was accompanied by the clamour for economic freedom, the *laisser-
faire* of the open market to secure the best most cheaply. The implication
for the working man was that his labour as a raw material fell in
value.

The gulf between the ruling and working classes widened as the desire
to preserve the social order intensified in reaction to the revolutionary
movements on the European continent. The disparity was heightened
by the policy of inaction propagated by the philosophy of *laisser-faire*
which had found resonance in economic and political thought, and which
presented the social problems of industrialisation as natural phenomena
for which there was no cure.  

The official regulation of wages fell into decline in the 18th Century,
while the increasing disparity of interest between master and man
led to the decay of the guild system. The formal system of regulation
was gradually neglected by masters and magistrates alike. Journeymen
began to combine separately from their employers with the aim of either
withholding their labour, or to petition parliament for legislative
support. Some success was wrought by the weavers whose petitioning
resulted in the short-lived Woollen Cloth Weavers Act, 1756 (repealed
the following year) and the Spitalfields Acts of 1765 and 1773.  
However parliament was soon to reject any restrictive wages policy
and the legislature could no longer be relied upon to protect the
craftsman from the industrial forces which undermined his trade.
Combinations emerged as the new form of defence against the onslaught
of new machinery and adopted restrictive practices in enforcing old
apprenticeship regulations to uphold their crafts. The other not
infrequent function of combinations was a friendly societies for insurance
against sickness, old age or death.

As *laisser-faire* took a firmer hold, so the mistrust of combinations
became more widespread. This was reflected in the resolutions of
the courts and the growth in the number of Private Bills in parliament,
objecting to the practices of named combinations. The increased pressure
on the combinations caused the division between their functions as wage bargainers and friendly societies to blurr, particularly after the passing of the Friendly Societies Act in 1799. The Combinations Act of 1799 was the response to a growing fear of combinations associated, in the shadow of the French Revolution, with acts of conspiracy. The amendment of the following year provided for arbitration and penalties for refusal to accept arbitration. Employers' combinations were also prohibited on the pretext that the regulation of the conditions of employment was the responsibility of the legislature. Prosecutions under the Act were few, however, and the Webbs even venture to suggest that the actions of some combinations which served to enforce existing laws were tacitly accepted. Moreover, the growth of combinations was not contained; some flourished and a pattern of collective bargaining was established. Others resorted to violence in response to the suppression. Repeal of the laws resulted as much from a desire to extend the liberal ideal to the freedom to combine as a desire to remove the violence from industrial relations: 

"...the laws have not only not been efficient to prevent Combinations, either of masters of workmen; but,...had a tendency to produce mutual irritation and distrust, and to give a violent character to the Combinations, and to render them highly dangerous to the peace of the community. ....it is the opinion of this Committee that masters and workmen should be freed from such restrictions, as regards the rate of wages and hours of working..."

Francis Place, a master tailor, led the campaign for the repeal of the Combination Laws. According to the Webbs, "in agitation, permeation, wire-pulling, Parliamentary lobbying, the drafting of resolutions, petitions and bills - ....he was an inventor and tactician of the first order." The Laws of 1720 and 1767 on wage settlement in tailoring, and the general laws of 1800 had failed to regulate wages or prevent strikes, and it was Place's testimony in favour of freedom of contract to the Select Committee of the House of Commons in 1810 which averted stricter legal control. Place had met with hostility and indifference in his campaign. He was however eventually granted the hearing before the Select Committee to which he reported in meticulous detail. The outcome was a series of resolutions in favour of complete freedom of combinations. The Combination Law of 1824 repealed all Statutes concerning combinations from Edward I onwards and assured that the act of combination was no longer grounds for prosecution under the common law.
The immediate reaction was an increase in the number of combinations, of strikes and of incidences of violence. The alarm caused invoked a second Committee of Inquiry which uncovered a lot more evidence on combinations than had been presented to the first. The new Act of 1825 reintroduced the ruling of common law with respect to conspiracies in restraint of trade. The functions of combinations were to be confined to the settlement of wages and hours of labour, thus excluding restrictive practices. The Act aimed to protect the individual without denying the rights of association when faced with adverse economic circumstances. Though combinations would remain vulnerable under common law and its interpretation by the judiciary, their open recognition had been secured and their emancipation established:

"The right of collective bargaining, involving the power to withhold labour from the market by concerted action, was for the first time expressly established. And although many struggles remained to be fought before the legal freedom of Trade Unionism was fully secured, no overt attempt has since been made to render illegal this first condition of Trade Union action."

Few of the combinations or trade clubs of this time were very elaborate in structure and most operated on a very narrow localised basis. Only the artisans' clubs of London and other large towns had any permanent organisation in the sense of sets of rules, conditions of entry and an administration elected according to agreed democratic principles. The coalminers and textile factory workers had no such organisation, mainly because, characteristic of those industries, low wages, poor education and hostile employers hindered such development. There had been some attempts in the North of England to form "Trades Unions" of workers in a number of industries, such as the "Philanthropic Society" or "Philanthropic Hercules" as early as 1818, but their success is uncertain. In recognition of the fact that effective 'general' unionism was dependent upon national organisation, John Doherty, secretary of the Manchester Cotton Spinners set up a "Grant General Union of the Operative Spinners of Great Britain and Ireland" in 1829. The following year he founded the National Association for the Protection of Labour (NAPL), a federation of trade clubs at the local level, affiliated to a central council. Both of Doherty's organisations were short-lived: in 1831, the Grand General collapsed after a Manchester-based strike and the NAPL,
The desire for national organisation was fomented by the movement for the reform of the franchise and the use of the general strike for political ends. There were some instances at this time of the pretentions of combinations extending beyond industrial affairs. Macdonald records a strike in the Glasgow area which led to the formation of a "Committee of Organisation for forming a Provisional Government". Ideals of cooperative production were taking root, and in this, a wealthy employer and social reformer, Robert Owen, took a lead. Towards the end of 1833, the 'Owenite' press was full of references to the formation of a "General Union of the Productive Classes" and in January, 1834, Owen himself encouraged the formation of the "Grand National Consolidated Trades Union". Lodges affiliated to the Union sprang up all over the country to provide sick, funeral and superannuation benefits for its members.

A series of strikes, or "turn-outs", including one by the gas-stokers in London which plunged Westminster into partial darkness for some days, brought the Union into disrepute, and shortly afterwards into conflict with the law. Amid the hue and cry about acts of sedition and conspiracy, six Dorset labourers were found guilty of using a form of ritual and were transported for conspiracy. The hostility of the courts exemplified by the Tolpuddle case severely weakened unionism generally and in particular the Grand National which could no longer withstand the continued failure of strike action. Thereafter there was little more to be heard of cooperative production or general unionism.

The political movement which had inspired Owen found expression in Chartism. Its aims were based upon a belief in the identity of interests of the entire working class and it drew its support from those who had least to gain from industrial change and would benefit most from political change. Trade unionism, on the other hand, survived only among the wealthier craftsmen who stood to lose least from industrial innovation: "Here it is only necessary to say that whilst the Chartist Movement commanded the support of the vast majority of the manual-working wage-earners, outside the ranks of those who were deeply religious, there is no reason to believe that the Trade Unions at any time became part and parcel of the Movement, as they had during 1833-4, of the Owenite weakened by the effects of the strike, disappeared the following year.
agitation, though some of their members furnished the most ardent supporters of the Charter.\textsuperscript{14}

Some unions ruled the discussion of politics and religion out of order, and, according to Pelling\textsuperscript{15}, at least one society in Lancashire decreed that no member could claim out-of-work benefit as a result of participating in 'any Political or Popular Turn-Out'. The objective of the surviving trade unions became the development of collective bargaining and the attainment of strong organisations to that end. Their aims were reflected in the instruments they chose: the exercise of restrictive practices took priority over the use of the strike, and public support was recognised as essential for the effective pursuit of legal enactment. The decline of Chartism in the 1840s and the rapid economic progress which accompanied it helped consolidate a trade union movement, fully committed to the current theories of political economy. The revival of union organisation gave rise also to a new unionism which deviated from that of the clubs and societies of craftsmen, already in existence. The new movement began in the North of England with an upsurge of organisation in textiles, mining, engineering and printing. One characteristic of new unionism was its dogged resistance to legal oppression. Although persecution of trade union leaders had ceased, prosecutions of rank and file members under the Master and Servant legislation continued. The newly formed Miners' Association took the lead in the legal battle for better wages and conditions. Their solicitor, W.P. Roberts, became famous as the "miners' attorney-general", acting for a time for the Northumberland and Durham Miners' Union, then for the Lancashire Miners' Union.

Due to the geographical concentration of mining and textiles, the new unionism in these industries had little impact in London, the centre of the old unionism of craft clubs and societies. The link between London and the North came with the organisation of the engineering trades. In 1851, the various local and regional societies of millwrights, machinists and so on came together to form the Amalgamated Society of Engineers (Machinists, Smiths, Millwrights and Patternmakers). The ASE, centrally organised on the basis of an elaborate constitution, wealthy, and with an elected bureaucracy and full-time secretary, became a 'model' union. However its high fees and exclusive membership could only be emulated by
other societies of craftsmen and not by those unions with wide ranges of semi-skilled workers, as in mining or textiles. They, instead, had united in 1845 under the umbrella of the "National Association of United Trades for the Protection of Labour". Less grandiose than the Owenite movement of 1833-4 in its aims, the National Association of United Trades provided an expedient channel for coordinated lobbying on behalf of particular industrial reforms, without encroaching on the autonomy of any organisation affiliated to it:

"The peculiar local internal and technical circumstances of each trade render it necessary that for all purposes of efficient internal government its affairs should be administered by persons possessing a practical knowledge of them. For this reason it is not intended to interfere with the organisation of existing Trade Unions".  

The rejection of Owenism in the new spirit of moderation was not only incorporated into the policies of the union leaders, but was also reflected in the attitudes of the rank and file. While cooperative production as an auxilliary to trade union action remained a recurrent theme, strikes were deprecated and the notion of a general strike as a political weapon was rejected entirely. Ultimately it was decided to separate out trade union and cooperative aims: the National Association of United Trades for the Protection of Labour undertook to deal with disputes with the employers and to promote labour interests in the House of Commons, while the National United Trades Association for the Employment of Labour proposed to raise capital with which to employ members when on strike. However, as cooperative establishments set up between 1848 and 1852 failed, the ideal ceased to be regarded as a matter of "practical politics" in the trade union world.

The National Association failed to attract the support of the majority of trade societies, yet the need for a more united movement had been recognised and was to receive more emphasis in the events which ensued. The struggle in the London building trade over the nine-hour day in 1856, while ending in stalemate, created a sense of solidarity among trade unionists and led to the setting up of the London Trades Council in 1860. Trades Councils were already in existence in a few large towns and the London Trades Council followed their example. The constitution of the new Council ascribed to it the function of superintending "the general
interests of labour, political and social, both in and out of Parliament".18

The small group of leaders of the strong, London-based trade friendly societies who dominated the London Trades Council came to be regarded as the cabinet of the trade union movement. Named by the Webbs as the "Junta",19 these five influential trade unionists advocated political and industrial freedom and respected the economic individualism of their industrial opponents. Their practical approach to the problems of industry and their exceptional business acumen enabled them to develop a distinctive policy of "extreme caution in trade matters and energetic agitation for political reforms".20 Middle-class opponents to trade unionism were struck by the new type of leader now emerging from the movement. Some of the more able were seen to argue on middle-class terms and could present a powerful case for the existence of unions, as exemplified by the pamphlet on "Trades Unions and Strikes" by Thomas Dunning of the Bookbinders. By the 1860s, the trade unions had begun to influence public opinion by the respect they had won. According to one commentator, "At no time in the history of labour up to 1867 had labour leaders stood higher in public estimation, or were trade unions more free from vituperative attack than in the autumn of 1866. It almost seemed as if old feuds were to be forgotten".21

The significance of public opinion and the need to gain public support to effect changes in the laws affecting trade union activity and growth instigated a renewed interest among the labour leaders in political reform. Yet the individual trades were not to be induced into taking action in support of political aims. The Junta turned to the Trades Councils which were to become the political centres of the trade union world. In 1864, a National Reform Union, composed mainly of middle-class radicals was set up which influenced trade unionists in favour of their own working-class reform organisation. The following year, with the active support of the London union leaders the Reform League came into being, and secured for the radicals unprecedented success in the general election. Recognition of their success influenced more trade unionists to join the reform movement, with the proviso that, "while advising the great bodies of trade unionists thus to act, we have no desire to make our societies channels for political agitation".22
Meanwhile, the Glasgow Trades Council initiated a national campaign for the reform of the old Master and Servant Act. It has been suggested that the pressure of the old law, which had effected legal discrimination against workers in their contractual status with the employers, had borne down more heavily upon Scottish workers due to the character of industry and the legal system in Scotland. As a result of the agitation, a Select Committee was appointed in 1865, and on the basis of its reports, an Act was passed in 1867 to remedy the most outrageous aspects of the old legislation.

Despite the recent successes of the trade unions in gaining public respect, their legal status remained uncertain. During the years 1866 to 1868, a series of events took place which threatened their very existence. The so-called "Sheffield Outrages" were the culmination of a series of acts of violence directed against non-unionists. Though it is unclear whether or not unionists were responsible for these acts, public opinion attributed the blame to them. The period of bad trade in 1867-68 added fuel to the spate of bad press for the unions. The union leaders became anxious to regain public respect, and all the more so after the Hornby v Close judgement, which demonstrated the precarious legal status of their organisations. The unions had assumed that under the Friendly Societies Act of 1855, their funds were protected; yet, according to the Hornby v Close case, involving the Boilermakers' Society, they were entitled to no redress from defaulting officers and members. The reasoning by which the judges reached their ruling was all the more serious for the trade union movement, since, it was argued, trade unions lay outside the scope of the Act, because they were still illegal organisations for committing actions 'in restraint of trade'.

Following the Sheffield outrages, a Royal Commission had been appointed to investigate trade unionism generally. It was essential that the union leaders should present trade unionism in a positive light; to this end, the trade union nominees tried to direct the attention of the Commissioners to the large Amalgamated unions, to present the unions as sober insurance societies whose affairs were entirely business-like and "above board". Many employers and their allies, for their part, made a determined effort to discredit the movement to secure the suppression of trade unionism by criminal law. The Majority Report of the Commission
was guarded in its recommendations. Registered with the Registrar of Friendly Societies, the unions should no longer be subject to prosecution for acting 'in restraint of trade'. The Registrar would be empowered however to reject rules which upheld restrictive practices. Trade union funds should be protected, but "Benefit" and "Trade" funds should be kept separately. The Minority Report was less restrictive in its recommendations in that registration with the Registrar of Friendly Societies should offer the protection of funds without the compulsory registration and vetting of rules. Thus they would be protected from prosecution as corporate bodies.

The Bill of 1871 which followed was described by angry employers as "a complete charter legalising unions". It was however supplemented by a penal clause which made the coercion of employers or employed, "molesting", "obstructing", "threatening", "intimidating", "watching" and "besetting", all illegal. This amounted to an effective withdrawal of rights, since the Molestation of Workmen Act of 1859, secured by the efforts of the National Associated, which had expressly legalised peaceful picketing, was now repealed.

The events of 1866-68 had provoked trade union leaders into further thought of cooperation between trades on a national basis: "The time has arrived when the trades of the United Kingdom ought to take action conjointly to rebut the lock-out system now so prevalent with the capitalists; and the dispute and lock-out in the Sheffield file trade affords an excellent opportunity for carrying this into effect." On this resolution of the Wolverhampton Trades Council, the Sheffield Association of Organised Trades called a conference to establish a national organisation, the United Kingdom Alliance of Organised Trades. The objective was to build up a central fund to aid members in defensive disputes. Unfortunately the constituent organisations were reluctant to pay their levies in full, and the Alliance, faced with failure to meet demand, collapsed in 1867. The following year, the Manchester and Salford Trades Council had the idea of calling a congress of trade organisations for the purposes of discussion and publicity. The invitation sent out by the Council to the trades
stated that "the Congress shall assume the character of the annual meetings of the British Association for the Advancement of Science and the Social Science Association, in the transactions of which societies the artisan class are almost excluded; and that previously carefully prepared papers shall be laid before the Congress on the various subjects which at the present time affect the trade societies, each paper to be followed by discussion upon the points advanced, with a view of the merits and demerits of each question being thoroughly ventilated through the medium of the public press". 26

Most of the important Trades Councils, except Glasgow and London were represented, as well as a number of trades. A second meeting was held the next year in Birmingham, and the London Trades Council did send representatives this time. A decision was taken to hold the next Congress in London, with a view to lobbying M.P.s at Westminster during the days of the Congress; for this reason, Congress was held over until 1871, when the government's trade union Bill was to be introduced.

At Congress that year, a Parliamentary Committee was set up to keep the pressure up in the Lobby after the Congress was over. Successive Congresses appointed a Parliamentary Committee, which thus proceeded to become a permanent institution. This signalled the disbanding of the Junta as the central committee of the trade union movement.

The Parliamentary Committee chose to take a separate line to the Liberal government in the elections of 1874, in response to the latter's failure to take further steps to improve trade union law. In the Parliamentary Committee the movement found a political machine to discern and support those electoral candidates most likely to display loyalty towards the unions. This independent line of the Parliamentary Committee was blurred however by the two miners' representatives who entered parliament that year on a Liberal ticket, and who earned the name Lib-Labs. The elections of 1874 nevertheless illustrated a new determined effort in organised political action on the part of trade unionists. A new feeling in labour politics was demonstrated by the running of labour candidates against both parties. At the 1874 Congress, it was reported that the miners, ironworkers and some other societies had voted money to support parliamentary candidature.
Yet for their efforts, the Conservative government, which was returned to office, did not repeal the Criminal Amendment Act containing the penal clause of the 1871 Bill. Instead, the government called another Royal Commission. The findings of the Commission led to two new Acts: the first, the Conspiracy and Protection of Property Act, legalised peaceful picketing and offered a narrower definition of 'offences' in trade disputes. The Act also took away the right to strike from those workers whose actions would constitute a menace to the community, that is, in the service industries of gas and water supplies. Secondly, the old Masters and Servants Act was renamed the Employers and Workmen Act, under which the penalty for breach of contract was limited to payment of civil damages. The passing of these Acts marked the final legal recognition of collective bargaining. Employer and employee had become equal parties to a civil contract. In the new climate of favourable public opinion, trade union leaders acquiesced in moderation as 'partners' in the collective bargaining process. Employers for the most part abandoned their objection to union recognition, and even conceded the principle of the regulation of industry by Joint Conciliation Boards, or arbitration.

"Twenty-five years ago", said Alex Macdonald in 1875, "when we proposed the adoption of the principle of arbitration, we were then laughed to scorn by the employing interests. But no movement has ever spread so rapidly or taken a deeper root than that which we then set on foot." 27 The unionists, for their part, manifested cooperation in their acceptance of the Sliding Scale of wages which supplanted the principle of the minimum wage.

After 1874, economic recession once again set in which severely weakened trade union organisation. The number of those represented at Congress in the period 1875 to 1884 was less than half the figure for 1874, 28 which, in turn narrowed the scope and influence of the Parliamentary Committee. As trade suffered, internal dissent over trade union policy became acute. The loss of employment by union members drained their out-of-work funds and demarcation disputes arose out of claims on the right to work. The political proceedings of the annual Congress and Parliamentary Committee constituted the only common bond between the isolated trade sections, which Congress endeavoured to maintain by becoming "for ten years little more that a gathering of trade union
officials, in which they delivered, with placid unanimity, their views on labour legislation and labour politics. All trade union problems of organisation, collective bargaining practice or legislative regulation in industry were deliberately excluded from the Congress agenda. The deliberate avoidance of internal dissension at Congress was instrumental in supporting Congress's original and predominant function as publicist and political protagonist of the movement. Moreover, self-interest on the part of individual trades hindered the development of any collective desire to improve the lot of all working men:

"In the absence of any fixed or consistent idea of the collective interest of the wage-earning class, or of Trade Unionists as such, every proposal that any section demanded for itself was accepted with equanimity by the Congress, and passed on to the Parliamentary Committee to carry out, however inconsistent it might be with the general principles that swayed their minds."

Thus the political activity of the movement was left largely to the Parliamentary Committee whose most important proposal in the late 1870s was for an Employers' Liability Act, on compensation for industrial negligence. However, such reforms as they were able to exact from the new liberal government of 1880 were very limited and did little to alleviate the conditions of the working class.

As has already been noted, more prominent trade union leaders had been converted to the economic individualism of the Liberal philosophy. By their very existence, trade unions acknowledged the governing political economy, the reform of which would call into question their own raison d'être. In the 1880s, they represented an "impenetrable barrier against Socialist projects", which offered little comfort to the armies of unemployed, unskilled and semi-skilled who had emerged from the slump of the previous decade. The new mass movement of industrial workers of few skills and no traditions rejected the premises of moderation and 'partnership' of the old unionists. Spurred on by the threat of destitution, its members favoured aggression, with no room for compromise. The movement found allegiance in the new Socialism, acknowledging as it did, broader objectives than was offered by the narrow industrialism of the laissez-faire unions.
The period 1889-90 saw an upsurge in the "New Unionism", as it came to be called. Aimed at the unskilled and semi-skilled, the 'new' differed from the 'old' in both tactics and structure. Contributions were low, therefore benefits in the way of mutual insurance schemes were largely non-existent. Such funds as they had were to support aggressive strike action. They often adopted the term 'general union' in their titles, to denote recruitment not limited by occupation, though some of them did introduce an element of exclusivity later to maintain their bargaining position.

The sudden success of the New Unions in a period of prosperity boosted the membership of the trade union movement many fold. Non-society craftsmen were stimulated to join the unions and societies of their trade. Moreover, the threat to the status of the craftsmen, brought about by the advances of mechanisation, induced a gradual change in the attitude of the 'old' unions towards the unskilled. Of the Engineers in 1890, it was said, "Labour-saving machinery is reducing the previously skilled to the level of unskilled labour, and they must, in their own interests, be less exclusive than hitherto."32

This adaptation by the 'old' unions to the aspirations of the 'new' is also evident in the endorsement by the TUC in 1890 of the demand for the eight-hour day. The call for the eight-hour day was first launched by the Social Democratic Federation, as early as 1883, and was secured by the gasworkers in 1889. The promotion in that same year of two influential new unionists, John Burns and Tom Mann, to the Parliamentary Committee to join Socialist, Keir Hardie, was to have far-reaching consequences for the subsequent development of TUC policy. The Parliamentary Committee, loyal to the Liberal Party, was not in a position to exert political pressure for more effective parliamentary representation, which the socialists demanded. The clash of opinion between the socialists and liberals in the Congress centred upon the eight-hour day as the symbolic issue of conflict.

In 1893, Keir Hardie secured the setting up of a fund to sponsor electoral candidates, who, by an amendment, were to "support the principle of collective ownership and control of all means of production and
distribution", as well as the current programme of Congress. Hardie failed, however, to lure Congress away from the Liberal Party as the representative organ of the labour movement. In view of the worsening economic situation, and the failure of either party to act on behalf of the working classes, Hardie decided to 'go it alone' by calling together all the local Labour groups to found the Independent Labour Party.

This move by Hardie caused anger and jealousy among both his opponents and his allies. Among the latter was John Burns, whose bitterness led him to propose to the Parliamentary Council a change in the standing orders of Congress. The changes, accepted by the Parliamentary Council only by the casting vote of the Chairman, involved switching from voting by show of hands to the block vote. This effectively shifted the power in Congress away from the Trades Councils, which were predominantly socialist, to the large unions. Exclusion of the Trades Councils was also proposed as a means of eradicating duplicity of representation at Congress. Keir Hardie responded with an article in the "Labour Leader" in which he argued, "Anyone who will take the trouble to go through the list of delegates to the last Congress will find that the only change such a rule would make would be the exclusion from future Congresses of the following: Henry Broadhurst, John Burns, Thomas Burt, Keir Hardie and Tom Mann. I understand Mr. Burns claims to be a paid official of the Amalgamated Society of Engineers, since that body pays him £100 a year for representing their interests in Parliament. He would, therefore, if this is correct, be still eligible to go to Congress. Mr Burt is still an official of the Northumberland Miners' Union......The new rule, therefore, has been framed for the express purpose of excluding Broadhurst, Mann and myself".

The resolution was nevertheless passed at the 1895 Congress, a severe setback for Socialism and Hardie's new party.

It was not until 1899 that Hardie managed to persuade Congress to seriously consider the pursuit of direct and independent labour representation. The aggression and instances of violence which had accompanied the birth of New Unionism had hardened middle-class attitudes towards the labour movement and had encouraged the growth of employers'
federations. In 1893, William Collison had founded the National Free Labour Association as a fund of 'blackleg' labour to be used to break strikes, though it had little success. In 1897-8, there was a clash between the Employers' Federation of Engineering Associations, and the A.S.E., which resulted in the first major national strike or lock-out. The lock-out defeated the Engineers and caused a shock-wave throughout the movement. The TUC Congress responded by establishing a central fund for aid to the Engineers, which marked a departure from traditional Parliamentary Committee policy of non-interference in trade matters and set a new precedent for the future.

The lock-out also revived ideas of setting up a trade union federation. A special conference of all affiliated unions was called in Manchester and a new organisation by the name of the General Federation of Trade Unions was born. The Federation was however only supported by a quarter of the unionists affiliated to the TUC, and as a mutual insurance society, tended in practice to avoid strikes rather than support them.

The establishment in 1898 of the Employers' Parliamentary Council underlined the urgency of effective trade union representation in Parliament. Hardie proposed a conference of all sectors of the labour movement, cooperatists, socialists and trade unionists, to promote the return of labour representatives to the House. The idea was supported by the Dockers, General Labourers, Railway Servants and Shop Assistants, and opposed by the Miners' Federation and the Cotton Spinners. The Miners and Spinners also boycotted the conference, held in 1900, which elected an executive committee of twelve, "a cloud, no bigger than a man's hand which may grow into a United Labour Party". The Labour Representation Committee (L.R.C.) and the General Federation of Trade Unions (G.F.T.U.) had been set up to extend the functions of the TUC into areas in which it could not operate itself. As was suggested by the Webbs, to have taken on such functions would have caused internal dissension and the ultimate collapse of the TUC.

The importance of the political wing of the trade union movement had become evident in the 1890s, as the unions recognised that their legal position was being increasingly undermined by the judiciary. During
the 1870s and 1880s, the balance of opinion had favoured the combination of workers to meet the bargaining strength of the employers. Up until 1889, the unions had been relatively weak and there had been little cause for employers to resort to the law. As unions gained in size and stature, and instances of violence at picket lines became more frequent, judges concluded that they should be made legally responsible for their actions under common law. The question of the incorporation of trade unions and liability for damages was at issue in the Taff Vale Railway case of 1900. During a strike of railwaymen on the Taff Vale line in South Wales, the employers secured an injunction against the union for picketing against blacklegging. The case eventually reached the House of Lords, which ruled that union funds were liable for damages inflicted by its officials. The judgement demonstrated the ambiguity and weakness of the law and its complex political implications. A Royal Commission on Trade Disputes and Trade Combinations, instituted in 1903, reported in 1906 that the judgement had been consistent with trade union law, but that benefit funds should be protected from liability. The Commission saw "no more reason that the trade unions should be beyond the reach of the law than any other individual partnership or institution". The recommendations of the Report were emphatically in favour of a realignment of union status at law. In 1901, in the Quinn v Leathem case, the House of Lords ruled further that for a combination of persons to injure another person was a breach of the civil law of conspiracy. The judgement represented a serious threat to trade unions in taking action against an individual employer.

Trade unionists realised the importance of influence over the legislature. Their main hope was still the Liberal Party, since the trade union group in Parliament remained amorphous and poorly organised. The strength of the LRC was growing, however, and by 1906-7, there were almost one million members affiliated to it. The Taff Vale outcome had encouraged sponsorship of the LRC, which had now achieved permanence. A voluntary political levy was introduced by the TUC in 1903 and made compulsory the following year. In the elections of 1906, an alliance of the LRC with the Liberal Party secured 30 LRC seats in Parliament, of which 23 were trade union nominees, and 7 were ILP. A further 17 trade unionists gained seats, of whom 13 were miners' representatives.
After much contention among cabinet members and government lawyers, the legal immunity of organised labour and capital was guaranteed in the Trades Disputes Act. This single piece of legislation finally put orthodox trade union activity in trade disputes beyond the reach of the law. Peaceful picketing was legalised and no action as illegal in breach of contract. Section 4 of the Act added, "an action against a trade union, whether of workmen or masters, or against any members or officials thereof on behalf of themselves and all other members of the trade union in respect of any tortious act alleged to have been committed by or on behalf of the trade union, shall not be entertained by any Court." 41

This represented by no means an end to the challenges of the judiciary. In 1909, the Law Lords upheld an action brought by the Walthamstow Branch secretary of the Railway Servants to stop the political levy. The so-called 'Osborne Judgement' threatened the very existence of the LRC, and was not reversed until after the Liberals were returned to power. Under Lloyd George, a state salary for M.P.s of £400 per year was introduced, and a new regulation on political sponsorship granted in the Trade Union Act of 1913. Under the terms of the Act, the provision of benefit to members of trade unions by their organisations was defined as a statutory object; all other objects of trade unions, including the political, should be pursued in accordance with the will of the majority of the membership, individual members being granted the option of 'contracting out' of payment. According to this Act and the Lloyd George National Insurance Bill, trade unions were included in the list of "approved societies" named by the government to help administer sick and unemployment arrangements. Unions had gained the new status of government agents in welfare matters.

In the years after the Osborne Judgement, Labour Representation was weakened, both in its parliamentary position and in its prestige with the rank and file. As a result, trade union action shifted firmly back into the industrial arena. Price fluctuations were a contributory cause of the increase in trade disputes. In 1909, the government had introduced a Trade Boards Bill, according to which, Wage Boards were to set up to fix minimum wages in named industries. However, not all disputes were about wages, but also over craft privileges and other
matters connected with the production process, and non-unionism. Many resulted from the growing distrust of collective bargaining by the rank and file, and were expressions of revolt against union discipline. Discussion in trade union circles revolved around industrial unionism, syndicalism and the use of the general strike, the principle common to all being the need for industrial restructuring and a greater cohesion of the movement. Tom Mann had returned in 1910 from travels abroad with his new philosophy of syndicalism. He soon rallied support for his ideals in the main industrial centres, most particularly among the younger miners of the South Wales coalfields. Mann believed that existing trade unions were moribund: by accepting the philosophy of liberal-capitalism, they had fostered the entrenchment of craft divisions in industry, which was an impediment to the success of organised labour in the campaign against the capitalist employers. Mann advocated industrial unionism as the operative medium for the general strike, and founded himself the "National Transport Workers' Federation".

The period of general social unrest prior to the outbreak of war in 1914 gave rise to a series of reckless and impassioned actions by unionists. In 1911 and 1912, there were national strikes by the miners and the transport workers and dockers which caused rioting and looting, and brought little success to the unions involved. The weakness of the new syndicalist-influenced movement lay in the passion and explosiveness of the membership under the leadership of such forceful personalities as Mann and Ben Tillett. The unions lacked the cohesion and traditions of the crafts, and the reckless attitude of the mob disturbed the TUC and other more orthodox representatives of labour: when questioned by an American journalist about the syndicalist movement, Keir Hardie replied, "We have no such thing in Great Britain......The effect of the transport workers' strike of this year has been disastrous, and has shown more than anything else could have done the futility of trying to fight the capitalists by what are known as syndicalist methods." That year Congress voted to waive any official committment to support industrial unionism, in recognition of the fact that the achievement of workers' control in industry by evolutionary means, i.e. by the methods of collective bargaining, conciliation and arbitration, was more acceptable to the majority of unionists than syndicalism.
There were some attempts, however, to achieve a closer unity within the movement. The Railwaymen succeeded in 1913 in establishing an industrial union where others failed: three major railway unions came together to form the National Union of Railwaymen, though the Associated Society of Locomotive Engineers and Firemen and the Railway Clerks' Association remained independent. The ideal of mutual support among different unions led also to discussions of a "Triple Alliance" of the Miners, Railwaymen and Transport Workers in June, 1914, which came into being in December, 1915.

The conditions of war enhanced the public prestige of the trade unions by drawing them into government administration in their own right, and not as an appendage of party politics. From the outset, the Parliamentary Committee elected to support the war effort and recommended to all unions affiliated to the TUC that "a serious attempt should be made by all concerned to reach an amicable settlement before resorting to strike or lock-out". After a short period of unemployment, which had resulted from the panic in business and industry at the outbreak of war, the shortage of labour in industries essential to the war effort greatly increased the bargaining power of workers in those industries. Strikes in engineering and shipbuilding over wage issues merely veiled the discontent of workers all over the country at the government's failure to tackle the social and economic problems arising from the war and the industrial truce to which their leaders had pledged themselves. The government was keen to increase the output of munitions and sought trade union cooperation in the relinquishment of restrictive practices and the acceptance of regulation by arbitration. This "enormous draft on the patriotism of the rank and file" was formally instituted in a Treasury Agreement of March, 1915 between the Parliamentary Committee and the representatives of some 34 unions and the Government. Under the terms of the Agreement, the unions undertook to recommend their members to settle disputes by arbitration, relax trade customs and accept the dilution of labour. The Munitions of War Acts of 1915, 1916 and 1917 went further than the Agreement by introducing the statutory end to restrictive practices, a 'cooling off' period in disputes, with compulsory arbitration at the discretion of the Boards of Trade, the control of profits and wages, and a system of 'Leaving Certificates', which effectively controlled
the movement of labour. The Acts were accepted by successive trade union and Labour Party conferences, and it has been suggested that the trade union leaders were more solidly behind the war effort than either the socialists or the politicians. The legislation had a sobering effect on industrial relations generally, but strike action was by no means wiped out. In 1916, compulsory conscription into the Services was brought in and augmented industrial discontent:

"It was a serious aggravation of this 'involuntary servitude' that the rigid enforcement of compulsory military service - extended successfully from single men to fathers of families, from 18 years of age to 51 - had the incidental effect of enforcing what was virtually 'industrial conscription' on those who were left for the indispensable civilian employment; and the individual workman realised that the penalty for any failure of implicit obedience to the foreman might be instant relegation to the trenches."

In the same year, a Ministry of Labour was created out of the Board of Trade and the Ministry of Munitions, which occasioned the incorporation of more leading trade unionists into the government machine.

The gulf between the official and unofficial trade union leadership inevitably widened as the officials were accused of becoming "party to reaction". In 1917 the government appointed a number of Commissions of Enquiry into industrial unrest. Summarising the reports, the chairman, George Barnes, listed as some of the root causes of the unrest "the feeling that there has been inequality of sacrifice, that the government has broken solemn pledges, that the trade union officials are no longer to be relied upon, and that there is a woeful uncertainty as to the industrial future."

One of the recommendations of the Report was the abolition of the 'Leaving Certificates' had caused so much frustration and worker exploitation. It also recommended the adoption of the Whitley Report of the Committee on Relations between Employers and Employed, which had been appointed in 1916, in view of the acceleration of industrial unrest. It had been viewed with suspicion by many trade unionists, and the Miners rejected the whole basis that 'good relations' in industry were possible. The Report proposed the establishment of Joint Industrial Councils, Joint Works Committees, the statutory regulation of wages in industries where
trade unionism was not yet established, extended powers for the Trade Boards, a permanent court of arbitration, and greater authority for the Minister of Labour to inquire into trade disputes. Seventy-three Joint Industrial Councils were set up in industry and civil administration and 33 Interim Reconstruction Committees, though the Works Committees were less popular, since they were seen as threatening the bargaining functions of management and shop representatives. The Industrial Courts Act of 1919 recognised the need for arbitration on a voluntary basis, whereby the recommendations of the Industrial Courts would not be legally binding upon the parties.

It was by no means certain that the TUC would identify itself permanently with the Labour Party. In 1918 the Labour Party adopted a new constitution and programme to win wider socialist support outside the ranks of the trade unions. The die-hard Lib-Labs advocated a clean break from the Party, but the concession of a majority of trade union seats on the Party executive was enough to persuade the Party Conference to adopt the constitution. At Congress that year, it was evident that a large number of trade unionists were still closer to the Liberal Party in social and economic outlook and still bore a distrust of middle-class intellectual socialists. Under the new constitution, the aim of the Party was clearly the creation of a socialist system of society as a means of securing a greater degree of social justice. Among trade unionists, this was a controversial means of achieving an agreed end, as one delegate stated:

"I am a non-Socialist, and I venture to say that the majority I represent are also non-Socialists. While the Labour Party was carried out in the way it was formed for that was all right. It was formed on a working arrangement between Socialists and non-Socialists....and would it not have been better for the old party to have kept upon the old lines, so as not to have outraged any man's conscience?"

The high hopes of social reform with which the Labour Party, backed by the TUC, entered the 1918 election were dashed by the overwhelming success of Lloyd George. The loss of some leading Labour parliamentarians and the disintegration of the Liberal Party meant a weakening of the political arm of the movement and augmented trade union reliance upon industrial action. The unions had grown in size and stature during the war years and, despite a number of "bad bargains" with the government, emerged in
The threat of a Miners' strike in support of demands for a six-hour day, a 30% wage increase and worker control in the industry was warded off by the government's decision to appoint a Royal Commission to look into wages and the prospect of nationalisation of the mines. The government also called a National Joint Industrial Conference of employers and unions, but this collapsed on the later withdrawal of the labour representatives. The union members of the Joint Committee of the conference added a Memorandum to the report on "The Causes and Remedies for Labour Unrest" in which they stated that, "Labour is challenging the whole structure of capitalist industry as it now exists....It demands a system of industrial control which shall be truly democratic in character."^50 This sharp contrast to the opinions of unionists expressed only a year or two before demonstrates the growth of socialist ideas within the movement and in its industrial policies.

The Miners, and the Triple Alliance which backed them, had failed to secure Congress support for 'direct action' by means of the national strike; however, they won the political support of the TUC and the Labour Party, who launched a joint campaign under the title, "Mines for the Nation". Furthermore, the following year saw a new wave of industrial strife and an unprecedented demonstration of industrial action for political purposes. The Miners had been demanding TUC action against the government's anti-Russia stand, and the dockers were refusing to load ships of munitions headed for Poland. The TUC and Labour Party again combined forces to influence the government, and combined industrial action was threatened.

A national strike by the Railwaymen in 1919 once again brought the unions into collision with the government. The NUR came into the strike largely unprepared, but the government had forced the issue and the union executive had had little choice. The Transport Workers Federation called a conference to set up a committee to rally support for the railwaymen. This committee acted as mediator in the dispute between the government and the NUR and became known as the Mediation Committee. After the dispute, the Parliamentary Committee received strong
criticism for having taken a back seat in the handling of the strike.
The need for coordinated action in the event of major disputes had been
established and a Coordination Committee of 15 members was duly constituted
from representatives of the Parliamentary and Mediation Committees and
the union side of the National Joint Industrial Council. This committee
drew up a report and presented its recommendations to a special Congress
called in December. The proposal of replacing the Parliamentary
Committee by an annually elected General Council was upheld by the majority
vote, though both the pro and contra factions were divided in their
reasons for voting the way they did.

The new General Council, with its industrial sub-committees and the
succession of amalgamations among unions which took place in the early
1920s, brought hope of a reduction in the number of inter-union disputes.
More imaginative aspirations of inter-industry cooperation founded
however with the collapse of the Triple Alliance in 1921: faced with
quite different industrial and organisational conditions, the NUR and
Transport Workers Federation could not afford to support the miners in
their fight against wage cuts. As the depression dragged on, industrial
militancy was forced into submission, and hopes were again pinned on
electoral success. The first Labour government took office in 1924,
but proved to be no more a 'union' government than any other. After
a dockers' strike, Ernest Bevin is alleged to have commented,
"I only wish it had been a Tory government in office. We would not have
been frightened by their threats. But we were put in the position of
having to listen to the appeal of our own people".51

The recognition of the divergent interests of trade unionism and Labour
government were brought home at the 1925 Congress, that "the trade unions
had different functions to perform than the functions of government".52

The affirmation of trade union function outside party politics encouraged
TUC support for the miners' struggle to the extent of sympathetic industrial
action. With the slump in trade, the coal-owners were asking for further
wage cuts and an eight-hour day. The government, a strong Conservative
government, intervened with a second Royal Commission. The recommendations
of this Commission, published in 1926, were acceptable to neither side,
and, with the TUC pledge of support, a general strike threatened. When
the government stood firm, the strike was called on May, 4th. The miners,
transport workers, printers, building workers, iron and steel, heavy
chemicals and power workers came out. The engineering and shipbuilding workforce joined them a week later, but the fever had already begun to abate by then. The strike failed and left the miners to go on fighting alone. The leaders of the movement gained nothing and had cost the country 30 million pounds. The prestige lost by the unions was reflected in a fall in their membership of half a million between 1925 and 1927, and in the new government legislation on industrial relations. Under the Trade Disputes and Trade Union Act, strikes and sympathetic strikes, "designed or calculated to coerce the Government either directly or by inflicting hardship on the community" were banned. The Act also amended the law on 'contracting-out' of payment of political contributions to make it a choice to 'contract-in'. The civil service unions were to be excluded from the TUC, and those employed in the public services or administration would be liable for prosecution for breach of contract, if "the probable consequences of his so doing, either alone or in combination with others, will be to cause injury or danger or grave inconvenience to the community". The Act reduced the Labour Party's income by a third and the Party and the TUC found common ground in demanding its repeal. The Act did not in any real sense inhibit the activities of the trade unions, but its intentions and the background of Labour's humiliation at its conception invoked their resentment.

Stultified by defeat, the TUC resolved to strengthen the movement by a revision of organisation and doctrine. The General Council appealed to its affiliates for more voluntary coordination and amalgamation, and propagated policies of conciliation and participation with industry. The new philosophy of the TUC was espoused by some leaders of big industry and led to a Conference on Industrial Reorganisation and Industrial Relations in 1928. Headed by Sir Alfred Mond, Chairman of Imperial Chemicals Industries, and Ben Turner, Chairman of the General Council, the Conference was attended by delegates from both sides of industry. The recommendations from the Conference included measures to improve and extend existing machinery for negotiation and conciliation, which would keep disputes and grievance procedure firmly in the industrial, rather than political arena.
Unfortunately, the depression prevented the scheme from becoming reality, but the theme of moderation and conciliation was not lost. Throughout the thirties, TUC leaders proffered cooperation with government and industry. The General Council won the respect of government and were rewarded with greater consultation on matters of industrial organisation. As the war with Hitler approached, the trade union leaders felt confident that their policies would be increasingly adopted and their power and influence correspondingly extended.

In 1939, the government had no plans for the control of labour, as there had been in the first war. A National Joint Advisory Council of representatives of employers and unions was set up to advise the government on industrial policy, but this proved unproductive as long as there was no sense of urgency. Nor were the unions particularly disposed to plans for the dilution of labour, as long as there were skilled workers employed in non-essential industries or even unemployed. The competition among employers in essential industries for skilled labour set off a wages and prices spiral, but the TUC offered no comfort in their intransigence over wage control.

When, in 1940, the Chamberlain government fell, the union position was strengthened by the high proportion of Labour representatives called to government office, and most particularly in the figure of Ernest Bevin as Minister of Labour. Immediately that Bevin took office, proposals for the regimentation of industry got underway. While appealing to his fellow unionists for support, he followed the lead of the government in introducing direct controls. Under the Conditions of Employment and National Arbitration Order No. 1305, stoppages were to be avoided, and if necessary, disputes were to be brought before a National Arbitration Tribunal. There was an acceptance of state control over the distribution of labour between the Services and industry, and the liability to military service was again a deterrent to industrial unrest. There were a number of other factors which contributed towards industrial peace: the machinery for joint consultation within industry was now better developed and less vulnerable to outside interference; there was a degree of political consensus, with victory in the war as the common objective. There were some unofficial strike waves against the policies of the
official union leadership, but they were of much shorter duration than those of the first war.

There were still no official wage controls, but the government pursued a policy of stable prices in essential supplies and services. Under the Essential Work (General Provisions) Orders of 1941, the direction of labour, necessary for the war effort, was combined with special safeguards against any deterioration in the terms of employment. The Orders contributed greatly to the smooth running of industry by establishing recognised standards. The way was paved for the expansion of collective bargaining: fifty-six Joint Industrial Councils were established between 1939 and 1946. Bevin set up statutory Wage Boards in industries where organisation had no real tradition and the voluntary negotiating machinery was ineffective. In 1945 he went further with the Wage Councils Act which replaced all Trade Boards by Wages Councils and introduced new Wages Councils in industries where existing voluntary machinery was deemed inadequate. Representative of labour, employers and government, Wages Councils were to present recommendations to the Minister on a variety of industrial matters, including wages, which would then be considered by him, before being put to Parliament.

The government, as well as the TUC had been preparing plans for the reconstruction of the peacetime economy. The government produced White Papers in 1944 on Social Insurance and Employment Policy. In the same year, the TUC issued a Report on Post-War Reconstruction, which emphasised the need for full employment and controlled prices. The Report included proposals for a new National Industrial Council to advise governments on economic policy issues, and suggested provisions for the appointment of trade union nominees to the boards of industries to be nationalised. Despite these attempts at preparation, the unions were not equipped to deal with the new frame of reference presented to them by the postwar political and economic environment. Per force of history the trade unions had learnt to battle with economic depression, the overriding symptom of capitalism, and the successive governments who had failed to contain its effects. This state of affairs had served to delimit the objectives of trade unions by directing their interests and their power towards a single policy of supporting the value of labour by aggressive economism. The unions emerged from the war with strengths which they had never
previously enjoyed. They had once again captured public respect and their popularity and that of Labour Party idealism was reflected in the election results in 1945. The unions found themselves no longer in opposition to the government, but in the driving seat themselves. They had proved their capabilities in accepting responsibility for government administration during the war years and were now presented with the challenge to govern with a clear Labour majority.

The new government was quick to embark upon an extensive programme of nationalisation during the immediate postwar period, which, true to the non-Socialist traditions of the trade unions, was aimed at "public control of industry, rather than workers' control as such". The long lamented Trade Disputes Act of 1927 was finally repealed and the legal status of unions returned to what it had been under the 1913 Act.

Against such successes of the collaboration of the two wings of the Labour movement have to be set the problems of postwar recovery which they inherited. A balance of payments crisis, created by the acquisition of massive foreign debt, was the first of a series since the war which have induced government pressure upon unions for pay restraint. When in 1948 it appeared that the survival of the Attlee government was at stake, the General Council supported a policy of wage restraint and a curbing of strike action. This held out until the outbreak of the Korean war when, under pressure from price rises and a growing lack of conviction among the membership, the unions withdrew their cooperation.

In August, 1951, the government finally dropped the wartime Order 1305, which was proving to be no longer effective in controlling wages and strike action, and replaced it by the Industrial Disputes Order 1376. This re-established the voluntary basis of collective bargaining, with the provision of voluntary arbitration by an Industrial Disputes Tribunal whose pronouncements would be legally binding, but would not limit the right to strike. The voluntarist policy was to be continued under the Conservative government: the intervention of government in industrial affairs was restricted to conciliation, voluntary arbitration and Courts of Inquiry. The success of this strategy was soon thwarted by the inflation which followed the Korean boom and its implications for government policy. The unions were unprepared for inflation, and could
articulate no effective opposition to the government's monetary policy. The frustration of the trade union movement manifested itself in the growing industrial troubles. Wage restraint had become a central issue in the government's anti-inflationary strategy, and industrial relations a matter for national debate.

The union's position vis à vis the government had fundamentally changed - not because this was a Tory government, but because the government had incorporated in their policy, indeed as their major instrument, the one central object of trade unionism, the control of wages. Moreover, the government had emerged from the war era as the largest single employer, therefore its interest and influence in wage policy would always be doubled-edged:

"There was thus a genuine dilemma confronting both governments and trade unions. The unions were faced with issues concerning the public weal which they had not designed to deal with, and the solutions of which, it could be held, were incompatible with the untramelled exercise of their traditional rights and duties. The essential function of a union was to fight on behalf of its own members against intransigent, over-mighty employers, not to make common cause with other unions, with which it might well be in rivalry, and less still to submerge its own avowedly sectional aims in the defense of the common good or even of the 'working class' as a whole". 58

The major strikes of the mid-fifties resulted largely from inter-union rivalry. The General Council made hesitant moves towards intervention in the disputes. Generally conservative in its outlook, the Council sought to mediate before stoppage, but withdrew from any structural or constitutional reforms of the TUC unions.

TUC policy altered quite considerably in the late Fifties and Sixties with the change of personalities at the top. In 1956, Frank Cousins took over as leader of the mighty Transport and General Workers' Union, signalling the break up of the united leadership of the General Council. Under the left-wing influence of Cousins, who was by far the strongest personality on the Council, the number of stoppages increased and the gulf in the political stance of government and TUC widened. The government continued its appeals to unions and employers for pay restraint,
but only with a hardening hostility on the part of the TUC to any form of Tory pay policy. In 1957 the government instituted an independent Council on Productivity, Prices and Incomes in an attempt to remove the regulation of industrial pricing and production from the political arena; the TUC refused to cooperate with the Council and rejected wage control in any guise at their Congress that year. During a strike over pay by the London Busmen in 1958, the government were seen to adopt a new, less conciliatory policy on industrial conflict and subsequently abolished the Industrial Disputes Tribunal.

During these years, the TUC also became more estranged from the Labour Party, though this was attributable rather more to the policies of the Party than the unions. Following the electoral defeats of 1951 and 1955, a section of the Party leadership was in favour of an abandonment of Clause IV of the 1918 constitution which pledged the Party to Socialist ideology. Hugh Gaitskell moved a motion to this effect at the 1960 Conference, but was defeated on this and on the issue of disarmament by the trade union and left-wing forces at the Conference, led by Cousins. Despite this defeat, the right wing continued to denounce sectional interests and came into office under Harold Wilson in 1964 on the basis of a centrist policy. The success of the political moderates at the polls effectively threw down the gauntlet to the proponents of trade union influence in party politics.

During the period of the late fifties, early sixties, wage-push inflation had become politically topical. The public had blamed the trade unions for the run of official strikes, restrictive practices and overmanning which were harming Britain's competitiveness abroad. Prime Minister Macmillan wanted to return to a policy of non-conformation with the unions, to which end he encouraged Edward Heath, the then Minister of Labour, to revive the Joint Consultative Committee of the National Joint Advisory Council. By 1961, however, sterling was again under pressure and the Chancellor, Selwyn Lloyd, was persuaded by the Treasury that intervention in collective bargaining was important, even at the risk of antagonising the trade unions. The uncooperative attitude of the individual trade unions was offset marginally by talks between the General Council, led by George Woodcock and the government, which resulted in the setting up of the National Economic Development Council.
The success of planning in France, which had influenced the government in favour of the NEDC, prepared the way also for a reconciliation of government and trade unions when Labour returned to power. The Labour government introduced a national economic plan, but was also pledged, in its manifesto, to a national incomes policy. The success of both depended on the long-term support and commitment of the trade union movement. Any tradition of cooperation between the government and the TUC had broken down under the 13 years of Conservative rule. The unions had lost their prestige and influence with their members and the wider public, while political differences among the trade union leaders were echoed within the Party ranks and the basis of partnership and unity within the Cabinet was very shaky.

The government remained silent at first on the problems of industrial relations, but for its commitment to reverse the effects of the Rookes v Barnard judgement of 1964. The case referred back to 1955, when an employee of BOAC sued the leading members of his union branch for damages after dismissal for resigning his union membership. The union involved was the Association of Engineering and Shipbuilding Draughtsmen, and the local branch had, by threatening strike action, put pressure on the management to sack Rookes to maintain full union membership in the shop. Rookes at first won his case, then lost in the Court of Appeal. In 1964, the Law Lords again reversed the judgement to reveal a loophole in the law of 1906, making union officials liable for damages for threatening strike action in breach of contract. The new Labour government was quick to close the loophole with the Trade Disputes Act of 1965.

Domestic economic problems were soon to stifle any hope of cooperation between the government and the trade unions. Wilson's pledge to the electorate that "Government must govern" was soon challenged over issues of collective bargaining and the role of incomes policies. The Minister for Economic Affairs, George Brown, issued a Joint Statement of Intent on Productivity, Prices and Incomes which he had worked out with George Woodcock within the first six months. A White Paper was drawn up setting out the principles, criteria and machinery for an incomes policy, all of which were passed by a majority of the General Council, on the basis of the guaranteed flexibility in negotiation over
productivity, the movement of labour, low pay and differentials. A Bill on Prices and Incomes was introduced in Parliament after the 1966 election which returned Labour to office.

A Seamen's strike over pay led to a State of Emergency in the same year. The settlement was the first to break the pay code, and the pressure on the pound increased. The government reacted quickly and without prior consultation by introducing a wage freeze, to be followed by a period of "severe restraint". Frank Cousins, now a member of the Cabinet, resigned his post and returned to his union.

The balance of payments crisis had forced the ditching of the national plan and the planned growth of incomes, and had replaced them by measures to abruptly and severely deflate the economy. All attempts to reconcile the industrial and political objectives of the trade union movement had been abandoned as a result. The Labour government and trade unions by modernising socialism "in terms of the scientific revolution......the Britain that is going to be reforged in the white heat of this revolution will be no place for restrictive practices or out-dated methods on either side of industry". In stating this, Wilson acknowledged the fact that Britain's survival on the competitive markets of the world depended on the productivity of her manufacturing industries, and this was related in no small measure to the effective operation of the industrial relations system. The strike record in Britain, in coal-mining, engineering and motor industries and the docks in particular, was a sad reflection of the state of industrial relations. The public were being grossly inconvenienced by relatively small, unofficial stoppages, which could cripple vast sections of industry. The out-dated constitutions and customs of the unions granted a disproportionate share of power to small groups whose activities could no longer be contained by their leaders.

The government had appointed, in 1965, a Royal Commission to look into the practices of trade unions and employers' associations. As the Commission was preparing its report, the Conservative Party in opposition drew up its own proposals for legislation on industrial relations. The government had openly acknowledged the need for reform by setting up the Commission, and had gone to great lengths to demonstrate that the Commission would not listen unsympathetically to the union case.
Nevertheless, since total immunity at law had already been secured for the trade unions, their leaders might be forgiven for their misgivings, since any changes in the law on industrial relations had to be to their disadvantage. The Commission's proposals were not very radical in fact, and supported the continuance of voluntarism in any changes in the system to be undertaken. In line with this principle, the Report also concluded "that the law should intervene as little as possible in what is essentially a voluntary system," although it called for some codification of labour law to eradicate the disjointed effects of 'piece-meal' judicial ruling. The majority view among the Commissioners in favour of upholding the voluntaristic nature of industrial relations in Britain was criticised by the one outstanding dissenter, economist, Andrew Shonfield. He was most dissatisfied with the lack of perspective reflected in the Commission's evaluation of the system. He complained that the Report "......barely concerns itself with the long-term problem of accommodating bodies with the kind of concentrated power which is possessed by trade unions to the changing future needs of an advanced industrial society." The basis of the Report, presented in Chapter 3, described the "two systems of industrial relations" in Britain, the formal and the informal, which were in conflict with each other; the second system, described as "largely informal, largely fragmented and largely autonomous", was the more powerful, and, in the view of its anarchic nature, was less likely to be ordered by legislative measures. Shonfield objected to the notion of the sovereignty of the workshop above the needs and concerns of a wider society. Industrial relations should be conducted within the context of the community at large, and not in ignorance of the common good. From this viewpoint, non-intervention by the state in the conduct of industrial relations is a nonsense in an advanced society: "It seems inconceivable in the long run that in a society which is increasingly closely-knit, where the provision of services to meet the elementary needs of a civilised daily life depends more and more on the punctual performance of interrelated work tasks of a collective character, trade unions will be treated as if they had the right to be exempt from all but the most rudimentary legal obligations." Shonfield's Note of Reservation illustrated the narrowness of the analysis presented in the Report. The economic and political implications of the voluntarist system had been omitted, and in the social and economic
climate of 1968, when the Report was published, the proposals for 'voluntary self-reform' of the system were no longer acceptable to either politicians or public. More politically endearing was the Conservative Party's "Fair Deal at Work", which favoured legislation. For the government, Barbara Castle had succeeded Ray Gunter as Secretary of State for Employment. In contrast to her predecessor, she had no reservations about intervention in collective bargaining and thought the Report's recommendations inadequate. In the face of apparent support for the Tory proposals, she could not afford, politically, to think otherwise. The Shonfield proposals went too far, however, and were too closely echoed in "Fair Deal at Work". After much deliberation, Castle summed her own recommendations in "In Place of Strife: A Policy for Industrial Relations". The White Paper succeeded where the Commission's Report had failed in placing the emphasis "on the public interest and not on the sanctity of bipartite voluntary collective bargaining".

It proposed new legislation with respect to the containment of industrial unrest and government intervention in collective bargaining issues, based on a thorough analysis of the historical evolution of labour legislation and a forthright critique of the current industrial situation. Apart from offering incentives to the actors in the industrial relations system to initiate reform from within, the White Paper proposed the establishment of a Commission on Industrial Relations and, in contradiction to the Report's recommendations, an Industrial Board, a quasi labour court, which could enforce its decisions by financial penalty. In cases of dispute, the standing procedures for settlement were to be fully exhausted; where they were not, the Minister might enforce a "conciliation pause" of 28 days before strike action could be initiated, or the Minister could insist on a strike ballot.

The measures contained in the White Paper were clearly aimed at a restructuring of the procedural framework of industrial relations as a means of creating the conditions for industrial peace. All measures were to be backed up by legal sanction, contempt of which could result in imprisonment. The White Paper was received, understandably perhaps, with hostility by the trade unions and a section of Labour M.P.s. There were some conservative trade unionists who welcomed the package as a means of strengthening their organisation and the official leadership, but the weight of the movement stood behind the leaders of the
TGWU and AEU, Jack Jones and Hugh Scanlon, in opposition to it. The proposals and the sanctions were deemed "misguided, unacceptable and unworkable", the principle of state intervention unjustifiable. The government took heart from Woodcock's acceptance of the chairmanship of the Commission on Industrial Relations (CIR) but misjudged the political implications of Vic Feather succeeding him as Acting General Secretary of the TUC, Feather was not only more left-wing, but weaker than Woodcock among his colleagues on the General Council, and was not likely to do anything to lose standing with them. His appointment thus lent more weight to Jones and Scanlon within the Council.

A national campaign was launched by the unions which included a May Day strike of over 100,000 workers. The Prime Minister, Mrs. Castle and representatives of the TUC held a series of talks which forced the government to abandon the legal sanctions contained in the Bill in return for a "solemn and binding undertaking" on the part of the TUC to attempt to curb unofficial action. This may have been a warning to the next Conservative government to review its own plans for industrial relations reform, but was not heeded. The Party drew courage instead from the obvious disappointment of the public at large that the government had failed. The low standing of the unions in public opinion was for the Conservatives an electoral weapon and their subsequent success at the polls appeared as an endorsement of their industrial programme. On the crest of public acclaim, the Tories produced their Industrial Relations Bill. It was quickly prepared, since most of the work had been done in opposition, and was introduced early in the Parliament so that the benefits from the legislation would begin to show before the next election. This eagerness for political success led the government to rush at the Bill too quickly without allowing sufficient time for consultation with the unions. This put the onus on the government for the success or failure of the Bill, as Vic Feather was quick to remark: "It is called a consultative document but it is not. Two days earlier Mr. Robert Carr had told the Conservative Party Conference much the same thing. He announced that there was no going back on the central proposals"; the government's attitude was "a wilful denial of the facilities for consultation that has been accorded to the TUC by every government for at least the past 30 years."
The TUC offered the Tories no more than they had offered Wilson and Castle. On rejection of their proposals for voluntary reform, the TUC launched a public campaign far more intensive than the demonstrations against "In Place of Strife". With communications between the government and the TUC effectively severed, the unions were free from any moral obligation to restrain the anger and indignation of any single minority group directed against the Bill.

The Industrial Relations Act came into being nevertheless in August 1971. Unlike the trade unions, the Parliamentary Labour Party was hamstrung by their own earlier attempts at reform and, with the guillotine acting against them, could rally no constructive opposition in debate. The Act introduced registration of trade unions and employers' associations and the vetting of rules by the new Registrar. Registration conferred corporate status, though this was rendered superfluous by the fact that under the Act, unregistered organisations could be sued in their own names. However, immunity from civil liability was confined to registered organisations. "Unfair Practices" of employers or unions were declared illegal at all events, the right to strike being limited to instances not in support of "unfair industrial practice". The 'closed shop' was outlawed and substituted by jointly agreed 'agency shops'.

The Act pursued broadly the same objectives as the Castle Bill but was much more rigorous and uncompromising in its approach and execution. There was a much heavier emphasis on legalism and resort to sanction, the enforcement of which was guaranteed by the establishment of specialist judicial machinery. The TUC responded by refusing to cooperate in the implementation of the Act, though, it has been suggested, the effects of the Act on the process of collective bargaining and the power of the trade unions would have been far more limited than was feared, compounded as it was "of useful but minor reforms and tiresome but hardly fatal irritants to the trade unions". The legislation was nevertheless openly flouted by individual unions, first in the docks where unofficial action led to 'blackening', now outlawed by the Act. The TGWU was found by the Industrial Court and the House of Lords to be responsible for the unlawful actions of its shop stewards, and fines were paid accordingly. In the autumn of 1971, the government took on the miners over a wage claim above the recommended 8%. A national
strike by the miners cut off supplies of coal to the power stations and the public and industry had to suffer severe and sudden power cuts. A Court of Inquiry was set up to examine miners pay and came up with a settlement figure of 20% based on a study of relativities. Pressure was on the Coal Board to settle and the miners eventually obtained concessions in excess of the Inquiry figure.

The government was forced to abandon its hard-line policy of 'confrontation'. In the face of rising unemployment, the prospective entry of Britain into the EEC and the possibility of a general election in 1974, Prime Minister Heath chose to talk with the TUC and CBI on economic issues. He introduced into the series of talks the prospect of a new prices and incomes policy as "a more sensible way of settling our differences". The programme he had in mind was a sophisticated one, involving a complex and detailed investigation of the wages structure. By this stage, the government was desperate for cooperation, but cooperation on the part of the TUC was of course subject to the repeal of the Act. Some unions were weakening on the policy of non-cooperation with the Industrial Court, while others, such as the AEU, were strengthening in their resolve; repeal of the Act was now vital to the unity of the movement. The government and CBI were, for their part, anxious to avoid further prosecutions under the Act, without actually repealing it.

Agreement was not reached between the TUC and government, but Heath can take credit for having broken down the barriers to communication and established a relationship with a small number of important union leaders which had not existed before. Discussions finally broke down in November, 1972 when Heath announced a statutory 90-day freeze on pay, prices, dividends and rents. The freeze was actually reasonably effective, since most of the public sector services settled their pay awards either before it or waited for the next phase of the policy. In the next phase, the government set up two new agencies, the Pay Board and the Prices Commission to superintend the policy, with which the TUC again refused to cooperate. Yet, despite the hostility of the unions, Stage II did gain support among the rank and file: many unionists appreciated the fairness attempted by the £1 + 4% formula which gave greater benefits to the lower paid while maintaining differentials. There were other concessions on hours and annual holidays in the
Stage III was to run from Autumn 1973 for twelve months. If there was to be an election the following year, the government had to succeed in its pay policy in terms of controlling inflation, without confrontation in industry: "The pay policy was, in fact, as much an elaborate and comprehensive conciliation exercise to avoid confrontation in the 1973-74 wage round as it was a counter-inflation operation." At this stage however, the government had nothing more to offer the unions to secure their cooperation. Some unions were already saying that Stage III was unworkable. There was to be more 'flexibility' in wage settlements, but the evaluation and control of anomalies which produced a host of claims for 'special cases' indeed presented a serious problem of implementation.

The deus ex machina which finally destroyed the basis of the policy was however the oil crisis. This, in combination with the overtime ban by the miners in support of a pay claim again in excess of the policy, induced the government to declare a State of Emergency. To conserve power supplies, the government went further and introduced a statutory three-day week for industry, and refused to give in to the miners. In February, the miners ballotted to call an all-out national strike; the government called an early general election in reply.

While the unions found it easy to blame the government for 'confrontation' tactics, the Conservatives made "Who Governs Britain?" the election issue.

The trade unions were concerned to unite the Labour movement under a new government. They had set up a Liaison Committee with the Labour Opposition in 1972 which had produced a joint statement on future policy: a concordat on TUC terms. In conjunction with the talks with Heath at that time over issues far beyond the scope of collective bargaining, the TUC had evolved a programme of expectations which blurred the established division between the industrial and political functions of the union movement. This change of attitude towards governments of either party was accentuated by the personalities of certain trade unionists who had emerged at this time as political leaders outside the party and Parliament. Such leaders were to play a considerable role in the drafting of Labour's programme in office. Labour took office with a minority
government on the basis of its traditional relationship with the trade unions. In October, a second election was fought with the backing of a proposed "Social Contract" between government and unions, and Labour secured a narrow majority of five. The Social Contract appeared as yet another voluntary incomes policy, operating, according to Wilson, "between Government, industry and trade unions with all three willing to make sacrifices to reach agreement on a strategy to deal with rising prices". Whether in fact industry was an equal 'social partner' in this agreement is speculative, since the Social Contract had been composed by unionists and sought to give legitimacy to a wages 'free-for-all', made inevitable by the breakdown of statutory measures. Since it was politically impossible to tackle the unions over wage restraint, the government had to rely on meeting their demands, economic and political. The TUC responded favourably by encouraging the voluntary continuance of Heath's Stage III until July, but the 'special case' clause held out little hope for restraint.

The attention of the public was again fixed on inflation. Before the election in October, pressure upon the TUC to hold unions to the guidelines on pay settlements was mounting. By December, it was evident that the General Council's contribution towards the ordering of Britain's economic affairs had made very little impression. There was the largest ever balance of payments deficit, production was falling and unemployment had risen 200,000 on the previous year. The government chose to tackle the balance of payments issue, rather than reflate the economy, which amounted to a direct contradiction of TUC economic policy proposals. Chancellor Healey accused the unions of pricing their members out of work, and came into open conflict with TUC General Secretary, Len Murray. However, both unions and politicians were aware of the political damage that a split in the movement might cause in terms of government credibility and the survival of the Social Contract.

It was Jack Jones who came up with a formula for a policy on future wage rises. He recommended a flat rate of £6, tied to the cost of living index in return for a freeze on prices. The proposal was described as "rough justice", but justified on the grounds that "until pay restraint begins to act on prices...prices will go up faster than wages".
The Jones formula formed the basis of a government White Paper, "The Attack on Inflation", to be followed up by a Stage II, set out in "The Attack on Inflation: the Second Year". Under Stage II, the new pay limit was 5% with a ceiling of £4. In both stages, the TUC wrought considerable economic concessions from the government, and published its own assessment of their agreements in "The Development of the Social Contract" and "The Social Contract 1976-77" which appeared at the same time as the White Papers.

The success of the Social Contract was dealt a serious blow by the sterling crisis of September, 1976. The unions were already seeking a return to orderly free collective bargaining but continued to accept further cuts in public expenditure and higher indirect taxation. It was unlikely that members would accept pay restraint for much longer; there were signs of growing militancy from early on in 1977 and the major unions soon came into conflict with each other about the future of the pay policy. The government introduced its third stage in the summer of 1977 which recommended settlements around 10%, without formal agreement. The flexibility of this Stage III was as destructive as under the previous government. It nullified the success of the first two stages and signalled the end of the Social Contract.

There were changes in the leadership of the top two unions, the TGWU and the Engineers, now the Amalgamated Union of Engineering Workers. As may be understood, such changes effected a change in the balance of power and opinion in the General Council. The new leaders, Moss Evans and Terry Duffy, were less knowledgeable and experienced than their predecessors, and they actually resented the centralised talks with government which had become established in the last years. Their appointments thus augmented the pressure upon the government and the General Council for a return to free collective bargaining.

The government nevertheless forged ahead with Stage IV. The proposal of a 5% limit on wage settlements was interpreted as a challenge to the concept of free collective bargaining, as well as a challenge to those unions which had already demanded its reinstatement. The TUC could offer no further commitment to the suspension of free collective bargaining. The Labour movement was split once more, and despite a
joint statement published in February, 1979 on "The Economy, the Trade Union Responsibilities", in terms of practical politics, the breach was not healed in time for the elections in May that year.
2 Case Histories

"New Unionism" and the Growth of the General Union

The wave of so-called "new unionism" which emerged in Britain in the 1880s was characterised by its establishment among the unskilled and semi-skilled. The new unions were not based upon a single principle of organisation, but attempted to fill the gaps left by the existing pattern of trade unionism in the changing tide of industrial organisation. In 1887 Ben Tillett founded a Tea Operatives and General Labourers' Association at the London Docks. In 1888 Mrs. Annie Besant, middle-class socialist and Fabian, encouraged the match-girls' strike at Bryant & May, and the following year another socialist and member of Ben Tillett's Association, Will Thorne, organised a union among his fellow workers at the gasworks in East Ham. The gasworks were near the docks and many gasworkers moved into the docks for casual work during the summer months. Successful action by Will Thorne's organisation to secure the eight-hour shift inspired the dockers in the West India Docks to strike for higher pay. The strike for the "Dockers' Tanner" (and 8d on overtime) spread to all the London docks. Supported by leading socialists, Tom Mann and John Burns, the action was successful and resulted in the founding of a dockers' union, the Dock, Wharf, Riverside and General Labourers' Union. The organisation later spread to Bristol, the Medway, East Anglia, Hull and South Wales.

On Tyneside, a National Labour Federation, founded in 1886 as an offshoot of the Amalgamated Society of Engineers was to compete in 1889 with the stronger Tyneside & National Labourers' Union. This was an organisation of less-skilled workers in the shipyards on the North East Coast which spread to similar groups in engineering, iron and steel, chemicals, glass, flour-milling and the building trades.

During the 1890s a number of unions were established among local authority employees. The Municipal Employees Association (1899), formerly an organisation of London council workers, expanded into a national organisation after 1900. Between 1900 and 1905, the organisation absorbed the National Municipal Labour Union and a number of local unions in Glasgow, Belfast, Hull, Camberwell and Stepney.
The basis of recruitment of the new unions among the less skilled made them inevitably vulnerable in periods of depression. Yet most survived, only to sacrifice their aspirations as 'general' organisations. To some extent, the 'new' unions had to revert back to the strategies of the 'old': on the defensive, the leaders of the new movement were more inclined to reinforce restrictive barriers against 'blacklegs' than to spread trade unionism as men like Tillett and Thorne had originally intended. The 'local' branch fell into natural divisions, according to trades, places of employment and so on, rather than operating as local groups of 'general' workers. This was particularly true of branches outside London, and their survival depended largely upon their strengths in certain industries rather than on their ability to recruit indiscriminately. On the strength of a few large works branches, the unions could 'ride the storm' of depression: the gasworkers relied upon their membership among the gas and municipal employees in Bristol, Leeds and Lancashire, but among the metal trades in Birmingham, the tin plate and tubes in South Wales, shipbuilding and engineering in the North East, iron and steel and pit-top men in Barnsley and Nottingham and the dockers and shipyard workers in Hull. The recruitment of such varied groups also enabled the 'general' unions to spread the risk of employer action which was unlikely to hit all of their constituent industries at any one time. This gave them an elasticity which other unions lacked, enabling them to exploit areas not pursued by 'old' unionism.

The principle of 'general' unionism was however in other respects undermined. The original objective of 'one big union', the unification of all labourers' societies providing for fluidity of membership between trades, foundered on the stronger practice of local job monopoly. The fear of 'blacklegging' and loss of recognition encouraged local unions to try to enforce the 'closed shop'. This was especially important in the London docks where casual labour had long undermined the efforts of the dockers' representatives. Furthermore, the closed shop and the fear of membership loss caused disputes between unions, directly contravening the principle of the 'one big union'. The more members a union lost, the more it fought to keep the members it had. There were clashes among the 'new' unions as well as between
them and some craft unions who had begun to organise their own sections of unskilled labour.

In an attempt to form a truly 'general' union, Tom Mann founded "The Workers' Union". In the early years, branches of the union sprang up and collapsed, reaching at most a total membership of only 5,000. The Workers' Union fell a long way short of achieving its original objectives, most obviously in its type of recruit: it failed to recruit the general labourers for any length of time, and although it had set out to encompass all types of workers, in practice it had no intention of trespassing on the territory of the craftsmen's unions. The recruitment of the Workers' Union concentrated on the semi-skilled, rather than unskilled, and mostly in engineering; the other main sphere of influence was in agriculture. After 1911 there was an overall boost in trade union membership in Britain which lifted the general unions, and in particular the Workers' Union. By 1914 it was challenging the Gasworkers as the largest 'general' union.

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<th>Membership</th>
<th>1910</th>
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<td>2,565,000</td>
<td>8,346,000</td>
<td>5,428,000</td>
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<tr>
<td>Gasworkers</td>
<td>32,000</td>
<td>490,000</td>
<td>221,000</td>
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<td>(later National Union of General Workers)</td>
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</tr>
<tr>
<td>Workers' Union</td>
<td>5,000</td>
<td>450,000</td>
<td>140,000</td>
</tr>
<tr>
<td>London Dockers</td>
<td>20,000</td>
<td>120,000</td>
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Source: H.A. Clegg, General Union in a Changing Society

During the depression years, collective bargaining ceased to be a function of the Workers' Union and it relied upon the provision of limited insurance facilities in order to survive as an organisation. This illustrates further features which the general unions had in common with the 'old' unions. the National Amalgamated Union of Labour,
formerly the Tyneside and National Labourers' Union fixed its contributions above those of the Gasworkers, originally at 3d, then 4d and finally 3½d in 1891. The union offered dispute benefit - strike lockout, and victimisation pay - an accident insurance and funeral benefit. Strongly influenced by the craft unions of the North East, the NAUL also had a system of shop stewards. In 1892, the Tees district of the union reported that "the shop stewards.....have 'worked like niggers' and several disputes between the Platers and the Platers' helpers have been satisfactorily settled". Thus shop stewards had already been granted functions beyond the simple collection of subscriptions, though this development was strongly resisted in the branches of other 'general' unions such as the Gasworkers.

The years of depression subdued the ambitions and aggressive leadership with which the new movement had started out. Survival had become the watchword and switched the emphasis from aggression to caution and cooperation. In 1892, Thorne told his members, "We should therefore be very judicious....in treating with the employer on matters connected with work and wages", and a year later warned his members of the risks and disadvantages of strike action. Without the barrier to good relations in the industry posed by the closed shop and other restrictive practices, as with the dockers and seamen, the Gasworkers were in a position to pursue a strategy of caution in the extension of collective bargaining. William Stanley, leader of the NAUL, also supported this policy, with the view that "all the employers require is a fair, full and accurate statement of the case of the men in order to give redress". Neither union could afford strikes and restricted their usage to struggles for recognition. For regulation in the industry other than by collective bargaining and arbitration, such unions resorted to parliamentary and municipal action to achieve their objectives.

As socialists, the leaders of the 'general' unions were keen to promote Labour representation in Parliament and in the local authorities. Their activity took on new strength after the founding of the Independent Labour Party in 1893, particularly among the Gasworkers whose members became prominent Councillors all over the country. Following the Taff Vale decision, the unions eagerly joined the newly formed Labour Party (LRC) in order to change the law. The Gasworkers' Union was one of the first to affiliate and became prominent in its affairs.
The increase in inter-union conflict gave rise to early attempts to unite all the general unions under a General Labourers' National Council, but its effectiveness was thwarted by the heavy unemployment which weakened its affiliates. In 1910 the NAUL and Gasworkers' Union reached their lowest point in terms of organisation since 1889. After 1911 the economy entered a boom period which was maintained until 1914 when war employment began. During the war, the 'general' unions expanded their membership as a result of high employment combined with the respectability won by the trade unions under the Whitley recommendations of 1917.

In 1919 partial amalgamation of the general unions was achieved by the formation of the National Amalgamated Workers' Union between the NAUL, the Municipal Employees Association and the Workers' Union. This was not to last, however, following disagreements between the unions over the position of officials in the new organisation. At the same time, the Gasworkers, now the General Workers Union, tried to join with the Dockers and failed. They approached the NAWU. But personality clashes at the top prevented any progress being made. The docks Inquiry of 1920 revealed the bitter price workers were paying for their disunity. In his brilliant presentation of the Dockers' case before the court, Ernest Bevin exposed the scandalous conditions in the docks. Immediately following the Inquiry, the Dockers' union set about making organisational unity a reality and opened discussion with the National Union of Dock, Riverside and General Workers. Delegates of twelve unions met in the same year and a conference of 19 unions was called for December 1st, representing all docks and road transport workers, plus some others. The title of the new union agreed upon at that conference was the Transport and General Workers' Union.

The collapse of the NAWU and the economic slump of the early 1920s prompted new discussions between the General Workers, the NAUL and the Municipal Employees. Prior to the war there had been much argument in favour of industrial unionism. Industrial unionism as propagated by the craft unions and the Miners brought them into increased competition with the 'general' unions in their industries. The incentive towards amalgamation for the general unions was therefore self-defence, and the National Union of General and Municipal Workers came into being in 1923.
All amalgamated unions after the First World War adopted the organisational pattern of trade alliances and industrial sections first instituted by the Dockers during the prewar period. The greater flexibility which this principle offered the two great amalgamations of general unions explains their rapid growth in the 1920s. The history of the general unions reflects their adaptability in the face of industrial change. Their development has been incidental rather than of political design, their strengths after 1911 due more to industrial and economic circumstance than political inspiration. The aspirations of the early socialist leaders of the 'new' unions to unite all workers, and mainly the less-skilled, against capitalist employers, gave way to their more pragmatic function as "residual" unions, embracing pockets of workers neglected by conventional unionism. On this premise, 'general' unions found a source of growth, first as sectional, later as amalgamated organisations and it is to this which they owe their present structure and basis for expansion.
The Development of the Textile Unions: The Cotton Industry

As one of the key industries of the nineteenth century, cotton spinning and weaving were among the earliest sectors to become unionised. The hand-mule spinners were already organised early in the century and succeeded in maintaining their principles of unionisation after the introduction of automation in the 1830s and 1840s. Factory techniques in cotton manufacture took off in the 1860s when "limited companies" came into being. The technological change in the industry, particularly in the 1830s, gave rise to widespread conflict between employers and operatives. The unions responded by developing customs of work group control, especially in spinning where, until the 1870s, bargaining on wage rates took second place to control of entry, apprenticeship and promotion. In weaving, wage rates took priority and a standard wage list for power-loom weaving in the Blackburn area was established as early as 1853.

Cotton manufacture has throughout its history been exposed to the rigours of overseas trade. The industry prospered for much of the period 1850 to 1873, interrupted only by the American Civil War, a period which brought advantages to both sides of industry and fostered the growth of collective bargaining in an atmosphere of conciliation and compromise. The commercial crisis which competition from overseas sparked off in 1873 encouraged greater labour intensity in production and strengthened the bargaining position of the operatives. The growth of the industry was drastically cut back after 1877-79. The employers switched to a higher grade of product to maintain the value of output which naturally changed the terms of pay and working conditions of the operatives.

The absence of fundamental technological innovation in both spinning and weaving meant that existing methods of manufacture were exploited to the limit. More spindles were added to self-acting mules, while more looms were allotted to each minder in weaving. Some large limited companies in coarse spinning might have 100,000 spindles with 10,000 operatives. In such highly capital-intensive plants labour costs were relatively low, around 10% and up to 30% in the manufacture of finer yarns. In weaving, the proportionate cost of labour was much higher and was therefore more subject to short-time working and unemployment when demand fell away.
The comparatively low wages in spinning were offset by the "family earnings of wives and children, granted by the opportunities in the industry for female and juvenile employment. The proportion of females over 13 years of age in the industry was 54-58% during the second half of the nineteenth century. The highest concentration of women in weaving was 62.4% in 1890, and in spinning preparation as high as 75%.\textsuperscript{82} Until the first World War the cotton unions were the only ones to organise women effectively, accounting in 1896 for 90,000 women workers and 5/6 of all organised women in Britain.\textsuperscript{83}

The employment of members of the same family at any one firm contributed to a unique consciousness and sense of identity among cotton workers and a greater degree of factory solidarity. According to Burgess\textsuperscript{84}, the cotton community was characterised by the strength of patrimony and the importance of the family as an economic unit - all the more so among the weavers where earnings of wives and offspring were more significant. The philosophy of self-help which this engendered encouraged the traditional association of the cotton community with friendly societies, savings banks, cooperative stores and even community outings and holidays. Home ownership and share-holding in the limited companies were regarded as worthy objectives which cut across traditional class barriers and contributed to the alienation of the cotton workers from the rest of the working class.

Estranged from labour militancy in other industries, the cotton unions rejected the pursuit of socialist ideals and espoused the use of political agitation for only limited ends. The geographic concentration of the cotton industry in Lancashire and Cheshire granted them greater "muscle" in applying local pressure for legal enactment, and only they and the Miners were in a position to develop effective machinery for this purpose.\textsuperscript{85} Yet they denounced state welfare as "mollycoddling" and rejected the Eight-hour day,\textsuperscript{86} preferring to confine their interests to the issues of pay and conditions at the place of work.

The geographic location of cotton manufacturing also lent itself to industry-wide bargaining. Yet specialisation of production added local variation to the collective bargaining system, accentuated by the differing rates of development of spinning and weaving.
In spinning, job demarcation was largely determined by length of experience: two mules would be minded by one team, consisting of a senior spinner, or minder, and two assistants, a "big piecer" and a "little piecer". The teams were supported by operatives who prepared or "carded" the cotton for spinning. The work teams earned on a piece rate. The senior spinner was paid by results, but the piecers received a weekly wage from the senior spinner which did not reflect variations in production so exactly. The operatives in preparation were paid by time. The productivity of the spinners also depended on the length of the mule and the number of spindles, as well as the speed of the mule. Since the piecers' earnings were unaffected by speed, the speed-ups of the late 19th century benefited only the senior spinners, which led to a widening of differentials in the team. The elitist position held by the senior spinners was maintained by their strict control of the conditions and prospects of the piecers.

The disparities in workload and remuneration were less marked in weaving than in spinning. In weaving only the setting up of the loom was a manual process, and jobs were graded according to the different stages of setting up the loom. Of these, the most responsible position was that of the "taper" or "sizer" who prepared the thread for weaving by applying a flour and tallow mixture. There was some widening of differentials which resulted from the speed-up of the looms, but this was moderated by the growth of the industry which encouraged some loosening of promotion controls.

The dependence of the family unit on the total effort of its members led to the acceptance of the work ethic as the cultural norm of the cotton community. The ideology of competitive individualism within the context of family or community enterprise forged a sympathy among operatives with their employers in the face of foreign competition and encouraged a respect for cooperative action. Such an ethos of paternalism placed the employers in a very strong position to reject trade unionism. Only as profits were squeezed and good relations with the operatives became essential did the employers come to recognise the workers' representatives, who were not prepared to challenge the governing structure of authority in the factory anyway. By maintaining good relations with the spinners' organisations and their publication, The Cotton Factory
Times, the employers hoped to keep the operatives away from the influences of "New Unionism" and to quell the waves of illegal and unofficial strikes.

The traditions of paternalism in the factory and the lead given by the employers to the recognition of representatives for the purposes of collective bargaining encouraged the bureaucratisation of the unions and the process of collective bargaining itself. The "wage lists", drawn up in the 1870s and 1880s in Bolton and Oldham, gave the spinners union, the Amalgamated Association of Cotton Spinners, control over most of the wages of its members. These intricate wage lists inflated the importance of bureaucracy by demanding of the union leaders a degree of competence in arithmetic rather than political charisma.

In 1888 the union density reached 90% across the industry, almost 100% among the senior spinners in Bolton and Oldham "in good years". Not more than half the piecers were organised in spinners' unions, and even then on inferior terms. The Cardroom was even slower to organise. The Spinners had approached the question of the inclusion of the piecers with some ambiguity, but were not interested in organising the cardroom at all. An Amalgamation of Cardroom Operatives was established in 1886 and by 1889 was strong enough to organise its own dispute in Oldham. Furthermore, it secured a wage increase in 1890 on a new general list for Oldham, and the same year entered into negotiations with the Spinners over a possible amalgamation for mutual support in disputes. The idea failed, however, because of the disparity in resources of the two organisations and in recognition of the fact that only the Cardroom could gain from such an arrangement.

The pattern of organisation in weaving varied from that of spinning, owing to the greater homogeneity of the workforce. The 'elite' among the weavers, the "sizers", constituted less than 1% of all workers and job differentiation was not so closely related to sex. The first weavers to become organised were the less skilled and lower paid, developing a pattern of 'open' unionism in the 1850s. Later, in the Eighties and Nineties, the more skilled weavers formed 'closed' unions, not unlike the spinners' association. The weaving unions also developed highly bureaucratised disputes procedures which consolidated the position of the leaders and led to the decline of member influence in policy-making.
After a long strike in 1878, a joint committee was established for settling disputes on a trade-wide basis in 1881; this promoted the formation of the Amalgamated Weavers’ Association in 1884. In 1888 only 40% of the weavers were organised, yet over half the members were women. The men relied upon rises in women’s wages as much as their own, since they were on the same lists, which meant that weaving offered the highest rates for women’s work.\textsuperscript{91}

Collective bargaining as a means of regulation of industrial conditions had developed most rapidly among the weakest groups, the cardroom operatives and the weavers. In spinning the negotiation and implementation of the price lists and the bargaining over piece rates were conducted by local sectional leaders thus maintaining a fragmented bargaining pattern. The Spinners’ unions had been reluctant to relinquish their local autonomy until after 1870 when the market went into decline and industry-wide bargaining was introduced.

The Oldham (1886) and Bolton (1887) lists included conciliation procedures in instances of dispute. The union full-time officials were formally recognised as responsible for settling disputes which placed them in an equivocal position, not always favourable to the membership to whom they were not accountable. Yet there was no permanent drop in the number of stoppages, reflecting the growing rank and file militancy. Though Bolton was relatively dispute-free in the 1890s, from 1883 to 1893 there were 3,000 disputes recorded by the Oldham Spinners’ union.\textsuperscript{92} Most were attributable to speed-up, and especially to “bad Spinning” when the speed of the mule caused the thread to break. This provoked unofficial action among the piecers, particularly from 1885 onward, who could expect little official support from the Spinners. As a result, a Lancashire Piecers Union was founded in 1890.

The unofficial action could no longer be contained by the union officials after trade picked up in 1896. By 1899, the Spinners’ Amalgamation gave notice to exclude all “bad spinning” disputes, amounting to some 90% of all disputes,\textsuperscript{93} from the new grievance procedures negotiated with the employers, under the so-called Brooklands Agreement of 1893. The Brooklands Agreement on wages and disputes procedures was the outcome of a lock-out for wage cuts from November, 1892 to March, 1893.
The settlement was to a very large extent on the employers' terms, fixing a 5% ceiling on wage adjustments and alienating union officials still further from the rank and file by incorporating them into elaborate negotiating machinery.

In weaving joint negotiation had also been established since 1878 and there were comparable problems of alienation of officials and rashes of stoppages. As the speeds of looms were increased, there were more disputes, countered by fines for lateness, indiscipline and inferior work. There were problems too with the "overlookers", who were paid by results and were tempted to "drive" the weavers; they in turn drove the juvenile "tenters" who subcontracted work from them.

The overall pattern of trade union development in the cotton industry is dominated by a trend towards greater institutionalisation and centralisation of the collective bargaining machinery. While the Spinners' Amalgamation demonstrated a singular indifference towards a more uniform policy on wages for the industry and "tolerated a significant diversity between districts in both rates and earnings for similar work," they finally adopted large-scale collective bargaining chiefly as a result of employer pressure to do so. The Weavers, on the other hand, with their 'open' organisation depended to a very large extent upon uniformity among mills in order to maintain wage agreements. Their strength lay in centralised bargaining and industry-wide conciliation procedures.

The brief introduction to the story of the textile unions is intended to illustrate certain characteristics in the growth of British Trade Unionism and is supplemented by a short discourse on the development of industrial relations in other branches of the textile industry.

Trade Union Organisation in the Woollen, Worsted and Finishing Trades

In contrast to the strengths of organisation in cotton spinning and weaving, trade unionism in the related industries of woollens, worsteds and finishing has a much weaker tradition and a less convincing history. Like cotton, the woollen and worsted trades are concentrated geographically,
in Yorkshire, while the finishing trades are distributed across both Lancashire and Yorkshire. The manufacturing processes of cotton, wool and worsted feature many allied occupations and use much machinery in common, and all three industries are exposed to foreign trade cycles. Yet the patterns of industrial relations in the cotton and woollen textile trades have developed quite differently.

The woollen industry has a much longer history than cotton in this country, and there are reports of weavers' combinations as far back as very early in the eighteenth century. As Yorkshire and Lancashire became the chief textile regions, the combinations of woolcombers, weavers and calico-printers moved in, to become well established in the early nineteenth century in company with organised spinners, cloth-workers, dyers and bleachers.

The adoption of the power-loom was much slower in wool and worsted than in cotton. Woollen weavers and clothiers combined to limit the use of new machines, the number of apprentices, spindles and looms by individual manufacturers. These were mostly domestic workers in competition with the big manufacturers, but there were some combinations of factory operatives as well. The Yorkshire "General Union of Weavers and Spinners", formed at Dewsbury in 1822, included factory workers, as did the "Leeds Trade Union" of 1830, an equivalent to Doherty's National Association for the Protection of Labour and based mainly on the woollen and worsted trades. The general collapse of combinations in the 1830s stifled these young organisations and there was to be no revival until after the 1860s when the influence of the strong cotton unions spread to other textile trades.

First, overlookers' societies sprang up in the main woollen and worsted centres and later formed a Yorkshire federation. A number of twisters' unions became established and the warpdressers organised across Lancashire and Yorkshire in imitation of their cotton counterparts, and in the finishing trades around Bolton, the unions which became established united along the lines of the Spinners' Amalgamation to form the "Bolton Amalgamated Dyers, Bleachers and Finishers". An attempt by Bradford Dyers in 1871 to do the same failed, but was successfully revived in 1878.
This pattern of elitist organisation among the skilled operatives of the textile trades bore no relation to the mass unionisation of other industries. The units of production in the woollen and worsted industries was smaller and more scattered than in cotton with comparatively little specialisation, thus less conducive to the development of worker solidarity. The power-loom weavers began to organise in the 1880s, but few organisations survived and then often on an informal basis without solidarity or regular financing.

The boost to organisation in the Yorkshire textile trades came from the "New Unionism" of the 1890s. Leeds in particular became a stronghold of New Unionism among its garment workers and gas workers, and was encouraged by the revival of organisation among the miners of the outlying districts. The Trades and Labour Councils came to life and provided a medium of communication and mutual support between the unions. In 1890, the Huddersfield Weavers' Union became involved in a Bradford strike and emerged from it as the West Riding Power Loom Weavers' Association. The organisation, renamed in 1900 the General Union of Weavers and Textile Workers, never really achieved the status of the cotton Weavers Association which it was said to emulate, gaining barely 5 000 members at its height.97

<table>
<thead>
<tr>
<th>Year</th>
<th>Members</th>
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</thead>
<tbody>
<tr>
<td>1888</td>
<td>700</td>
</tr>
<tr>
<td>1892</td>
<td>4 700</td>
</tr>
<tr>
<td>1900</td>
<td>1 800</td>
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The situation in Bradford was described as "heartbreaking" and in Halifax as "hopeless".98 In 1900, the General Union formed a Yorkshire Textile Workers' Federation with the Leeds Dyers' Union, Bradford Woolsorters and Combers and a few other smaller organisations; together the membership only amounted to around 4 000. Meanwhile, the Gasworkers and General Labourers' Union began to organise the operatives in the worsted and finishing trades not covered by the skilled unions of dyers in wool and worsted, the Huddersfield, Bradford, Bramley and District Dyers and Finishers (1851) and the already mentioned Bradford and District Amalgamated Society of Dyers (1878). There was also a West Riding Dyers and Finishers Association (1891) which secured conciliation boards in Huddersfield in 1892, and Bradford in 1893.
In 1894 the Huddersfield and Bradford Dyers formed an alliance to eliminate competition. They succeeded in establishing agreements with the employers on "union security" and set up joint negotiating machinery for the regulation of wages, prices and shop relations. After this, the Yorkshire Dyers emerged as a stronger organisation than their Lancashire counterparts with whom they later formed a federation, the National Federation of Dyers, Bleachers and Kindred Trades.

One of the weaknesses of organisation in these non-cotton trades was the excess of male labour. Spinning in worsted was a woman's job, but a man's in wool. The result was that instead of men pulling up the wages and conditions of women, women were dragging the men down, and the situation could only deteriorate as fashion dictated a switch from woollens to worsteds. There was also a greater degree of poverty among the Yorkshire workers which suppressed their willingness to pay regular contributions. As a result there was little collective bargaining anywhere in the industry. The power-loom weavers had to accept the employers' lists which laid down wage maxima, and each mill-owner could impose his own piece rates. The generally higher political awareness of the Yorkshire textile worker was thus channelled away from unionism and into the local political movements: in 1891 the Bradford Labour Union emerged as a "pioneer of a new type of local political organisation".

In the second national wave of general labour unionisation which preceded the First World War, union membership in the dyeing and finishing trades reached some 75%, but the overall density in woollens and worsteds remained at only 15%. Thus the modern pattern of unionisation in the woollens, worsteds and finishing trades is seen to reflect its heritage in the general unionism of the late nineteenth century in the examples of the large, open single union in non-cotton textiles, now the National Union of Dyers, Bleachers and Textile Workers, and the not insubstantial sections of the woollen and allied industries now organised by the 'general' unions, GMWU and TGWU. There are a small number of closed unions in non-cotton textiles, but these are so minor as to have contributed no significant measure to the major developments in textile unionisation.
The Traditions of the Miners

Coal, along with iron, was an industry born out of the Industrial Revolution, with no customs, no traditions of craft, no limit to entry. There were large numbers of colliers, largely unskilled, culled in the early industrial days from agriculture.

Traditions of collective activity were established among the miners even before 1850. Early unions grew up in the various mining villages, but few survived the employers' resistance. A Miners' Association of Great Britain and Ireland, formed in 1842, adopted a policy of restriction of output to "obtain the highest possible amount of wages for the labour of the Miner" and set up a legal fund to defend miners prosecuted for breach of contract. The Association later collapsed after a four-month strike in the North-East collieries. Local discontent with the national leadership had also led to the emergence of pit committees where miners could acquire experience in collective organisation and where traditions of militancy came to develop. Thus, the "pit lodge" became the nucleus of union activity.

The physical and geographical constraints of coal-mining in terms of regional variation and the unique nature of the occupation have conditioned the pattern of industrial relations and the development of collective bargaining and a degree of inter-district rivalry. There were, moreover, significant differences in production for inland and export markets and related variations in labour utilisation: regional variations in coal extraction required varying divisions of labour and combinations of pay groups. The conditions of underground work meant a lack of management supervision and a tradition of job control by the hewers. The physical danger of work below ground encouraged an interdependence among workers, in pairs or in teams, thus work methods alone developed a uniqueness and solidarity within mining districts.

Mining communities were set apart from other groups of workers also by their culture. The failure of the established Church to gain a foothold among the mining villages signalled the growth of non-conformist groups. Combined with the non-conformity of mining as a trade, this religious singularity contributed to the community solidarity. Regional variations in Methodism made for a regional pattern in worker traditions,
according to the individualism of Calvinism or the non-conformist theology on principles of worker combination and the right to strike. This actually reflected an ambiguity in the theology towards the notion of a common identity, since social mobility was regarded as a demonstration of individual moral worth which isolated the interests of the individual from those of the community. Evangelism and the principle of self-help in industry became the basic tenets of secular community leadership. The non-conformist institutions, mainly democratic in organisation provided a training ground for such, although the ideology of Methodism produced a type of leader among the miners whose philosophy was largely conservative, provincial and shallow. Supportive of the current political economy, the early union leaders demonstrated little concern for social deprivation, were strong and effective, yet removed from the everyday problems of the rank and file. The strength of community propagated by Methodism lent itself to combination, while the respectability of the leaders gave force to their demands through their ability to present their case in a more favourable light to employers of like religious views. Their philosophy is also reflected in the traditional adherence of the miners until into the twentieth century to the Liberal Party, which shared their values of community self-help and their moderate approach to reform by legislation rather than industrial revolution.

During the prosperous period in the coalfields from 1850 to 1875, more permanent district unions were established. In 1862 the Northumberland and Durham Trade Union came into being, but local militancy was too strong for supra-district loyalty and the organisation only survived in Northumberland under the moderate leadership of Thomas Burt. A Durham Miners Association (DMA) was formed in 1869 which procured substantial concessions from the employers in the early 1870s.

In Lancashire, there was no collective consciousness among the miners, owing to the small size of the collieries. There were some small unions in South Lancashire, but almost all were destroyed by the depression which came towards the end of that decade. Thus collective bargaining developed much more slowly here than in the North East. In Yorkshire, in the late 1850s, two associations of miners were founded, the South Yorkshire- and West Yorkshire Miners' Associations. In West Yorkshire, local militancy was recognised by organisation on the basis of a federation
of districts which retained considerably autonomy, particularly with respect to strike action. Early in the 1860s, spontaneous strike activity in Derbyshire caused the South Yorkshire union to establish branches at Grassmoor and Chesterfield which led to the formation of the Derbyshire and Nottinghamshire Miners' Association in 1863-4. It has been stated that the structure of industry in this area hampered trade union growth and that no formalised collective bargaining was recorded. A Welsh district union came into being in 1864 which provoked the establishment of three strong employers' association, the Iron-masters' Union of South Wales, the Steam Coal Collieries' Association and the House Coal Masters' Association.

In 1870 only 15 collieries remained unorganised. Those who were refused to negotiate with the miners' union, who in turn refused to affiliate with and draw strength from the larger, English-based organisations. In Scotland, there were no permanent district unions until the 1870s coal boom. The Scottish miners tried to emulate the Northumberland and Durham organisations; but only one district had any real authority, the United miners of Fife and Clackmannan. Reliant upon export trading, this district was the most stable mining area of Scotland, while the other coalfields were too fragmented and the labour force too heterogeneous.

The most successful district leaders, Burt of Northumberland and William Crawford of Durham, were not disposed to relinquish any of their powers to a national organisation. The Miners' National Union (MNU), formed in 1863 under the presidency of Alexander Macdonald, was thus denied responsibility for industrial action, leaving it entirely to the districts. Though this policy benefited leaders such as Burt and Crawford in the stronger districts, it led to the virtual annihilation of trade unionism in the less well-organised coalfields, due to lack of funds during strikes and lockouts in 1868.

A new national union, the Amalgamated Association of Miners, was founded with the explicit purpose of creating a central fund for aid in local disputes. Run by a centralised and directive leadership, the Amalgamation won members in all the poorly organised areas of Wales, Lancashire, the Midlands and the South West. Burgess gives membership figures for 1873 as follows:
Amalgamated Association 99 000  
M N U 123 000

The viability of the Amalgamated Association hinged on its success in limited battles, and keeping most of its members in work in order to maintain union finances. In the recession of 1874, coal prices fell and employers locked out in support of wage cuts; the Amalgamated Association collapsed and the South Wales miners were advised to join the MNU, which, by 1880, was itself only effective in Northumberland, Durham and Yorkshire. Only in these areas were disputes procedures established and retained as a part of collective agreements. In the North-East collective bargaining covered wages and some company by-laws, while joint committees were set up for arbitration and conciliation in disputes. Union recognition was founded on the ability of leaders to work out dispute settlement procedures and the reliance of employers upon the full-time officials to contain local militancy and curb absenteeism and "insubordination" among the workforce. The strength of the union was likewise concentrated in the areas where the industry was strongest and the union leaders could obtain concessions from the employers during boom periods to keep grievances at bay. Neither the employers nor the union leadership wanted disputes, as reflected in their acceptance of arbitration and the introduction of the sliding scale of wages. The sliding scale was accepted by the Staffordshire miners in 1874 and the South Wales miners in 1875. This led to wage reductions rather than rises and was insensitive to price rises for the duration of the scale agreement, thus effectively reducing the scope of collective bargaining.

The 1880s saw a resurgence in organisation, particularly among the 'inland' mining areas. In Lancashire, twelve small organisations of amalgamated and new unions were formed in Nottinghamshire and Derbyshire. The greater militancy of these inland districts was fired by the rise in coal prices towards the end of the decade, and wage movements were largely successful. An informal collaboration on industrial strategy between the Lancashire, Yorkshire and Midlands districts led to discussions of a new formal alliance in 1889. The upshot was a new federal organisation of the Yorkshire, Nottinghamshire, Derbyshire, Lancashire, North Wales, Staffordshire, Warwickshire and Leicester unions, the Miners' Federation of Great Britain (MFGB).

The MFGB concentrated on articulating pressure for legislative regulation of
the conditions in the mines, and although they demanded basic increases in the wages of the miners, they made allowances for regional variations in wage rates and left the responsibility for settling disputes in the hands of the district affiliates. The founding of the MFGB had the effect of extending collective bargaining to some areas where miners had previously lacked the bargaining strength to hold their employers to collective agreements. In 1889, the Federation had organised 36,000 miners, and, with 200,000 members by 1893[^106], could claim to be among the most highly organised industries.

Only the North-East districts could afford to remain aloof from the Federation: with the most sophisticated collective bargaining system of all the mining regions, the North-East unions had already secured substantial increases in wages and an eight-hour day underground, therefore the interests of the MFGB and its efforts in this direction were of no benefit to them. Northumberland and Durham had abandoned the sliding scale, but their main divergence from the MFGB districts was on the eight-hours issue and in their handling of pit disputes by means of their long-established practices of arbitration and conciliation. Having been the backbone of the conservative MNU, the union federations of the North-East became tainted in the 1880s with "New Unionism" and the new socialist movement. After a series of struggles over wage cuts in both Northumberland and Durham, the Durham miners finally joined the MFGB in 1892, shortly followed by Northumberland. The alliance was however shortlived: following the disagreement over the eight-hours issue, the Durham districts left the Federation in 1893, again followed by Northumberland.

The formation of the MFGB prompted the establishment of a coalowners' federation throughout the areas not operating the sliding wage scale, which contributed still further towards the institutionalisation of collective bargaining. The advances in collective bargaining granted the union leaders greater prestige and strengthened their authority. The constituent unions gained a greater control over piece rates and therefore an even stronger position of influence in the community.

The influence of the Federation and its officers was demonstrated during the slump of the 1890s, when, faced with a sixteen-week lockout for a 25% wage cut in 1893, the Federation aroused public sympathy for the miners and
their families. The lockout of 300,000 miners began in June. In October, the economic effects of the lockout alarmed the business world and the government intervened for the first time in an industrial dispute. After conciliation by Lord Rosebery, wages were not cut, but fell by 10% the following year. Earnings were further suppressed by short-time working after the lockout. Burgess gives figures for the average days worked in mining areas covered by the conciliation agreement:

<table>
<thead>
<tr>
<th>Year</th>
<th>Days Worked</th>
</tr>
</thead>
<tbody>
<tr>
<td>1894</td>
<td>4.44</td>
</tr>
<tr>
<td>1895</td>
<td>4.38</td>
</tr>
<tr>
<td>1896</td>
<td>4.62</td>
</tr>
<tr>
<td>1897</td>
<td>4.89</td>
</tr>
<tr>
<td>1898</td>
<td>5.14</td>
</tr>
<tr>
<td>1899</td>
<td>5.38</td>
</tr>
</tbody>
</table>

The inability of miners in some areas to pay their union dues meant a further deterioration in industrial relations at a number of collieries. In Lancashire and Cheshire, areas which had been instrumental in setting up the MFGB, trade unionism remained ineffectual owing to the relative poverty of the colliers. In the early 1890s, collective bargaining was almost non-existent in South Wales where such organisation as there was under the leadership of William Abraham, 'Mabon', primarily existed to administer the sliding scale agreements. Dissatisfaction among the Welsh miners in view of the recent successes of the MFGB increased their support for the MFGB against Mabon's association. After a long lockout and heavy defeat for the miners in 1898, membership of the MFGB became essential. The South Wales Miners' Federation, formed that year, had a membership of 60,000, in contrast to Mabon's association with only 18,000 out of 120,000 to 140,000 colliers. The following year, the SWMF joined the MFGB and by 1901 constituted a third of the Federation's total membership with 128,000. In 1903, the sliding-scale committee was replaced by a conciliation board in common with the English districts.

The district conciliation boards set the basic wage standards and other minimum conditions and settled grievances. Thus the institutions of collective bargaining reflected the regional differences and market conditions in mining. The strength of leadership in the pit or lodge
determined the deviations from the district 'norms' and the colliery price list remained the central issue of collective bargaining at the pit, even after district negotiations had been completed. Wages remained by far the most important issue in dispute because of the susceptibility of coal to market forces, combined with labour costs as a high proportion of total costs.

To talk of the miners of the late nineteenth century as an undifferentiated worker group would be quite wrong. Each of the major coalfields had its own geographical and industrial characteristics, its own community culture and political tradition. Some regions were much more prosperous than others, making for quite different patterns of industrial relations: "Wigan, the Lancashire coal centre, and Chesterfield, the Derbyshire coal centre, are only fifty miles apart 'as the crow flies'. They might be five hundred if a difference in spirit depended on geography. In Derbyshire the demand for a minimum wage is based on economic theory supported by a sense of comradeship with less favoured districts. In Lancashire, the men will tell you it is a matter of life and death. For years the history of the Lancashire coal industry has been a history of miserable strikes following strikes in weary and often futile repetition, of lock-outs and actions at law. The cumulative effect is an estrangement between masters and men such as exists nowhere else except in South Wales. For this, the nature of the coalfield even more than human beings is to blame."¹¹⁰

Such regional variations in the industrial strength of organised mineworkers was a factor which determined the miners' leaders' preference for legal enactment in the regulation of conditions in the mines. In fact, state intervention in the mining industry extends back to the mid-nineteenth century. From the 1840s onward there has been a series of legislation on safety and employment conditions in the mines. The owners accepted such interference in recognition of the fact that accidents and other stoppages costing money would be reduced. Miners' representatives soon established the tradition of influence in Westminster as a result. The miners were in a much stronger position than other worker groups to pursue legal enactment by parliamentary representation. The concentration of employment in the mining communities and the organisation and direction of the local union enabled the miners' leaders to channel
pressure via the ballot box. Following the extension of the franchise in 1884, Thomas Burt, the sole miners' representative in the House of Commons since 1874, was joined by five more in 1885. The danger of legal prosecution as a result of industrial action enforced the appeal of political measures. This became particularly apparent in the struggle for the eight-hour day:

"Eighty thousand engineers had for six months been fighting by their unions to get the Eight-hours day adopted, and their families had been starving and trade had been driven out of the country and yet to all appearances they were no nearer their object than at the beginning. The miners believed they ought to have an Eight-hours day, and the best method of getting it was by legislative enactment."

After the 1885 election, Keir Hardie called for a parliamentary fund for the return of even more miners' candidates, yet from 1885 to 1900 only nine new candidatures succeeded. This was due to the comparative scarcity of vacant mining seats and the problem of finding sufficient candidates among the miners' leadership acceptable to the running party, the Liberals. In 1900, Ben Pickard, president of the MFGB, suggested the creation of a new election fund to strengthen the Liberal representation in Parliament. Since 1889, the MFGB had presented bill after bill on the Eight-hours day, only to have them rejected by successive Tory governments. Pickard's view was that only the return of a Liberal government would grant the miners their demands. The Taff Vale judgement prompted a wave of new recruits to the LRC, and the Lancashire and Cheshire miners' unions joined them. Not until 1909 did the MFGB abandon its own scheme for Lib-Lab representation and join the Labour Party. The success of the Labour Party in the mining districts however remained a regional phenomenon: the claims and objects of socialism could hardly expect the same resonance in affluent Derbyshire as in impoverished Lancashire. Nevertheless, the roots of Labour representation had been firmly planted, the tradition of Labour loyalty among coalminers well founded and from the Great War onwards, the mining constituencies were to consistently provide the Party with its safest seats.
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A Short History of the Structural Development of Trade Unions in West Germany

1 The Establishment of a German Labour Movement 1800-1848

It is estimated that the Industrial Revolution arrived in Germany some fifty years after it had taken root in England. The revolution in England was a long and gradual process compared to the harsh and sudden change which overcame Germany in the mid-nineteenth century.

Around the year 1800, Germany was still a "Ständestaat", a class-ordered society of peasant-farmers, weavers, craftsmen and aristocracy. Four-fifths of the population were peasants and farm hands. Under the banner of political Liberalism, the economic change from this rural and craft society to an industrial one came about in the first half of the nineteenth century, producing in its wake a "fourth estate", the proletariat. Kurth cites the growth in the number of mill workers from 272 in 1806 to 5,838 in 1814 as early evidence of this.

In the pattern of this well ordered society, the craftsmen and their journeymen were regulated and protected by their guilds, or "Zünfte". The guilds regulated entry into the craft, thus ensuring employment and acceptable wage levels for the journeymen. The journeymen themselves formed "fraternities" or "Bruderschaften" which, like the craftsmen's guilds, provided protection of their members' rights and privileges as well as serving as insurance clubs in case of illness or accident.

Even the peasant farmers held certain feudal rights in this pre-capitalist society in the form of dependence for food and shelter upon the wealthy land aristocracy. Only the free wage-earners, whose numbers were increasing with the spread of industrialisation, were not part of the old social structure and possessed no such claims.

The situation was sharpened by the Stein-Hardenburg reforms
of 1807-8. These reforms took the form of two Emancipation Edicts which aimed to suppress class division and abolish serfdom. Essentially this meant that the aristocracy's rights over the lives of those who worked the land ceased and every man was free to ply his own trade. This, along with the founding of the German customs union in 1834, the boom in population and the spreading of the railway network, paved the way for the upsurge of German industrialisation. The freeing of so many peasants from their subjection also took away their security and served in the event to benefit only their masters. Without skills or capital, this peasant proletariat, although freed by political liberalism, found itself chained by economic liberalism:

"But in fact, working people, unlike those who owned a share of capital and the means of production, now had nothing but their capacity to work, which, if they wanted to live, they had to trade as a commodity."

By the same laws, the restrictive practices of the guild had been weakened and the number of craftsmen increased beyond the number of possible positions, which in turn came under great pressure from industrial competition. The unemployed turned hopefully in the 1830s and 1840s to industry. The expanding factories ruined the smaller home industries thus increasing the supply of labour still further. Despite higher levels of production, an "industrial reserve army" remained to keep wages at the lowest levels and hours the longest. Limmer notes that in 1800 the working day was generally 12 hours, yet in the 1820s, 1830s and 1840s it rose to 13, 14 even 17 hours. In addition, he points out that in the 1840s about 10% of all factory workers were children, working the same hours.

Underlying this economic suppression of the German worker was a political deprivation, since the working classes could neither vote not combine and were therefore politically powerless. Kollman estimates that this "fourth estate" comprised some 80% of the population of Germany in the 1840s.
2 The Emergence of Sectional Unionism 1848-1900

Perhaps the earliest record of workers' combination is a society of belt-makers' journeymen in Breslau in 1329 who sought better pay. Again, 1791 marks the first known "Generalstreik" by craftsmen in Hamburg. Although the journeymen's "Fraternities" may be regarded as forerunners of the trade unions in Germany, they were nevertheless an integrated factor of the social order and remained entrenched in guild traditions. Thus they presented a form of organisation of labour whose aims were not vastly different from those of their masters and employers. In the 1830s and 1840s, some workers' education societies and circles were set up, but these tended not to reach the workers themselves and contributed little to the organisation of labour.

Organisation was however taking root in the centres of industry. In 1840, the Leipzig printers demanded a collective agreement on wages and conditions; the masons' journeymen in the Hansa towns went on strike over pay in the same year.

In 1848, Stephan Born, a typesetter in Berlin, having already organised the printers, set about organising the whole of the labour force. He called a General German Workers' Congress in Berlin which set out its aims of parliamentary democracy based on universal suffrage, the right to combine and a health insurance service. For the first time, clear trade union demands were hammered out: a minimum wage, determined jointly between employer and employee; state-provided unemployment benefit; employment exchanges run by local union offices. Out of the Congress came the formation of the "Workers' Fraternity" (Arbeiterverbrüderung).

A second workers' congress took place in the same year in Frankfurt which founded the General German Workers' Union (Allgemeiner Deutscher Arbeiterverein). Yet all such associations were to be banned by law in 1854 and only non-political church-based workers groups were allowed to meet. It is worth commenting here that the activities of labour through-
out the 1840s and 1850s were not closely linked with those
of the revolutionaries of 1848-9. According to Dowe\textsuperscript{13}, the
labour movement in Germany did not acquire a class consciousness
until around 1860. Before then the movement took the form
of attacks on industrialisation itself by means of the strike
or, as in the case of the Silesian weavers in 1844, the wreckage
of a machinery - 'Luddism', as it had come to be called in
England.* This was not a class struggle; the actions of the
workers were neither planned nor organised. At the time, Socialism
as such was led by a group of middle-class intellectuals centred
around Karl Marx. Although, as in England, the leaders and
agitators of the union movement were greatly influenced by
Marxist ideology, it was in reaction against the theorists
that men such as Stephan Born felt compelled to set up organising
bodies in order to achieve practical results for the workers.

The labour movement had however been politically divided by
the events of 1848. Rather than follow the Marx-Bebel-Liebknecht
line and their "\textit{grossdeutsch}" policy for Germany, most workers,
certainly until 1863, felt that their interests were best represented
by the Liberal "\textit{kleindeutsch}" view. Indeed, at this stage,
economic demands were largely insignificant.\textsuperscript{14} The increase
in trade and industry of the fifties had strengthened the Liberal
Progressive Party, whilst the economists of the day propounded
the Ricardian theory of self-help and free competition. One
such economist was Schulze-Delitsch who founded a large number
of working-men's friendly societies. He had a considerable
following among the higher classes of craftsmen, whereas in
the more industrially advanced towns, some workers remained
sceptical of the viability of the Schulze-Delitsch doctrine.\textsuperscript{15}

Under the influence of English and French socialism, a breakaway
group centred itself at Leipzig around Ferdinand Lassalle.

\* In 1811 in England, a man called Ned Ludd led an attack
on weaving machines, after which he gave his name to other
such actions by workers.
The ban on worker combinations had been lifted in Saxony in 1861 and the following spring, Lassalle delivered to a suburban workers' association a paper in which he put forward his "Labour Programme". The paper was almost wholly Marxian, yet differed from the Communist Manifesto on one important point, the role of the State. Lassalle insisted that in order to bring about changes in the workers' conditions, it would be necessary to change the political system through parliament and universal suffrage, not through revolution. Lassalle's concept of the State was closely linked with the "nation" - the "kleindeutsch" theory. The alternative Marxist interpretation was only supported by the few, and those mainly in the Rhineland area.

In 1863 Lassalle formed what is regarded as the first political labour party in Germany, the General German Labour Union (Allgemeiner deutscher Arbeiterverein):

"Organise yourselves into a general German labour union for the purpose of legal and peaceful, yet untiring, unrelenting agitation for the introduction of universal, direct suffrage in all German states."

Lassalle rejected the liberal economic theories and argued that the workers' lot would remain unchanged under the "iron wage law" which he had formulated:

"...that the average wage will always be held down to the necessary subsistence level customarily required for the limitation of existence and for procreation."

After the sudden death of Lassalle in 1868, the ADAV ran into financial difficulties and problems of leadership. At length, the leadership fell to Von Schweitzer and Fritsche who, at a conference in Berlin established a General German Trade Union

* Not to be confused with the Labour Union set up in Frankfurt in 1848, as mentioned above, although in German their titles are the same.
Federation, (Allgemeiner deutscher Gewerkschaftsverband), constituted of 32 highly centralised trade groupings or "Arbeiterschaften". Some unionists dissented from the new leadership of the ADAV and combined with Bebel and Liebknecht who in Eisenach had formed the Social Democratic Labour Party. Their union organisation consisted of local trade federations under socialist leadership.

It was in the Sixties that the Liberal Progressive Party realised the need to win the support of the working classes. They sent one of their number, Max Hirsch, to England to investigate the Trade Union movement there. From his observations, Hirsch developed a Liberal trade union theory which was then propagated by publisher, Franz Duncker. Hirsch had failed to impress the Berlin congress of 1868 with his Liberalist model and decided to "go it alone". The upshot was the "Hirsch-Dunkersche Gewerkvereine" which although organised along the lines of the English Trade Unions, were more than an extension of the Progressive Party machine. Duncker himself admitted,

"He helped to found them with the acknowledgement and cooperation of the Progressive Party in order to counter the Schweitzer demagogy which at that time was organising its battalions".

The Union Movement under the Anti-Socialist Laws, 1878-1890

In both 1872 in Erfurt and 1875 in Gotha attempts were made to combine the two socialist parties and union organisations under Schweitzer and Bebel. Although they succeeded in merging the parties at Gotha to form the Socialist Democratic Party (SPD), they failed to revive the unions which had virtually collapsed under government pressure in 1874.

During the 1870s, it was the conservative, right-wing parties who won Bismarck's favour. As the national economy boomed, Bismarck changed his tack from allying with the Liberals against the Church and Centre Party to ally with the Centre and Right against the Liberals and, in particular, the Social Democrats.
Whole federations and local groups of Social Democrats and unions were banned until the final blow of the Anti-Socialist Law (Sozialistengesetz) of October, 1878. Many left the party or emigrated; sixty-seven Social Democrats were expelled from Berlin. From the figures, however, it would appear that the party suffered rather less than the union movement - in the elections the SPD was still winning votes. After all, the unions were virtually illegal, whereas the party, under Bebel’s guidance held on to its legality as a recognised party.

The union movement was kept alive during these years by an underground propaganda machine working through the various trade societies and benefit clubs set up around 1879-80. The Prussian government seemed to favour trade societies in the hope that such alternative organisations might outrun Social Democracy and the Labour movement and lead to some form of state socialism. With the same aim in view, the government passed various laws on welfare insurance in the 1880s:

- 1883 Sickness insurance
- 1884 Accident insurance
- 1889 Old Age & Disability insurance

The workers used this opportunity in 1883 to set up sickness benefit clubs which provided a medium for a loose maintenance of communications within the labour movement, as is illustrated by the following figures:

- 1886 81 200 members  1889 121 647 members
- 1888 89 700 members  1890 320 000 members

Source: Kurth J Geschichte der Gewerkschaften , 1962

To the same end there were also "tramping" support funds, such as that of the tobacco workers set up in 1882, which operated
as a form of labour exchange.

Such friendly societies were in many cases stronger centres of trade union organisation than the trade clubs (Fachvereine), also permitted under the law. It was the trade clubs however, which provided the most predominant union structure, although a growing tendency towards centralisation of organisation became evident during the second phase of the Anti-Socialist laws.

The Nineties and the Establishment of Sectional Unionism

In Germany, as in Britain, it had been the craftsmen who had originally provided the leadership potential necessary for trade union organisation. Only the skilled workers could afford to run a successful organisation offering friendly benefits and a centre of social activity; only the strongest organisations were to survive the periods of depression apparently inherent in "laissez-faire" capitalism. However, banned in the 1850s and again in the 1870s and 1880s, these trade clubs and worker education groups began to break away from the craftsman traditions of conservative behaviour and emerged in 1890 with new ideologies and led by a new generation of leaders.

By the beginning of the 1890s, there were as many industrial workers as agricultural. The period 1870-1890 had been one of migration from land to town. The exploitation of employee by employer increased, yet any worker initiative was suppressed either by the iron rule of the entrepreneur, or by his paternalism.

In 1890, the Anti-Socialist laws were repealed, leaving a bitterness among workers which gave rise to a wave of strikes and an upsurge in union organisation. During the last decade of the nineteenth century, three forms of trade unionism had become established:

Liberalist. The Hirsch-Duncker trade unions, so named after their founders, were modelled on the liberal trade unions in
Britain. Entirely pragmatic in their approach, the HD unions, recognising the weaknesses of reformism, did not aim to change the system, but act within it. The members of the HD unions were mostly craftsmen and skilled operatives, organised according to occupation. Their objectives, like those of their British counterparts, included raising wages, reducing hours and improving conditions. This involved the use of restrictive practices in order to control competition for jobs in the trade and to exercise unilateral regulation of workshop conditions, and collective bargaining for joint regulation with the employer. Financially strong, the HD unions could offer their members good insurance services, thus binding them more closely to the organisation. They held a moderate view of the use of the strike and restricted its role to that of an industrial weapon, rather than a political one.

Social Democratic. The main body of German trade unions, the Social Democratic unions, re-emerged in 1890 after twelve years of suppression under the Anti-Socialist Laws. In that year they took the opportunity of reforming under a central organisational body, the General Commission, headed by Carl Legien. Legien was a pragmatist and revisionist, keen to fight only for the attainable according to a policy of 'safety and success'. After the experiences of the suppression and near-collapse of the movement under Bismarck, Legien recognised a need for a strong, centralised union structure which could function independently of the political wing of the labour movement.

Under Legien's leadership, the reformed "Free" unions, as they now preferred to be known, grew stronger than the Social Democratic Party (SPD) and embarked upon a 'new course'. With their pragmatic approach, they secured participation rights in the trade courts and conciliatory bodies under the Trade Courts Act, 1890, which led to the signing of written collective agreements. They sought to improve hours and conditions at work further by legal enactment, but the new industrial code passed in 1891 fell short of their demands on hours and factory safety. They were still particularly
weak in heavy industry where autocratic management was the order of the day, especially in the Saar where the suppression of Social Democracy continued.

Christian Conservative. The third union organisation which became established during the 1890s, and which had played a far greater role regionally before then, is the Christian Union movement.

Though the principles of Catholic and Protestant ethics differ, they tend to overlap to some extent on questions of discipline of the individual in society and an acceptance of a 'general order' to life. From the Catholic viewpoint, there is a natural universal order of which the individual is one tiny and subserviant part, whilst the Protestant churches profess the social responsibility of each individual. This fundamental conservatism on the part of the Church as a whole was to have important political consequences for those of its members, Catholic or Protestant, within the working classes.

From the mid-nineteenth century onwards, there were many Catholic and non-Catholic journeymen's and workers' friendly societies. As early as 1848, the later Bishop of Mainz, Wilhelm Emmanuel von Kettler began writing about the Church's role in alleviating the misery of the workers. By the end of the sixties, the Catholic workers had begun to organise. In 1871, Kettler and colleague, Moufang, drew up a programme for the protection of labour, but the movement was weakened by the then raging Bismarckian anti-clerical policy, the "Kulturkampf".

For the Protestants, Adolf Wagner and Adolf Stocker founded in 1877 the "Central Society for Social Reform on a Religious and Constitutional-Monarchical Basis". The purpose of this body was to find a peaceful solution to the social problem within the framework of the given social structure.

In setting out on a similar footing, the two Christian labour
movements stood side by side, ideologically opposed to the secular internationalist socialist labour movement whose aim was to fight and defeat the class system.

The growth in popularity of social democracy prompted Pope Leo XIII to issue an Encyclica entitled "Rerum Novarum" ("Of New Things") which removed official Church opposition to workers combinations, though it failed to suggest any positive means of improving the workers' lot. Its message was anti-capitalist, yet patriarchal and failed to grasp the reality of the workers' plight:

"... The labourer shall not be regarded as a serf; he shall be granted that personal dignity which he deserves as a Christian" ... and the worker "... shall honour to the full that which has been agreed upon freely and justly in his work contract; in his work situation he shall keep from harming his employer's property or person."³³

Although the Christian workers' societies encouraged by the Encyclica were not to entirely reject the use of the strike, their aim, it was said, should be to bring about harmony between employer and employee. They should form committees jointly with the employer for purposes of conciliation and to ease the placing of unemployed workers.

In response to the labour question, some lay members of the Catholic Church pursued an independent, inter-denominational Christian-socialist policy. This gave rise to a wider debate as to whether they should join the Free Unions and tackle the Labour problem as a united movement, or whether the workers' societies should confine themselves to the religious questions leaving economic problems to the unions.³⁴ In 1894 the Christian mineworkers united in an interconfessional union and, five years later, the first Christian union congress met at Mainz. This congress rejected "Rerum Novarum" and the following year approved the setting up of inter-denominational union federations.
There was to be no organisational principle laid down; in Mainz they discussed industrial unionism, but in the end clung to the trade principle, on the basis of class difference.\textsuperscript{35}

Thus by 1900, there were three well-established and quite separate trade union organisations:

the socialist Free Unions,
the Liberal Hirsch-Duncker Unions
and the Christian Unions.

A fundamental difference between the Christian Unions and the others was in their socio-philosophical viewpoint that worker and entrepreneur have interests in common. They were particularly at odds with the socialist unions and their polarisation of interests contributed considerably to the organisational expansion of both, leaving the Liberal unions behind, as seen in the figures below:

<table>
<thead>
<tr>
<th>Year</th>
<th>Free Unions</th>
<th>Christian Unions</th>
<th>H-D Unions</th>
</tr>
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<tbody>
<tr>
<td>1891</td>
<td>277,659</td>
<td>55,661</td>
<td>62,643</td>
</tr>
<tr>
<td>1900</td>
<td>680,427</td>
<td>76,744</td>
<td>91,661</td>
</tr>
<tr>
<td>1910</td>
<td>2,017,298</td>
<td>316,115</td>
<td>122,571</td>
</tr>
<tr>
<td>1922</td>
<td>7,895,065</td>
<td>1,049,406</td>
<td>230,612</td>
</tr>
</tbody>
</table>


Despite their differences, the three organisations manifested certain common characteristics of structure. The unions of all three types were highly centrally structured. Each union based its structure on trade groupings, centrally organised throughout the Reich. The unions were affiliated to a central body to ensure united action; this was itself then supported from below by a network of sub-federations, or cartels, at district level (\textit{Ortskartellen}). The central organisations of each were as follows:

Free Unions - The General Commission of Trade Unions
Christian Unions - Confederation of Christian Unions
Hirsch-Duncker Unions - Federation of German Trade Unions

in Germany (later called the General German Trade Union Federation - Allgemeiner deutscher Gewerkschaftsbund - ADGB) headed by Carl Legien

Gesamtverband der christlichen Gewerkschaften
Verband der deutschen Gewerkvereine.
Already by the first years of the new century, the German trade union movement manifested its weaknesses created by structural division as illustrated by the table below:

<table>
<thead>
<tr>
<th>Year</th>
<th>Free Unions</th>
<th>Chr. Unions</th>
<th>H-D Unions</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Member figs*</td>
<td>No. of unions</td>
<td>Member figs*</td>
</tr>
<tr>
<td>1900</td>
<td>680^a</td>
<td>58^a</td>
<td>76^a</td>
</tr>
<tr>
<td>1905</td>
<td>188^a</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1906</td>
<td>1690^b</td>
<td>51^b</td>
<td>320^b</td>
</tr>
<tr>
<td>1910</td>
<td>2017^b</td>
<td>53^b</td>
<td>295^a</td>
</tr>
</tbody>
</table>

* Membership figures given in 1,000s

Others^b:  
Independent Central Union Federations - 13,708 members in 11 unions
Independent Unions - 73,132 members in 6 unions
Localists and Syndicalists - 13,140 members in 11 unions
Assoc. of Commercial and Privately Employed Clerks - 456,038 members in 26 unions
Technicians' Unions - 104,316 members in 16 unions
"Yellow" Workers' Associations - (Company organisations not to be considered as trade unions - see p. below) 55,000 members in 50 associations

(Figures for the year 1906)

Sources:  
b Kurth J Geschichte der Gewerkschaften 1962
There was obviously a great deal of overlapping of interests among the many organisations, resulting in disorder and inefficiency. The competition between the different federations served only to augment their individual weakness and ineffectiveness. This became particularly obvious in the area of collective bargaining where agreements might have to be reached by employer and a possible ten or more representative union organisations.36

By the time the news of the Russian Revolution reached Germany, in 1905, the Labour movement had already been jolted by the Ruhr miners' strike of the same year. The suppression of the workers by their employers had increased with the worsening economic situation. The slump was not a severe one, but was sufficient to sap the vitality of the Labour movement as a whole. Under conditions of increasing unemployment, the employers were able to cut wages, lengthen hours and impose lock-outs. The weakness of the unions is reflected in the figures for the numbers involved in work stoppages during this period:

<table>
<thead>
<tr>
<th>Year</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>1905</td>
<td>507 960</td>
</tr>
<tr>
<td>1906</td>
<td>316 042</td>
</tr>
<tr>
<td>1909</td>
<td>126 883–131 244 (slump year)</td>
</tr>
<tr>
<td>1910</td>
<td>369 011</td>
</tr>
</tbody>
</table>

Source: Schorske C E German Social Democracy, 1905-1917, 1955

The Miners' Movement 1900-1914

August Schmidt relates that, since the successful miners' strike of 1889, relations in the mines between employers and employees had worsened rather than improved.37 From 1900 onwards the employers tried to maintain their competitive position by reducing wages and forcing up productivity. Schmidt quotes a fall in the average yearly wage of the Ruhr miners of 9.3% in the period 1900 to 1904, and a rise in the price of coal of 5.9% in the first of these years alone.38
The colliery owners were well organised by this time. As early as 1858, they had formed the "Association for the Protection of Mining Interests", on top of which there were also numerous sellers' rings which after 1893 united to form the Rhine-Westfalia Coal Syndicate. In 1903-4 the syndicate closed down nine collieries, threatening some 10 000 men with redundancy and adding to the already serious problem of housing.

In contrast, and to their cost, the mineworkers in the Ruhr were poorly organised: of the 270 000 workers, only 110 000 were organised in no fewer than four main unions - the "Old Union" (ADAV affiliate), the "Union of Christian Mineworkers", the "Polish Trade Union", formed in 1902, and the Hirsch-Duncker group of around 2 000 miners. The last two of these unions had as good as no finances at all and the Old Union and Christian Union had 734 901 RM and 271 101 RM respectively. They were therefore in no position to lead a strike against their employers which would inevitably result in their bankruptcy.

Trouble began however on December 5th, 1904 at the Stinnes "Bruchstrasse" mine in Oberhausen. The employer, Stinnes had tried to force a lengthening of hours which, after the breakdown of negotiations, culminated in a strike by the entire workforce. This was on January 7th. The union leadership tried desperately to confine the action to the one plant, but the trouble quickly spread to all the mining areas of the Ruhr. By January 9th, 12 039 miners were out; by January 12th, 64 137. At this stage, the four unions decided to form a committee, the "Siebener-Kommission" (seven-man commission) which drew up their joint demands and took them the next day to the employers' association.

Their fourteen-point plan, which included union recognition, was rejected by the employers and a general strike was called on January 16th.

The highest figure for the number of strikers was reached on
January 19th when some 217,593, 78% of the workforce (87.48% of the underground workers) were recorded. The problem for the unions was one of finance rather than solidarity, and by February 9th, 10,000 were forced to return to work in order to feed their families. One effect of the strike was to force the State to abandon its neutrality. The majority of representatives in the Reichstag and Prussian Landtag were undoubtedly behind the mining entrepreneurs, yet felt forced to intervene. They called for a new law which promised to meet at least some of the union demands. With funds exhausted, the union leaders called off the strike on February 10th in the hope of favourable legislation. They had backed down therefore neither having concluded negotiations with the employers, nor having secured union recognition. The strike could not be regarded as having been successful.

The amending law on coal mining was passed on July 14th, 1905. Under the 3-class-vote system used in Prussian elections, the legislation passed by the Landtag could hardly be expected to be favourable towards the lower classes. Likewise, the new law provided for workers' committees at all pits of a hundred men or more, but added such conditions of election onto those committees that it was virtually impossible for them ever to be effective, if indeed they could be formed at all. Neither hours worked nor productivity levels were clearly regulated by the law.

After 1908, the employers extended their already formidable system of blacking strikers and unionists to a comprehensive system of blacklisting. This meant that all "offenders" would be registered centrally and would be prevented from obtaining any other position in mining. In 1909 the employers decided to make the system "less severe" by introducing a certificate of good conduct which every miner seeking a new position would have to obtain from the central employment office.

Whoever had broken the terms of contract of his last employment would be locked out for a period of fourteen days; those who
had taken part in strike action would suffer the same for three months.

The unions tried to persuade the employers to include union representation in the organisation and distribution of the certificates; but to no avail. Nor did the government offer them very much sympathy - rather the Reichstag passed a law in 1910 making the certification system compulsory.43

With falling wage levels and longer hours, the unions became increasingly concerned with safety in the mines. Three out of four unions would have been prepared to take action to secure better safety regulations; the Christian Union declined. This disunity was once again met by strength on the employers' side. The unions demanded independent state-appointed safety inspectors which the employers regarded as an infringement of their privileges in their own collieries. The employers again brought pressure to bear on the members of the Prussian Landtag and a law was passed to introduce, instead of independent inspectors, "safety men", who were to be employed by the collieries. Without the support of the big Christian Union, the others were not in a position to oppose the move. Although the "safety men" were to be elected by the workforce from among the union representatives, they were unable to carry out their job effectively because of the terms of their employment, and many gave up their positions altogether.

Wages continued to fall after 1910. There had been a slight recovery that year after the stagnation of 1908, but by 1912 they had almost reached the 1907 level.44 Again the three unions, without the Christian Union, clubbed together to put their demands to the employers' association: they wanted improved wages, an 8-hour shift, equal union control over work certificates and factory discipline, and better insurance. The demands were rejected by the employers. This, the last of a line of rejections and disappointments for the unions, brought them again to the decision to take strike action. The Christian Unions were reluctant
to join the others after the appearance of a proposed increase in wages by the employers in the newspaper, the "Rheinisch-Westphalische Zeitung". They wanted to wait and see rather than take immediate action. The other three unions however, greatly influenced by the progress of the mass strike by the British miners, intended to go through with it, despite the fact that they lacked the unity of organisation and the solidarity to which the British miners owed their success. Compared with a figure of 374,000 miners in the Ruhr, only 246,257 mineworkers in the whole of the Reich were organised in the four big unions:

Old Union = 114,062
Christian Union = 77,967
Polish Union = 50,903
H-D Union = 3,325

Source: Schmidt A Lang war der Weg, 1958

It is reasonable to conclude that a substantial number of the Ruhr miners were not organised at all.

After mediation by State Secretary Delbruck had failed, the three unions voted 507 to 72 in favour of a strike on March 10th, 1912. To the delight of the employers, the Christian Union, while recognising the demands of the strikers, announced its readiness to break the strike: "We'll stop any strike if it kills us!" (Geisbert, Union representative and member of the Reichstag).45

The solidarity of the mineworkers behind the strike action is given by the percentage of strikers to non-strikers. On the first day of the strike, this was a mere 50.1% which fell to 38.3% by March 20th.46 On March 19th the unions resolved to back down and the strike was regarded as a bitter defeat for the Old Union.

Repression and punishment after the strike was bitter and hard. Women and babies were among those thrown into prison, and in total 31 years and fines of 16,345 RM were meted out.47
From 1911 onwards, the legal persecution of trade unions increased. The unions and SPD tried in vain to secure a reform of the old law on combinations. By the end of 1913, the pressure for restrictive legislation against the unions reached a height and with the threat of an imminent outbreak of war, the unions feared dissolution:

"On the eve of the world war the senior representatives of the trade unions had to emphasise more strongly than for many years the antagonism of interests between worker and entrepreneur ......as a result of well-founded fears of grave dangers threatening the whole development of the trade unions."\(^{48}\)

The unions were also weakened at this time by flexibility in the labour market brought about by heavy unemployment. Yet their fears proved unnecessary when, in 1914, war was declared, since government found itself rather at the mercy of the workers whose support and efforts the country needed to progress the war. And so, the unions gained recognition at last when war broke out.

This development might arguably have been linked with the unions' own somewhat ambiguous attitude towards the war. The agreement that proletarian should not fight proletarian, as laid down at the Second International of 1912, would appear to have been swept away by the patriotic and nationalist fervour of the German Labour movement of 1914. It is true that a substantial majority of the working classes and their representatives sincerely believed the war to be a defensive one, engineered at the outset by the Triple Entente. The workers came to identify themselves with the State and regarded national greatness as a value to be defended, completely consistent with Marxism and necessary to defeat Czarism.\(^{50}\)

The executives of the Free Unions met on August 1st and 2nd 1914, voted for collaboration with the government and the military and agreed to suspend all further official strike action. August Schmidt suggests that the latter was merely
out of a fear that in the case of a strike the government would not hesitate from now on to send in the military to squash it, ban the unions and confiscate their funds. Secondly, the wave of patriotism was so strong among the workers that it would have been difficult to have achieved sufficient solidarity to carry out strike action. In return for their cooperation, the unions hoped to secure and strengthen their organisation, thus providing for their members a bulwark against the social and economic upheaval, unemployment and the fall in living standards.

In fact, the union organisation was greatly weakened by the conscription into the Forces of its members and officials, while rising unemployment sapped union finances. The rise in membership initiated at the beginning of the war by government concessions to the unions dropped as the war got underway, reducing also union income:

<table>
<thead>
<tr>
<th>Year</th>
<th>F.Unions</th>
<th>Chr.Unions</th>
<th>H-D Unions</th>
<th>F.U. Income in RM</th>
</tr>
</thead>
<tbody>
<tr>
<td>1913</td>
<td>2,574</td>
<td>343</td>
<td>107</td>
<td>82,177</td>
</tr>
<tr>
<td>1915</td>
<td>1,159</td>
<td>176</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1916</td>
<td>966</td>
<td>174</td>
<td></td>
<td>34,120*</td>
</tr>
<tr>
<td>1918</td>
<td>1,665</td>
<td>405</td>
<td>113</td>
<td></td>
</tr>
</tbody>
</table>

* This figure must be understood as being very low in a period of high inflation

Sources: ** Schumann H-G Nationalsozialismus und Gewerkschaftsbewegung, 1958

*** Hirche K Die Finanzen der Gewerkschaften, 1972

While the unions agreed to a wage freeze, the employers were using war-time conditions to exploit the worker and force wages down. By 1915, the employers had changed their attitude towards the unions and no longer wanted to cooperate. They gave wage increases only if the General Command stepped in. There were already rumblings on the shop floor in opposition to the official unions' policy and there sprang up a network of unofficial left-wing "Revolutionäre Obleute", revolutionary stewards. The first "wild-cat" strike took place in 1916 against the total exhaustion of the workforce. The "exploitation"
of the workers was accelerated by the "Hilfsdienstgesetz" of 1916, the law for increasing the war effort.  

Cooperation over this new law brought the unions into economic and social policy-making and secured for them the setting up of workers committees in the factories and union representation on arbitration councils. As the war continued, the widespread belief in the defensive war waned. Trouble continued to brew on the shop-floor as workers more and more associated the union leadership with "the establishment" of military and civil service; both SPD and unions became divided over policy as a result. Numerous protest strikes, led by shop stewards, took place to express their political demands: peace without annexation, demilitarisation of factories, freedom for political prisoners, democratisation of the State.

Numbers of those involved in strikes and lock-outs during the war:

<table>
<thead>
<tr>
<th>Year</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>1914</td>
<td>130,414</td>
</tr>
<tr>
<td>1915</td>
<td>47,010</td>
</tr>
<tr>
<td>1916</td>
<td>422,591</td>
</tr>
<tr>
<td>1917</td>
<td>1,467,306</td>
</tr>
<tr>
<td>1918</td>
<td>715,697</td>
</tr>
</tbody>
</table>

Source: Kurth J, "Geschichte der Gewerkschaften", 1962

The union executives tried to win back the workers to their organisation by putting their own socio-political demands to the government, but it was already too late to regain the confidence of the workers.

Following the sailors' mutiny of 1917-18, a revolution broke out in Munich on November 8th, 1918 which spread across the Reich involving most workers and soldiers. Union officialdom and its political counterpart, the Majority Social Democratic Party, (the remainder of the SPD after the left-wing had broken away) decided to stick to a middle-of-the-road policy in order
to be in a position to gain influence later. The employers too feared for their survival and suddenly offered negotiations to the unions. The outcome was a central joint council, the purpose of which was "to safeguard both parties against severe injury and to facilitate the overcoming of the difficulties of reconstruction". To it was attached a 13-point programme which included union recognition and other demands raised by the unions since the strike of 1905. This gave rise to a boom in the membership figures, particularly for the Free Unions.

The boom lasted into the Weimar Republic almost as long as the joint council itself which broke up under economic pressure in 1924. Kurth notes however that of the 4.5 million new members recruited up to 1922, most were workers with no real conception of trade unionism who had, up to this point, shown little sympathy for the movement or its aims. This, Kurth argues, added to the weakness of the Labour movement in the Weimar Republic which led to its collapse in 1933.

<table>
<thead>
<tr>
<th>Year</th>
<th>ADGB</th>
<th>Chr.Unions</th>
<th>H-D Unions</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1918</td>
<td>1 665</td>
<td>405</td>
<td>113</td>
<td>2 183</td>
</tr>
<tr>
<td>1919</td>
<td>5 479</td>
<td>858</td>
<td>190</td>
<td>6 527</td>
</tr>
<tr>
<td>1920</td>
<td>7 890</td>
<td>1 077</td>
<td>226</td>
<td>9 193</td>
</tr>
<tr>
<td>1921</td>
<td>7 568</td>
<td>986</td>
<td>225</td>
<td>8 779</td>
</tr>
<tr>
<td>1922</td>
<td>7 895</td>
<td>1 049</td>
<td>231</td>
<td>9 175</td>
</tr>
<tr>
<td>1923</td>
<td>7 138</td>
<td>938</td>
<td>217</td>
<td>8 293</td>
</tr>
<tr>
<td>1924</td>
<td>4 618</td>
<td>613</td>
<td>147</td>
<td>5 378</td>
</tr>
</tbody>
</table>

Source: Schumann H-G Nationalsozialismus und Gewerkschaftsbewegung, 1958
The workers' revolt in Germany had appeared spontaneous. To a degree it illustrated a gulf which had developed between the leaders of the Labour movement and the led, leaders who in 1918 immediately took over as heads of state and declared the Republic. The trade unionists who were now to share in the government of the Republic feared the new workers councils and even regarded them as a distraction to workers from the "real aims" of trade unionism. One result was that, despite many new economic and social changes, the basic order of society in the young Republic remained the same as during the Reich - democratisation remained confined to parliamentarism; the Army, the Law, the Church, the Civil Service were all retained intact. The left-wing groups who alone supported the workers' councils were divided and unable to resist. The Revolution had failed.

Following the boost in prestige, all three union groups set about reorganisation. The Free Unions headed up to now by the General Commission reformed themselves under the General German Trade Union Federation (ADGB) to which was now also affiliated the General Free Federation of Salaried Employees and the General German Federation of Civil Servants. The Christian Unions joined up with the Federation of German Staffs Unions to form the German Federation of Trade Unions (DGB). Finally, the Hirsch-Duncker Unions combined with other associations of salaried workers and civil servants and the General Railwaymen's Union to form the Ring of German Workers' and Civil Servants' Unions.

Problems of organisation were very much in the forefront at this time. Industrial concentration had been greatly accelerated during the war years with which the organisation of workers on the basis of trade groups was no longer compatible. In a large plant trade union aggression was much diminished by organisational division among trade groups and federations. An example of this situation is given by August Schmidt. He cites a single colliery in Essen in March, 1919 where 1 522 employees were
organised thus:

<table>
<thead>
<tr>
<th>Union Name</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Old Union</td>
<td>475</td>
</tr>
<tr>
<td>Christian Union</td>
<td>410</td>
</tr>
<tr>
<td>Polish Union</td>
<td>89</td>
</tr>
<tr>
<td>Hirsch-Duncker Union</td>
<td>41</td>
</tr>
<tr>
<td>German Metalworkers' Union</td>
<td>30</td>
</tr>
<tr>
<td>Christian Metalworkers' Union</td>
<td>68</td>
</tr>
<tr>
<td>German Factory Workers' Union</td>
<td>2</td>
</tr>
<tr>
<td>Transport Workers' Union</td>
<td>2</td>
</tr>
<tr>
<td>Construction Workers' Union</td>
<td>3</td>
</tr>
<tr>
<td>Central Union of Christian</td>
<td>7</td>
</tr>
<tr>
<td>Construction Workers</td>
<td>2</td>
</tr>
<tr>
<td>Union of Christian Masons</td>
<td>2</td>
</tr>
<tr>
<td>Christian Woodworkers' Union</td>
<td>7</td>
</tr>
<tr>
<td>Union of Private Civil Servants</td>
<td>1</td>
</tr>
<tr>
<td>Union of War Invalids</td>
<td>1</td>
</tr>
<tr>
<td>Union of Technical and Industrial Civil Servants</td>
<td>1</td>
</tr>
<tr>
<td>Technicians' Union</td>
<td>1</td>
</tr>
<tr>
<td>Central Union of Painters and Sprayers</td>
<td>3</td>
</tr>
<tr>
<td>Machinists' Union</td>
<td>3</td>
</tr>
<tr>
<td>Horticulturalists' Union</td>
<td>2</td>
</tr>
<tr>
<td>Foremen's Union</td>
<td>1</td>
</tr>
</tbody>
</table>

1 249 Total - leaving 273 unorganised

Under such circumstances, the different groups had to negotiate the terms acceptable amongst themselves before they could put their demands to the employer. Schmidt adds that organisation among the white-collar workers was even more complicated, and therefore that much weaker in bargaining.

The passing of the Works' Council Act in 1920 served only to increase the power of the employers over the workforce. The significance of this Act in respect of the role and power of the trade unions will not be discussed here, but suffice it
to say that the Act fell far short of union expectations under the Weimar constitution and even further form the high ideals of those who had hoped for the evolution of a worker-state.

The 1920s saw a steady collapse of the economy and the political system. By 1923, most of the trade unions' achievements had been eroded: the 8-hour day as a norm had been removed by a new law on working hours, while the right to strike and free collective bargaining were hampered by State arbitration. Inflation benefited those who could already afford to hold their wealth in the form of less liquid assets and it ravaged any wages policy. Union membership sank, taking with it such finances as there were to pay out benefits and the wages of their full-time officials. Compared with the year 1920, the Free Unions had lost half their members and income:

<table>
<thead>
<tr>
<th></th>
<th>ADGB</th>
<th>Chr.Unions</th>
<th>H-D Unions</th>
</tr>
</thead>
<tbody>
<tr>
<td>1923</td>
<td>7 138</td>
<td>938</td>
<td>511</td>
</tr>
<tr>
<td>1924</td>
<td>4 618</td>
<td>613</td>
<td>408</td>
</tr>
<tr>
<td>1925</td>
<td>4 156</td>
<td>588</td>
<td>431</td>
</tr>
<tr>
<td>1926</td>
<td>3 977</td>
<td>532</td>
<td>439</td>
</tr>
</tbody>
</table>

Membership in 1 000s*

<table>
<thead>
<tr>
<th></th>
<th>Income</th>
<th>Expenditure</th>
</tr>
</thead>
<tbody>
<tr>
<td>1924</td>
<td>97</td>
<td>69</td>
</tr>
<tr>
<td>1925</td>
<td>147</td>
<td>126</td>
</tr>
<tr>
<td>1926</td>
<td>148</td>
<td>135</td>
</tr>
<tr>
<td>1927</td>
<td>182</td>
<td>129</td>
</tr>
</tbody>
</table>

Sources: * Schumann H-G 'Nationalsozialismus und Gewerkschaftsbewegung', 1958
** Hirche K, Die Finanzen der Gewerkschaften, 1972

In 1923 the paper Reichsmark reached its lowest level. Numerous governments crashed because of their inability to take control - with unemployment yet to reach 4.4 million, they could hardly afford to pay out the unemployment benefit. In 1929, the Wall
Street collapse put an end to whatever political or economic stability had been possible.

After the fall of the Muller government in 1930, the unions, on top of their financial crisis, once again disagreed over the course of action to be taken. The chief cause of their disunity lay in their organisational structure, both in the pattern of trade groupings, as described above, and in the high degree of centralisation not known in the union organisations of Britain or France. They were further weakened by the existence of so many other small breakaway groups such as the "yellow" workers' club.* Even between the ADGB and its white-collar wing, the so-called AFA-Bund, there were policy differences on issues concerning industrial action and finance. A great deal of energy was wasted on internal quibbles, each union trying to push its own candidate for a place on the central executive, which in turn only weakened the central organisation. Internal quibbles resulting from trade parochialism, political division and misplaced ideology contributed greatly to the inherent weakness of a labour movement bereft of solidarity and the common cause. In this condition, the German trade unions were poorly equipped to resist the effects of fascist control which led to their dissolution.

* "Yellow unions", sometimes known as "sweetheart unions" in Britain, were workers groups in industry which aimed at collaboration with employers for the benefit of the company. Though they called themselves unions in some instances, they had quite a different purpose to the trade unions which represented the interests of the workers.
Hampered themselves by political immaturity and inter-party rivalry, the democratic Parties stood helplessly by as National Socialism took over. The "Iron Front" of left-wingers and unionists failed to rally the forces they had at their disposal. As in 1914, the union leaders hoped that by not resisting they might save their organisations. All three union organisations tried to negotiate with the NSDAP: in March, 1933, the Christian Unions declared themselves "apolitical" and Leipart, leader of the ADGB, announced their readiness to sever all links with the SPD and work together with the employers. Paralysed by external economic and political conditions and internal differences, the union movement was blind to the implications of its actions and to the true objectives of the new ruling Party. Compromise was to prove suicidal: a vain attempt "to prevent organisational murder by political suicide". The Nazis began by infiltration of the higher echelons of the union administration by the replacement of political "undesirables", and in the factories by the National Socialist Factory Unit Organisation (NSBO) set up in 1929 to propagate National Socialism in the plant. When Hitler declared 1st May, 1933 "National Labour Day", the unions encouraged their members to celebrate. By 2nd May, the SA and SS had taken over the union buildings and offices and arrested many of their officers.

On 6th May, the entire working population was organised into the German Labour Front (Deutsche Arbeitsfront) headed by Dr Robert Ley. For the workers' part, many of them believed it to be their longed-for united labour movement, but Robert Ley intended only "to place under the absolute command of the Party everything which leads the people of Germany, apart from the Army." The single organisation was based on fourteen trade groupings which together formed the "Association of German Workers".
In addition, there were nine white-collar groups in an "Association of German White Collar Workers". The two associations together came under the Central Bureau of the DAF which had itself eleven administrative departments.

Each of the associations was disguised as a democratic organisation by each having offices at regional and local levels. Also in keeping with a democratically run institution, the DAF had supervisory bodies, the Small and Great Assemblies composed as follows:

**Small Assembly**
- Dr Ley
- 2 Association heads
- 11 Department heads
- Head of NSBO
- 3 representatives of National Socialist Department of Economics
- 3 representatives of entrepreneurs
- 1 economic advisor
- 2 others selected by Dr Ley

**Great Assembly**
- 24 + 32 regional leaders of NSDAP
- 13 regional leaders of DAF
- 23 leaders of the trade groups and white-collar groups
- (+ after 25th June, a further 30 representatives of industry)

24

92 (122)

In reality, neither of these assemblies had any power but were merely forums for debate. After the later reform of the DAF, they only met once more.
Structure of DAF

Central Bureau of DAF → 11 departments

14 Trade Groups → 9 White Collar Groups

→ 13 regions

areas

local branches

The illusion of democracy and the representation of interest groups given by the early structure of the DAF was soon to be destroyed in the reorganisation. The NSBO, which had been a sop to the left-wing of the Party, was slowly removed from the factories. By an Act passed in January, 1934, the Works Councils (Betriebsräte) were replaced by Nazi Trust Councils (Vertrauensräte). These were not representative of the workforce, but acted in accordance with the "Fuhrer" principle in the plant to the advantage of the employer.

Membership of the unions 1st January, 1933*

Blue-collar unions 282,805
White-collar unions 122,527
Total 405,332

Membership of the DAF**

<table>
<thead>
<tr>
<th></th>
<th>July 1933</th>
<th>Oct 1933</th>
<th>Dec 1933</th>
<th>June 1934</th>
<th>Sept 1939</th>
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<tr>
<td>Blue collar</td>
<td>4,000</td>
<td>7,199</td>
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<tr>
<td>White collar</td>
<td>1,320</td>
<td>1,933</td>
<td></td>
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<td></td>
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<tr>
<td>Total</td>
<td>5,320</td>
<td>9,132</td>
<td>9,360</td>
<td>16,000</td>
<td>22,000</td>
<td>25,000</td>
</tr>
</tbody>
</table>

Figures in 1,000s.
(Total figures rounded up after 1934 by Nazi Party)

Sources: *Kurth J Geschichte der Gewerkschaften, 1962
**Schumann H-G Nationalsozialismus und Gewerkschaftsbewegung, 1958
Despite their failure to prevent the rise of National Socialism, it was the leaders of the German Labour Movement who were the first, the strongest and the most resolute in resisting against the new rulers. Resistance took many forms: meetings of opposition Parties at church services, funerals even; abstention in Trust Council elections in the factories (until the elections ceased altogether); contacts made at social gatherings; illegal publications; organisations in exile. People resisted both individually over time and spontaneously as a group, motivated by solidarity. The centre of organised group resistance was the Leuschner Circle led by Wilhelm Leuschner (ADGB) and Christian Unionist, Jakob Kaiser. They were in contact with most of the former union leaders and worked out detailed plans for the reconstruction and leadership of the unions after Hitler. Rather than linked with the Communist resistance front, the Leuschner Circle was in league with the conservative resistance movement under Goedeler.

By 1939 225 000 Germans were imprisoned on political grounds, 90% of whom were members of the Labour movement. Another 30 000-35 000 had left Germany for political reasons, among whom were the unionist groups in exile in Sweden, London, USA and Switzerland. One particular union-oriented emigrant group was the "Overseas Representation of German Trade Unions" (Auslandsvertretung der Deutschen Gewerkschaften) under the leadership of Heinrich Schliestedt and, after 1938, Fritz Tarnow. Another such group was the "Expatriate Group of German Unionists in Great Britain".

The transport and public services unions with the United Union of Railway Workers set up another resistance group, centred around Hannover.

All the resistance groups and illegal Parties either in Germany or in exile devoted much of their time to planning a new society and in particular a new union organisation. Since many of
the former trade unionists re-emerged in 1945 to take part in the reconstruction of Germany, their plans and aspirations were not without influence during the immediate post-war period, 1945-46.
After capitulation on May 8th, 1945, the allied forces took over the reorganisation of Germany. Socialists and trade unionists returned from concentration camps and from exile abroad to help in the reconstruction, bringing with them plans for the setting up of a new democratic social, economic and political order in Germany. All envisaged the organisation of labour in a single, centralised union which, democratically run, would ensure the fair and effective representation of labour in the economy and prevent the future misuse of capital.

The new union would be independent of all political parties and religious denominations, thus avoiding ideological division within the movement. This was not an altogether new idea: in 1931 Theodor Leipart had written an article in the official ADGB press "Concerning the Unity of the Trade Union Movement". In it he outlined a future form of union organisation which would exercise political neutrality, maintain freedom of religion for its members and safeguard against Communism. There was an attempt in 1932 by the union leaders to combine their organisations, but they did not meet officially again until April, 1933 when their days were already numbered.71

The first attempts to reorganise labour were at plant level. The pre-1934 works councils, abolished by the Nazis, took the initiative to rid the factories of Nazism. Former trade unionists were already active in the councils by April/May, 1945. Their actions were spontaneous and in considerable disregard of the occupying forces - a wave of activity not unlike the Soviet movement in Germany of 1916-1920.72

In a perverse way, the DAF had achieved the long-awaited united organisation and, despite its fascist designs, its structure of centralisation, the closed shop and grouping according to industry held some attraction for the planners in 1945.73 However, not all the unionists interpreted the model of a single union in the same way. The Leuschner Circle had at first considered
a reform of the DAF, but then Leuschner himself dropped this idea in 1942 and convinced Goerdeler that no such organisation should be incorporated in the new society. Instead a "German Trade Union" based on trade groups should be established to represent employees interests in a new class society. Tarnow, on the other hand, had led a unionist working party since 1943 which had also come up with plans for a single union, centralised at first then reorganised according to trade or industry. Tarnow's group went further than Leuschner on the subject of economic democracy and envisaged a socialist planned economy. The exiles in London had quite clearly been influenced by the British Trades Union Congress and planned a federated, decentralised structure, based on industrial or trade groups. They thought it best to organise from the base upwards to safeguard democracy at all levels of organisation. They clearly rejected any reform or adaptation of the DAF.

Various union groups sprang up in different parts of the country. The first, in Aachen, provided the model to be emulated in many areas of the Lower Rhine. Its central body was the "Free German Trade Union Federation" to which all workers and civil servants belonged. The organisation would exercise strict political neutrality, although the model itself was conceived under Communist influence as could be detected in the strong links the union aimed to have with the Works Councils and shop stewards.

Hans Böckler had been in contact and had worked out his ideas with Leuschner and Kaiser during the Nazi years, but he had also been influenced by Walter Hansen who had returned from exile in London in 1945. In March, 1945 a committee of seven (Siebenerausschuss), including Böckler and representing socialist, Communist and Christian unions met in Cologne. This "Böckler group" favoured a single union, rather than a federation, with 17 trade groupings. The union would be highly centralised, without the closed shop. The British, who noticed the Böckler group in June, 1945, did not object at first and the first conference of the new union was held in August of that year.
Most of the trade unionists who re-emerged in Lower Saxony were from the underground resistance movement rather than from exile. They, under the leadership of Albin Karl, came up with the idea of a "General Union". Again the format was a single union with industrial or trade sub-divisions. The relationship between unionists and occupying forces in Hannover was rather better than in the rest of the British zone during the period immediately after capitulation. After the first union conference on May 24th, 1945, the General Union was refused permission to hold any meetings at local level until November, and had to wait until February, 1946 for its first "Land" conference. However, by comparison, local meetings were deferred for much longer in Rhineland-Westfalia. A further organisation was the "Hamburger Modell" set up by Franz Spliedt. This decentralised model was most favoured by the British, who, like the Americans, were very wary of an centralised organisation which might resemble the DAF.

At the Potsdam conference, the Allies agreed that the rebuilding of the trade unions had to begin at the local level. Following the Potsdam agreement, the British announced the setting up of unions in their zone. This at first encouraged those who were already working hard to re-establish unionism. In a later announcement, the British issued a 15-point programme for the building process. Point 1 prescribed that the German people should decide on the form the new union organisation should take; point 15 however provided the legal basis for the slowing up of the process by the military in its insistence that the building of any union organisation be slow and steady. Other points stressed that the unions be representative and point 5 even provided for Christian unions if there was any demand for such. The "slow and steady" clause invited many varied interpretations in the different regions and effected an uneven development of union organisation throughout the zone.

The attitude of the occupying powers was governed by the state of East-West relations and the advent of the Cold War. Fear
of Communism turned the western allies against the central union and in favour of a decentralised structure on the lines of the AFL in the United States. The Americans, for their part, were in a position to influence the French and the British because of their financial strength. 

"Industrial Relations Directive No 16", April, 1946 prescribed a three-stage programme for the union reorganisations:

I Union organisation at local level only; meetings could be held
II Union dues could be collected, recruitment carried out, offices set up
III Unification at zone level of all union organisations.

None of the three stages could be embarked upon without the permission of the British "Manpower Division" which contributed to further delays and meant that in some instances, local meetings could not be held until the second quarter of 1946.

Struggle over the Centralised Union and its Subsequent Collapse

Directive No 16 meant that all existing union organisations had to be disbanded and, in accordance with phase I, begun again at local level. The Hamburg union tried to hold out but the British insisted on its dissolution. In Rhineland-Westfalia, Hans Böckler's committee took the initiative by applying to the military government for permission to set up their centralised union. The government had instructed that they were to choose their own form of union organisation, but after nine months of deliberation, they refused Böckler to enter phase II. He was informed that his proposal was "too ambitious" and too much like the DAF.

Yet the local organisations in the Rhineland had already adopted
the Bockler concept and were in the process, albeit illegally, of linking up to form a union network among themselves. Bockler himself could not understand why the "General Union" was still forging ahead in Lower Saxony while a similar organisation was not permitted in Rhineland-Westfalia.

Bockler held the view that decentralised unions would be insufficiently effective in securing social rehabilitation and codetermination, but the British had greater fears of radicalism in a highly centralised movement. They suggested instead a confederation of unions as a safeguard of democracy.

In Hannover, Albin Karl continued to fight for his organisation long after Bockler had given up. Because of Ally restrictions, the General Union reached the same stage of organisation in November as it had reached in May. The first union conference was held in January, 1946. Its secretariat was thereby legalised as representative of its members; full recognition of the union by the military government ensued at the second conference.

Bockler, however, had resigned himself to defeat. Once he had done so, it was only a question of time before the other industrial areas conformed to the pattern set by Rhineland-Westfalia. Karl wrote to the British about his "General Union" and the support it commanded in Lower Saxony. It was not clear in Lower Saxony why the unionists in the Rhineland had spent nine months arguing, only to have given in in the end without a struggle. It is reported that they were concerned for their members and were eager to get on to phase II; they perhaps thought that the structure could be changed later: "It is high time we were recognised so that we can get on with the job. But how do we do that? It would be possible if we altered our plans a little; that is to say, we must first set up independent unions, without losing sight of our long-term overall objectives" (Böckler, 1945).
The argument over union structure became heated at the first zonal conference held in March, 1946. Strongest criticism of British interference in trade union affairs came from Karl. He repeated his criticisms more fully in a paper, "The New Trade Union Movement", which he distributed to all the unions in Lower Saxony. In support of his General Union, he argued that, unlike the DAF, membership was not compulsory, nor could the union be an instrument of party or state, being democratically structured to reflect the wishes of its members. The federation idea could offer nothing more and would produce a wasteful duplication of administration in terms of offices, officers, clerks and paperwork.  

Nevertheless, in the event Karl could not rally sufficient support for his union at the conference following the change of policy of the Rhineland-Westfalia representation. Nor could Spliedt sell his Hamburg model. At the second zonal conference held in August, 1946, Bockler proposed that the principle of federated industrial unionism provided the most effective form of organisation. Karl fought on, but was defeated 267 votes to 78.  

The German Trade Union Federation

The principle of industrial unionism was first accepted by the ADGB as a desirable structural basis for union organisation in 1925; yet in 1946 it was no more easily enforced than it had been in 1925. In all three western zones unions were broadly organised according to industry but some continued with trade groups or other such lines of demarcation: for example, the Unions in Education and Science, Arts or indeed Public Services, Transport & Communications, which used some commercial boundaries and some boundaries determined by the employer structure. There were questions also as to the proposed role and relative strength of the central federative body: this would depend very much on whether it held the purse strings or whether, as turned out to be the case, it was to be dependent upon its member unions. All those who had supported the single union
concept like the "General Union" were in favour of a strong federative body and some wanted to levy as much as 38% of each union's income for the centre. By 1949, it had become clear that the central body was to be weakened since the financial strength lay firmly in the lap of the member unions and a figure of 15% was agreed upon; this was reduced four years later to 12% by which time all thoughts of a centralised union had been forgotten.94

April, 1947 saw the founding of the "German Trade Union Federation" (DGB) in the British zone with Hans Bockler as its chairman. In the French and American zones union organisation was not yet allowed beyond "Land" level, as follows:

Free Trade Union Federation in Hessen, founded 24th August, 1946
Trade Union Federation Württemberg-Baden, founded 29th August, 1946
Trade Union Federation South Württemberg/Hohenzollern, 1947
Bavarian Trade Union Federation, founded 27th April, 1947
General Federation of Trade Unions Rhineland Palatinate, founded 2nd May, 1947
Trade Union Federation in Baden, founded 18th July, 1947

In May, 1947, a union council for the British and American zones was instituted at Frankfurt. The French unions joined in November, 1948. The council agreed upon the formation of sixteen industrial unions which together would constitute the German Trade Union Federation in the three western zones. The founding of the DGB took place on October 13th, 1949 in Munich. The 16 member-unions were as follows:95

Industrial Union for Building, Construction & Quarrying
Industrial Union for Mining & Energy
Industrial Union for Chemicals, Paper & Ceramics
Industrial Union in Printing
Union of Railwayworkers in Germany
Union for Education & Science
Union for Horticulture, Agriculture & Forestry
Union for Commerce, Banking & Insurance
Union for the Wood & Synthetics Industries
Union for the Arts
Union for the Leather Industry
Industrial Union for Metalworking & Engineering
Union for Food Processing, Catering & Entertainment
Union for Public Services, Transport & Communications
German Postworkers' Union
Union for Textiles & Clothing

DAG - DBB - CGB

The principle of industrial unionism raised problems for the salaried employees and civil servants in West Germany who felt that such a pattern of organisation could not adequately represent their interests. The "German Staffs Union" (Deutsche Angestelltengewerkschaft) came about in the British zone in 1947, then in the Republic in 1949.

Likewise the "German Civil Servants' Federation" (Deutscher Beamtenbund) was set up to provide alternative representation outside the DGB for civil servants. In 1955, a minority of Christian-Socialist officials within the DGB withdrew. They had expressed grievances over DGB policy for some time and finally withdrew over the issue of rearmament. They formed the Christian Trade Union Movement in Germany which changes its name in 1959 to the Christian Trade Union Federation. The separate movement has never attracted significant numbers and has not played a very important role in the trade union movement of West Germany as a whole.
Structure of the DGB

<table>
<thead>
<tr>
<th>16 Member* Unions</th>
<th>Representative Structure of DGB</th>
<th>Executive Structure of DGB</th>
</tr>
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<tr>
<td></td>
<td>Delegates elected by membership</td>
<td>MANAGEMENT COMMITTEE</td>
</tr>
<tr>
<td></td>
<td>Delegates elected at 'Land' level</td>
<td>EXECUTIVE BOARD</td>
</tr>
<tr>
<td></td>
<td>Delegates elected at district level</td>
<td>REGIONAL EXECUTIVE</td>
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<tr>
<td></td>
<td>Delegates elected at local branch</td>
<td>DISTRICT EXECUTIVE</td>
</tr>
<tr>
<td></td>
<td></td>
<td>LOCAL EXECUTIVE</td>
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</tbody>
</table>

Delegates elected by membership

- FEDERAL CONGRESS
- FEDERAL EXECUTIVE COUNCIL
- COMMISSION OF AUDITORS

Delegates elected at 'Land' level

- REGIONAL (LAND) DELEGATE CONFERENCE (9 Lander)
- REGIONAL EXECUTIVE

Delegates elected at district level

- DISTRICT DELEGATE CONFERENCE (280 approx)
- DISTRICT EXECUTIVE

Delegates elected at local branch

- LOCAL CARTELS (2 500 approx)
- LOCAL EXECUTIVE

* Also affiliated from 1977 The German Police Union
Simple Structure of the Member Unions

MANAGEMENT BOARD

EXECUTIVE COUNCIL

FEDERAL DELEGATE CONFERENCE

SUPERVISORY COUNCIL

COMMITTEE OF AUDITORS

REGIONAL EXECUTIVE

REGIONAL CONFERENCE

DISTRICT EXECUTIVE

MEMBERS CONFERENCE

MEMBERSHIP

Federal level

Regional level

District level
Postscript

Hugh Clegg notes that "the structure of many unions reflects the state of technology and industrial organisation at the time of their birth and growth". This chapter has endeavoured to present the case that, in Germany, political ideology and social philosophy were equally responsible for the evolution of a model of trade unionism which suffered fragmentation, disorder and collapse, prior to the procreation of industrial unionism, born of that same political heritage and idealism.

By the late 1970s and 30 years on, the industrial sector model of trade union organisation had appeared for the most part to have stood the test of time in meeting the aspirations of its membership as well as those of the society in which it was required to operate. The crucial issue of how this idealised structure could respond to the pressures of the 1970s is directly related to the functions which may be required of it in changing political and economic circumstances.

In the following chapter, further consideration is given to the historical basis of trade union consciousness and purpose within German society, which may condition those functions.
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CHAPTER 4

The Evolution of Political Tradition and Purpose in the German Labour Movement

Probably the most dominant factor of early trade union development in Germany was the political and economic hegemony of the aristocracy and upper middle class of the Bismarckian era. Quoted in the literature as having made a significant contribution towards the collapse of the labour movement in 1933\(^1\), the political suppression of the working classes in the early stages of their development was certainly a factor of some influence in the evolution of trade union thought and tradition in that country. The balance of power after 1870 rested firmly in the hands of the Prussian landed gentry, industrialists and bankers. The political rule of the nobility in Prussia remained undisputed, upheld by the "three-class-franchise" which allotted the number of votes according to tax assessment. The bourgeoisie was granted access to political and social standing by adopting the pattern of behaviour of the nobility and by developing an autocratic manner in all spheres of life which corresponded to the monarchic and authoritarian.\(^2\)

Economic slump in the early 1870s and harsh industrial competition led to an unscrupulous exploitation of the workers by their ruler-employers. In accordance with the "Master of the House" principle, if the industrialists did not reject social policies out of hand, then they ruled their workforce with a strict paternalism which penetrated all aspects of their existence, both in private and at work, leaving little room for initiative or political action. "Enjoy what is granted to you. Your work accomplished, remain in the circle of your family,......As for the high politics, do not waste your time. Higher politics requires more time and a greater insight into conditions than are given to the workers. You are doing your duty if you elect candidates recommended to you by those whom you trust. You will do nothing but damage if you try to interfere with the helm of the legal order..." (Krupp, 1877)\(^3\)
Determining Trade Union Function.

The political and social paralysis of some 80% of the population, combined with the technical backwardness of the economy, provided for a corresponding lag in the development of any worker or trade union consciousness in Germany. Early attempts to organise or take spontaneous collective action were swiftly and easily suppressed by the employers or authorities, and not until the 1860s did there emerge any semblance of organised class consciousness. Attempts to set up worker organisations failed accordingly: Marx had some success in the Rhineland and Westphalia in the Fifties but little success elsewhere. Socialism as such remained the ideal of middle-class intellectuals until Lassalle's ADAV provided the vehicle for the articulation of workers' frustrations, and the foundations of a social democratic labour movement were finally laid. Yet Lassalle's concept of worker organisation was clearly one of party politics rather than trade unionism, a controversy which was to dog the labour movement throughout its subsequent history. Doubts about the value of industrial action caused a split in the Social Democratic Party even after its founding congress in 1875, at which it was formally agreed that: "...it is (therefore) the duty of all workers to join the trade union which is active in their industry, or if there is no such organisation as yet, to found one themselves." In a traditionally authoritarian state and under Lasselle's influence, use of the strike was relatively restricted in Germany at this early stage of union development. Workers' organisations functioned chiefly as friendly societies and made more use of petitioning to employers and governments to secure a better life. Even as friendly societies, worker organisations were subject to strict control by the state, which recoiled from allowing any independant action by the working classes.

The growth in the number of strikes in the 1870s gave the union movement a degree of independence from the political movement. Workers began to learn directly from their own experiences and recognised the importance of the role of trade unions in securing their emancipation. They also came to realise that the strength of the trade union movement depended on it establishing itself independently of the Party.
This led unionists to favour the establishment of occupational unions, pursuing a more pragmatic policy, but with broader aims in common with a political party.\textsuperscript{9}

Bismarck's Anti-Socialist Laws, first passed in 1878, marked the end of the first developmental stage of the union movement. Under the Laws, unions had to find means of appearing, at least formally, as organisations quite separate from Social Democracy in order to survive. In the 1880s, shifts in industrial organisation brought about changes in the social structure in the way of greater urbanisation and with it, a recognition on the part of the labour force of their collective fate.\textsuperscript{10} The boom years of 1881/2 and 1885/6 gave rise to surges of interest in union organisation and the emergence of a mass movement.

In addition to the welfare functions developed by the clubs and friendly societies, particularly during the period of suppression, petitioning by worker groups increased, following the successful petitioning by the Essen miners in 1881/2. Such action was denounced by the socialists, even though it had to some extent been inspired by Social Democracy and did succeed in articulating workers' grievances in a period of severe political repression.

Trade union activity was kept alive however by the dispersed strike committees, as in the case of the Carpenters,\textsuperscript{11} and striking did continue, although continually suppressed as 'socialist agitation'. As the economy improved in 1887/8, the number of strikes increased as workers became embittered by the government's lack of consistency in its measures of repression, and turned more readily to Social Democracy.

Worker organisation was most effectively sustained during the period of anti-Socialist legislation by the trade union organisations of the Liberal and Christian political movements which had been allowed to flourish. This explains how the miners of the Ruhr, a group of workers with no socialist or strike tradition, were in a position to organise successful large-scale action in 1889. Predominantly Catholic and generally very conservative, the Ruhr miners had shown little inclination to transform their lodge friendly societies into active trade unions. Yet liberalisation of markets and the passing of
the mines from Prussian to private ownership had brought the miners a loss of status and privilege among working men which they had held for a hundred years. The industrialisation of the mines, mechanisation and the division of labour had destroyed the partnership of employer and employee and, by the 1860s, the large mines were run with a military-like discipline.\textsuperscript{12} Petitions were repeatedly ignored by employers and state alike, and the lodge societies gradually became centres of a "collective will", though political differences among the miners hindered effective organisation. In 1887, grievances about low wages and high profits came to a head and, by force of events, the miners found themselves able to articulate their demands at a conference held in March, 1889. On the basis of the successes of other organised groups, in particular the British unions, the miners resorted to the strike, not for political reform but for higher wages, and in doing so, alienated themselves from a long tradition of obedience and honour to their employers.\textsuperscript{13}

The miners' strike, 1889, marked the beginning of change for the trade union movement in Germany. Both ideology and organisation had been boosted by its success and the way was paved for the establishment of the General Commission and permanent machinery for collective action.

Towards a Trade Union Consciousness.

Organisational strength was still largely dependent upon the economic cycle and during the 1891-1894 slump, the bargaining power of the unions and therefore their credibility was much reduced. One third of all strikes organised by the Free unions during these years were unsuccessful.\textsuperscript{14} They recognised the need to rationalise the organisation and their strike behaviour. Local autonomy had to be cut back and, in view of the increasing division of labour, recruitment needed to be continued on an industrial basis. They also saw the need for unemployment benefit to help stabilise the membership.

The crisis also had a political effect on the unions: union strength had weakened in relation to the Party. Furthermore, the SPD had enjoyed some success in the elections of 1890 and 1893 and needed the unions' strength much less. The socialists believed that capitalism
would soon collapse, rendering the unions superfluous; Babel argued moreover that capital concentration was already too great for any union action to be effective.15

Union consciousness was also hampered from within by the political convictions of some of their own leaders, including Legien, that the unions functioned as a "training ground" of the party, "Vorschule" for the political education of the workers:16

"The trade unions are the schools of Socialism. In the trade union organisations the workers are trained in Socialism, because it is there that the struggle against Capitalism is happening in front of them day after day." (Karl Marx)

In 1894, the German Free trade unions were still lagging behind the unions of most other industrial countries in their development.17 The craft unions were still the most wealthy, able to provide more strike pay, legal aid and other benefits and, because of the skill value of their members, were in a position to run their own labour exchanges. Overall unionisation was strongest in the small and medium-sized industries right up until 1914.18 The low level of union subscription meant that most unions functioned as little more than strike organisers, in pursuit of higher wages and shorter hours.19

However, at that time they were also beginning to infiltrate the administration of local public bodies, such as the welfare boards or the government employment exchanges.20 They became increasingly aware of the need for a government unemployment benefit scheme, on social as much as organisational grounds, which they then also adopted as one of their objectives.21

Following the great depression, the unions did gain some strength which they were able to reinforce by expanding their friendly society function. The congress at Frankfurt in 1899 concentrated on organisational and pragmatic policy matters, in particular the extension of collective bargaining and a further area of cooperation with the authorities, factory inspection.22
Particularly in the light of organisational difficulties, the issue of political neutrality again arose. There had been discussion of a possible amalgamation of the Free unions with the Christian unions, or at the very least a strict adherence to party neutrality in order to attract non-socialist workers to their organisation - this was chiefly important in coal mining where Christian unionism was particularly strong.

The problem of political neutrality was not merely a technical disagreement between the reformist and orthodox Marxists, as Steinberg has suggested. Precisely because of their party political activities, the Prussian police had always kept a close watch on the trade unions and continued to do so even after 1890. Under the combination laws of 1899 and 1908, the Free trade unions were still in danger of ban and imprisonment of personnel if found to be political associations. This particularly affected their strike and picketing activities, and in 1909 attempts were made in parliament to ban the 'union shop'.

Again with their existence in the balance during those pre-war years, the issue of political allegiance presented itself as both help and hinderance to the trade unions: they were under threat as long as the Party to whom they owed their allegiance remained divided and weak, yet were conscious of their constant requirement to pursue their own political goals. In contrast to the British trade unions, the German movement had not sought to form its own machinery for representation in parliament, which would have competed, in any event, with the established socialist factions. The argument between partyists and unionists reached a climax in the first decade of this century over the issue of the General Strike. Party Marxists, in particular Rosa Luxemburg and Karl Liebknecht, felt that the unions should be instrumental in promoting a General Strike, planned to spark off the revolution when the time was right. They had been inspired by the successes in other European countries of similar action by trade unionists. The union leaders, on the other hand, were wary of any wild mass movements which might put at risk the growing organisation which they had taken such pains to build. In face of the continuing suppression by employers and authorities following the fall of the Anti-Socialist Laws, the
risks of reprisals by the authorities seemed very high, and, as Legien pointed out at the Party conference in 1903, the workers might withhold their contributions if they were led to believe that the revolution would succeed, leaving the organisation helpless.  

At the union congress in Cologne, 1905, it was formally agreed that the unions should forge ahead with their economic function and should avoid risking their success by political strike. They had neither the funds to organise and support such a strike, nor the experience among their members to guarantee its success. Rather they would sacrifice such strength as they did have.

There were in fact some spontaneous political strikes by groups of workers in that same year in favour of electoral reform, and Legien did not condemn them. The movement itself however lost momentum after the failure of the Russian Revolution, and the SPD had to rethink its proposal of "guaranteed success" of mass strike action. The following year a resolution to the conflict was found. At the Jena Party conference, Kautsky proposed a separating out of the roles of Party and unions, as a preferably alternative to a bowing of unions to Party supremacy. Babel, on the other hand, pointed out the weakness of both under such an arrangement and that the Party could do nothing without union backing. In recognising this fact, Bebel was able to bring the conference to a compromise in order to hold the movement together:

"I recommend, therefore, that trade unions should keep out of party politics and religious debate, but I also recommend that they should all the more keenly pursue labour policy and the class struggle."

Legien was likewise eager to avoid clashes with the Party which might harm the unions and an agreement was signed in which the union leaders agreed to the general strike as a last resort when the goal was deemed worthy of the sacrifice. The party correspondingly agreed that any political demonstrations during working hours would be subject to union veto.

The Mannheim Agreement, 1906, formally recognised the confusion and weakness of the traditional relationship of SPD and unions. In it, the unions were acknowledged as the real leaders in the class struggle
since the Party was quite clearly dependent on them for finance and political muscle. The original class conflict ideals of the Party now had to take a back seat to union reformism based on strength of organisation.

Collective Bargaining

Modelled on the British unions, it was chiefly the liberal HD unions which pursued collective bargaining as a means of securing benefits for their members. Like the British unions, they also functioned as friendly societies, having introduced their own unemployment funds as early as the 1880s. Hampered in this respect by old ideologies, the Free unions remained sceptical towards collective bargaining as an effective method until the turn of the century. Lassalle's "iron wage law" had meant that any form of bargaining was ineffective and the unions affiliated to the ADAV functioned primarily as instigators of the political strike.

"For my part, I have never made a secret of the fact that this right (to strike for better pay) can only bring relief in a few fleeting, short-term and exceptional cases for particular groups of workers, but it can never secure any real improvement in the situation of the working class." 33

The Eisenacher league of unions, headed by Bebel and Liebknecht however had provided "tramping", sickness, retirement and burial benefits whenever possible. 34 Combined in 1875, the unions continued these functions and expanded them as the Free union organisation gained stability in the 1890s. 35

In 1903, the Free unions overcame their scepticism of collective agreements as "contracts of peace and friendship" and recognised them as "one stage in the class struggle" enabling a rearmament for further struggle and "the securing of successes previously wrought". The agreements also granted the unions a degree of recognition by the employers. 36 By 1905, 1 505 agreements had been signed by the Free unions on behalf of some 257 000 workers. 37

Kurth records a figure of two million workers covered by collective agreements by 1913. 38 Increasingly, governments and other authorities
intervened to bring the two sides in industry to agreement. In the Ruhr miners' strike of 1905 the employers' refusal to recognise either unions or collective agreements resulted in state intervention and new legislation on worker representation in mines with over one hundred employees. The realisation on the part of the mineworkers of the importance of an effective negotiating machinery strengthened the movement as a whole.\textsuperscript{39}

Basic wages rose considerably during the period 1903-1907, but not so real wages. Again it was the mineworkers who presented the greatest single challenge to the employers in 1912. Again the employers refused to recognise their demands. Unlike the other two large-scale strikes by the Free unions in the mines, this time three unions, the Old Union (Free), the HD union and the Polish Miners Union, combined and the strike failed. Solidarity among the strikers barely reached 60% of the workforce without the support of the mighty Christian Miners Union and was denounced in the Reichstag and throughout Prussia as a political cock-fight between the Free and Christian unionists.\textsuperscript{40}

The state intervened a second time, but this time to restore order by sending in police and troops against the strikers. The Free unions had been heavily defeated, having lost money, members and a great deal of prestige as a result of the strike. The Christian unions had successfully demonstrated how isolated Social Democracy still was and how a strike in the Ruhr could not be carried through without their support. By showing their loyalty to the state and the national interest they had hoped to secure special negotiating rights with the employers. The Free unions had failed to take account of such possible designs they might harbour.\textsuperscript{41}

1912 to 1914

One outcome of trade union agitation of the first decade of the century was that employers' organisation was tightened up in retaliation. Apart from threatening measures such as blacklisting which, just before the outbreak of war, became discredited in the public eye, employers stepped up measures to tempt workers away from unions: they offered
welfare benefits, housing, canteens, food, fuel, and profit-sharing: they also set up 'company unions' as substitutes for trade unions.  

In addition, because of their public administrative role in social insurance and employment exchanges, dating back to 1881, union leaders were struggling for influence, not only against employers, but also against the state: they functioned within the state machinery even as the state sought to oppress the labouring classes they represented.

As they approached the outbreak of war, neither Party nor unions had much influence over the economic or political developments: the Party remained divided over policy aims, while the unions drifted further from the Party as they sought pragmatic means of withstanding the immense pressure from organised industry and governments towards both the labour movement and any form of social policy, labelled "the social burden".  

The unions had hoped to secure many of their social policy objectives but by 1913, they had to concentrate all their efforts on defending the right to exist. For fear that the "social burden" might hamper economic growth, the captains of industry united in an anti-Social Democratic cartel. Not all the members of the cartel agreed on the union question: some negotiated with them, others, including heavy industry, did not. Others, such as the Hansa League, did not join the cartel, but sought tougher legislation against the unions. Since this would not have succeeded in parliament, pressure upon the Prussian unions was devolved to the local authorities: in Berlin, the unions were again declared political organisations and prosecuted under civil law. In 1911, two more laws were passed in the Reichstag to limit the influence of the Social Democrats - the one covering the activities of white-collar workers, the other, a social insurance Act which effectively reduced union powers in the administration of welfare. According to von Raumer, still more restrictive measures intended by the government were in fact thwarted by the sudden outbreak of war.

At their congress in 1914, the unions agreed to the use of the general strike to obtain changes in social policy. This was to be organised
quite independently of the Party in conjunction with the other union organisations, and was in no way linked to revolution. It was never achieved because of the outbreak of war.\textsuperscript{48}

1914 to 1919

With the passing of the war credits in the Reichstag, Social Democracy ceased to be an independent political movement but was absorbed into the political, economic and social functions of the state.\textsuperscript{49} A change in attitude of the authorities towards the labour movement came about after it had become apparent that the trench war was going to be a long one. A strongly organised and highly disciplined labour force was required if the war was to be won and labour leaders suddenly found themselves appointed to high administrative posts during the war years. As it was, by the end of the war, the labour movement was the only remaining organised group with its leadership intact.

Already on August 2nd, 1914, the unions signed an agreement on industrial peace with the employers' federations.\textsuperscript{50} This brought them recognition by employers and governments alike which was extended by the 1916 Hilfsdienstgesetz, the law intended to increase the war effort, and which brought the unions into economic and social policy-making. Under this law, works councils were introduced in the arms factories and joint conciliation boards were set up on a basis of parity between employers and union representatives. This the trade unions regarded as a great achievement.\textsuperscript{51} The unions also worked with the employers on various welfare councils during the war years,\textsuperscript{52} and in 1918 handed to the government an 18-point plan on labour and social policy, based largely on labour-capital cooperation and including a provision for standing joint conciliation committees for settling industrial disputes.\textsuperscript{53} On May, 22nd, 1918, paragraph 153 of the Industrial Code for the Reich which had declared it an offence to put pressure on a person to join a union by "means of physical force, by threats, or by damaging his honour or reputation,"\textsuperscript{54} was lifted.

One of the unions' designs was the setting of of a central body for cooperation between labour and capital (Zentralarbeitsgemeinschaft).
The concept appealed to the leaders on both sides of industry who had worked side by side throughout much of the war. During the winter of 1917/18, the leaders met with a view to discussing the prospects and purpose of continuing the war, though the future was clearly too uncertain to agree on any permanent cooperative programme. The collapse of the Reich in 1918 finally forced the issue. The employers recognised the need to seek an understanding with the unions before the end of the war in July, 1918. In October, informal meetings between the leaders began and a number of demands by the unions were nominally agreed to by the employers' leaders: full recognition, free collective bargaining, parity representation on labour exchange boards and conciliation committees and the elimination of company unions. The revolution however granted more bargaining power to the unions and they raised their sights, to include the 8-hour day in their demands. An agreement was signed nevertheless on November 15th by the industrialist Hugo Stinnes and ADGB chief, Carl Legien, under the terms of which joint councils were set up to organise demobilisation and industrial growth, including the administration of reparations production and distribution. Recognition of union organisations was confirmed by the new Reich constitution of August 11th, 1919, article 159 of which guaranteed the negative and positive freedom to combine.

Codetermination and the Works Councils Act 1920

The Zentralarbeitsgemeinschaft (ZAG) was the creature of a few leaders of the unions and employers, and had been achieved without recourse to their respective memberships. Legien was continuing his strategy of cooperative reformism even in 1918 when the employers were clearly on the defensive. Eager to extend the organisational machinery in order to secure a better bargaining position with the industrialists, he failed to exploit the revolutionary mood of the time to realise labour's full bargaining potential. It has been agreed that in 1918 the judgement and opinion of the labour leaders was clouded by a fear of Bolschevism which resulted in a mistaken assessment of their part of the value of the revolutionary soviet movement and a missed opportunity to strengthen the new democratic order. The leaders, it is said, would have won more respect had they not shown quite so much enthusiasm for the ZAG, as it was, in the revolutionary atmosphere,
some groups of workers were questioning the purpose of union organisations at all. The basic concepts behind the strategy of unions in the Weimar period were products of the pre-war era: limited in their actions by conditions in the Obrigkeitstaat (the authoritarian state), the labour leaders had been committed to reformist tactics. Since during the war, the unions had secured most of their main pre-war objectives, the path of reformism was reaffirmed, whether or not the labouring masses were of the same mind.

The unions favoured legal regulation of social policy and, on the basis of the cooperation with both employers and state which they had enjoyed ruling the war years, they sought to secure by legislation democracy in industry and parity with employers in other economic and social policy-making bodies. Democratic control of industry as an intermediary stage towards 'socialisation' of the economy was an idea put forward by economists Wissell and Moellendorf in their work in 1919, on the planned economy. It first took root in the mining industry where, in 1919, a new Coal Council of both industrialists and union leaders was set up to manage the industry. The intention was to extend to the labour representatives a degree of control in the monopoly industries as a means of stabilising the economic as well as political democracy. Naphtali reported later however that the 'socialisation' of the industry in fact had little effect on its management, since in practice the employers held a majority of seats on the Coal Council.

There were two other laws on socialisation passed in 1919 which were never applied: the Socialisation and Electricity Acts. Naphtali suggests two reasons why these laws were never effective: first, that there were no public finances to run industry on a nationalised basis, mainly because of the conditions of the Versailles Treaty; secondly, and clearly tied up with the first, a period of reaction was setting in which denounced all calls for industrial democracy and demonstrated a general reversal of social trends in favour of retaining private ownership.

As a result of this general "cooling off" of the revolutionary climate of two years previous, the law on industrial democracy passed in 1910,
the Works Councils Act (Betriebsraetegesetz) produced a greatly watered-down version of the demands raised during the soviet movement. Proposed by the unions after the Kapp"Putsch", it went some way to answer the demands of the rebelling groups of workers who had already been setting up their own workers' councils.\(^{63}\) It represented steps towards the socialisation of industry by the government and furthered the discussion of industrial democracy. The Act provided for joint industrial councils at regional and Reich level as well as works councils in the plant. The works councils had few rights and were effective in social policy only, having no say in the economic affairs of the plant or in the recruitment of labour. The employers were in no way accountable to the councils whose political activity was strictly controlled.\(^{64}\) They had no rights of codetermination on wages and conditions, therefore their function was entirely defensive. Unions in mining, textiles, transport and the public sector, were amongst those which demanded the extension of council functions to include supervision and participation in plant decisions,\(^{65}\) although the traditional "classical" craft unions (for example, the woodworkers and builders)\(^{66}\) showed no enthusiasm for this form of industrial democracy at the work place.

The joint industrial councils also proved unsatisfactory. The Reich council had been intended as the highest body in the democratic structure in the economy with legislative and executive powers, though these remained undefined.\(^{67}\) In any event, the Reich industrial council had been set up as a "temporary" body and never really graduated from this status. Its function was restricted to that of advisor to the government.\(^{68}\) The regional councils never existed.

Collapse of the ZAG

The ZAG never fully achieved the structure and function it had originally intended. As early as 1919/20, its role was usurped by the various government economic bodies, such as the Reich Coal Board and the Iron Industries Federation, and it became a largely bureaucratic body. Moreover, the ZAG was built upon an apolitical foundation which could not hold out, as demonstrated by the events surrounding the Kapp"Putsch", 1920, in which Legien had called a general strike in full anticipation of employers' support to save the Republic.\(^{69}\) Most, save RAG Chemie,
did nothing and even blamed Legien for destabilising the ZAG by the strike call. A row over payment of worker compensation broke out as a result, and by 1922, the majority among the unions in favour of the continuation of the ZAG was already paper-thin. The cooperative basis of the ZAG was itself inflationary - employers would grant wage concessions to the employees if they could recoup their losses elsewhere, that is, in higher prices or productivity. The unions had agreed that producer-orientation was more important than a consumer-orientation and that Germany had to export to survive under the conditions of the Treaty of Versailles. Yet this made the functioning of the ZAG very dependent upon the economic situation which worsened after 1920. The ZAG could therefore offer the workers no long-term advantages: in periods of inflation, industry protected itself by paying paper money for higher productivity and longer hours. Inflation sapped union funds and the disappointed members left the organisations. The metal workers' union had abandoned the ZAG early on in 1919, the builders' union did likewise in 1922, followed by the white-collar organisations of both the Free and HD unions in 1923.

The unions in the ZAG had cooperated with the employers under the illusion that it functioned as a form of codetermination in economic affairs, particularly in the administration of the export industries. Feldman suggests that the ZAG organisation was in reality far less functional and more a mere product of the 'organisation-mania' which had gripped Germany at the end of the war.

The Decline of Collective Bargaining

In the early days of the ZAG, the unions did achieve their main objective of better wages and conditions, either by negotiation or by legal enactment through their ties with the SPD. During the 1920s however, while the unions were weakened by inflation, the employers were organising on a very large scale; rationalisation and resultant high levels of structural unemployment were lending more strength to the employers and their use of the lock-out. Economic and political instability meant increasing state intervention, and arbitration, once a temporary measure, became a permanent feature of wage settlement. There was no free collective bargaining in the Ruhr after 1921, with both sides
finding it easier to leave settlement to a third party. As mentioned above, not only were unions losing their grip over wages, but as the ZAG neared collapse, also working hours and conditions. The increasing dependence upon arbitration weakened the sense of responsibility for wage bargaining on both sides of industry. In 1928, with the SPD back in power, the unions took a tougher line in bargaining, making high claims in the hope of securing higher awards from the arbitrator. This was not without retaliation from the employers who record some bitter conflicts during the years 1927-29.

In 1925, Tarnow complained that labour was losing its political strength. The only strength the unions had left was in influencing the government and parliament, and in 1928, Fritz Naphtali published his work on industrial and economic democracy as a means of extending the legal rights and functions of the trade unions. The unions could no longer fight the employers without government support, but both they and the SPD over-estimated the chances of influencing the political machine.

The world recession of 1929 put the unions again under pressure from the employers and made them uneasy. Their struggle for unemployment benefit brought down the SPD Müller government the following year and brought in a Brüning government which they did not want.

The unions were not to appear as a democratic force to be reckoned with again: they were trapped, wishing neither to tolerate suppression, falling wages and cuts in social policy, nor to risk a political and economic catastrophe by forcing Brüning out of office. They chose to support the government and adopt a role of subservience to it. At first, wage cuts applied only to plant agreements, but by the winter of 1930, the government had allowed substantial cuts in earnings in order to support its monetary and foreign trade policies. Arbitration awards now turned against the unions.

In 1931 unemployment reached 5 million. The misery of the masses encouraged radicalism to the left and right, much of it aimed at the unions who sought a middle course. Leipart, now leader the ADGB, clung to his code of responsibility and common sense at all times, failing even to retaliate in the face of a second coup d'état in 1932.
"We have learnt over the course of centuries, in respect of the heavy sense of responsibility which we have always felt, to calculate our demands and formulate our proposals such that to meet them would not have ill-effects on the rest of society." (Union Congress, 1931)

Furthermore, having recognised the weakness of the SPD/KPD as a political agent of the unions, the union leaders turned to the right-wing parties including the left-wing of the NSDAP in the hope of establishing some working relationship. Under the Papen government, the bargaining rights of unions were greatly reduced within an economic and social-policy framework which favoured the employers. Strikes against employers became pointless under such conditions of state control of prices, wages and the labour market. Thus the offer of participation with the Schleicher government seemed advantageous. It was the anticipation of attaining an integrative social position beyond the function of collective bargaining which drew the unionists closer to the notion of a single united union organisation, on the lines of the German Labour Front (Deutsche Arbeitsfront) to be formed later, and played straight into the hands of the National Socialists. In an essay on "The Services of the Unions to the Nation and State" (Leistungen der Gewerkschaften für Volk and Staat), Leipart suggested that the unions laid "a path along which the proletarian, released from all ties of place and tradition, might find his way to the homeland of the people". The unions were not immune to the new mass ideology of neo-conservatism and national socialism which had replaced republicanism. Losing all perspective of socio-economic power, they had shifted their base from class unionism to concentrate on the new concept of national unionism. More than merely an anti-communist, anti-fascist league, Leipart, Tarnow and others held a vision of a corporate "German Union" which would function as a stabilising factor in German politics and society. Yet the illusions of their own future greatness, the emphasis on "organisation, not demonstration" blinded the leaders and robbed them of their freedom of action. Thus the defeat was an ideological one as well as a political one.

Summary.

The discontent in the workshops which found expression in the early craft
unions was not pursued and articulated so immediately and directly in Germany as it had been in England. Though the Liberal Hirsch-Duncker unions followed the craftsmen's strategy of collective bargaining and unilateral regulation in industry, the main core of union tradition in Germany did not develop in this direction. For the vast majority of German workers, trade union ideology emerged out of the political gatherings of the mid-nineteenth century which propagated class politics handed down from the more educated socialists. In this way, Marxist ideology penetrated the labour movement in Germany at its conception and workers came to learn of unionism through political teaching, rather than any initiative of their own to combine.

The authoritarianism of the German polity and society was so complete that labour ideology was inevitably founded on a desire to change the system. Moreover, under the strict guidance of the paternalism of German employers and the discipline of the Church, initiative at the base, in the factory and workshop, was not forthcoming. Instead, it had to be channelled by the political leaders of the day through organisations such as Lassalle's German Workers' Association before unionisation became possible. This led to a degree of radicalism in the movement which prevented it from ever uniting the workforce in a common cause. Fraught with internal division the politicisation of the German labour force was to develop into a polarisation of revolutionists and reformists, a situation made all the more complicated by confessional differences. Dependence on the political party was always a source of weakness for the largest trade union body in Germany, the Free Unions. Conceived by the Party, the movement lacked initiative and failed to ever develop a clear programme of its own. It was crippled by party suppression in its infancy, but dependence on the economic cycle denied it the strength to break away. The political allegiance of the unions also prevented any cooperation with other union organisations; inter-union rivalry extended beyond demarcation disputes to contradictions of union objectives and purpose. The Christian unions, with their tradition of discipline and cooperation had flourished under the Anti-Socialist Laws, which only deepened the fact of the labour movement along with its legacy of conservatism. The conceptualisation of trade unionism on the part of their political leaders as contributing to a political movement continually overshadowed their attempts to set up an independent
trade union movement which was never achieved in the British sense. Their concern with the political rights of workers led them to seek participation with employers and government in order to gain influence in social policy-making, but they tried to achieve this without first establishing an offensive position. They succeeded only in antagonising government as well as employers, which produced an anti-union alliance which they were unable to contain. Attempts to rationalise and centralise their organisation activities never sufficiently compensated for the fundamental deficiencies of the German trade union movement. Without clearer, more pragmatic aims the trade unions failed substantially as a reforming social force. Even after their formal separation from the party organisation, their labour policy objectives remained bound up with the political movement:

Collective bargaining and the effective use of the strike as an economic weapon - indeed the essence of British trade unionism - remained comparatively underdeveloped. Their defensive stance gave rise on the one hand to an extension of their friendly society functions and interest group activity such as petitioning, so actively encouraged by the inadequacies of the German polity; and on the other to an increasing dependence upon government intervention in wage settlements.

The limits of this strategy were tragically demonstrated by events after 1930. Dependence upon government machinery became subservience to it, and the principle of independent trade union organisation as a credible social and economic agent was to remain unpractised until a new political order was established after 1945.

A wealth of debate has since developed on the issue of trade union effectiveness in post-war German society, much of it critical of the role which the machinery of industrial unionism has seemingly ascribed to itself during the first 30 years of its life. The main issues of this debate, along with similar critique of the functions and effectiveness of British trade unionism are presented in the following chapter.
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86 Mommsen op cit p 290
CHAPTER 5

The Functions of Trade Unions in West Germany and the United Kingdom - A Critical Review

Society and State

How trade unions conduct themselves and the functions they perform must reflect in no small measure their political and cultural contexts. The term "political culture" is defined by Almond (1970) as "a particular pattern of orientations to political action" in which every political system is embedded. The term is a useful one as a notation for the political and cultural characteristics of a system or society, but should not mislead the reader to conceive of it as being identical with a given political system or general culture. Almond himself is aware of this danger, and it is important particularly in an industrial relations context that "political culture" is understood in its widest sense, reflecting an overall approach towards politics and ideology.

Leibholz (1967) deals with aspects of the political culture of Britain and Germany in terms of the relationship of state and society in those two countries. He states that before 1933, while the nation-state was at the centre of French political ideology, Prusso-German political thought was dominated by the state as such. Propounded by Hegel, the almost deification of the state as guarantor of the common good in nineteenth-century Germany was to have severe consequences for the country's social development and political expression:

"People, Nation, Democracy smacked of revolution at the time (1948) and those who employed such terms were counted as revolutionaries who wanted to overthrow the political order". 2

The philosophy of state hegemony was continued under Bismarck before it was usurped by the National Socialist ideology of people and nation. Characteristic of the traditional Prussian philosophy was its negative evaluation of the society, since
this was regarded essentially as lying outside politics. Society was assumed to be the sum of the economic and apolitical interest groups.³ Seeking their own advantage, such interest groups may not be acting in the best interests of the whole and must not be allowed to interfere with the state, which does serve the common good, nor diminish its political character (Rousseau). The free individual in society is effectively reduced to a "man of straw" without public status.

The antagonism of state and society is thus clear; the parliament is intended as an intermediary, representing both the political interests of the state and the particular interests of the individuals and social groups.

Almond points out that in Weimar neither parties nor interest groups were able to function effectively because of their interpenetration.⁴ Leibholz attributes this unworkability of the Weimar constitution to the depoliticisation of the parties by the interest group power within their ranks.⁵ The state had become the organisation of the society and had been destroyed by it (Carl Schmitt).

In contrast to the European and, more particularly, the German approach, political thought in Anglo-Saxon countries centres upon the concept of society rather than the neutral state. From the Anglo-Saxon viewpoint, the state performs only one of several sets of functions of the society, estimated by John Stuart Mill to represent perhaps a tenth of the total.⁶ There exists therefore no such antagonism between society and state as is present in continental political systems, nor can the state be destroyed by society. "Society" in the Anglo-Saxon sense is to be equated with "community" rather than "civil society" against which Hegel was so ready to wage war in order to save the state and nation. The subordination of the individual to the society and the society to the state which so dominates European thinking is reversed in Anglo-Saxon philosophy. The society is not an end in itself but merely the means to an end, which is to serve and respect the individual:
"It is the primacy of the individual over the community, of the community over the state which gives to English society its unique character" (Barker, 1947), and

"The French think in terms of family and the nation, the English tend to think in terms of the individual and society" (Maillard).

For the purposes of analysis, can the Anglo-Saxon system be described as having a political and social order in the continental sense? According to Burke's study of the American Revolution, individual freedom is limited by a respect for social and historical tradition. The limitations to freedom are just, in that they are based on a toleration of the freedom of others and require no further formulation or justification. This is founded on the notion that the individual is primarily an animal of good sense, capable of controlling his expressions of emotions even in the political arena. Such self-control and reservation clearly does not feature in continental tradition and can perhaps account for the higher degree of toleration in Britain of the opinions of others and the protection of minority groups. Leibholz points out that it is this tradition of liberalism which has up until recently conditioned party policy in Britain; only since the Second World War, with the emergence of Labour governments has the emphasis in political thought shifted in favour of egalitarianism.

The Philosophy of the Social Market Economy

Increasing state intervention in the twentieth century was regarded by the supporters of both laissez faire harmony and Marxist determinism as less of an arbitrator among the political parties and more of a force to be recruited in their favour. The pressure groups on both sides felt that state intervention could only and should only act as support to their own social and economic power. Motteli cites two decisive elements in the way in which a fine balance was struck between classical Liberalism and the Socialism and tradition of state intervention which had emerged
in Weimar by the Social Market Economy of the Federal Republic: these were, in the first place, the research into Social Liberalism, conducted chiefly by Walter Eucken at the "Freiberg School" during the 1930s, and in the second place, a known and respected personality in the field of political economics who had the courage to put the theory into practice, Ludwig Erhard.10

The practice of the Social Market Economy was indeed a gamble on the part of Erhard since it involved the implementation of an as yet untried theory of social philosophy. The roots of this philosophy lay in Social or Ordo-Liberalism, as already stated; this represented a clear break with nineteenth-century Liberalism in its rejection of laisser faire and the adoption of a principle of social and economic order, related in some way to the Catholic approach to ordered society. This ordering of social and economic activity was aimed to strive towards a social harmony which, again in breach of old Liberalism, would not be otherwise automatically apparent. The new Liberalism was related to the old in the John Stuart Mill sense of ensuring the freedom of the members of society to "pursue our prosperity in our own way, as long as we do not deprive others of theirs or hinder their efforts...." (Principles of Political Economy, 1848).

The emphasis of Ordo-Liberalism is merely more heavily laid on the second part of this extract rather than the first. Franz Bohm criticised the classical liberals as follows:

"They greatly underestimate the size of the conscious social and cultural contribution involved in the development of the given possibilities of order and they thought it sufficient to remove privilege, introduce freedom of employment and avoid state intervention in order to create a socio-political framework which would allow 'Nature' to take care of the rest. And so it came about that the era of freedom of employment did not create a competitive order but merely a system of laisser faire, laisser aller."11
The competitive market economy is based on a coordination rather than subordination which must be guaranteed by the democratic order. The state is to take a role in the control of the economic system, but by employing indirect means only to maintain order. Motteli summarises Social Liberalism as follows:

"In accordance with the liberal principle of private ownership of the means of production, there is to be created a market-economic order of competition to prevent the use of private ownership against the general interest by depriving the monopolists of their position of power. The market form of complete competition presents the "ordre naturel", this is Ordo-, in which the model of the constitutional framework for an economy based on free competition is to be perceived."12

Two further aspects of Social Liberalism remain in this analysis of the theory of the Social Market Economy; one is that of social security, generally attributed to what Motteli calls Neo-Socialism; another is the principle of Subsidiarität. The concept of state guidance to the smaller community, formally associated with Roman Catholic social tradition. Neo-Socialism is perhaps best described as a dual economic order of market forces and state intervention. Heralded by Lord Beveridge's "Welfare State" in the 1940s, Neo-Socialism came to be associated with increasing state management and planning in the economy. At the end of the war the SPD and DGB in the western zones of Germany were also taken by similar ideas and promoted the synthesis of state planning and the free market economy in order to prevent further starvation and to secure clothing and housing for the German people.

Balanced against the tendency towards Neo-Socialism, and indeed towards Liberalism in Germany, has always
been the Catholic social doctrine. Like Neo-Socialism, Catholic influence was potentially most strong during the years immediately following the war. Catholic teaching had played an important role in the spread of Fascism in some countries and had been articulated most clearly in the Papal Encyclica of 1931, "Quadragissimo Anno", built on a previous Encyclica of 1891 "Rerum Novarum". It was the sacrifice of the individual to the community in the Catholic teaching which smacked of totalitarianism and which was rejected after the war for that reason, despite its usefulness to law and order in the chaos during the early years. Both the Catholic and Social Liberal theories express an ordering of social and economic life based on private ownership, neither subscribing to *laisser faire* notions of either natural harmony or Marxist determination.

Neo-Socialism, Catholic class society and Social Liberalism all appear to acknowledge the existence of a strong state, standing above party and group interest, the first to support the principle of egalitarianism, the second to watch over the social order, the last to ensure the decentralisation of power. Motteli suggests that the decisive differences between them are to be found in the way in which each theory seeks to achieve a balance in society: whereas Neo-Socialism tends to over-burden the state with interventionist authority, the Catholic teaching leaves the responsibility for order squarely on the shoulders of the social classes; Social Liberalism on the other hand, is an attempt to bridge the gap between these two extremes, allowing for both state intervention and freedom of contract and combination in so far as is possible without conflict.13

It was along the lines of Social Liberalism that the concept of the Social Market Economy (SME) was first
developed in the 1930s. The brain-child of the "Freiburg School" headed by Walter Eucken and Franz Bohm, the model of the SME was adopted and implemented by Dr. Erhard. Its name was coined by one of Dr. Erhard's closest advisors, Professor Muller-Armack, who defined the concept as follows:

"The ideas of the Social Market Economy, if we look at its spiritual roots, has its origin in Neo-Liberal economic ideas, or in that revival of economic service which stressed the vital function of the principle of competition and at the same time sought to establish, in contrast to old fashioned Liberalism, a competitive order in accordance with the ideas of Walter Eucken and Franz Bohm." 14

The "competitive order" was in Eucken's view the most efficient and humane market form which could be adopted. Based on Eucken's notion of "complete competition" as opposed to "pure competition", the new economic order was not anti-interventionist but measured state intervention according to its quality rather than its extent.

"The basic principle does not simply require that certain measures of economic policy should be avoided.............. Far more essential is a positive policy which aims at bringing the market form of complete competition into being, and which thereby fulfills the basic principles. It is here that the policy of the competitive order differs completely from the policy of **laisser faire**...." 15

The guidelines of this intervention were laid down in principles of two basic types: constituent and regulating. The most important constituent principle was "the primacy of monetary policy". The maintenance
of "open" markets was also essential to the competitive order which involved the removal of state controls on private industry, the banning of restrictive practices, the assurance of maximum freedom for an individual to practise his trade or profession etc. Perhaps the most important regulating principle was the need to control the tendency of industries towards monopoly. Other aspects of regulation included the possibility of minimum wage fixing, limits on tax progression so as to preserve investments, and the control of social costs imposed by individual firms eg pollution. Such welfare expenditure as was available was to be preserved for those who really needed it and social policy should otherwise be concentrated in insurance and self-help. Eucken's model was almost unique in its comprehensiveness, and clearly not of the same order as the traditionally impassive laissez faire. State intervention was to be based on data sets which effected the economy as a whole, of which there were six: the needs of the people, the natural resources, the available labour force, the stocks of goods already produced, the level of technical knowledge and the legal and social order.  

Eucken professed to have found a system which was both efficient and humane, yet his model has been criticised on the grounds that it centres upon the individual and it fails to encourage a sense of the "common good", that it proffers no positive values but merely "sacrifices society to the fetish of market forces". 

In response to this, Social Liberalism claims to encourage a responsible society of individuals in which each is aware of his position within the whole.
As an ethical programme, this may fail to endow society with the same spiritual significance as do the Catholic or Neo-Socialist, but it offers more in this direction than the critics of Social Liberalism have implied. Its proponents reject likewise the argument that the society is subservient to the market forces and proffer the view that the markets and competition are so ordered as to serve society.  

Clearly the Social Liberalism of post war Germany is imbued with the traditional view of state and society. The early works of Eucken and Bohm in particular reflect strongly a view of the neutral state standing above society and acting independently of it in favour of the common good. It is now an accepted view in German political thought that the "common good" must reflect the needs of the society and the political parties are expected to function as communicators between society and state. A political counterpart to Eucken's "competitive order" is thought to be provided by the written constitution of the "Basic Law" which sets out the conditions of the Rechtsstaat. This sets out a basic foundation for the state legislature, executive and judiciary and establishes certain fundamental human rights which the state must observe. It grants the state a system of administrative justice, one of the oldest features of the German Rechtsstaat, and allows for the existence of an unwritten moral code above the written law which represents an innovation in traditional German jurisprudence.

Pluralism and Corporatism in the Industrial Societies of Germany and Britain

Trade Unions in Germany were only one type of many pressure groups thrown up by the laisser faire economy of the nineteenth century. Not only wage levels, but the provision of work was subject to the rises and falls in the various
free markets. As has been discussed in previous chapters, rights of combination were at first recognised in principle, only to be suppressed as some trade associations came to be linked with the Social Democratic movement.\textsuperscript{20} Political persecution and economic change hampered the development of the trade unions in favour of other pressure groups, most particularly the landowners and industrialists. Protectionism and the rapid development of production gave rise to antagonism between these two giants which led ultimately to the formation of the mighty industrialist-capitalist block of industry, banking and commerce, later known as the "Kartell der Schaffenden Stände".

During the First World War, both state and industry recognised their need of the Social Democrats and the trade unionists and in return for their cooperation, granted them full recognition. The new powers of decision-making granted to the unions provided for strong organisation; however the basic structure of economic organisation remained the same and, under the inflation which followed, Capital once again developed into a much more powerful force than Labour. Industrial concentration increased, encouraged by the activities of the big banks. The trade unions were left behind without power in economic life.

The number of other pressure groups greatly increased during the years of inflation, particularly among the middle classes; for example, the white-collar employees, civil servants.\textsuperscript{21} The political concentration, which after the 1929 economic crisis mirrored the economic concentration and the subsequent "Gleichschaltung" of the totalitarian state, did not succeed in wiping out this tradition of pluralism, but merely replaced the interest groups by which has been described as a "polycracy of totalitarian organisations."\textsuperscript{22}

The two-block party system of the Federal Republic again allows for the development of many differentiated pressure groups. The "Volkspartei" is a more cumbersome instrument for political action which has given rise to a variation in types of organisation and degree of corporatism among interest groups. There perhaps remains a trend towards polycracy owing to the number of mergers between groups and the extent
of their integration into the state decision-making processes. Writing in 1951 Carlo Schmid posed the question whether a mass society does not require mass organisations to uphold democracy. Yet it is precisely this trend towards the integrated, mass organisation which has caused students of the trade union movement in Germany much concern.

For some twenty years writers such as Fraenkel clung to the pluralist theory of trade unions in West Germany, but the principle of the Einheitsgewerkschaft is as combersome in this respect as the new Volkspartei. Moreover, the pluralist theory as related to trade unions has more recently been called into question both in Germany and in Britain and a more critical, less simplistic analysis of union function is required.

Writing in 1964, V.L. Allen described the integration of the trade unions into society as having gone further in Britain than elsewhere, in institutions which perform "politically necessary and industrially useful functions". Liberalism and other terms associated with it are used very loosely in Britain and often refer to any action which is "easygoing, unconstrained and vaguely progressive."

Economic liberalism was strong in Britain in the nineteenth century and unionism grew very slowly. Nevertheless, as unions were gradually accommodated to the British political system, so too did liberalism accommodate itself to collectivism. A predominantly liberal pattern of industrial relations persisted even after the Second World War. The government abstained from involvement in industrial issues and the law remained individualistically liberal. However, not all the features of post-war political consensus were strictly compatible with the traditionally liberal model. The political and economic systems of post-war Britain adopted a new characteristic fundamentally opposed to liberalism - that of corporatism. The economy remains in private hands but the stability of the system is ensured by the integration
of political, economic and social forces. Beer describes the quasi-corporatism of interest groups in Britain according to the degree of involvement of their bureaucrats in government administration and other public bodies.

The political structure of Britain traditionally concentrates activity at the ministerial level and this tendency was strengthened by the introduction after the war of the welfare state and the controlled economy. The adoption of Keynesian economic policies brought about a change in ideology and cultural values for all sections of society in the sense that it brought out a new set of rules for government, individuals and interest groups: the rights and obligations of private property were redefined, changing the relationships of Labour, Capital and Government. Party consensus to support the welfare state provided an integrating framework, thus actively reshaping social values and interests. It meant moreover that certain major trade union ideals had been achieved, while others it was thought, would be more easily secured in the future.

The Functions of Trade Unions

The social and political upheaval of the war years and the period which immediately followed produced in Britain and West Germany new terms of reference for the trade union movements whose functions changed accordingly. In the beginning, trade union function was essentially protective, described by the Webbs as:

"A trade union, as we understand the term, is a continuous association of wage-earners for the purpose of maintaining or improving the conditions of their employment."\(^{32}\)

It is argued that in both countries this protective function has been extended to include attempts to reform the capitalist system, an argument which has gained ground with the increasing
involvement of union officials in state decision-making and the opportunity to influence economic development.

In a survey of academic comment compiled in the early 1970s, Mayer proposes that such changes in the terms of reference of trade union activity have invited conflicting criticism: some critics suggest that the unions are losing sight of their original ideals as opponents of the capitalist system, while others argue that such notions belong in the past and more is to be gained for their members by attempting to stabilise the system. It is more probable that trade union behaviour consists of a combination of the two, an observation acknowledged by critics in both Germany and Britain. Beier makes a similar distinction between what he calls the short and middle term aims of trade unions which by their nature support the system, and the long term aim of changing the system to remove the class structure. Under these two broad definitions, union function may change in emphasis and content over time as the system itself develops. Von Beyme adds that emphasis also varies from country to country.

Mayer describes union function as operating in three spheres:

- the political sphere
- the macroeconomic sphere
- direct services to the members

This approach of breaking down the pattern of trade union behaviour for the purposes of analysis is one proposed also by Hartwich who suggests that for any analysis to be meaningful, union behaviour must be assessed at different levels:

- in the light of conditions and development in the economic system
- in the light of conditions and development in the political-administrative system
- unions as partners in the collective bargaining process
- unions as interest groups, that is, as elites.
Such an approach offers a means of detecting the variations in emphasis of union function as expressed in the literature. This is of particular significance when comparing German and British sources which, in their emphasis, tend to suggest that the industrial relations systems of the two countries operate on different levels of analysis. In spite of this apparent difficulty, it is hoped that, by reviewing a selection of the literature from Germany and Britain, some conclusions may be drawn as to the nature of union function in the two countries.

The Political and Public Service Functions of Unions

The mass democracies of Britain and Germany have created a revised framework for the modern interest group. The new situation has extended the functions of trade unions still further and has placed their leaders as representatives of a now heterogeneous labour force in new and difficult roles of public office. This integration of the trade unions into the capitalist system has had the two-fold effect of constraining union activity as an interest group and of expanding the areas of influence of labour. The extent of the combined effects is open to interpretation and has given rise to much speculation and controversy both in Britain and Germany.

Conservative schools of thought in Germany see the change in union function in terms of the classical analysis of the relationship of society and state. One writer of such a school is Goetz Briefs who, by comparing the "classical" unions of the nineteenth century to the "established" unions of the post-First World War period, arrives at the conclusion that the trade unions have achieved a position of independent power which is threatening to the state. Influenced by Catholic social doctrine, Briefs views trade unions as part of an interest group structure, integral to economic and political Liberalism. The integration of unions into state institutions represents for Briefs the opportunity for the unions to use the state to increase their power. Briefs' model of "organic pluralism" is designed to re-order the
the relations of State and interest groups to prevent any single group obtaining uncontrolled advantage over another. The state must maintain a position of strength as trustee of the common good. All other institutions and interest groups, particularly the trade unions, must all act as intermediaries between the state and the individual to keep society under control by means of incomes policies, curbs on strikes and so on.

The dilemma of trade unions established in the neo-liberal state, which Briefs actually terms the "third phase" of liberalism, is that while taking on public functions, the unions lose certain internal functions which directly affect the members. This causes an alienation of the rank and file from the leadership which itself becomes more centralised and bureaucratic. In his model of organic pluralism, Briefs limits the role of the unions to one of adapting to the capitalist system and not one of promoting the demands of the membership. With the "common good" or "national interest" as the criterion for union function, the values to be adopted by the movement are oriented towards maintaining the status quo, and not towards the representation of the interests of a particular class or social group.

The principle behind Briefs conceptualisation of union function is the same as that of unions as pressure groups. Varain describes the role of pressure groups as intermediaries between individuals and the legislature and cites the trade unions as being among their number. Kruger supports this idea by attributing to pressure groups an important function as communicators of information between the state and the society. By consultation with the pressure group or groups concerned, the state can be assured of a higher degree of acceptance of a bill or ruling by the electorate. Moreover the pressure groups in Germany may carry out directly tasks which in other countries, for example Britain, are usually the responsibility of the state. Examples of such may be contained in the contractual agreement between trade unions and employers organisations which, one signed, become legally binding in Germany.
In criticising Briefs' argument, Mayer points out that the concept of the "classical" union function on which it rests is inadequately dealt with. By concentrating on union practice, Briefs fails to acknowledge the revolutionary ideology of the socialist unions which was in fact very quickly abandoned by the DGB unions in the 1950s. As a result, Briefs' conclusions about the development of post-war unionism, based on a comparison with pre-war unionism, mislead him to interpret the strategy of the DGB as threatening the security of the state rather than contributing in any way to it.

Based on Briefs' analysis of the modern trade union, Ernst Benda concludes that "organic pluralism" should be guaranteed by law. In recognising the trade unions as an indispensible body within the highly industrialised state, Benda proposes that a specific public service function should be granted to them by law to legitimise their role, alongside the employers' organisations, in maintaining the political and social order. The guarantee that unions would uphold their role as an Ordnungsfaktor is to be observed in their own behaviour: Benda asserts that the unions, particularly the Industrial Union for Building and Construction in Germany (IG Bau-Steine-Erde), wish to be recognised as such, as interest groups alongside other interest groups. Benda does express some reservations about the present extent of trade union integration into the state systems on the grounds that it has not yet been carried far enough: more could be done within the limits of the Constitution to institutionalise conflicts of interest. This would facilitate state intervention in collective bargaining which would close any loopholes in the state control of union function.

Benda's model of "organic pluralism" a system of state-controlled norms governing a plurality of interest groups, approaches the "totalitarian pluralist" model referred to earlier in this chapter. Other conservative critics favour the unrestrained pluralism of rival interest groups and the devolution of administrative power to the strongest groups - nebenstaatliches Standeverwaltungssystem", (Werner Weber, Rudiger Altmann).
Accompanied by a higher degree of state authority, the "pluralism of oligarchies" is presented as an ideal system for a balanced distribution of power in society.

Conservative critics of the function of modern trade unions seek to institutionalise group interests to the extent of depoliticising the trade unions altogether. This involves them abandoning their function as representatives of a particular social group in favour of supporting more general economic and political ideals. This is not the view taken by the liberal pluralists whose model is based on voluntary compromise and cooperation between competing groups for the good of all.

In adopting Briefs' description of the "established" union, Joachim Weber interprets the public functions of the large centralised organisation as essential to the well-being of the modern welfare state. The analysis involves the rejection of the classical division of society and state. Whereas once state authority was required to guarantee free competition among particular interests, the state is now expected to support the political organisations of such interests in correcting the economic imbalance of society. Thus the actions of the interest groups are legitimised in respect of "social autonomy" and in their capacity to influence government measures. Among the strongest interest groups, the trade unions will make use of both these means to exercise influence over the economic and social processes. This decentralisation of power removes the old antagonism between society and state and replaces it with a new and complex system of mutual restraint. In such a system, bargaining between groups takes on a particular significance and the balance of power is precarious. Under these circumstances, trade unions as bargaining agents are expected to voluntarily integrate their special interests into an overall social policy (Hirsch).

It is the liberal pluralist approach to industrial relations which predominates in the British literature. Chiefly attributed to the 'Oxford School', the pluralist approach was adopted by the Donovan Commission investigation into industrial relations
which reported in 1968: "Thus the 'voluntaristic' nature of industrial relations in Britain - what has been variously termed 'collective laissez-faire' and 'liberal collectivism' - was recognised and reinforced rather than challenged by the Report."\[55\]

"Recognition of the fact that the interests and preferences of individuals and groups are different according to the perspective of each of them is embodied in the structure of individual trade unions and in the Trade Union Movement as a whole. Recognition of the legitimacy of distinct and often diverging interests is also the basis of bargaining between trade unions and employers. Bargaining depends on each side recognising the legitimacy and representative capacity of the other. A bargain is a method of reconciling differences in the interests of both sides...." (Donovan Report, Section 1:85)

The state is ascribed the role of "second best" regulator in areas where trade unions are not competent, but since their competence is generally thought to exist, "Its attitude is one of abstention, of formal indifference. In other words, it recognises that these jobs are being done by trade unions, by free collective bargaining." (Donovan Report, Section 1:90) In view of the increased role of the state in the system of industrial relations in Britain after the late 1960s, the Report was criticised some 10 years later for its inadequate conception of the state:

"Pluralist accounts of the industrial enterprise need scarcely consider the state at all; or may regard the government as merely one stakeholder whose interests have also to be considered; or may regard it as having special functions in providing the conditions within which industrial relations problems can be solved by enterprise level collective bargaining between the parties, the position adopted by the Donovan Report......The Commission failed to foresee the extent to which state involvement in industrial relations would
grow, and it certainly did not advocate or welcome such develop-
ments.  \[56\]

This is in contrast to the German liberal-pluralists who
attribute a much stronger role to the state in preserving
the pluralist model. According to Hirsch, the state remains
above pluralism as referee or coordinator of the various
group demands and as support to the weaker groups.

It is significant that the concept of pluralism in the Donovan
Report and in much of the literature concerning the function
of trade unions in Britain is debated at the industrial level.
This concentration of discussion at one level is perhaps
reflected by the consistent use of the term "Industrial Relations"
to describe the frame of reference for trade union function
in the English language: "A term which seems to imply that
the processes of union-management accommodation are somehow
detached from the broader dynamics of socio-economic activity
and structure."  \[57\] Much of the criticism of the liberal-pluralist
theory of industrial relations deals with trade union function
at this same level of analysis. Fox, having first propounded
the theory of pluralism from the managerial perspective,  \[58\]
later attacks his own thesis on the grounds that industrial
organisation does not produce the balance of power on which
the pluralist argument rests.  \[59\] Mayer  \[60\] disputes the validity
of the German pluralist theories on similar grounds, however
in this instance, the discussion takes place on a more general
level of political analysis. Defending the pluralist argument,
Clegg  \[6\] proposes, in contradiction of both Fox and the German
pluralists, that the principle rests, not on an even distribution
of power, but on the respect of each of the parties for the
laws of pluralism and the rights of the opposing group.
The mechanism of concession and compromise holds the pluralist
system together: in industrial relations, this mechanism
is collective bargaining, the rules of which both parties
must obey.

The Donovan Report has been criticised further for the narrowness
of its approach within such already limited terms of reference:
"The Royal Commission had become primarily a Royal Commission on collective bargaining. Very little was said about the role of trade unions in relation to their participation in economic planning, or in general in relation to their wider social purposes."\textsuperscript{61}

Professor Kahn-Freund's contribution to the Commission Report expressly emphasised the market aspects of the workers' role in the pluralistic model. He suggested that "the legitimate expectations of labour" should be defined very narrowly as "a reasonable measure of job security", steadily increasing wages, and the right to strike "if this is necessary".\textsuperscript{62} The Commission thus limit the political role of unions to industrial matters:

"The main way in which trade unions influence the policy of the Labour Party as a method of furthering trade union objectives is by formulating broad policies on industrial matters which are then debated generally within the Movement. The sponsoring of candidates for Parliament is of secondary and quite limited importance." (Donovan Report, Section 5:152) This view of trade union behaviour has also been expressed by other trade union critics: Anderson\textsuperscript{63} complains that British trade unions have no "built-in socialist horizons". Unlike a socialist party, the trade unions possess only a sectoral power-potential with neither the resources of the possessing class nor the intellectual drive of a political party. Producing only a sectoral, corporate consciousness, the union movement is immobile, lacking "the flexibility and versatility of a revolutionary party." Other critics, and to some extent the remainder of the Anderson critique, assume the "Industrial Relations" perspective and associate even the political role of trade unions with job control rather than contesting the authority of the system.\textsuperscript{64}

In contrast, the implications of the German pluralist model (Hirsch) are that the functions of the large interest groups such as the trade unions is no longer limited to engaging in a direct battle with their opponents in order to secure better economic and political conditions; they have instead
become part of a differentiated social infra-structure as "social legislators", as participants in the government of social, economic and political affairs. This argument is also supported by Varain who states that interest groups are consulted very early on in the planning of legislative proposals. It is indeed taken for granted that the trade unions and employers' federations be brought into the discussions and often form a joint committee to draft the proposals.

Following up this proposition, Hirsch suggests that the trade unions in Germany are no longer merely interest groups but have attained positions of authority by their influence over the state and over their own membership which can only be countered by strengthening the state and union democracy. Hartwich also considers the strength of trade unions as social elites, but fails to reach Hirsch's conclusions that the unions are in a position to threaten the security of the state. Moreover, the indirect influence which the unions may exert upon the legislature through sympathetic members of parliament is also here acknowledged to be limited. Varain points out that union supporters within the SPD may come into conflict with the party line should they choose to promote union proposals and cannot necessarily be relied upon to speak as unionists rather than members of a "Volkspartei". The more the unions seek to achieve their aims by this method, the more likely it is that they may become mere satellites of the party. It is true that there is a tradition of union representation in the Social Democratic governments of Germany which has been established since the First World War. Generally, unionists were offered posts which most affected labour interests, most obviously, the Ministry of Labour: indeed Labour was not set up as a government Ministry in many countries until the trade union movements had grown to be so powerful - 1917 in Britain and 1918 in Germany - and in Britain the unions only gained real government power under the first Labour government in 1945.

Limitation within liberal-pluralist thinking presents itself in the proposition that the freedom to bargain collectively and to take industrial action is being increasingly restricted.
The autonomy which trade unions require to actively promote the interests of their members and on which the liberalist thesis relies is, arguably, being eroded not only by law and other directives of the state, but by the quasi-legal regulations agreed to by the bargaining parties themselves.  

As has already been made clear, the tradition in industrial relations in Britain is not one of socialism or the class struggle, but a part of the British cultural heritage, that of "voluntarism". The desire of the trade unions to manage their own affairs according to their own preferences stems from a very early reliance on industrial rather than political pressure to achieve their objectives. The Webbs reported the ineffectiveness of legal enactment as a trade union method under nineteenth century laissez faire and quoted the Report of the Committee of Petitions of Artisans, 13th June, 1811:

"They are of the opinion that no interference of the legislature with the freedom of trade or with the perfect liberty of every individual to dispose of his own time and of his labour in the way and on the terms which he may judge most conducive to his own interest can take place without violating general principles of the first importance to the prosperity and happiness of the community, without establishing a most pernicious precedent or even without aggravating after a very short time the pressure of the general distress and imposing obstacles against that distress ever being removed."  

Most unions instead chose to develop the method of collective bargaining to achieve their ends which they have since fought hard to keep out of the law courts. Their distrust is indeed of the courts rather than of the legislature, since the effectiveness of their other methods of regulation are dependent upon their legal status. Moreover they have repeatedly turned to the legislator for redress against rulings of the judiciary.

The struggle between the judiciary and the legislature, between Common Law and the needs of society in defining the restrictive role of the law in industrial relations, has endowed the British systems of industrial relations with peculiarities and a complexity which single it out from other
systems, and which render systematic comparisons difficult. The laws concerning industrial relations passed in 1859, 1871, 1875 and 1906 granted the trade unions immunities from attacks by the judges. This situation was challenged in the 1960s by the Rookes v Barnard case (1964) but was immediately secured again the following year by the legislature by the Trade Disputes Act (1965). Thus "where the scope of the legal immunity is unclear, the judiciary, as guardian of the liberal tradition of Common Law, is likely to revert to a logic of reasoning hostile to combinations." English Common Law has remained firmly in the individualist liberal tradition under which almost all actions by combinations like trade unions are likely to be illegal:

"The habits you are trained in, the people with whom you mix, lead to your having a certain class of ideas of such a nature that, when you have to deal with other ideas, you do not give as sound and accurate judgement as you would wish....... Labour says 'Where are your impartial Judges? They all move in the same circles as the employers, and they are all educated and nursed in the same ideas as the employers. How can a labour man or a trade unionist get impartial justice?' " (Lord Justice Scrutton, 1920).

Despite the influence of the Western Allies on the political and economic reconstruction of West Germany, there is little trace of either British or American influence in the practice of German labour relations, particularly in relation to the law. The pattern of industrial relations in the Federal Republic were set with the signing of the Hattenheim Agreement in 1950 between the DGB and the DBA. The principles laid down in this Agreement (replaced in 1954 by the Margaretenhof Agreement) were based on a desire of the two industrial "Sozialpartner" to settle disputes. The objective was to set up the machinery for joint conciliation without state interference; the Agreement included peace clauses and provided for industrial action only as a last resort. In 1953 the state acknowledged the autonomy of the Sozialpartner: "..the
Sozialpartner would be able to reconcile their interests in trustful cooperation without disruptions of the economy and disturbance of the community caused by serious labour conflicts.\textsuperscript{82}

Quite apart from this signed Agreement between the central organisations of Labour and Capital to which not all member organisations need necessarily adhere to the same degree, the laws on industrial action in Germany have tended to be very strictly interpreted. The Constitutional provisions for the right to organise are ambiguous on the subject of the right to strike. The Basic Law merely states:

"The right to form associations to safeguard and improve working and economic conditions is guaranteed to everyone and to all trades and professions. Agreements which restrict or seek to hinder this right are void; measures directed towards this are illegal." (Basic Law, Art. 9:3)

The primacy of statutory law leaves the judges a wide range of discretion by recognising these Constitutional provisions as part of substantive law. Therefore, as Aaron concludes, "it is difficult to generalise about the status of the strike in that country."\textsuperscript{83}

The legitimacy of industrial action was left even more to the discretion of the judges by the introduction of the notion of the "social equity" (Soziale Adäquanz) of industrial action. This effectively sidesteps the Constitutional recognition of the right to strike while avoiding open condemnation of industrial action.\textsuperscript{84}

The second aspect of control on trade union activity is the use of government incomes policies or other standing arrangements between Labour, Capital and the State. With regard to incomes policies in Britain, Brown states that as a result of Britain's economic decline, governments have become increasingly concerned to implement policies of wage restraint as a major part of measures designed to check inflation.\textsuperscript{85} Economic crises in the 1960s led to attempts by British and German governments to control trade union activity by means of both legal restraint and moral suasion in the form of incomes policies in Britain and the "Concerted Action" in Germany.\textsuperscript{86}
Such measures, defended as being in the "national interest", deliberately ignore the political implications of wage restraint. Because the effects of incomes policy varies from industry to industry with differing rates of productivity, the overall price level is not held constant. Bergmann et al conclude from this that incomes policies can only bring limited success as long as decisions on prices and investment continue to be left to the individual employers.\(^{87}\)

Faced with economic recession in 1966, the German unions were keen on state intervention in the economy. They were willing to cooperate in the Concerted Action which constituted an institutional arrangement for consensus on wage policy. Combined with the Stability and Growth Act passed in 1967, the effect on the Concerted Action was to moderate wage claims in accordance with the rule of capital, in some cases reducing real income levels.\(^{88}\)

The Concerted Action operated on this cooperative basis until 1970. Following a surge of industrial unrest at this time, the trade unions were forced to take a more militant stand in negotiations which hit a crisis in 1974. The blame for the breakdown of the Concerted Action was laid at the feet of the government who had doggedly pursued an economic policy which interpreted wage-push inflation as the cause of the economic instability. The use of macro-economic data, of which only wages were to remain fixed, as the basis of the Concerted Action had to be abandoned, and the institution of the Concerted Action was discredited.\(^{89}\)

In discussing the question of cooperation or confrontation over incomes policies, Bergmann et al categorise the characteristics of trade unions which induce cooperative or militant behaviour on the basis of objective (economic) and subjective (representative) evaluation.\(^{90}\) The cooperative union can only survive in times of prosperity and with a submissive membership. It tends not to use its full power potential because it prefers to operate within the limits set by the conditions of stability and growth. In accordance with this policy it is not against the institutionalisation of conflict and trade union legislation,
since this legitimises its actions before its membership. Its desire for economic stability tends to lead on the one hand to centralised organisation and on the other to increased apathy among the membership. The militant union thrives in times when the interests and demands of the membership exceed the concessions of capital. The militant union tends to push its power to its real limits and because its demands exceed its power, it has to take a stand which opposes the capitalist system. In order to maintain militancy within the membership, much decision-making has to be decentralised while industrial action must be centrally coordinated. Clearly these characteristics set out by Bergmann et al represent stereotypes, but further empirical research may demonstrate that individual unions do react in a particularly characteristic way to given situations on the basis of observed objective and subjective factors.

The implications for union function of increased state involvement in the economic sphere have given rise to a number of interpretations which may be categorised into theories of conflict regulation and confrontation.

Conflict Regulation

Theories on the regulation of industrial conflict centre around the institution of collective bargaining which has come to be associated with the pragmatism of established union movements. First described by the Webbs, collective bargaining was the method of regulation used by the most highly developed unions though the machinery for its effective implementation was at that time still largely underdeveloped. It is the two characteristics of collective bargaining which rank it among the measures which accommodate trade unionism to the capitalist system: one is the "element of compulsion" upon all those who are covered by the agreements; the other is the industrial peace which a bargain seeks to achieve. The breakdown of collective bargaining results in industrial
action which leads the Webbs to suggest that the strike is more closely associated with collective bargaining than with trade unionism. The Webbs' theory of collective bargaining was taken a stage further by Flanders who maintains that collective bargaining establishes "a rule of law" in employment relations. The regulation of conflict by collective bargaining may be political as well as economic, drawing up rules for management as well as markets.

Generally accepted by the theoretical pluralists and notably the authors of the Donovan Report of whom Flanders was one, this interpretation of collective bargaining takes little account of state involvement in the economy and the limitations on the freedom to bargain. In his study of "mature unionism", Lester takes the case of state integration over the long term which produces highly centralised organisations of Labour and Capital, each with professional bureaucracies. In the process of bargaining, the state's role is limited to providing the legal framework of arbitration and contractual obligation, in order to speed up consensus and thus also the process of integration. Ultimately, militancy among the unions is obliterated and the distribution of social and political power remains secure. In assuming that conflict can be solved in this way, Lester evaluates class consciousness within the trade union movement as merely a distraction from the more desirable aims of integration and cooperation.

Weitbrecht assesses the institutional mechanism of wage regulation in terms of a systematic analysis of the social and organisational requirements of collective bargaining. If the bargaining partners have to depend on centrally determined guidelines instead of their own economic data then the effectiveness and legitimacy of free collective bargaining is in doubt. Under such circumstances it may be more difficult for a compromise to be reached and for the agreements to be enforced upon the membership. Union function is limited to encouraging among their membership a general satisfaction with the distribution of incomes granted by the state incomes policy. Unions can best be brought to compromise if they possess the bargaining
strength. This is achieved by ensuring that they adopt a quasi-democratic structure whereby negotiations are conducted by a central leadership and influence by the rank and file is effectively eliminated without threatening union discipline. This requires the incorporation of a process of apparent member participation into the union structure without reducing the real powers of decision-making of the full time officials and union experts.

In Weitbrecht's model, direct state intervention in collective bargaining can be avoided since public and government pressure on the negotiating parties is sufficient to raise the probability of compromise. The unions are obliged to maintain the status quo in the long term while their members are subdued by discipline from within and the prospect of a longer term high level of consumption from without. The institution of collective bargaining is thus used to implement wage policies which support industry, yet release the state from any responsibility for negotiations.

Both Lester and Weitbrecht base their analyses on the model of free collective bargaining as the only effective means of dealing with conflict between the employers and the employed. Other critics envisage the voluntary integration of the trade unions into a stable economic and political system as they take on more responsibility for the economy as a whole. According to Gleitze, since the economy is no longer governed by the free market, the unions are forced to reconsider the value of autonomous action. Union function in the economic sphere must be reformulated and the concept of codetermination interpreted to involve the unions in developing the means to stabilise economic growth: "The transformation to the members of the interest groups of the responsibility for the economy as a whole will of course always create internal problems for the unions. That is the other side of the coin within an economic democracy (Wirtschaftsdemokratie) but it is the true alternative to every type of planned economy in which free unions help determine the economic course".
Gleitze is supported in his thesis by Sohn who recalls that after the setting up of the Concerted Action in the recession of 1966/7, those in favour of the unlimited cooperation of the unions called for a change in the organisational structure to intensify institutionalised cooperation and make it more effective. Free collective bargaining would cease to function since there was now a need to coordinate the wage policies of the individual unions. Ultimately this would mean the abandonment of the federal structure of the DGB in accommodation to the changes in the economic and political structures. As the degree of institutionalisation of cooperation grows, so too will the readiness of unions to support "common" economic aims.

In contrast to voluntary economic cooperation which, according to the critics, strengthens the trade union organisation, compulsory cooperation would seem to weaken it. In his view of the "New Industrial State", Galbraith observes a reduction in their role:

"All of these changes here examined - the shift in power from ownership and the entrepreneur to the technostructure, technological advance, the regulation of markets and aggregate demand, and the imperatives of price and wage regulation - have had an effect on the position of the union. In every case they have subtracted from its role." 

In the modern industrial system, power passes to the technostructure, thus lessening the conflict of interest between employer and employee which gave the union much of the reason for its existence. The regulation of aggregate demand, the high level of employment and a general increase in welfare reduce the need for trade unions:

"The union belongs to a particular stage in the development of the industrial system. When that stage passes so does the union in anything like its original position of power".

Galbraith reasons from this that the institutionalisation
of class conflict cannot be regarded as the "final triumph" of the unions but merely belongs to an historical phase in capitalist development in which successful nationalisation and rationalisation of the production process is not yet combined with permanent and systematic state intervention. The only function remaining to the unions is as a service in the industrial system "By helping to frame the rules (collective bargaining) and by participating in their administration through the grievance machinery, the union serves invaluably to mitigate the feeling that such systems or their administration are arbitrary or unjust".\(^{100}\)

Unions also play a prominent role in "winning the approval of the policy of regulating aggregate demand", important in the planning of the industrial system. More importance in this area is also the union role in standardising wage costs between different firms, particularly by means of industry-wide bargaining.

Galbraith concludes that the industrial system has now "largely encompassed the labour movement", dissolving some of its most important functions and moulding its other operations to its own needs. In a comparative work, Clark Kerr et al\(^{101}\) also think it probable that the unions will become a conservative force in society. Under pressure from statutory integrative cooperation, the role which unions fulfill as participants in an autonomous regulatory mechanism is of only passing importance: the institutionalisation of class conflict is only one stage on the road to the fully developed industrial society. In this model however, the state has a particular role as coordinator and pilot to actively encourage economic and technological progress by planning. Thus relations between management and managed effectively come under state control; the unions have a much reduced frame of reference and perform the functions of a feed-back between the decentralised system of control and the central planning authority. In both the models of integrative cooperation as presented by Galbraith and Clark Kerr et al the function of the trade unions is limited and moulded according to the rules of hegemonic

* Author's own brackets
technology. A number of other critics arrive at a similar conclusion of the loss of function of the trade unions, argued from different perspectives.

Mandel agrees that since the 1940s, the acceleration of technology and long term investment planning have contributed to a reduction in the traditional field of activity of the unions. The ideal model of organised capital of general social and economic programming, which allows the giant concerns to coordinate their investment, exerts pressure upon governments for incomes policies and corporative action, such as the Concerted Action. Such measures remove the freedom of collective bargaining, preventing the unions from making gains from any advantageous market position they may hold, for example, in times of full employment. Witjes makes reference to the law of 1967 on Stability and Growth which, with the Concerted Action, forced the functional integration of the trade unions into the permanent regulatory machinery. Walraff considers several aspects of the limits of union function. He presumes primarily that the workforce has now overcome all its under-privileges. Secondly there are now worker representatives other than trade unions, for example, politicians and parties sympathetic to labour, cooperatives and, most importantly, works councils. Works councils are gaining in confidence and strength and employers are now in a position to play works councils and trade unions off against one another. Walraff concludes that in modern society many large organisations are losing their former role, including the Church, the State, and the trade unions. To the extent that the trade unions are only one form of worker representation, they can no longer carry out their functions on the basis of ideals such as class solidarity. However, Walraff adds that they will remain the dominant representatives, if only because they have the ready-built machinery, the experience and the contacts, and therefore "will be in the heart of the discussion before the others reach the door".

Other studies take a less pessimistic view of the effects of integration on trade union function. In his study of
the American trade unions, Kirchheimer describes the inevitability of union integration into the state at the end of the Second World War. The unions were organisationally weak within a highly concentrated industrial structure. State intervention on behalf of their members further undermined union initiative and the right to strike, while they and their members became passive beneficiaries of state-guaranteed agreements. As a result these unions adopted an attitude opposed to developing their position as a countervailing power in the economic sphere. In Kirchheimer's model, group antagonism can be neutralised under the pressure of international competition: either the unions cooperate under a central policy of "coordination of group interests and objectives" and agree to suppress those groups which may threaten the coordination, or, as under fascism "undesirable groups" must be suppressed by force.

According to a study by the Frankfurt Institute for Social Research, the German government's policy on income regulation introduced at the end of the 1960s served to institutionalise the wage conflict, making it an instrument of the state. The unions had little choice but to support this policy since the government objectives of economic stability and full employment promised to fulfill the traditional trade union aims of higher wages and job security. To this extent, the Institute's report agrees with the rationale of the studies on union integration discussed above. The Institute takes a different line of argument thereafter however in its recognition of a continuing class conflict in labour relations. The peace formula presented by the thesis of cooperation ensures that class conflict cannot be articulated, but does not prevent its latent existence - its incidence is simply shifted to a new institutional level:

"However, the specific form of conflict changes under the conditions of a functioning incomes policy; it shifts to the formulation of government economic policy-making, to the calculation of aims and measures."
Integration presents the union organisation with a dilemma by offering partial benefits to the membership while at the same time institutionally preserving the present distribution of income and wealth. The Institute suggests that the unions have two alternatives open to them: the first is to take advantage of their new position of influence in the integrated state. In view of West Germany's dependence on her export markets, the unions should concentrate on evolving policies which encourage stability and growth in the foreign markets while pursuing an aggressive wages policy in the home markets. With the support of a complementary state economic policy the unions should be able to exploit the given economic conditions to secure higher levels of welfare for their members. The second alternative must be pursued however if the unions wish to achieve more than a higher level of welfare, that is, in terms of a redistribution of life-chances.

The Institute maintains that political-economic measures can only be achieved by conflict, but the unions must first seek redress from the state for the underprivileges which the incomes policy has inflicted upon them and their members. Clearly such challenges to the state and economic system require that the unions be politically motivated and that they use their position in the integrated state not merely as a filter, but as the articulation of the divergent, collective needs of the workers.

The Institute's report overlooks the question of union consciousness and motivation towards such ends. This theme is taken up by Wyniger who observes that union practice has deviated little from the Düsseldorf programme of 1963. Wyniger, and likewise Weingart, reproaches the trade unions for their lack of theoretical insight. The pursuit of "integrative pragmatism" prevents the unions from developing any anticipatory analysis; they fail to recognise social and political change, taking its causes at face value as they occur without consideration of their real consequential context.

V.L. Allen cites the British case as a fine example of
the vicious circle in which the trade unions now find themselves. The only saving grace for the trade union movement is to recognise the trends and "re-socialise" their organisations. They must halt the bureaucratisation and revert once again to traditional militancy. This militancy must then be applied not only to influence economic markets but also to achieve the longer term objectives of system reform. The Frankfurt Institute supports Allen's supposition that aggressive wage bargaining is insufficient to guarantee a better distribution of incomes. Under incomes policies the impotence of trade union activity is institutionally assured and unions are faced with the alternative of either accepting the restrictions on their bargaining autonomy or using their position of influence to pursue their political goals.

Mayer concludes from this that in order to ascertain to what extent the integration of unions under incomes policies has brought about a change in union function, it is necessary to investigate the politicisation of their economic functions. Economic crises now have political overtones because governments are obliged to take measures to contain them rather than leave them to the free market mechanism. Such measures include the regulation of incomes. Furthermore, since government planning in the economic and social spheres is still guided by the decisions of private industry, the unions are the victims of an inconsistent government policy-making; codetermination becomes inconsequential, succeeding only in dividing the leaders from the led:

"Every attempt to divide the unions from the workers by co-determination restricts the possibility of representation through solidarity and distorts the workers' right to emancipation into their servility to the markets." (Leminsky)

Political Conflict

The conservative and liberal approaches to the problem of union function in the modern state conclude that the state
must be assigned a far greater role, effecting a reduction in the public functions of the trade unions.\textsuperscript{116}

In contrast to this interpretation of union integration which transposes union function into a vehicle of social order (\textit{Ordnungsfaktor}), there is a school of thought which still perceives trade unions as first and foremost representatives of the underprivileged class or social group. From this viewpoint, changes in union function resulting from a changed relationship of the unions and the state must bear upon democratic progress. Union integration must be accompanied therefore by a politicisation of union function in order to remain active on behalf of their members. Such an argument was put forward in 1952 by Alfred Weber who proposed that the traditional function of unions in the economic sphere should be combined with the political objective of establishing a new political order in West Germany. This political function of unions should be on-going in the process of continuing integration of state and society.\textsuperscript{117} By their involvement in state processes, the unions are in a position to protect and promote the democratic rights of their members against any restraint or reactionary development.

Stammer also envisages a continuation of the extension of union function into the political sphere. In view of the increasing rationalisation of economic and social institutions, the diversification of old class structures and increased job specialisation, an expansion of state jurisdiction has accompanied the emergence of "an antagonistic social system of differentiated group interests." In order to preserve the plurality of the democratic structure, unions and other social groups must participate in the political process as much as the state.\textsuperscript{118}

Hirsch-Weber extends Stammer's analysis by considering the attitudes and self-perception of the unions themselves. The historical aims of the socialist trade unions of creating a new social and political order as well as seeking to improve the lot of the working classes within the present order presents
certain implications for future union policy-making: if the unions regard themselves as merely another interest group, they will see their function in the future as equivalent to that of other large socio-economic pressure groups. If however they continue to see themselves as representatives of the dependent class in a capitalist society then they may be expected to "have the courage to strive for Utopia" in pursuing the ideal of democracy in political and economic life.\textsuperscript{119}

The arguments presented by Stammer and Hirsch-Weber in favour of the value of trade unions as protectors of the democratic order are supported by authors in Britain\textsuperscript{120} and in Germany\textsuperscript{121}. The suggestion is that democratic trade unions are in a position to assert democracy under a constitution which does not otherwise provide for an equal distribution of power between groups. It is assumed however that the trade unions themselves seek to use their powers to this end and that they are truly democratic. In reality, the argument would seem to fail on both counts: according to an analysis by Bergmann et al\textsuperscript{122}, whereas the 1949 DGB programme concentrated upon political reform, the 1955 programme of action emphasised the importance of the further development of collective bargaining (\textit{Tarifpolitik}). The unions were already too late with their reform programme of 1949 since the CDU had already taken the reins of power in the government, and, with their reluctance to take mass action to secure reform, the unions were driven back to traditional pressure group tactics and collective bargaining. The last struggle of any consequence by the union movement was in 1951, after which the social market economy was allowed to prosper. The Munich programme now no longer relevant, the unions embarked upon a more pragmatic course of securing short-term objectives within the framework of the capitalist economy. The 1963 programme acknowledged Keynesianism as the key to successful capitalism; a more technical approach to the problem was to be adopted by the unions, involving a departure from the theme of class interests in favour of that of total welfare and the common good.\textsuperscript{123} Criticism of the system was restricted to the preamble of the 1963 programme which leads Bergmann et al to suggest that in the future such concessions to left wing ideology may be omitted from the DGB programmes altogether.\textsuperscript{124}
The question of democracy within union organisations is one which has given rise to prolific discussion among the critics. Hartfield directly challenges Stammer's analysis on this account and points to the wealth of literature which overwhelmingly rejects the notion that such internal democracy exists in practice. Fetscher and Walraff relate the tendency towards oligarchy in union organisation to the corporatist bureaucratic trends in organised society generally. Leminsky and Mandel however attribute the bureaucratisation of trade unions to a long-standing desire for self-preservation. Leminsky draws on the historical context of the German unions in proposing that "the organisation" came to mean more than an instrument for securing certain objectives, but that it bore the values of the labour movement and was therefore to be preserved at all costs. Witjes also dates the growth of union bureaucracy from 1906 when the strength of the union organisation was recognised by the party over the issue of the Massenstreik debate. He suggests moreover that this bureaucratisation led to the dichotomisation of interests of leadership and membership and a weakening of democracy. Bilstein stresses the recruitment of experts by the German trade unions as contributing to a widening of the gulf between the leadership and the rank and file; others cite the more general aspect of prestige, associated with the position of leadership as the divisive factor.

Strong leadership however is of the essence in Laski's analysis of union function. Neither the traditional liberal-pluralist theory of trade union function, nor the concept of the trade unions as a democratic factor in the process of social integration sufficiently explain the political role which Laski ascribes to them:

"... the trade union movement, in a revolutionary age like our own, has a political task at least of equal importance to its economic function".

Laski's analysis rests on the observation that the influence of monopoly capitalism upon government leads to the subjection
of workers and trade unions in order to avoid social and political conflict:

"This enables political democracy in large part to conceal the fact that, granted the private ownership of the means of production, political democracy is not seldom a facade behind which the great corporations prepare a social order, the character of which is not unlike that of the corporate state."135

Ultimately, in a new capitalist crisis, the economic powers will demand control of the state machinery and the trade unions will be totally unable to redress the balance of state power:

"I am more convinced that....the character of economic development makes it imperative that the government, with its right to exercise the sovereign power, must be in the hands of those who are prepared, at almost any cost, to preserve the essentially democratic character of government."136

The implications of this for union policy and practice are that they should not accommodate themselves to capitalism, but, by preserving their autonomy, should seek to counter the influence exerted upon government by the industrial giants. By "mobilising trade union power politically .... it can carry out the redefinition of the relations of production with the state power in its hands, and not in its opponents' hands."137

Abendroth138, while acknowledging that it is more likely that the unions will acquiesce to the capitalist system, also takes the view that they have a responsibility to democracy to adopt a policy of opposition to the state. On the grounds that there exists an increasing divergence between the letter of the Constitution (Basic Law, Art.20/28) and the Constitution in practice, the unions are obliged to actively defend democracy by the pursuit of further rights of codetermination in industry and by the exercise of strong union democracy. By encouraging
a party-political awareness among their membership or by organising collective action to demonstrate worker power, the unions may perceive the alternative possibilities of maintaining their position as a countervailing power.

Seifert centres his analysis around the article in the Basic Law which legitimates union activity (Art. 9:3). Unlike Abendroth, Seifert is not confident that the Constitution guarantees the rights and functions which the unions have exercised since the war and suggests that they may yet be debilitated by incorporation by the state.

The political integration of trade unions has been the subject of discussion among academics and trade unionists in Britain as well as in West Germany. Crouch has stated that the liberal-collectivist model of industrial relations which existed until the early 1960s can no longer be said to exist because the conditions which made it possible no longer hold:

"... a strategy of liberal collectivism is only pursued by a dominant interest faced with considerable countervailing power. The survival of domination is in fact dependent on several factors which are outside its own control: economically, on a high level of growth and mass prosperity; politically on at least some continuing background support; and ideologically on limitations on workers' aspirations and use of pressure." Brown adds that the institutional framework for industrial relations is showing signs of development in a corporatist direction. The desire of governments for a less risky course of action leads them to attempt to involve union leaders and employers in tripartite relationships. Most of the constraints set by the state upon trade unions are in defence of the economy; the integration of unions into the state bureaucracy serves to contain union activity in times of inflation and unemployment, the two great ailments of capitalism. The unions face the difficulty of having to articulate opposition in a system of crumbling democracy: though they still profess to perform functions of both protection and reform, this has met criticism first on the grounds that the unions are
already so integrated into the state that they can no longer attempt to change the system; and second, that they take too subjective a view of their own behaviour in the economy and therefore any such assessment of themselves is open to question.

The unions in Britain have been described as always having been on the defensive, since they have never sought control. The German unions, on the other hand, did have the opportunity of initiating a new social order in 1945 but were thwarted in their attempts, chiefly by the controlling Allies who pressed for a liberal-capitalist economy. As a result, their long-term aim remains unfulfilled and their role in the short term is also reduced to one of accommodation and defence.

Clearly, the political and economic roles of trade unions as well as their limitations are closely linked and operate at different levels of analysis. Much of their political freedom of movement is dependent upon their autonomy as economic agents, and vice versa. As Crouch intimates, "it is every bit as 'political' for unions to accept wage restraint in favour of a presumed 'national interest'. In modern society governments have an overriding concern for the state of the economy, and unions' collective bargaining activities have implications for the economy."

In his study of British politics and trade unions, W. Müller links "responsible trade unionism" with an increase in activity among non-integrated minority groups within the union. Brasso also takes the view that the canalisation of industrial conflict and the "mystification" of worker consciousness which results from the integration of trade unions into state planning calls for autonomous activity by left wing groups outside the union to take action against the capitalist system and revive the working class movement.

Mayer comments that increasing state intervention in society also means an increasing need for compromise between social groups. For any evaluation of union function in this more
complex social context, it is important to decide whether a stabilisation of the system merely serves to bolster the present distribution of power or whether the conflicting obligations of government in the welfare state do not provide new terms of reference for negotiation between groups. Only careful analysis of the areas of state control, empirical as well as theoretical can determine the areas where union participation would be most effective.152

Union Democracy and Workplace Representation

Throughout the discussion of the political function of unions, attention is directed to the problem of internal union democracy and the motivation of the rank and file. Crouch sums up the position of the union bureaucracy in the integrated state:

"How far can they go in responding to the challenge and opportunities of a political role without sacrificing their primary, bed-rock task of representing their members' immediate interests in improved wages and conditions?"153

Weingart links the loss of internal democracy directly with the principle of codetermination in Germany.154 His arguments in support of this proposition are not unlike those presented in Britain by Allen who contends that the role of the union leadership is a confined one, consistent with the values and norms of capitalist society.155

Union democracy is dealt with in some detail by Lipset, Trow and Coleman in their study of the International Typographical Union.156 In reviewing the "iron law of oligarchy", first proposed by Michels in 1911157, Lipset et al note that it is generally not the oligarchy itself which causes concern, but the misuse of its position and influence. It is therefore no surprise to find that supposedly democratic organisations, such as the trade unions, also obey the law of oligarchy; but there should also be a system within the union organisation which checks the misuse of power, a system based on a "Theory
of Democracy", as Lipset et al term it. The Theory is evolved from an evaluation of a number of previous studies of democracy. They cite three instances of democratic control within a society: one is the Aristotlian thesis that democracy can only exist in a society which is predominantly middle class. Only a more or less even distribution of income could guarantee the intelligent participation of the mass of the population in politics. A second proposition is that democracy works well in relatively small units where a close observation of the government by the populace is made possible. The authors' own proposition however is the theory of political pluralism whereby the members of the society belong to organised sub-groups which constitute autonomous centres of power within the society. This thesis is expanded upon by Martin who states that "The status of the opposition" is the distinguishing characteristic of democracy; democracy exists where organised opposition is tolerated, totalitarianism where it is not". In disagreement with Lipset et al, Martin maintains that the opposition need not be institutionalised, as is the case in the ITU, nor even that it should be democratic - "merely that it should survive as a recognised form of political activity." Faction within a union may be dysfunctional in that internal division weakens it bargaining position, but it remains an essential feature of democracy.

In answer to the query "What are trade unions for?" Flanders tries to forge a third line of reasoning between the conservative and liberalist positions on union function. He rejects both these viewpoints on the grounds that they belittle the unions' primary function of representation, which obliges them to act in the best interests of their members. Flanders emphasises the importance of collective bargaining as the medium of union function through which the unions are able to regulate the power and authority of the employers. By extending the rule of collective bargaining, the unions lessen the dependence of the employees on market fluctuations and the will of management. For Flanders therefore, collective bargaining is more than a tool of "aggressive economism", but is a method of establishing rights in industry which protect workers' dignity,
"a social order in industry". Moreover, the access to participation in the rule-making process granted to the unions in collective bargaining is a more efficient form of democracy than can be achieved by codetermination.\textsuperscript{161}

Collective bargaining is thus an important feature of union representation at the workplace and is the mainspring of the movement's vitality. This is apparently not the case in Germany. A report of the industrial printing union of 1974 complained that the unions could not continue to develop their objectives "in a vacuum" without recourse to the wishes of the membership.\textsuperscript{162} Unions cannot cooperate indefinitely in a free society without attending to their members' immediate needs.\textsuperscript{163} The integrated unions have abandoned the original objectives of the German labour movement and are now reduced to the defensive role of insurance against individual and collective risk. In a system where "the social conflicts between employer and employee are resolved from issue to issue and not overcome"\textsuperscript{164}, the unions actively recognise the system and shield it from the criticism of the workforce.\textsuperscript{165} This negative assessment of union behaviour was ignored by Flanders but is supported elsewhere in the British literature:

"Collective bargaining, where it operates with reasonable success, fulfills three major functions: first it provides a partial means for resolving the conflicting economic interests of management and labour; second, it greatly enhances the rights, dignity and worth of workers as industrial citizens; and, third as a consequence of the first two functions, it provides one of the most important bulwarks for the preservation of the private enterprise system."\textsuperscript{166}

In pursuing a policy of aggressive economism, the unions are encouraging a passivity among their members which reduces their vitality and activity as a movement.\textsuperscript{167} Moreover, since cooperation at state level is generally conducted by the central organisation of the trade union federation, without necessarily involving the member unions, there is some doubt
as to whether the term "movement" can still be applied to the collective body.\textsuperscript{168} The moment of vitality has in fact shifted to the workplace where grievances about conditions are as much a source of conflict as pay.\textsuperscript{169} In Britain job control issues form a substantial part of shop floor bargaining. They offer a means to the workforce of taking defensive action in the face of a union officialdom which acquiesces to the rule of capitalism.\textsuperscript{170} In discussing the causes of strikes in Britain, Turner concludes:

"One could say that these disputes all involve attempts to submit managerial discretion and authority to agreed - or failing that, customary - rules: alternatively that they reflect an implicit pressure for more democracy and individual rights in industry."\textsuperscript{171}

Similar trends in German industry have for some critics implied the need for more participation of the trade unions in control at the workplace. Since the late 1960s, there has been a revival in trade union literature of the debate on the Works Constitution Act. Leminsky\textsuperscript{172} observes that even codetermination at plant level such as exists in the metal and mining industries has penetrated into the shops and pits, which leads him to conclude that union participation at different levels is complementary rather than conflicting. Codetermination at the workplace serves to check the failings of collective bargaining in the absence of company bargaining.\textsuperscript{173} Up until the late sixties, the concepts of collective bargaining and codetermination remained independent of one another; since then, their complementary attributes, if instituted at company level, have found recognition.\textsuperscript{174} Leminsky points out the misconception of codetermination as necessarily forging cooperation, and collective bargaining, conflict.\textsuperscript{175} Exploited to the full, these instruments of union function could ensure that the unions maintain a strong autonomous position as countervailing power at the workplace. Such a position provides the unions with the foundations to rebuild union solidarity and consciousness among their working membership.
According to some critics, however, neither codetermination nor job control can of themselves seriously challenge the work process.\textsuperscript{176} Since job regulation issues are essentially defensive in character, the unions are obliged to adopt an offensive strategy which extends beyond the wages conflict. Gorz states that the unions must adopt a realistic strategy towards achieving a socialist society. While continuing to push for higher wages, they should formulate and pursue a concrete programme of changes at the levels of production and the economy.\textsuperscript{177} As opponents of the present social system, they should strive for its removal in the long term, while securing partial changes in the short and middle term, such as education, social services and so on.\textsuperscript{178}

A Union for the Workers

The chief question now remaining is what do employees themselves want from a trade union? Broad political aims may well be in the interests of the membership, but only in the long run, and it is not at all clear whether the majority of working people would recognise social change as the result of trade union activity.\textsuperscript{179} In the integrated state, unions have to choose between an acquiescent and a radical political role: a role as an organisation or a movement.\textsuperscript{180} The former involves employing measures to discipline the membership in order to maintain power as a centralist agent which may take the form of incentives to membership or sanctions against non-compliance. Eickhof\textsuperscript{181} places such measures in their historical context in describing the "positive" and "negative" action which the unions in Britain and in Germany undertook to stabilise their organisations.

Negative action, such as the closed shop, although illegal in Germany, is now well established in Britain among the "New Unions" of the 1890s as well as among some older liberal unions, such as mining, where the 'agency' shop existed in some regions from 1870, and some earlier craft unions. After
the 1890s there were strikes and even sympathy strikes against the "free riders" in coal, steel, shipbuilding, gas, printing, wool and textiles and joinery. Other than the closed shop, the unions in Germany applied pressure upon the workers by means of propaganda and personal contact. This was particularly overt in mining where pressure from families and other social contacts remains traditionally strong and pressure from non-union organisations, such as churches and political parties more likely.

Positive action took the form of selective economic and social attractions. In Britain as in Germany, unions, from the very early days of their organisation, ran courses in the trade or craft to encourage promotion; they issued their own industrial publications and set up libraries. They ran their own legal departments, provided strike pay, "tramping" allowances and welfare benefits. Even the "New Unions" although chiefly motivated by "pragmatic industrialism" in pursuit of collective bargaining, found that they had to offer personal services to the membership in order to attain some stability.

In Germany, the Lassallean socialist unions, because of their political aims, offered mainly strike benefit, but were not so strong as the Bebel-Liebknecht organisations, which aimed to provide alternative benefits. In many instances the unions were unable to pay out; however the principle had been established and was maintained by the new organisation formed in 1875.

Van de Vall terms the relationship between the unions and their members their "micro-social function". Van de Vall proposes that changes in the consciousness and expectations of the unions and their members, resulting from changes in the parameters of trade union function at the "macro-social" level, inevitably modify union function at the micro-social level. He describes the shift in the level of industrial conflict, which has occurred as a result of the welfare state, as having altered the nature of trade unionism towards "the organisation". Industrial conflict has lost its class character.
and the trade unions have been instrumental in its institutionalisation. In the integrated state, high concentration of union organisation, as exists in industrial unionism, encourages "responsible trade unionism". This, and the absorption of the traditional service functions of trade unions, such as social insurance, by the welfare state, weaken the ties between the unions and their members. The unions have to develop new "internal" functions in the form of services to attract the loyalty of their membership. For Van de Vall this presents a much more serious problem to the union leadership than how they should best secure material advantages for their members.

It is interesting to note that the measures which Van de Vall suggests to strengthen the trade union organisation are an extension of those described by Eickhof. In viewing class conflict simply in terms of a clash of values, Van de Vall assumes that if trade union values at the workplace can be changed and brought more into line with those of management, the class conflict will no longer be apparent. There is no discussion in his analysis of trade unionism as a "movement"; the problem, as he sees it, is an organisational one. If discipline could be achieved on the basis of membership support in the way described, the unions would be in a position to share management values to the extent that class conflict at the place of work would be removed.

Van de Vall's study clearly points to a consideration of the values and motivation of the members in any analysis of union function. If worker consciousness is changing, then the trade unions must respond accordingly in order to survive. It is argued that in the welfare state, the affluent worker is no longer concerned with the wider ideals and aims of traditional trade unionism, but is motivated by an "instrumental collectivism". In the Van de Vall study the proportion of the sample interested in collectivism at all was very low. Goldthorpe found that other than craftsmen, the majority of affluent workers view the functions of unions as being restricted, having no meaning either in terms of
worker participation or as a political force. The trade unions are of more significance in economic and localised issues. The orientation of the workers towards unionism reflect their orientation towards work, leading Goldthorpe to conclude that trade unionism in Britain is not losing its hold but is adapting to the needs and expectations of its members:

"....these workers' reliance upon such (collective)* action remains closely associated with their position and role as men who sell their labour power to an employer in return for wages."  

In his assessment of the situation of the affluent workers in the new society, Goldthorpe suggests that there is a new "openness" of social consciousness in the absence of images of social order other than money. This has certain implications for purposive action on the part of social elites and organisations such as trade unions: they should endeavour to evaluate the "specific and politically relevant meaning" of people's grievances, demands and their aspirations in order to raise their function above that of "instrumental collectivism".

The problem is viewed as a much more complex one by Clements in his study of trade union consciousness. He argues that the limits of workers' frames of reference are structured by the process of collective bargaining and the dominant ideology of capitalism, which the structure of collective bargaining reflects. At the "micro-level", workers' trade union consciousness may be equated with factory class consciousness. Trade union action at this level cannot be interpreted as simply economic, but a coherent ideology is necessary if workers are to overcome sectionalism and perceive the relation between economic and political issues. In agreement with so many other critics, Clements regrets that, at the "macro-level", "trade union organisation has been subject to integrative pressures both structurally and ideologically". Thus he concludes that the relationship of micro- and macro-level trade union consciousness "has to date been a complex

* Author's brackets
dialectic of pressure and counterpressure" on which the aspirations and trade union consciousness of the membership depends; at any given time, under changing economic and political conditions, a spectrum of consciousness will be held by different groups within the movement.

The complexities of worker attitude and motivation towards trade unionism so described render it difficult to assess the function of trade unions without oversimplification. An attempt has been made however in this chapter to review the criticism of trade union function at different levels of analysis, out of which some central themes emerge.

Summary

In view of the disparity in the political cultures of Britain and Germany, it may be anticipated that the ideologies which structure and condition the industrial relations systems in the two countries should also differ.

In its historical context, the German Trade Union movement has developed as one interest group among a relatively large number of others. Financially and politically disadvantaged, however, the organisation of Labour in Germany never acceded to a position of power equal to that of organised Capital. Conventional wisdom in German political thought found its place in the conceptualisation of the Social Market Economy in which the strength accorded the state was reflected in all the economic and legal recommendations. Yet, under the auspices of Ordo-Liberalism, the complexion of interest group activity has changed with the nurturing of mass organisations of Labour and Capital by the quasi-corporatism of the modern industrial state. In encouraging the responsibility of society and its representatives, the traditional German concept of state and society can be said to have made some concession at least to the Anglo-saxon notion of social order, and it is this socio-political model to which the post-war trade union movement owes its credentials and identity.
In British political philosophy, the state remains subordinate to the society which creates its own order by the responsibility of its individuals and social groups. This 'Individualistic Liberalism' set the parameters of trade union ideology and growth in this country. Once active, the trade union movement grew strong in relation to employer organisation and benefited from accommodation to the political system. By the same token, the British trade unions succumbed more readily than their German counterparts to state integration, a process accelerated by the precepts of Keynesianism and the Welfare State.

As the synthesis of Ordo-Liberalism, Neo-Socialism and Catholicism, the ideology of the Social Market Economy afforded the evaluation of the trade union role in society on three alternative counts, all of which deviate from the precedent set by the traditions of British Liberalism. The divergence of political ideology between Britain and Germany implies an incomparability of the prescriptive functions of their Labour organisations. However, they do appear to have certain analytical qualities in common: in both countries, the unions and their critics formulate their assumptions of union behaviour on the basis of an antagonism towards the capitalist principle, whether in terms of industry or the state. In the German context, this has been interpreted in revolutionary Marxist terms; in Britain, opposition is observed to be traditionally reformist.

In both the German and the British case, the unions carry out an additional and equally important function of protecting their members against the rigours of Capitalism; and in both cases the unions have been accused of denying their function of opposition in favour of this second, more defensive role.

Conservative-Catholic and Liberalist critics, who have expressed the desire for greater state control of the trade unions as interest groups, concentrate their discussion at the one political level of analysis. In doing so they overlook the main centres of trade union action before the macro-economic level.
More likely there is a spectrum of union behaviour between the limits of conservatism and militancy to be perceived at different levels within and among the various union organisations; and since operations at the individual union level are chiefly concerned with collective bargaining and codetermination, such indications of union attitude are to be found in the degree of cooperation or confrontation demonstrated in any bargaining process. This emphasis on bargaining implies that the function of a trade union may best be observed in its behaviour in the potential conflict situation. The conflict need not be of class, but can arise at any level where there is a clash of interests involving the members of a trade union organisation or its officers. If it is assumed that conflict is endemic to the liberal-pluralist social model, in varying degrees as between the managers and the managed, the society and the state, the executive and non-executive, there is scope for the role of the trade union. The Welfare State may well have rendered unnecessary some of the former functions of the unions, yet their role as protagonists of industrial conflict, also arguably of social conflict remains undiminished. In this interpretation, the source of conflict is taken to be the unequal distribution of authority and decision-making power in the political, economic and workplace situation. On these terms, the function of the trade union is assured in any system, capitalist, technocratic or neo-socialist. The ideology on which it is founded is, as Flanders proposes, trade unionism for its own sake, less concerned with the redistribution of incomes or profit-sharing as such, but more particularly concerned with the principles of social, political and industrial power.

The coordination or incorporation of the objectives of individual union organisations for macro-economic or other political purposes is likely to be regressive within this model, since it would effectively narrow the terms of reference of each by denying the specific areas of conflict within particular industries or workplaces. Moreover, it may be argued that to attempt to remove conflict by restricting its expression at one level of trade union activity will only augment conflict.
at other levels. The determinants of any such sequence of events would be the attitudes, expectations and trade union consciousness of the worker groups directly or indirectly affected, and the methods available to them for expressing or exercising their collective will.

Factionalism and effective opposition at all levels of trade union activity have been presented as the safeguards of social and industrial democracy, whilst Collective Bargaining, particularly at the workplace appears as the most effective method of trade unionism in responding to the immediate demands of the membership within a readily recognisable situation of conflict.

It would be misleading therefore to equate reformism with acquiescence. The "integrative pragmatism" which characterises modern trade unionism in both Germany and Britain requires closer analysis before it may be denigrated as a political failure. The full implications of integration are difficult to assess in advance of history; therefore, calls from some political critics for more codetermination, or even the political strike, appear as an inadequate response to the paucity of trade union political philosophy during the decade in question. Even within a framework of integration, the unions are able to maintain a position of influence as a countervailing power by motivating their members to act, to express their grievances and demonstrate their dissatisfaction. However, militancy remains of the essence in performing a radical political function which is within the workers' perspective, and failure by the trade union organisations to harness this militancy may deprive the movement of its unique democratic function in social, political and industrial affairs.

In the next chapter, the results of an investigation of trade union practice in Germany serve to illustrate the themes expounded above, and lead to some conclusions on trade union activity drawn in the final chapter.
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CHAPTER 6

Some Observations of Trade Union Practices: A Case Study of the German 'Model'

During October and November 1979, a number of regional and district officials of the unions IG Bergbau und Energie (IGBE), Gewerkschaft Textil-Bekleidung (GTB) and Gew. Öffentliche Dienste, Transport und Verkehr (OTV) were interviewed. The questions were aimed at obtaining information about the activities of the officers at the different levels of organisation and the nature of the support they relied upon to carry out their function. The information provided by the survey was essentially descriptive, based on the responses to a mixed schedule of closed and open questions. An attempt was made in part to "measure" regional variation in the activities by presenting in graphic form those responses which could be readily tabulated (see page below). This information is included in the Appendix to the Study, along with the question schedule used.

The report of these observations deliberately avoids any direct investigation of union density, or indeed the factor of trade union structure which Turner referred to as "morphology", since such information was not thought to be essential to the object of illustration which this chapter seeks to achieve, i.e. to demonstrate the interaction in practice of trade union government with activity, motivated by various "power" factors. The nature of this relationship, to be explored in the final chapter, is not intended to be seen as a conclusion of these recorded observations, but is not thought to contradict them.

* Professional Full-Time Officers (FTO)
1 Trade Union Structure

I Constitutional Structure

In accordance with the Constitutions of the three unions, they may all be described as having a simple representative structure providing an administrative hierarchy on four or five levels, as follows:

1. National
2. Regional
3. District
4. Local (IGBE)
5. Plant

Closer observation reveals wide variations in organisational behaviour according to composition of personnel, size and geographical distribution of the administrative centres which make up the hierarchy. One hypothesis of this study is that such structural variations may to a degree be related to the functions which the unions are able to carry out at the various administrative levels.

In practice, the administrative structure of the unions tends to accord with the industrial-organisational structure of its membership. Below the level of executive, GTB has eight regional offices, each supported by a network of Verwaltungsstellen (district offices). The number of Verwaltungsstellen was reviewed in the 1970s and reduced in line with the rapid rationalisation of the industry, thus concentrating the administrative manpower in the areas where it was assumed to be more effective.

Unlike GTB, the OTV regions are organised strictly in accordance with the German states or Länder. The structure of the public sector on district, Land and federal levels provides the guidelines for union administration.
IGBE on the other hand has to deal with an industrial concentration which does not easily lend itself to the four-tier administrative system. In distinct contrast to the recruitment field of OTV, and to a lesser degree of GTB, the distribution of mining and quarrying in the Federal Republic is uneven. In addition to this concentration of the industry in the north, IGBE was faced with heavy and rapid rationalisation in certain sectors, notably hard coal, during the 1960s which resulted in a drastic reorganisation of its administration.

For the purposes of the study therefore, the regional structure of IGBE was surveyed on a different basis to the other two unions: the regions selected for observation were grouped under the categories of RUHR, STRONG NON-RUHR and WEAK NON-RUHR; the STRONG NON-RUHR area then had to be subdivided into one region without districts (Rheinland) and one with districts (Niedersachsen).

Such designation by the researcher is in relation to the strength of the industry in terms of relative commercial value and production expectancy, rather than trade union organisation.

IGBE deviates further in its structure from all other unions by the administration of local branches by lay officials. These local branches (Ortsgruppen) have their own finances and effectively supplement the work of the district or regional office and the work of the lay officers at the workplace.

Union administration at the place of work is carried out unofficially by the Works Councillors (Betriebsräte); officially by the Union Stewards (Vertrauensleute). The degree to which the union is able to make use of the works councillors as their representatives rather than their own stewards varies from union to union and is only dealt with in part by this study.
Thus it is proposed that union function is examined at the various levels of administration and in the light of the characteristics of that administration. The observation of union function therefore pursues the following structural patterns:

### GTB/OTV

<table>
<thead>
<tr>
<th>(Region)</th>
<th>Bezirk / Landesbezirk</th>
<th>Functions</th>
</tr>
</thead>
<tbody>
<tr>
<td>(District)</td>
<td>Verwaltungsstelle / Kreis</td>
<td>Functions</td>
</tr>
<tr>
<td>(Plant)</td>
<td>- - - - - - - - - - - - - - - -</td>
<td>Functions</td>
</tr>
</tbody>
</table>

### IGBE

<table>
<thead>
<tr>
<th>Strong Non-Ruhr</th>
<th>Weak Non-Ruhr</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Region)</td>
<td>Ruhr, Rheinland, Niedersachsen, Germany, South</td>
</tr>
<tr>
<td>(District)</td>
<td>Geschäftsstelle, Geschäftsstelle</td>
</tr>
<tr>
<td>(Local)</td>
<td>Ortsgruppe</td>
</tr>
<tr>
<td>(Plant)</td>
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### II Functional Structure

From the information gathered in the survey, there are two areas of union function for which administrative structures have been created over and above the basic four-tier hierarchy. These are the functions of collective bargaining and individual, often legal representation. Both require officer expertise or specifically appointed committees for the everyday handling of disputes and are therefore regarded as an integral part of union structure and function. The pattern of collective bargaining and the handling of disputes arising out of agreements is found to vary from union to union in accordance with the industry and membership structures.
In IGBE the distribution of bargaining rights varies among the region types. The regional officers in the Ruhr have no negotiating rights at all, since negotiations in the hard coal industry are conducted by the central executive in Bochum with the Coal Board. Their function therefore centres upon supporting the work of the lay officials in the local branch and the workplace. In the plant the works councillors, overwhelmingly IGBE members, have the responsibility in some instances for negotiating the traditional mining incentive bonus schemes (Gedinge) and certainly negotiate any additional piece-work rates, time rates or special bonuses as available. Under the German Coal and Steel legislation on industrial democracy (Montanmitbestimmungsgesetz), the works councillors, and in practice particularly the chairman of the council, have substantial rights in the decision-making in the plant and they are able to use these rights to strengthen the union's position in the industry.

In all the Non-Ruhr areas, the pattern of collective bargaining is different. In these areas the regional, and in the Weak Non-Ruhr areas, the district officers have bargaining rights. Where there is little hard coal, and lower productivity (Gedinge) the aim of the union officers is to remove what there remains of plant bargaining and tie up all negotiations in contractual agreements between union and employer. Unlike the Ruhr, the lesser mining areas do not enjoy the Montanmitbestimmungsgesetz. Thus, with very little plant bargaining, the role of the works councillor is much reduced while that of the district or regional officer is enhanced, since he is then directly responsible for most negotiations with the employers. One might expect therefore to find some discrepancy in the functions of the officers in these areas from those in the Ruhr. Yet all officers interviewed reported that the majority of their time was given to plant disputes over the interpretation of contractual agreements, irrespective of whether they had been responsible for bargaining or not. Moreover, the ranking
of priorities by the respondents were found to be significantly correlated throughout the union. (See Appendix).

Collective Bargaining in the public sector is generally carried out at federal level or regional level, according to the authorities' structure. The regional office of ÖTV has the discretion to hand down to the district offices (Kreise) the responsibility for bargaining in certain individual areas of the public and/or private sector. Thus while the extent of collective bargaining at regional level may be fairly evenly distributed, the bargaining rights of the districts can vary enormously. This can be verified by statistical information available from the central administration in Stuttgart.

There are some cases of plant bargaining within ÖTV in the form of incentive bonus schemes within the private sector for which the district officer is responsible for overseeing, but this was negligible at the time of the survey. ÖTV is generally more limited in its bargaining rights than the other two unions since a substantial section of its membership are civil servants whose salary and conditions of work are not negotiable. However, as with the other unions, problems which are peculiar to ÖTV members do appear to extend the functions of their officers: one such problem frequently raised by the district officers was that of disputes at the workplace over job evaluation. This type of dispute is more prevalent in the public services because of the extent of white-collar employment in that sector. The increasing rationalisation of white-collar employment has led to a wider awareness on the part of the union negotiators at federal and Land levels of job security and the improvement in conditions of employment in place of the more narrow wages policy of the 1960s. One respondent did comment however on the strategic limitations of ÖTV collective bargaining policy which aims to harmonise conditions of employment between blue- and white-collar employees while at the same time seeking to remove civil servant status and privilege. Such fundamental divisions in the membership serve not only to weaken solidarity within
the organisation but multiply the workload for the FTOs. The pressure felt by the FTOs particularly at district level is augmented by the complex legal framework which governs OTV activity in the public and private industries and which again derives from the differentiation of the membership by legal status. Added to this, many respondents indicated a development in the public sector towards the "privatisation" of some services and were concerned, in varying degrees, about the effects of this trend and the impact of new technology on the job security and conditions of employment of their members.

The district offices of GTB have no bargaining rights with any organised employers but do enter into separate contracts with individual firms (Haustarife). Plant bargaining is however unavoidable in both branches of textiles and clothing. The various systems of work study, introduced by the employers, are long-standing and accepted by the union. Although such studies tend to limit the control of the union over workplace conditions, the FTOs are prepared to work with them and see their own role as one of overseeing, of supporting and training the lay officials directly involved in negotiation, i.e., the works councillors. The employees, the union members, are totally dependent upon the experience and skills of the works councillors; thus the union is obliged to exploit its rights of access to the works councillors, as provided under the 1972 Works Constitution Act (Betriebsverfassungsgesetz), to influence and encourage them. GTB officials, like IGBE officials, do however aim to reduce the extent of plant bargaining in favour of a wider application of collective agreements.

At regional level, GTB officers are not only responsible for negotiating agreements in textiles but provide the advisory expertise to the districts. As in the case of the OTV regions, GTB officers also commented on the increased workload produced by the application at the workplace of more numerous and more complex collective bargaining agreements. As more bargaining
is taken outside the plant, the stronger this trend will become and the greater will be the shift in trade union function at all levels of organisation.

The Bargaining Role of the Unions - Summary

From the information provided by the FTOs interviewed in the survey, the bargaining structures described in the statutes of the three unions would appear to be weighted in favour of particular individual or groups of negotiators. Such variations in the bargaining patterns are caused in part by the inadequacies of the administrative structure but result much more directly from changes in industrial structures and developments in labour legislation.

This is most clearly illustrated by the regional variations in IGBE. The industrial relations legislation in coal and steel grants much greater power to the employee representatives in the plant and to those sitting on the management and supervisory boards. This, combined with centralised bargaining as in the Ruhr, presents the regional officers of IGBE with a frame of reference which is fundamentally different to that of union officers elsewhere, even within IGBE itself. They, in contrast, while able to negotiate directly, have recourse only to the Works Constitution Act. There is no indication that the one group of officers or the other has a greater day to day workload as a result of these variations; however, it may be assumed that their tasks or functions are different, given such clear deviations in the parameters of these functions. (A further investigation of the expenditure patterns of the various union offices and of union activities in the plant might well offer up the detail necessary to complete the picture, but such investigation is not included in this study).
A parallel situation has developed in the administrative structure of ÖTV. Whilst bargaining is carried out at regional and federal levels, the ongoing problem of the practical application of the bargaining agreements is dealt with to a large extent by those not directly responsible for the negotiations, i.e. the districts. The district officer represents a buffer between the plant representatives, and in some cases the membership directly, and the negotiators higher up the administrative hierarchy. Since the sheer volume of work handled by the district in day-to-day disputes at the workplace is increasing, the regional office is all the more frequently having to take on its tasks, which may be seen as a shift in function from the district to the region.

Much of this increased workload results from the complexity of labour relations in a sector which is predominantly white-collar and which includes the civil service. The variations in legal status which divides the membership, and the added complication of the law on staff representation as the basis for workplace relations in the public services, overload the function of the district office in this union in comparison to other unions at this level of organisation.

Workplace negotiations predominate in the activity of the district offices of GTB. Because of extensive piece work and work study in the industries, the actual pay rates depend very much on plant bargaining. Unlike much of the mining industry outside the Ruhr, GTB has not yet succeeded in reducing the number of non-union agreements. In this context, the function of the district office is to work with the works councillors under the conditions of the Works Constitution Act. As work study makes labour relations in the plant increasingly more difficult for the works councillor, the district office is called upon more and more to advise and support their activity. This dependence upon the union is intensified by the growing number of collective agreements negotiated at regional and federal levels. The role of the regional office in GTB is also more of a supportive one than is apparent in the other two unions since so much wage bargaining is concentrated at the workplace.
The administrative structure of a trade union demonstrates the instrumental framework which the union has at its disposal to fulfill its function on behalf of its members. However, union structure defined in this way offers an inadequate model for testing function. In applying this instrumental framework to the field of active industrial relations certain power relations, by way of authority, influence or prestige, emerge, which colour the structure of the union in the light of its function. These power relations were assessed by investigating the parameters of trade union function, other than structure, based on information obtained from the FTOs about their activities.

I Power in Rules

The "rules" of industrial relations are assumed to include all agreed or acknowledged procedures which govern the pattern of employer-employee relations and which restrain the activity of either party. In the German context, the procedures which condition trade union activity are dominated by the system of labour law and the apparatus available for conciliation and arbitration.

FTOs at each level were questioned about their attitudes towards the system of regulations and the use they made of the apparatus available to them. From their responses, an assessment could be made of the various power relationships afforded by the regulations and how trade union function is affected by this.

In view of the advantages already won in the coal and steel industries and the raising of union status which resulted from it, the overall union attitude towards labour legislation is not a negative one. As might be expected, this view was most strongly expressed by the officers of IGBE where the gains from codetermination are experienced at first hand. Other trade unions and sectors of industry in the survey
including sections of IGBE appear to fall a long way short of achieving this level of legal security, and their evaluation of the role which the law has to play in the field of industrial relations must be viewed in a context of dissatisfaction and frustration, observed, as it is, in the late 1970s against a backcloth of rapid economic and technological change and consequent uncertainty.

Within the strong regions of IGBE, the view was expressed that the laws simplify and strengthen the rights of union officers, particularly lay officers. The Ruhr officers acknowledged weaknesses in the Works Constitution Act but since these weaknesses did not affect their section of industry, they thought it not their concern, but rather a problem for the DGB as a whole. This contrasts with the views of the weak mining regions where the Works Constitution Act is effective and where its failings are felt, especially with respect to the small plant. On a comparative basis, the weak mining areas face problems more in line with those facing GTB than other regions of IGBE. One might suppose therefore that their complaints are better represented at higher levels by smaller unions such as GTB than by their own hierarchy.

While both the weak mining areas and GTB agreed that because of weak membership and weaker representation of union interests in the plant, the rights already granted to the workers by present legislation were still not sufficiently exploited, the GTB officers were more critical of the law and more aware of the advances in union rights still to be fought for. At both regional and district levels, GTB officers demanded a change in the 'free rider' Provision in the law on collective bargaining which at present grants implementation for all agreements negotiated by unions on behalf of their members to all workers in the industry, whether organised or not. This 'free rider' clause must, in their view, be eliminated in order to increase the security of the organised workforce and thus their solidarity. Without special rights of co-determination, and under the conditions of the Works Constitution Act the union has no means of fulfilling its role of representation
and its significance for the organised worker is much undermined by the 'free rider' clause.

All non-Ruhr mining regions joined with the GTB regions and districts in demanding a revision of the laws on working hours (Arbeitszeitordnung) and redundancy (Kündigungsschutzgesetz) which are of primary concern to unions involved in rationalisation. This was particularly commented upon by some officers of IGBE and GTB in areas where, under the redundancy law, no adequate schemes could be negotiated.

All three unions, again with the notable exception of IGBE Ruhr, complained that the sheer volume of labour legislation and case law made it increasingly difficult for the non-professionally trained district officers to carry out the lawyer's role. This is not necessarily always a disadvantage to the union in practice, since in many of the weaker industrial areas where the employers are themselves poorly organised, the works councillors and FTOs may still regard themselves as in a superior position to the employers in their knowledge of the law. By demonstrating their superiority, the union officials prevent a great many cases from reaching the labour courts. Likewise at the regional level, pressure can be applied by the union upon the employer's association, which, having assessed the legal situation, will often advise its member to either proceed or withdraw.

Thus, a mere survey of the outcome of proceedings in the labour courts is an inadequate measure of power relations established by rules. It would measure, in fact, only the balance of power directly meted out by the courts and takes no account of the adjustments to that balance effected by individual and organisational skill. IGBE officials cited only rare cases of recourse to the labour courts, while the FTOs of the other two unions use this facility seemingly much more often.

ÖTV officials expressed similar disenchantment with the
administration of labour legislation as those of the other unions, although the position of ÖTV vis a vis employment in the public sector would appear all the more complex, and therefore weaker, than in the case of IGBE or GTB. Changes which the district officers would like to see in labour law in the public sector are those which would bring the basis of labour relations and the rights of employees in that sector into line with those in private industry. The Staff Representation Act (Personalvertretungsgesetz) is weaker than the Works Constitution Act, particularly in the way it seems to be applied in Bavaria and is especially limiting upon the rights of civil servants. The union complains that its right of representation is further undermined by the absence of any Health and Safety at Work regulation (Arbeitsstattenverordnung) equivalent in the public sector and the legal differentiation of its member groups by status i.e. blue-collar, white-collar and civil servant. Substantial sections of ÖTV membership are denied the right to strike under the terms of the Federal Constitution.

Such legal parameters distinguish ÖTV from the other two largely blue-collar unions and the constraints on union activity which burden ÖTV encourage its officers to seek other means of developing their representative role and of extending their range of influence and power.

The legal standing of ÖTV as a trade union is overshadowed and confused by its own involvement in the governmental and administrative systems. Not only is the mass of case law building up against unions in general, as has already been suggested, but the administration of the judiciary, as part of the public sector, is itself embroiled in the power struggle between organised and unorganised, and is therefore in a strong position to influence the progress of ÖTV within the law. How the law is administered, for example, the length of labour court proceedings, can work to the advantage or disadvantage of the union. This can affect all unions, of course, but the frequency and extent of the dealings which ÖTV in particular has with governments and administration makes this problem more immediately apparent to its officers.
than to the officers of other unions.

In collective bargaining, the comparative mechanism for settling disputes is rarely the labour court but more often the processes of conciliation and arbitration, with only the word "Schlichtung" at the disposal of the researcher, it was often unclear during the interviews whether the respondent was referring to arbitration or conciliation. Moreover, disputes in the plant might lead to the setting up of an Einigungsstelle or Conciliation Committee, but this again tends more towards arbitration. However, both Schlichtung und Einigung were cited by all three unions as exceptional, though statistics would be required to compare union practice more accurately.

The general view of IGEB officials towards the use of Schlichtung was that it has no role to play. In the Ruhr the respondents totally rejected arbitration and would prefer not to call upon conciliators themselves. If a conciliator offered himself during deadlock in negotiations and he were acceptable to both sides of industry, they would not refuse his help. Officials in the weak non-Ruhr areas commented that both Schlichtung and Einigung provided an easy way out for the bargaining parties which was very much "second-best" to direct negotiation, especially where the union was strong. At the time of investigation, IGEB had no record of Schlichtung and had rarely been party to an Einigungsstelle.

The regional officers of GTB expressed a fear that habitual recourse to Schlichtung might become part of the negotiating tactics and would undermine the unions' role as bargaining agent and political counterpart. The handing over of responsibility to a third party would also have the effect of "cooling off" the membership which would progressively weaken the unions future bargaining position. Einigung would appear however to be a useful tactic in particularly weak areas of organisation where paternalism remained the industrial ethic and the membership was unwilling or afraid to take legal action against a deviant employer. The local FTO might be obliged to pursue this course in such instances as an alternative to preparing a legal case.
ÖTV was the only union in the study which had an Arbitration Agreement (Schlichtungsabkommen) with the employers. By contractual agreement, both parties are prepared to accept conciliation as an alternative to industrial action. Should the attempts to conciliate fail, then strike may be consequential.

GTB officials rejected such a proposal and relied much more on the "short, sharp shock" treatment of warning strikes as part of their bargaining strategy. While some ÖTV officials agreed, many not only regarded the strike as a socially unacceptable weapon of bargaining but even as a fairly ineffectual one. This criticism seemed to be levelled only at their own "industry" however, since they admitted to their reliance upon the strong tactics of IG Metall as wage and strike leaders.

Those respondents who spoke favourably of Schlichtung were concerned that the Schlichter, or chairman of the Einigungsstelle should be a person acceptable to both parties. They appeared to be satisfied that he should be a Minister of Labour or some such personality, but rejected any further interference into labour relations by politicians or other third parties. The public sector in particular by its very nature seems to attract the attention of "outsiders" who, in their concern for public welfare, are, according to ÖTV officials, seeking to manipulate labour relations to their own ends. Such outsiders might include the Federal Labour Court, Federal Constitutional Court, political parties, and indeed public opinion. Political manipulation in the legislature, judiciary and conciliation is thus a problem to which ÖTV is perhaps more susceptible than any other union, and which plays a significant role in the power game of labour relations.

II Power from Within: Internal Rules and Organisational Independence

Based on the assumption that the union officer at any level of organisation requires power in the form of authority in decision-making from within his own organisation, respondents
is not subject to re-election and enjoys the unique opportunity of building up immense power of influence within and without the union.

The more experienced and skillful district officers can also build up local "empires" based on a successful track record and may then secure a certain degree of autonomy in conducting local affairs. The yardstick of success at this level of organisation appears to be the recruitment drive. In contrast to IGBE pressure is applied from the executive downwards to increase, or at least maintain the membership figures. This pressure is felt most acutely at the district level and is a source of frustration for the FTOs at that level. As a result, very many districts and regions invest a high proportion of time and finance in training schemes, conferences and the like as part of the recruitment drive. In the case of IGBE, many of these tasks are diffused to the plant or the local branch which are run entirely by lay officials, thus taking some of the pressure off the FTOs.

Although a horizontal balance of power is maintained by an informal flow of information across region and districts, relations up and down the GTB hierarchy tend to be kept on a more formal basis. Informality however is the order of the day where officers work in close physical proximity to one another and personal friendships can develop.

With the lack of specialised personnel at regional level, officers at district level are obliged to apply to the central administration in Dusseldorf for advice on matters of law or procedure and, since most such problems arise at this level of organisation, the regional office has little to do with Dusseldorf on day-to-day matters. Both the regional and district offices are expected to inform their superiors of any decisions taken, which reflects the more authoritarian centrality of GTB. On comparison with IGBE, this stricter discipline may be a direct result of the weakness of GTB in the plant and locality and of the more centralised collective bargaining structure associated with that.
were questioned about their administrative and political freedoms and upon communication and consensus within the union. The more authority vested in the officers and the more consensus throughout the hierarchy, the more the power of organisation the officer is assumed to wield.

The most closely knit and effective union organisation would appear to be IGBE. This exceptional union structure with its extremes of mining in the Ruhr and Bavaria seemed, from the responses of its officers, the most coordinated and its officers the least frustrated. Run almost along paternalistic lines, IGBE vests a great deal of responsibility in its regional officers, particularly outside the Ruhr, while maintaining an "open channel" between them and their advisors in Bochum. While no officer complained of frustration within the hierarchy, the weak non-Ruhr areas did acknowledge that the executive is in a position to limit the influence of regional officials without being aware of doing so. The executive plays a very substantial role in supporting and informing the regional officers: only one official claimed to have sought advice on occasion from the DGB rather than, or in addition to Bochum. This dependence of the regional officers on Bochum and the high frequency of communication throughout the hierarchy makes for a highly centralised union. However, the low degree of frustration among the FTOs and the strength of membership would seem to suggest that it is a centralisation of consent rather than of dictation. The discipline which has come to be characteristic of IGBE has laid the foundation for progressive industrial relations without the sacrifice of the traditions of an old and established labour movement.

The constitutional hierarchy of GTB is more obviously functionally operative than in IGBE. The strict organisation of administration at executive, regional and district levels assigns specific tasks to each and grants the officers sufficient freedom of movement to carry out those tasks. All officers are accountable to those above them, but the authority vested in the regional officer is perhaps greater than anywhere else in the union hierarchy: granted a great deal of autonomy in the carrying out of his responsibilities, the regional officer
The FTOs at regional and district levels who complained most of frustration in decision-making were those of the largest union in the study, ÖTV. The district officers of ÖTV have strictly defined and limited functions and the frustration arises because, in their view, the real powers of decision-making are out of their grasp. As a conglomeration of many different groups, ÖTV centres its policy-making in Stuttgart where it attempts to coordinate a unified political and economic strategy. Whereas the other unions may succeed in balancing regional differences by open discussion and persuasion, ÖTV suffers dissension in many dimensions other than by region. The upshot is an attempt by the union to wring unity by authority, and frustration on the part of the officers who work under that authority.

Many of the respondents recognised this difficulty as an organisation inadequacy of ÖTV. Communication is much weaker than in a smaller, less complex union, and this adds to the situation of frustration for the FTOs who feel continually that Stuttgart remains uninformed of their difficulties. This is most acutely felt in the weaker, more remote districts, run by perhaps one or two FTOs. Officers in the larger administrative centres, working more as a team of experts, tend to behave more like the public authorities whom they serve; often having been trained in administration or the civil service, particularly the younger officers, they respond more loyally to the ethics of a managerial hierarchy and profess an overall respect for the aims of their union.

Neither the district nor the regional officers refer to Stuttgart very often, and then usually in writing. On matters of collective bargaining or law, the districts refer either to the experts at Land level or, more frequently than other unions, to the DGB. Thus the concentration of informal communication in the daily functioning of the union seems to be diffused away from the central administration in such a way as to encourage the very autonomy which the union in principle seeks to suppress. This is all the more encouraged by the almost unavoidable involvement of union officials in local affairs and politics. By building up a network of political contacts and acquiring a position of influence in the community, the local ÖTV official
is not only serving his union's interests, but is also enhancing his own personality beyond that of a subordinate in the union hierarchy. For him, as a politician and administrator, local issues take precedence and coordination with an overall union strategy becomes more difficult. This is also true at Land level where policies and values become diffused and individualised. There is some frustration in the Land where the regional officer feels more in tune with the politics of his district officers than with Stuttgart. Clearly, this depends on the political motivation of the officer and the regional variations in government policy and administration, and may alter from issue to issue.

III Power from Without: Relations with Works Councillors, Management, and Government Authorities

If the power to function is not forthcoming from within, then trade union officials must seek power from outside their organisation at the level at which they operate. Frequency of contact with outside bodies is no indication of the distribution of power but suggests where the officials perhaps seek power in the form of influence. Figures for the regional offices of ÖTV were not available since the respondents could not account for the activities of their many colleagues at that level of organisation. The regional officer himself has a specialist role as political representative of the union on public bodies at Land and, in some instances, federal levels. He is responsible for the management of his staff and represents them at the union's central office. In this role, he comes into contact very frequently with the employers in the public sector as political opponents, but is rarely called upon to deal with problems in the workplace or with employer's associations.

From the bar chart of Estimated Frequency of Contact with
Management, it can be seen that, across the board, relations with management are maintained on a largely informal basis in so far as there is very little contact recorded in writing.

The FTOs most frequently in contact with the workplace, either formally or informally are the district officers of GTB. From figures given by the FTOs at the time the fieldwork was carried out, visits to the plant during a single month ranged from 6 to over 40, while the highest figure quoted by any of the officers of the other unions was 24 for a district office of ÖTV and "daily" by the Frankfurt office of ÖTV. Certainly the frequency of visits by ÖTV district officers was high but the average estimated frequency of contact as shown by the bar charts was much higher for GTB. (The estimated frequency of contacts with management by the GTB district officers was even higher than the estimated frequency of contact with authorities and government bodies by the ÖTV district offices, without Frankfurt).

Not all contacts with management necessarily mean negotiation: GTB district officials regard frequent contact with the plant as a necessary part of their recruitment drive. Not only do these visits strengthen the credibility of the FTO in the eyes of the works council and membership, but he is also kept informed of problems and developments in the plant. On these occasions he may contact the management either as a matter of courtesy, or to seek information about problems brought to his attention. Visits to the workplace are thus an essential source of power to the district officer without which the union would cease to function at that level.

Of the IGBE regions, that which estimated the most frequent contact with management and quoted the most frequent number of visits to the plant in the given month was the strong non-Ruhr area of Rheinland and Niedersachsen. The figures for the Ruhr are in some doubt, since the regional offices
ESTIMATED FREQUENCY OF CONTACT
WITH MANAGEMENT

KEY
P = persönlich (in person)
I = telefonisch (by telephone)
S = schriftlich (in writing)
1 = Ruhr
2 = Strong Non Ruhr
3 = Weak Non Ruhr
a = with Frankfurt
b = without Frankfurt
are staffed, like those of OTV, by a team of FTOs who are likely to be in contact with the workplace more often than could be estimated by their senior officer. The purpose in IGBE for contacting the plant tended to be to seek out information or to deal with problems arising out of collective agreements, matters of procedure, or welfare issues. Only in the weak mining areas was the FTO involved with disputes over closures, lay-offs and redundancies.

Also in the weaker areas, IGBE officials face problems of recruitment, and their function in visiting the plant comes much closer to that of the GTB district officer. Like them, they are denied the further sources of power available in heavy industry of strong employer organisation and union influence at higher levels of management.

Because of the vast membership of OTV, the district officers of this union have a more difficult job to maintain close contact with the "works councillors" or staff representatives (Personalräte). This union has specifically set up a steward system to help bridge the gulf between the members and their local union office. The function of the steward (Vertrauensmann) seems to be to keep the members informed and to mediate between them and their staff representative. In other industries, where the works councillor is a union member and works closely together with the district office, as is the case with IGBE and GTB, such stewards are, if not undesirable, not essential. In local government however, not only is the law on staff representation reported in some Länder considerably weaker than the Works Constitution Act, but OTV vies with other employee organisations in the election of staff representatives and has comparatively less control over their conduct. The objectives of OTV in setting up a stronger steward system is to maintain and increase union influence at the place of work in the face of a strong staff council. In some smaller districts, where the local OTV official is long-standing and well-known, the function of the steward, and indeed the staff
representative, may be redundant in view of the closer, more direct relationship of the FTO with his membership. The trust which a district officer is able to build up between himself and the workforce for which he is responsible is an important source of power in terms of influence with the membership and the employers. This trust is likely to be much greater in smaller districts where the FTO is responsible for only a relatively small section of employment, concentrated in a few establishments. In such situations, the OTV officer has little opposition from other employee organisations and can gain the respect and trust of the employers essential to good labour relations.

Most of the disputes which arise at district level are associated with employee rights with regard to job specification, welfare or redundancy. Whereas in GTB, the specification of the job is clear-cut while the payment for the job remains negotiable, for the OTV officer, the rates of pay are fixed but the job description and evaluation of the post may be subject to dispute. Such issues become confused with rapid technological change, shifts in personnel structures and continual attempts by the employer to rationalise working patterns.

Contacts between the unions and the employers' associations were reported to be far less frequent. There are understandably very few contacts between groups not engaged in collective bargaining. Of those groups who do not negotiate with the employers' organisations, i.e. IGBE Ruhr, GTB districts and OTV districts, those who estimated least contact were the GTB districts. The officers reported that they use the employers' organisation as a second resort in cases of dispute with an employer, and particularly in negotiations over closures or proposed lay-offs, in order to settle the matter out of court. Subsequently of course, should this fail, then the representatives of the union and the employers meet before a labour court. Most frequent contact comes about however because the district officers sit with employers' representatives on local committees and insurance boards, and not as the result of dispute.
### ESTIMATED FREQUENCY OF CONTACT WITH EMPLOYERS' ORGANISATIONS

#### KEY
- **P** = persönlich (in person)
- **T** = telefonisch (by telephone)
- **S** = schriftlich (in writing)
- **1** = Ruhr
- **2** = Strong Non Ruhr
- **3** = Weak Non Ruhr
- **a** = with Frankfurt
- **b** = without Frankfurt
- ***** = only one figure available
- **I** = only Frankfurt & Köln

<table>
<thead>
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<th>Month</th>
<th>0</th>
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<th>2</th>
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*Note: Figures marked with an asterisk (*) indicate that only one figure is available for that month.*
The Ruhr officers of IGBE also registered some contact with the employers' organisation. The one official did have some negotiating rights for one small district under his jurisdiction and had occasion to contact the employers' association over problems arising out of the collective agreements. A second regional officer had additional cause to be in contact with the employers' association, which was that the employers' head office was in the same town and had as a consequence much more local contact with the union.

As can be seen from the bar chart however, contact in the Ruhr, where negotiations are handled centrally, between regional officers and the employers' associations is recorded as very low indeed.

Of the non-Ruhr areas of IGBE, the Giessen district appears to have most contact with the employers' organisations. Apart from a common commitment to local affairs and joint involvement in the mining administration, the FTO in this district found it necessary to maintain contact with the employers' organisation in view of the frequency of layoffs in the area and the number of disputes arising out of collective agreements. A similar picture was presented by the strong non-Ruhr areas which, without the problems of closures and redundancy, still raise considerable numbers of workplace disputes and welfare claims with the employers' association. They also tend to sit on the same community and mining committees and even organise jointly some social events on behalf of the workforce. Only the southern mining regions have no dealings at all with an employers' organisation, since there the employers remain unorganised.

Of the ÖTV districts only Frankfurt and Köln, the two largest single districts in the survey in terms of membership, could estimate their contacts with the employers' organisations. In such big cities, the extent of private enterprise in the service industries is much more widespread,
whereas in other municipalities, OTV deals almost entirely with the public sector. As with the other unions, OTV respondents in Frankfurt and Köln claimed that most of their dealings with the employers' associations were concerned with matters arising out of the legal and constitutional complexity of public sector employment, or more exactly attempts to keep such matters out of court before they progress that far.

At both regional and district levels, OTV is much more involved and has very many more contacts with the authorities and government bodies. Because of the overlapping of the authorities as employers, as administrators and, indeed, as OTV members, it becomes very difficult for the union officers themselves to pinpoint all the reasons for such contact. In dealing with the authorities and government bodies as employers, the regional officers of OTV aim to maintain discussions with the governments of the Länder and heads of the civil service with a view to influencing patterns of public expenditure and policy changes. Their success in doing so depends very largely upon the government in power and the political climate, but clearly, the influence wielded by OTV officers in public administration and government could be assumed to outweigh that of any other single union.

The estimated frequency of contact between OTV regions and the government administration could not be monitored, but the contacts as estimated by the Frankfurt district above may give an indication of how ongoing their involvement was at the time of the survey.

The estimates for the IGBE regions of contacts with the authorities varies. The Ruhr officers seem to depend more on personal contacts, whereas the strong non-Ruhr areas tend to be more formal in their dealings with the authorities. The weak areas seem overall to have more contacts with the authorities, perhaps again in connection
### ESTIMATED FREQUENCY OF CONTACT WITH AUTHORITIES AND STATUTORY BODIES

<table>
<thead>
<tr>
<th>KEY</th>
<th>Description</th>
<th>Values</th>
</tr>
</thead>
<tbody>
<tr>
<td>P</td>
<td>personlich (in person)</td>
<td>45</td>
</tr>
<tr>
<td>T</td>
<td>telefonisch (by telephone)</td>
<td>40</td>
</tr>
<tr>
<td>S</td>
<td>schriftlich (in writing)</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Ruhr</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Strong Non Ruhr</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Weak Non Ruhr</td>
<td></td>
</tr>
<tr>
<td>a</td>
<td>with Frankfurt</td>
<td></td>
</tr>
<tr>
<td>b</td>
<td>without Frankfurt</td>
<td></td>
</tr>
</tbody>
</table>

- **Av.** Estimates Per Month
- **(a) 72.64**
with regional development, closures and so on. This correlates with the information provided by the district officer in Giessen whose activities brought him into more frequent contact with the local planning committees and the Land ministries. In Rheinland and Niedersachsen too, the FTOs are consulted by the authorities on proposed changes in energy planning, such as the development of new power stations, and so on.

Otherwise, contacts between IGBE officers and the authorities tend to be formally restricted to matters of welfare and mining management, unless the private political involvement of the FTOs extends beyond this.

Influence vis a vis the authorities, most particularly the social insurance offices, is a feature of the function of the GTB district. With a higher proportion of female members, many of them on part-time work, and an industry which continues to shrink at an alarming rate, GTB has had to shoulder the responsibility of supporting the unemployment and other welfare claims of a particularly weak and defenseless social group. In an effort to protect the working interests of their members, the district FTOs like the regional FTOs, seek to influence local and Land authorities responsible for job creation, trade protection and the system of social welfare. As in the other unions, the regional officers of GTB engage in political activity, particularly at Land level, to try to influence the politicians in regional planning and trade policy. However, there is no indication that they are any more active in this respect than their district officers and they still prefer to tackle these problems in discussions with the employers and their associations. Formal discussion between the employers' representatives and the union regional officers on economic and industrial affairs is obviously more satisfactory in GTB than in other unions, when combined with political action at federal level. This is borne out by the bar chart of estimated frequency of contacts of GTB regions with
employers' associations and may be attributed to the structure of the industry which the employers and unionists alike have a deep concern to maintain. Also the structure of employer organisation may encourage discussion at this level, as it has helped condition the pattern of collective bargaining and the settlement of legal disputes in the industry.

IV The Power of Information

Such contacts with outside organisations, as has been described above, provide the union officers with a source of power in the form of influence which they can apply to achieve their aims. Such contacts however may open up sources of information, also to be regarded as a form of power. The union officers were asked if they felt that the information they required was withheld from them by the employers, or the authorities, and though their responses were per force anecdotal they give an indication of where they believe their strengths and weaknesses lie.

When questioned about their access to information, the IGBE seemed at variance with one another as to whether they were denied information. All the regions outside the Ruhr, and therefore outside the bounds of codetermination, felt that the employers automatically and consciously withheld economic information. In the Ruhr, one of the officers claimed to be, on balance, more aware and have more information at his disposal than the employers, since the union was in a position to withhold its information, but within the law, the employers were not. Only Niedersachsen complained that the government authorities withheld information; all others maintained that they had access to all the government information they required. The officers of the Rheinland region and the weak mining regions also admitted withholding information from the employers, but in the Rheinland, they saw no advantage in withholding information from the authorities.
GTB officers at regional and district levels denied that it was everyday practice throughout the industry to attempt to withhold information on either side. They acknowledged that at the start of negotiations with the employers or their representatives, the latter would withhold financial information and attempt to exaggerate the economic situation. Only one regional officer felt that the authorities withheld information, but not consciously. They themselves did not withhold information from the authorities, and only some acknowledged withholding information from the employers.

For ÖTV officers, employers and government authorities are of necessity regarded as one and the same source of information. Both the regional and district officers asserted that the authorities continually try to withhold information concerning public finance, staffing and even on occasion legal information. This however, in the opinion of the officers, was neither realistic nor a serious threat to the organisation since so many government officials and civil servants are ÖTV members and the flow of information cannot be controlled. Staff representatives loyal to the union also pass on information made available to them, though this channel is perhaps of less significance for ÖTV than for the other two unions. Thus, on balance, the ÖTV officials felt that they had the upper hand in the control of information. ÖTV officers in particular also seem to be more extensively involved on a personal level in local politics. The officers of all three unions were active on councils and committees associated with their industry or services, but the access to information resulting from these peripheral activities was described as no greater than that which was available to the employers who carry out the same functions.

With the exception of one region in IGBE Ruhr, both IGBE and GTB seem to have more frequent contacts horizontally and vertically within their organisation than ÖTV. Officers in IGBE and GTB share information and coordinate their activities more often than is apparent in ÖTV. This is likely to be due to the size and structure of the industries they serve, but in consequence
supports the view expressed earlier that the two older unions perhaps enjoy a greater consensus and cooperation than the younger, growing and diverse ÖTV.

3 The Issues

The function of a trade union and its officers is subject not only to its power to succeed but also to its aims and objectives. The issues which a union officer must face are conditioned on the one hand by his own motivation and his conception of the role he has to play, and on the other hand by the industrial environment in terms of the industrial structure and membership expectations.

The FTOs were asked to rank their activities (12 headings in total) in order of importance. The two categories of activity which were ranked overall highest were collective bargaining policy and employment law, and certain patterns emerged in the ranking of these two by each union:

<table>
<thead>
<tr>
<th>Rating of Collective Bargaining Policy and Employment Law</th>
<th>IGBE</th>
<th>GTB</th>
<th>ÖTV</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ranked 1 - 2</td>
<td>-2</td>
<td>-2</td>
<td>-2</td>
</tr>
<tr>
<td>Ranked 1 - 3</td>
<td>-3</td>
<td>-4</td>
<td>-4</td>
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<tr>
<td>Ranked 1 - 4</td>
<td>-1</td>
<td>-1</td>
<td>-1</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Region</th>
<th>District</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>6</td>
<td>0</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Ranking below 4</th>
<th>IGBE</th>
<th>GTB</th>
<th>ÖTV</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>-3</td>
<td>1</td>
<td>1</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Totals in Sample</th>
<th>IGBE</th>
<th>GTB</th>
<th>ÖTV</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>6</td>
<td>3</td>
<td>4</td>
</tr>
</tbody>
</table>

From the totals figure of the ranking by the FTOs of collective bargaining and labour law in the top four categories, it is understood that these categories figure dominantly in union
function. The only exceptions appear to be the southern weak regions of IGBE and the Frankfurt and Köln districts of ÖTV.* The figures for the weak mining areas are however somewhat misleading, since collective bargaining was in fact ranked 1-2 by the FTOs, but employment law fell a long way behind. This may be attributed to the small scale of industry in these regions and the capacity of the union officer and the employer to reach a settlement without resorting to law. The categories which took priority over employment law were those of economic and social policy and social law (insurance, unemployment, etc) in all three districts. For ÖTV, the Frankfurt and Köln districts have stood out on a number of other counts in the survey already. Their priority ranking deviates from all others, concentrating more on policy development in the economic and social fields. The reasons for the low priority of collective bargaining and employment law are unclear, unless they can be related to a close cooperation of the district with the regional office whereby much of the work in these fields is handed over. (It is also possible that the impression given by one FTO in a relatively large district is a misleading one within the confines of this sample, but further investigation would be required before the information is discounted as false.)

A rank correlation was carried out on the priority listing of the respondents, and, as has already been suggested, the priorities of almost all the regions and districts of the three unions, when grouped together, were significantly correlated. Thus, despite variations between unions in industrial and membership structures, the officials in the survey ranked their activities in similar orders of importance. Deviance from this overall pattern was only evident in the case of ÖTV Regions mapped against GTB Regions and IGBE Rheinland. As might be expected, ÖTV districts Frankfurt and Köln were found to correlate significantly only with the weak non-Ruhr area of IGBE, while the other districts of ÖTV, with or without Frankfurt and Köln, were found to be significant with all groups.

(Only broad conclusions may be drawn from the variance in degrees of significance of the correlations, but it may be useful to
compare these figures, drawn from the officers' own assessment of their activity, with correlations of expenditure patterns, or some other objective measure of union function. This may provide a more detailed explanation of the deviations found in this correlation analysis, although it was not possible to do so within the scope of this study).

Variations in the concerns of the different structural groups within the union hierarchy also became apparent in the officials' responses to questions about union policy. It is assumed here that an FTO's evaluation of union policy is influenced by his function and his awareness of the needs of those whom he serves, also the degree of discussion and cooperation throughout the organisation.

The union displaying most unanimity in the understanding of its officers of the industrial and political parameters of their function was again IGBE. Not only did the officers share an understanding of the political implications of industrial decline in terms of a desire for more dialogue between industry and labour at all levels, but also supported the overall strategy of the union in collective bargaining on wages and conditions.

Facing similar economic decline, the districts of GTB expressed a lower level of satisfaction with union policy than the officers of IGBE. Though the FTOs in the districts were generally quite happy with aspects of union politics which did not concern them directly, for example international trade, and other such areas outside collective bargaining, dissatisfaction and dissension has arisen from regional discrepancies in earnings. This frustration at the district level is perhaps less marked at the regional level where the agreements and terms are negotiated. Although the regional officers are not themselves satisfied with the discrepancies, they do have the opportunity to participate in the bargaining process and may accept that they secured the best possible deal under circumstances which favour capital rather than labour. Interestingly, the regional officers of GTB were far less interested in cooperating with the employers
as such than their district officers. When asked directly, the regional officers expressed a greater mistrust of the principles of cooperation than the district officers, but were correspondingly more interested in discussion at higher levels of economic and political matters of interest to both sides of industry. Notably only one regional officer expressed a desire to see an intensity in the political activity of the union; all others felt satisfied that GTB was doing all it could and had achieved as much as it could, given the political, legal and industrial constraints upon it.

A similar impression was also gained from the regional officers of ÖTV of whom all but two were satisfied with the intensity of the union's political activity. Unlike GTB, where the regional officers saw themselves limited in the pursuit of an aggressive wages policy by industrial and economic factors, ÖTV officers regarded the barriers to aggressive bargaining as largely political. Many objected therefore to the overall union strategy in bargaining for being too defensive, though they were unclear as to whether the blame for this lay with the leadership or the membership. The "chicken-and-egg" dilemma for ÖTV was whether the absence of membership solidarity had denied the leadership the power of industrial action since 1975 (except for some isolated instances), or whether the lack of leadership had deprived the membership of its impetus since then.

There was notably a growing desire among the FTOs of ÖTV, particularly at regional level to cooperate with the employers in matters of social concern. They have accepted a responsibility not only for the provision of public services but also for policy-making in areas such as energy, unemployment, and so on. The potential basis for cooperation with the employers is much broader in the case of ÖTV than the other two unions because of the ill-defined line between collective bargaining and politics. This often raises the expectations of the ÖTV officials beyond those of other unionists, an observation which correlates with the widespread dissatisfaction in the
OTV districts registered by the respondents themselves. Discontent was expressed more in respect of their own union rather than the employers. Few respondents could recall any substantial success in collective bargaining since 1975 and all were dissatisfied with the union's political strategy. While a few were prepared to acknowledge their responsibility in the public sector and adopted a fairly moderate view towards the employers, only two respondents saw any advantage at all in cooperation for any other purpose.

4 Summary and Conclusions

1 It has been observed that the main core of trade union function at the level of the day to day activities of the organisation lies in the workload of the full-time official in respect of collective bargaining (negotiation and consultation) and the progressing of individual grievances, ultimately through the courts.

2 The structure of collective bargaining is determined by the structure of industry and the pattern of employer organisation. The formal process of collective bargaining gives rise to a particular operational structure, although a much greater proportion of union activity is given over to the application of agreements and the settlement of disputes associated with that.

3 As the complement to "formal" bargaining, the extent of plant bargaining is determined partly by the pattern of collective bargaining, partly by the nature of the production process, and partly by the conditions of legislation related to the industry.

4 Thus the responsibilities of FTOs, as a reflection of the internal, operational structure of the union, correspond to a very large extent with the formal and informal structures of collective bargaining.
It is conceivable that attempts by the unions to extend their function of bargaining by removing its incidence from the plant to the industry, or by extending their negotiating rights in the public sector will bring about a shift in the functions of the union officers by switching the responsibility for negotiations from one level of organisation to another. Moreover, the increased workload, particularly by way of legal and procedural matters associated with an extension of the bargaining role of unions is likely to cause an upward shift in responsibility as the officers at the base of the hierarchy become overburdened. Such a trend is already evident in OTV where the problem is inflated by the multiplication of legal interests. Thus the relationship between structure and function within the bounds of collective bargaining may be expressed simply as follows:

<table>
<thead>
<tr>
<th>Aspect of Collective Bargaining</th>
<th>Related Structure</th>
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<tbody>
<tr>
<td>Formal Collective Bargaining</td>
<td>District/Region/Industry</td>
</tr>
<tr>
<td>Application of agreements/handling of disputes</td>
<td>District (→ Region)</td>
</tr>
<tr>
<td>Plant Bargaining</td>
<td>Lay Officers (→ District)</td>
</tr>
</tbody>
</table>

(The arrows show the direction of shifts in the incidence of union activity already taking place as the bargaining function is extended).

5 The procedures laid down by labour legislation have offered union officers additional authority, though the extent of authority so derived will tend to vary from provision to provision and from industry to industry. Legislation which directs itself to the non-union aspects of the industrial relations field is also of advantage to the trade union organisations, but only in so far as their officers can demonstrate a capacity to exploit it. This facility contributes to the de facto determination of union function, as demonstrated by the use GTB makes of the Works' Constitution Act in adopting responsibility
for sponsoring and training works councillors in local bargaining and stewardship.

At the time of the investigation, ÖTV did not enjoy this position within the provisions of the Staff Representation legislation which lays greater restriction on union access to management. Given such restrictions, ÖTV must extend its functions in the direction of its own attributes: the political activity of ÖTV and its infiltration of the judicial and governmental administration provides a means of tempering the power of anti-union legislation and administration to minimise union weakness.

6 Union recognition is undermined and union function limited by the 'free rider' Provision (Effektivklausel) contained in the law governing collective bargaining; other sections of employment legislation, which prescribe procedure, eg the Redundancy Protection limit union credibility by their ineffectuality. It is understandable, therefore, that under changing industrial conditions, the trade unions should strive to change these laws in order to preserve their function.

7 The complexity of labour law, while presenting an obstacle to union power by requiring considerable expertise, only becomes a relevant problem in the context of comparative employer expertise. Union power then is also a function of skill and expertise on an individual basis as well as on an organisational one. Simplification of the law might strengthen the positions of the union official confronted by an organised and well-equipped opponent. Under such conditions, the system of labour law could be streamlined, and a higher proportion of grievances resolved by the union districts with less recourse to legal expertise within the union hierarchy.

8 In an effort to preserve their bargaining function, the unions reject recourse to conciliation or arbitration other than in exceptional circumstances. Despite the fact that ÖTV is party to an Arbitration Agreement with the employers,
which is respected and upheld by them, the use made of this procedure of settlement remains infrequent.

Third party intervention is an option which either negotiating party may wish to exploit in order to secure the best possible position from which to influence the negotiating process. In that context, for the trade union it is an option of last resort short of industrial action, or as an alternative to industrial action, in circumstances where other sources of influence are denied or limited, eg for ÖTV in certain public services.

9 The structure of the union has been seen to facilitate a distribution of the power which the organisation can wield, which is maximised at all levels of bargaining if the union enjoys internal discipline and cooperation. Union discipline can be achieved by

a. Consensus, associated with strong membership participation

b. Authority, associated with weak membership participation

There are a number of component characteristics which have been found to be associated with these two union types:

<table>
<thead>
<tr>
<th>Type of Discipline</th>
<th>Associated Characteristics</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consensus</td>
<td>High membership density. Feedback of solidarity from Members and FTOs. Informal Communication. Interests directed within union</td>
</tr>
<tr>
<td>Authority</td>
<td>Low membership density. Feedback of frustration/dissension. Formal Communication. Interests developed outside union.</td>
</tr>
</tbody>
</table>
The factors which contribute towards greater consensus are the overall size of the union, the size and distribution of members groups in relation to Full Time Officers, and the degree of open discussion facilitated within the hierarchy.

10 The lack of consensus and the subsequent loss of internal power causes the Full Time Officers to look elsewhere, i.e. outside the union, for sources of power. The exploitation of personal contacts by union officers is a means of building up individual power in the form of influence and information within the rules of the system. Although an analysis of the personal contacts of FTOs is no measure of this power, it demonstrates the direction of FTO activity and locates union function. The pattern of contacts corresponds with the structure of the industry: from the monthly estimates of the respondents in the survey, the following relationships were established:

\[\begin{array}{cccc}
\text{ÖTV} & \text{Region} & \text{Land Govts./} & \text{Public Authorities} \\
 & & & \\
 & \text{District} & \text{Public Authorities/} & \text{Local Govt.} \\
 & & & \\
\text{GTB} & \text{Region} & \text{Employers' Associations/} & \text{Largely political} \\
 & & & \text{and administrative} \\
 & \text{District} & \text{Plant} & \text{Largely industrial} \\
\text{IGBE} & \text{Ruhr} & \text{Authorities} & \\
 & \text{SNR} & \text{Authorities/Plant} & \text{Largely} \\
 & \text{WNR} & \text{Authorities} & \text{administrative}
\end{array}\]

11 The pattern of contacts reflects the function of the union in the sense that it locates the sources of additional power and the areas towards which union representation must be directed. The power the officials seek in pursuing these contacts appears to be influence based on trust, or simply information. The bias towards informality in most of these relations results from a desire to build up this trust with least commitment. It is assumed that the union officers
will try to improve contacts where a relationship is regarded as necessary but weak and that they will not pursue contacts where they are not thought fruitful either as sources of information or influence. It is further proposed that where unions are not denied information, they may no longer regard it as a source of power; where information is denied, then other groups (i.e. employers, government bodies) have control over that power source and the officer feels disadvantaged. It could be argued that the union is also disadvantaged in comparison with another group when it feels the need to withhold information from that group. The communication between the union and outside groups was found to be generally as follows:

<table>
<thead>
<tr>
<th>Union</th>
<th>Accessibility of Information from Outside Bodies</th>
</tr>
</thead>
<tbody>
<tr>
<td>IGBE Ruhr</td>
<td>Not withheld</td>
</tr>
<tr>
<td>IGBE Non-Ruhr</td>
<td>Withheld</td>
</tr>
<tr>
<td>IGBE Niedersachsen</td>
<td>Withheld by Authorities</td>
</tr>
<tr>
<td>GTB</td>
<td>Not withheld ultimately</td>
</tr>
<tr>
<td>ÖTV</td>
<td>Communication unavoidable</td>
</tr>
</tbody>
</table>

12 Thus, the flow of information between the union and outside groups is either dependent upon a relationship of trust (IGBE Ruhr) or is unavoidable (ÖTV). In the case of the Ruhr officers, the strength of the relationship is to a large extent attributable to the labour legislation in the mining industry; in ÖTV the relationship results from the location of the membership in public service and government. In both cases, the union FTOs felt that they, as actors in the system, held the net balance of power vis a vis the employers and authorities.

13. From such observations of union activity in 1979, it appears that the function of union representation in the areas of labour law and collective bargaining is directly related to the personal credibility of the officers involved; and such credibility is dependent upon the various "power"
factors of influence, authority and access to information as suggested in this chapter. Union activity and policy was to be directed towards extending and making more effective their function of representation and therefore their credibility. Measures proposed by the interviewees to expand their function are:

(i) Shifts in collective bargaining, to encompass more aspects of negotiation in contractual agreements.

(ii) The removal of the Effectiveness Provision from the law on collective bargaining.

(iii) The extension of codetermination in industry.

(iv) The improvement of laws on union activity at the workplace; changes to the law on Staff Representation; removal of class status; introduction of workplace regulations in the white-collar sector; extension of the right to strike.

(v) The extension of union contacts and involvement to gain new spheres of influence for union activity.

Measures which would increase the effectiveness of functions already established would include:

(i) Changes in present labour and social law (eg redundancy, conditions of employment, etc.)

(ii) Simplification of legal administration.

(iii) Redirection of the current emphasis of judicial law, particularly in respect of the Federal Labour Court.

(iv) Improvement of contacts and involvement in spheres where trade union representation is already established (eg public bodies, welfare supervisory councils, etc) in order to gain more influence or information, in the industrial, political or administrative fields.
15 Moves in this direction have already indicated shifts in structure which accompany such changes in function (eg IGBE). The changes which have been categorised here as expansions of union function (chiefly under (i) and (iv)) are expected to bring with them a shift in responsibility away from the shop floor and, therefore, up the union hierarchy to the regions. The changes in the effectiveness of union functions would increase the power of FTOs at all levels of representation and any shifts in activity would follow in the direction of resultant shifts in the new power balance.

Any changes which effect an improvement in advocacy at the district level would increase the proportion of cases handled successfully at that level. This would exert a downward shift in union activity in respect of legal representation and may contribute towards a deceleration of the trend towards centralisation induced by the shifts in collective bargaining.

16 In a critique of trade union function published in Germany during the second half of the 1970s it was proposed that unions will pursue whatever course is open to them to influence the situation with which their member groups are faced. In the German context, this has involved a greater emphasis on collective bargaining policy than the political pursuit of greater industrial democracy. The recognition of the limits in terms of returns to the membership in the short and medium term of the pursuit of broad political objectives has forced the trade union movement as a whole to concentrate on attacking the power of business at company and local level through what might be more simplistically termed the "British tradition" of collective bargaining. Certainly no evidence emerged from the present survey to contradict this proposition, and the high ranking of collective bargaining policy by the respondents would seem to support it.

17 As part of the survey, respondents were invited to rank 12 trade union policy objectives in order of predominance at their particular level within the organisation. The twelve were:
The responses of different levels of union organisation in the different locations were grouped then cross-referred by means of correlation analysis, the results of which are presented in the Appendix to this study. Those areas of organisation whose activities so ranked are shown to be very highly significantly correlated with those of others seem to reflect common union structure and function. They are:

- IGBE Ruhr  
- IGBE Other  
- OTV Districts  
- OTV Regions  
- IGBE Hannover  
- OTV Regions  
- OTV Regions  
- OTV Regions  
- OTV Districts

The responses of the interviewees were intended to give an indication of their perception of the union's organisational structure and the activities they would wish to carry out from their position in it. The information provided by this area of questioning would not sustain rigorous statistical analysis, but the rank correlation of the group responses is thought to offer a broad illustration of the commonality of activity and power within the union organisations within the survey and the pressures upon different parts of the union structure, in many instances irrespective of industrial differences.

Finally, the survey demonstrates that the structure and function of a trade union organisation are governed by factors other than
the political and ideological traditions of the country or even industry; that the day-to-day activities and priorities of the organisation at different levels are determined largely in response to essentially "local" pressures and conditions, be they from within the organisation itself or external to it. This suggests that the union organisations within the survey are conscious of and, in varying degrees, actively responding to the immediate requirements of the working membership, in contrast and as a counter-balance to the increasing political and industrial drive towards greater centralisation.

The empirical observations presented above are considered, in conjunction with the propositions put forward by previous chapters, as a basis for hypothesis on the comparative study of trade union structure and function. The pursuit of such analysis is discussed in the final chapter.
REFERENCES

1 Turner op cit

2 The concept of 'rules' within a system of industrial relations was first devised by J T Dunlop, Industrial Relations Systems, 1958, and more fully explored by Flanders (1965) op cit

3 WSI Studien Betriebliche Beschäftigungspolitik und gewerkschaftliche Interessenvertretung, 1977

4 IGBE Other comprised responses from officers other than
   i) IGBE Ruhr
   ii) IGBE Rheinland
   iii) IGBE Hannover
CHAPTER 7

Conclusions

1. The decade of the 1970s represents a period of considerable change for the free trade union movement of Britain and Europe. The period was marked by deep economic recession which brought even higher levels of inflation and unemployment. Such instability persuade governments to institute increased levels of corporate control over wages and incomes, accompanied by initiatives to regulate employment conditions and job security. In Britain the 1970s saw a series of legislative moves to render industrial relations and practices to bring them more consistently in line with the perceived national interest. Whilst the 1974 Trade Union and Labour Relations Act (TULRA), the 1975 Employment Protection Act (EPA), consolidated in 1978 (EPCA), and the 1974 Health and Safety at Work Act (HASAWA) established and extended collective rights, enforcement of the provisions of the legislation was confined to procedure through the industrial tribunal or the Central Arbitration Committee of ACAS. This undoubtedly reflected the need of the legislature to support the non-judicial voluntary system of industrial relations whilst meeting the popular requirements of collective responsibility, recognition and control. In the field of individual employee rights however, the effect of judicial intervention at the levels of Appeal has been to greatly augment the legalistic application of the statutory provisions. The consequent reliance of individual employees upon professional legal representation has stretched the resources of trade unions whilst diluting their impact as collective organisations.

The Codes of Practice issued by ACAS under the statutory provisions served to establish and support a 'model' of good industrial relations. The professionalisation of personnel and industrial relations management was to take account of these recommendations at a time when economic recession and diminishing profitability were forcing employers to review their bargaining arrangements. Company restructures, advances in technology, the introduction
of work study and job evaluation all contributed to an integration of trade unions at plant and company level as part of the rationalisation of the "largely fragmented and informal" patterns of collective bargaining.

In contrast, the TUC's involvement in policy-making at governmental level lost credibility and impact once the value of incomes policy was called into question by its constituent unions. Without statutory or traditional support as in Germany, the British TUC enjoys little bargaining power at national level but for the consensus of its membership. At local and regional levels, trade union nominees are participant on other quasi-judicial or administrative bodies such as industrial tribunal panels, the Manpower Services Commission, the Health and Safety Commission, ACAS, the Equal Opportunities Commission and the Race Relations Board. Each of these bodies, independent of government, fully recognises trade union responsibility in its tripartite structure, and it would be reasonable to assume that these structures would remain unchanged for some time to come. It is through such bodies that trade unions can exert influence outside the more directly representative collective bargaining channels. Conversely, they have ensured union acquiescence in decision-making over a considerable range of employment and welfare issues which the traditional method of industrial bargaining would have scarcely delivered.

Over the same period, and continuing at the time of the empirical investigations which support this strategy, the German trade union movement had been under comparable pressure to control aggressive and sectoral wage bargaining in favour of corporate stability. The collapse of the "Concerted Action" forum in 1977 contributed to the now transnational academic debate of trade union behaviour and the management of conflict as a central feature of industrial relations.

It was an original hypothesis of this study that the behavioural patterns of trade unions are a function of structural factors which are determined by social history and political tradition. Secondly that the structural characteristics of trade unions underlie the relationship between the distribution of power and the conflict inherent within the industrial relations
system. Thirdly that the political and social history of a trade union movement significantly influence the structures, perceptions, aims and methods of the organisations which compose it. Fourthly, that conventional trade union behaviour is determined by traditional sources and distribution of power which enable different structures to pursue different objectives within the overall purpose of trade unionism.

The intention of the study undertaken is to investigate the principles contained in these various hypotheses by specific reference to the conditions in which the trade unions found themselves in the 1970s. From this it should be possible to draw up guidelines for the cross-national comparison of trade union behaviour and function which take into account the whole system of industrial relations in its historical context by reference to its structural development and character.

II The histories of the trade union organisations in Germany and Britain reveal a fundamental divergence of principle which may only superficially, and in the most recent period of economism, have been become veiled: that the trade unionism of Britain grew out of and fought to sustain the right to combine for bargaining purposes under capitalism; and that the movement in Germany developed amongst a proletariat whose ideology was essentially socialist and whose trade unionism was therefore an instrument of revolution.

The British tradition of localised collective bargaining underlies the fragmented structure and seemingly limited ideology of the trade union movement. Once nationally organised, the movement became associated with social reform, but its parliamentary activity remains chiefly converged with industrial affairs or other matters which directly impinge upon its own bargaining role. This functional limitation so established in history confers upon British trade unionism a reputation of conservatism and protectionism which has consistently denounced as middle class ideologies of syndicalism, industrial unionism and the general strike.
The British trade unions have no overwhelming desire to govern. Labour governments have brought only limited advantages to the industrial bargaining system, and have caused considerable conflicts of interest for the trade union movement, both as the proponent of wage restraint and as the major employer through the growing Welfare State. Not equipped or designed to address themselves to national issues, the unions are frequently regarded as contributory in no small way to the country's economic decline, whilst perceived as unwilling to co-operate in any corporate attempts to mitigate or reverse the damage inflicted from whatever source. In effect the sectoral self-perception of British trade unionism and the symptomatic fragmentation of industry bargaining has lent weight to the view that free collective bargaining is per se a negative social force:

"Work groups capable of mobilizing the necessary power have broken through a relatively larger area of regulation and imposed a relatively smaller one more favourable to themselves. And when faced with gaps in the normative system in respect of certain of their aspirations groups with sufficient power have introduced their own. In both situations the revision and creation of norms has been improvised and piecemeal, has rested on a very small area of agreement and has not been related to larger units of regulation. This splintering of the normative order within the establishment and the piecemeal, hotchpotch additions to it, all determined by the accidents of power distribution rather than by agreed principles of any sort, has greatly increased the probability of disorder and loss of control ...." (Fox & Flanders, 1969)

Traditionally politically organised and motivated, the German trade union movement suffers less from a reliance upon the primacy of collective bargaining than a heritage of ideological diversity on the role of the mass organisation under capitalism. The political fact of alternative theories of socialist and catholic unionism instituted a political polarisation of the labour force in respect of the fundamental premises of the movement, its objectives and its methods. To that extent, the movement remained fragmented up to the time of its political dissolution during the fascist period,
and, by historical example, it is evident that sectionalism entered into and undermined the development of localised collective bargaining.

Organisationally, the German trade unions were commonly characterised by trade divisions, with a high degree of central control; designed to serve political idealism and aims, this model detracted considerably from effective plant bargaining, where the workgroup had little authority to pursue more pragmatic but uncoordinated goals. The ideological struggles which characterise the history of the German labour movement therefore predetermine modern trade union theory on the use of the strike, collective bargaining, and, indeed, democratic control of the union organisation. The first of these, the use of the strike, and particularly the General Strike, remained controversial with the socialist movement up to 1906.

Up to this point, the Party had remained sceptical as to the value of 'partial' action, but then conceded that the risk of a failed political strike by dint of organisational weakness was of no value. Only at this point were the trade unions able to take control of industrial policy without direct party political interference.

By contrast, and to the overall detriment of trade unionism as a unified social force, the catholic unions espoused industrial peace as a vital principle of social order. In 1889, the mineworkers had demonstrated the power of common action and the organisational requirements of it, but in the context of a limited and defined objective. In spite of this, however, many other similar attempts were unsuccessful. The combined failure of the major organisations to articulate and direct the mood and motivation of working groups denied them the facility of the strike as an effective instrument, either for social change, or in support of industrial bargaining.

Whilst the unions remained sectorally divided, the employers had established an effective and comprehensive coordination structure, which ensured their supremacy in the bargaining process. The notion held by labour leaders that such a powerful coordination of capital interests would concede parity on political grounds was, at best, naive. The common policy of cooperation with employers and government which became strong during the first war presumed that parity of interests in social, political and industrial affairs would develop through goodwill, rather than the exercising of power. The new mass ideology of neo-conservatism which this embraced led the trade
unions unguarded into compliance with National Socialism. The legacy of sectionalism, which had stymied the articulation of an effective opposition to the industrial and political power blocks of the Right, was at the same time evidence of and a vehicle for the ideology and commitment of a trade union movement which owed much to its political mentors.

The essential principle of a centrally organised trade union movement for the purposes of securing social and economic reform and the fair and effective representation of the interests of working people was carried over into the re-establishment of trade union organisation in West Germany in 1945. Espousing for the first time party political neutrality, trade union leaders recognised also the strategic and organisational strength to be derived from effective collective bargaining at all levels of industrial organisation, not merely as a means to an alternative political end, but as an economic and social objective in its own right.

III The basis of trade union organisation in the new West German state was therefore a synthesis of the political heritage of the old mainstream organisations with the bargaining principles of British trade unionism. More significant perhaps is that the new social and economic order of the Social Market Economy adopted from Anglo Saxon liberalism the concept of the society as a community in which individual rights and responsibilities are honoured. In this new model, the principles, economic efficiency and humanity are coordinated through the democratic control by pressure groups. The new status afforded such pressure groups emerges from the requirement of the mass society to create mass organisations to support it: the model Einheitsgewerkschaft and Volkspartei. The obvious implication of this for trade unionism as a social and political movement is that the primacy of social harmony and equity set certain limitations upon group activity which are then subject to scrutiny by the state be it the legislature, executive or judiciary. Within the British political tradition, the post-war Keynesian social and economic order underlined the abstention of the state from industrial relations, within an overall corporate structure, pressuring the state not to be competent to regulate satisfactorily the bargaining between groups. Indeed the reverse is deemed more desirable, that independent inter-group
bargaining provides a check on government behaviour and objectives. This divergence of political principle between the two countries in respect of the public functions of the trade unions as major interest groups is likely to condition their own self-perception and organisational priorities. In West Germany, the socio-political function of trade unions as an integral component of the balanced social order of modern pluralism suggests unequivocally the maintenance of the present capitalist system and the consequential institutionalisation of conflicts of interest between recognised groups. In Britain, the political function of the trade unions is less comfortably prescribed. Principly, the purpose and tradition of British trade unionism rest upon the need to protect the terms and conditions of worker groups. In the short-term, this implies the maintenance by the trade unions of the capitalist order no less so than for their German counterparts. It is unclear whether either movement is able to actively work towards a non-capitalist political and economic system as a long-term objective.

The pragmatic pursuit by British trade unions of short-term objectives at the industrial rather than the political level is bolstered by the commitment of the parties to obey the rules of bargaining at that level. This self-determining mechanism reflects the legal status of trade union activity in Britain as compatible with voluntaristic regulation; which contrasts with that of trade union activity in Germany, as determined by the theory of equity between groups and thereby restrictive of the use of the strike and lock-out.

The nature of self-regulation imposes a conservatism upon collective bargaining as both parties endeavour to adhere to the rules. The degree to which they can compromise in pursuit of consensus depends on their ability to persuade their respective memberships towards that commitment. This proposition has implications, first for the internal democratic structure of union organisations, secondly, for the notional priority of the 'national interest' or the partially planned economy, wherein unions are required to seek consensus on issues outside their immediate term of reference. The question then arises as to how unions may achieve internal governmental structures suited to the pursuit of such objectives.
It may be argued in the converse that in a system of industrial relations where reliance upon voluntary regulation is less evident, the requirement for internal democracy and consensus is also reduced. In the absence of political or industrial conflict, the role of the trade union is reduced to that of 'communicator'. However, the total absence of conflict at all levels is in practice unlikely, and the criticism levelled at the trade union organisations of Britain and Germany, particularly in the 1970s, was largely on account of their apparent "integrative pragmatism", associated with the avoidance of conflict, leading to their greater depoliticisation for want of a political theory. The suggestion that the integration of the unions into the corporate state itself opens up new bargaining horizons remains largely unsubstantiated. The apparent new opportunity to advance the class struggle at a political-economic level is delusion if it does not meet the aspirations of the membership.

Irrespective of whether the trade unions in Britain or Germany would wish to engage in political conflict in order to secure a redistribution of social and economic power within the present pluralistic political order, there is some doubt as to the adequacy of the democratic structures within the organisations support such a course of action. It is arguable that the internal democracy of trade unions is not organised in such a way as to provide for a mobilisation of the membership in support of policies of opposition to either industry or the state, but for the role played by the left-wing activists inside and outside the union organisation, which activate the machinery of democracy by factionalism. It is however important to observe that the modern trade unions possess the organisational structures to remain the dominant representatives of the workforce. The stability of those structures is maintained by disciplinary rules, the offer of welfare and commercial benefits, and in Britain, to a limited degree also by the operation of the 'closed shop'. It is speculative to suppose that such measures alone will be enough to hold together the membership under all political circumstances, in the absence of some mechanism of internal democratic control. In Britain, the predominance of collective bargaining as a trade union function at local and industrial level has been maintained by effective workplace representation. This traditional and accepted form of worker
involvement in the major activity and purpose of the union has provided the medium for democratic expression, which can enhance as well as undermine the strength of the leadership.

IV In the light of such comment, observations and speculation on the possible interaction of collective bargaining and the democratic structure of the trade union organisation, the empirical work carried out in Germany in 1979 concentrated on the activities of the full-time officers of the selected unions in respect of collective bargaining, welfare and legal services, and other such methods available to them to maintain democracy and solidarity within their section of the organisation. As a result, a number of features of trade union activity within the Einheitsgewerkschaft model drew parallels with behavioural characteristics more traditionally and historically associated with the British trade union organisation.

Collective bargaining and employment law issues were found to predominate at all levels of union activity, irrespective of the nature of the industry or the member structure. The pattern of collective bargaining was determined by factors which varied between industries and over time, ie

- the industrial and commercial structures
- the production processes
- the employment legislation applied to the industry
- the time allocated by FT0s to the pursuit of local bargaining.

Third party intervention in collective bargaining by way of arbitration or conciliation, associated as a method of conflict regulation with the principle of social equity, which lay behind the Einheitsgewerkschaft model, was also reported to be less useful to full-time officers, although still regarded as preferable to the strike.

The processing of individual member claims under the provisions of the employment legislation was encroaching increasingly upon union time whilst contributing little to the development of collective action and solidarity. The complexity and consequent weakness of the law in this regard persuaded the union organisations within the survey to direct their efforts towards lobbying the politicians, not so much for social change, but for industrial purposes.
Alternative sources of influence or authority beyond their members' support was found to be of limited value to the officers interviewed, and that which was available was largely industry-related. Furthermore, it seems unlikely from the evidence that the officers had any greater access to information related to their industry or sector of industry than their counterparts in the major British trade unions.

Under pressure of political and economic change during the 1970s, the political and industrial influence, whether real or apparent, wielded by the Einheitsgewerkschaft as a model feature of the Social Market Economy, and therefore a 'social elite', had begun to wane, and by the particular time of the investigation towards the end of that period, trade union officials recognised the need to harness members' support as the only real source of power available to their organisations. If such support were not automatically forthcoming out of union discipline and traditional solidarity, then the quasi-democratic instruments of greater communication, accessibility of full-time officers and more frequent forums for open debate and comment had to be made available. Union officers felt a personal responsibility for effecting union policy, to which end they required credibility, to be seen to perform a unique function in the interests of their members. It was found that, in the perceptions of the officers, union function or effectiveness could, for this purpose, be extended (horizontally) or intensified (vertically).

Any changes in function were observed to be accompanied by adaptations of the organisational structures; furthermore, in order to retain the stability of the whole organisation, such adaptations must balance, ie the tendency to centralise operations in pursuit of one objective must be counterbalanced by decentralisation over other issues, lest the mechanisms for ensuring member support be sacrificed.

From these observations of political history and trade union practice, drawn primarily from the experiences of the 1970s, it is possible to advance a theory of trade union activity, based on the inter-relation of organisational structure and function.
If one method of trade union function loses credibility, then, it is suggested, union organisations will tend to develop new dimensions to their activity as a means of maintaining their social purpose. During the 1970s, union organisations in both Britain and West Germany were able to do this in varying degrees by exploiting openings created by legislative change to advance or intensify their bargaining role. They have been criticised from time to time for their lack of political insight yet their reluctance to aggressively pursue the aim of a new political order does not presume their acquiescence in the status quo at all levels, nor their inability to articulate opposition at some of them.

By extending their political role, unions may be instrumental in preserving the plurality on which their central function of bargaining depends, although the fine balance between the "integrative pragmatism" of aggressive wage bargaining and the role of trade unions as autonomous political initiators has proved a difficult one to strike.

The degree of integration of the trade union movement into the corporate system may be one factor which determines its ability to strike such a balance; another may be detected in the implications of corporatism for trade union structure. It has already been proposed that the integration of trade unions into the regulatory machinery of state or industry by their compliance to incomes policies or other forms of institutionalised cooperation requires at the same time the acquiescence of the membership and a compatible bureaucratic structure. Conversely, trade union militancy is dependent upon a decentralised decision-making system which can operate alongside the machinery for coordinated action.

The changing patterns of collective bargaining which have come about in both Germany and Britain are obviously central to the changes in structures and functions of union organisations. Collective bargaining remains the most meaningful method of trade unionism for the worker-member, and is to that extent a primary instrument of democracy. Any changes in the system of industrial relations which alter or diminish the collective bargaining structure would need to be met by the trade unions by adaptations in their structures or functions.
to sustain their representative role and minimise the adverse effects
of change on the vitality of the membership. In terms of collective
bargaining therefore there is of necessity a relationship between
the democratic and bargaining structures of the trade unions.

Writing as early as 1962, Turner\(^3\) pinpointed the complex link between
trade union structures and their functions:

"We have at any rate, two sets of trade union
problems. On the one hand, there are problems,
in a sense, of form. This includes the relation
between trade unionism and the general labour
movement, between individual trade unions them­
selves, and between the individual union and its
members. On the other hand, there are problems of
policy - in effect of what unions do, should do,
or of why they do it. In any organisation, form
and function condition, if they do not quite deter­
mine each other. So the two groups of problems can­
not really be separated."

In considering Turner's term "form", it is useful to refer back also
to the Webbs' definition\(^4\) of trade union structures:

i) Democratic structure - termed "morphology" by Turner
   - the definition of trade union by membership boundaries
   and distribution;

ii) Trade union government - the systems of representation
    of that membership and structures for decision-making;

iii) Inter-union relations - the channels for cooperation
    and rivalry between organisations in pursuit of trade
    union objectives.

Each of these suggested aspects of trade union structure determines
or is determined by the organisational requirements to meet the wishes
of the member group. Such wishes govern also the purpose or function
of the organisation, defined by the Webbs as corporate self-help,
particularly with respect to the maintaining or improving of conditions
of employment. This relationship between the structures of trade
union organisations and their functions is thought to be fundamental
to the stability of the industrial relations system and worthy of investigation within an analytical framework.

In order to define trade union function, it may be argued that the determination of the levels and dimensions of activity is itself a function of the methods chose by the unions to achieve their objectives. In their evidence to the Donovan Commission, the TUC offered the following definitive scheme for trade union behaviour:

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| Efficient       | Means to bargain |
| Efficient       | Objectives      |
| Efficient       | Methods Used    |
| Efficient       |                 |
| Organisation   |                 |
| Representativeness |             |
| Education/Research |             |
| Communication   |                 |
| High Membership |                 |
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The means to achieve trade union objectives at any given level of operation may be described as trade union "power". The relationships between trade unions and other actors in the industrial relations system, and therefore trade union function, are governed by the actor's ability to exert "power" over others. This rather broad term thus requires closer examination and distinction for it to be of analytical use.
VI Towards a Framework of Analysis: Power and Authority in Industrial Relations Systems

The property of power in a social relationship has been defined as the possibility of one or a group of actors imposing his or their will upon others to secure binding obligations within a system of collective organisation. Power can only be said to exist where recalcitrance on the part of opposing parties is met with positive or negative sanction, irrespective of the source or agency of such sanction. The distribution of power sources may be uneven, but in the context of an interdependence among actors, 'power over' becomes an exchangeable quantity. The exercise of power in exchange rests upon a complex system of communication to exact compliance from the subordinate.

In the light of historical discussion, trade union recognition, as the basis of communication in the industrial relations system, is thought to be an important conditioning factor of trade union function: in any social or political context, a trade union must establish functions which are recognised as desirable and which cannot be carried out by other groups. Such desirability and exclusivity need not necessarily emanate from the same source, but must be acknowledged by one or more other actor groups in the same system in order to lend credibility to trade union activity. This suggests that the raison d'être of trade unionism is self-perpetuation: by extending their function in both scope and depth, trade unions adopt recognition as both the instrument and the objective of their behaviour.

Within the industrial relations system the 'power' variables can be said to operate at two levels of analysis. The first level is termed the micro- or sub-system analysis, which identifies the levels of power related to activities within the trade union organisation resulting from the interaction of membership and leadership groups. The macro-level of analysis deals with the interaction of these trade union power centres with actors in the system. Thus the 'power' which a union administration requires to function within the system is a property of its relationship with actors within its own organisational sub-system (trade union officers and members) and with other actors in the industrial relations system as a whole (employers and
government bodies). The leadership qualities necessary for a trade union to function within a context of responsible trade unionism in an integrated state, as characterised by institutionalised industrial conflict and the welfare state, are recognised as significantly contributing to the property of 'power' so described, as the relationship between the union administration and the membership is otherwise eroded. This point was brought out clearly in the work carried out by Kirkwood and Mewes on the 'mediating role' of trade union leadership in Germany:

"..... the power of a union movement in the welfare state seems inextricably tied to the ability and effectiveness with which its leadership exercises a mediating function between the interests of its members on the one hand and those of business and the state on the other."

Thus, it may be argued that the ability of a trade union to function on one level is directly influenced by its behaviour on another, and the key or pivot on which the 'model' hangs together is the credibility of the administration to succeed in its aims. In terms of trade union 'power' within the system, the union bureaucracy requires legitimacy in order to act, irrespective of the source of such legitimacy. Legitimate power in the form of authority or influence furnishes the macro-system of industrial relations and the micro-system of trade union organisation with an order based on consensus or rights of sanction (discipline). Beyond this 'legitimate order', the union administration may have the resources to grant it the power of coercion or threat, termed 'illegitimate' or 'naked' power, dependent totally for its effectiveness upon the enforcement of purely negative sanctions. In an advanced system of industrial relations, as in European and American nations, the trade union organisation requires strength in terms of solidarity and finance as a source of illegitimate power in the last resort, when rights of authority and influence are denied. As a definitive factor of trade union power, legitimacy thus becomes a central feature of trade union function, both as an end and as a means, within the union organisation and beyond.

It is suggested that legitimate power is derived essentially from the regulations, positive and normative, of the system or sub-system.
Its realisation is furthermore dependent upon the machinery for communication employed by the would-be powerful agent. This would suggest that trade union function, as a reflection of the power sources available, is codetermined by:

i) the structural and regulatory characteristics of the system and sub-system which distribute rights of authority and influence and the resources of negative sanction; and

ii) the machinery by means of which such rights are communicated to the subordinate and the latter's means to articulate opposition.

The articulation of opposition within an organisation, whether real or apparent, may be expressed through the democratic or representative channels which run parallel to the administrative structures. How such channels operate and the legitimacy they afford the administration will determine the basis of authority and influence wielded, be it by union consensus or discipline.

Finally, it could be argued that the conditions which have given rise to certain structural and regulatory features of the industrial relations systems of different countries are also responsible for the variety of issues and modes of action available to govern behaviour of the actors involved. The example of the 1970s, a period of rising unemployment in both Britain and West Germany met with progressive changes in the legal regulation of employment conditions witnessed an increase in union recognition, particularly in the workplace, an extension in the scope of collective bargaining, and the consequent "professionalisation" of industrial relations, the last particularly in Britain where employee relations had remained hitherto, for the most part, a minor responsibility of line management.

In both countries, the consolidation of shop floor bargaining and the development of the steward system represent changes in the structural features of the actor components of union and employer organisations, as well as in the range of issues dealt with in the interests of those represented, within the framework of law, collective bargaining and economic change.
Thus trade union function, ie the methods they employ and the activities they pursue, is determinable by the interaction of the structural and regulatory characteristics of the particular system in the context of given or short term issues. If the union structure is demonstrably compatible with the regulations which govern its relations with other actors (employers and government bodies), the suggestion is that union recognition within the system is high and therefore its legitimate power is potentially high. With such resources, the union is in a better position to exchange advantages (positive sanction)\(^{18}\) with the employers and is therefore likely to take a more cooperative\(^{19}\) stand in negotiations. Union structure is subject to an internal "trade-off" of power within the organisation, such that if internal cohesion is not apparent, the union structure is less likely to attain compatibility with the regulations of the system. If a reduction in union recognition is the result, then the union may be forced to bargain on the basis of negative sanction at its own cost. The trade-off between the trade union and other actors will be of losses\(^{20}\) rather than of advantages, and the bargaining situation will be competitive rather than cooperative.

The pattern of relationships can be shown diagramatically in the form of a multi-dimensional "model". The term "model" is chosen here to describe an analytical framework, but it is not intended to mislead the reader by suggesting that it offers any more than a demonstration of the location of certain unstructured relationships between selected variables. The model is of no predictive value, but merely seeks to illustrate the hypotheses discussed above.\(^{21}\)
The "TRADE-OFF" position on the best possible terms is the goal of the participants. "POWER" may be illegitimate (coercive) or legitimate (authority, influence) and offers the union a variety of instruments/strategies.
The 1970s brought economic and political pressure to bear upon both the German (centralised) and the British (fragmented) models of trade union organisation.

The German culture produced a trade union tradition more highly politicised than that of Britain, out of which was born the centrist principle of the Einheitsgewerkschaft. How far the 'interests' of working people extend beyond terms and conditions of employment in the 1970s' model of trade union representation in Germany is unclear, but it would be reasonable to presume that it includes a wider political dimension. The British model of trade unionism has no such tradition and, whilst acknowledging its structural deficiencies in the political context, has never really succeeded in imposing a reordering of its ranks.

The polarity of the two structures was reflected in the aspects of the industrial relations systems which showed the highest degree of incompatibility with the structure during periods of economic and political change. In the German case, the pressure on the Einheitsgewerkschaft structure has thrown into relief an incompatibility at the micro-level; that the pursuit of national objectives by the organisation threatens its internal cohesion and means have to be found of representing the interests of the membership in membership rather than leadership terms. Such means are, however, hampered by the increase in the representation of member interests at the "grassroots" on an individual, rather than collective basis by the processes of law.

In the British case, the incompatibility between the structure of the union organisation and the national interest is self-evident, but this is unlikely to threaten internal cohesion in the short run whilst the union is able to concentrate on the pursuit of short-term objectives which meet with the members' perceptions of their interests.

In both systems, it seems that the compatibility of the micro-order (trade union structure) with the macro-order (industrial relations system) is more likely achieved when the issues are industrial rather than political, since at the two levels, industrial effectiveness
is more immediate to the actor groups and sub-groups than political change.

In industrial terms, then, compatibility within the German system would appear to be uncertain, if the structure of collective bargaining fails to respond to the collective interests of the member groups, thereby failing to harness their potential power resources. Any fall in the degree of compatibility between the structure of the union and the changing industrial relations system will initiate moves away from cooperative relations towards competition, and there is no evidence from the 1970s that the union structure is equipped to use the resource of negative sanction, eg the strike weapon, at the level of bargaining where it may be most effective. By contrast, within the British system, any change in the perceptions by the workforce of their interests which removes the incidence of bargaining away from the traditional levels of group activity is likely to diminish the use of negative sanctions in support of tradtional collective issues, thereby changing the nature of the power available within the union organisation and its distribution.

It has been the purpose of this study to demonstrate that a relationship exists between the trade union structure and function, and to indicate the nature of that relationship within the historical context of the industrial relations system in two countries. By observing the circumstances facing trade unions during the 1970s, and by investigating in particular, the activities of selected organisation in West Germany, it has been possible to construct a simple dynamic model of trade union behaviour based on a number of hypotheses, that

- trade union methods are constrained by the structural characteristics of the particular organisation, as related to the structures of other actors in the system and the conditions which regulate their relationship;
- the structures of the actors within any industrial relations system, hence the nature of the relationship which exists between them, are largely predetermined by the social and political evolution of that system;
the structural characteristics of trade unions prescribe the nature and distribution of the power resource available to them, and thereby condition the levels of cooperation or conflict potential in the industrial relations system;

- the political and social history of a trade union movement significantly influences the long and short term aims, objectives and methods of the organisations which compose it;

- traditional trade union behaviour is determined by traditional sources of power which enable the given structures of organisation to pursue particular objectives in the interests of the membership;

- the stability of the industrial relations system rests on the retention of a high degree of compatibility between the micro- and macro-level subsystems and their ability to continue to "trade" on give issues.

Whilst the model is not intended to possess any particular predictive quality, it is thought to offer a framework for future observations of trade union behaviour within comparative industrial relations systems by analysis of the internal and external 'trade off' factors.
REFERENCES

1. See also Clegg (1976) op cit.
3. Turner op cit, preface.
4. Webb's (1911) op cit.
5. T.U.C. Evidence to the Royal Commission on Trade Unions and Employers' Associations op cit.
11. Also Parsons (1967) ibid p 308.
13. See Chapter 5 above.
15. See R A Dahl Power, 1968, also.

14. See 12 above.
16. Russell op cit.
17. See also C I Barnard, The Theory of Authority in Parsons (1961) op cit.
19. 'Cooperation' and 'Competition' between groups are terms coined by M Deutsh, op cit, to describe attitudes prevailing in a situation of conflict between parties, defined by him as follows:

"In a cooperative situation the goals are so linked that everybody 'sinks or swims' together, while in the competitive situation, if one swims, the other must sink".
See 18 above

21 K Von Beyme, Challenge to Power, 1980 draws up a number of what he calls causal relationships in the industrial relations system. (Reference to part 3 of the summary) p 325. He warns however against too much projection and generalisation of such trends in the search for a more comprehensive trade union theory.
APPENDIX

1 List of Trade Union Offices used in the interview surveys in 1978 and 1979.

2 Questionnaires applied in
   (i) 1979
   (ii) 1978

3 Simple graphic presentations of the rank correlation of union activity centres, as based on information obtained from Table 2 of the 1979 survey.

4 Executive functions and levels of responsibility:
   Constitution and Rules of GTB, IGBE and ÖTV.

5 Patterns of collective bargaining and union profiles at the time of the empirical surveys.
APPENDIX

1 List of Trade Union Offices in West Germany which participated in the 1979 survey.

* Those also interviewed the previous year in a pilot survey.

** Those available only for the pilot study in 1978.

1.1 IG Bergbau und Energie

" Geschäftsstellen

Baden-Württemberg
Gartenstrasse 64
7100 HEILBRONN

" Südbayern
Schwanthalerstrasse 64
8 MUNCHEN 2

Giessen
Eichgartenallee 5
6300 GIESSEN 1

Celle
Fuhrbergerstrasse 21
31 CELLE

Helmstedt
Sudstrasse 2
3330 HELMSTEDT

Bezirke

Niedersachsen
Dreyerstrasse 6
3000 HANNOVER

Rheinland
Otto-Brenner-Strasse 4
5100 ALSDORF

Kollege Schmidt
Kollege Kapfer
Kollege Lang
Kollege Rust
Kollege Steinbach
Kollege Hartwig
Kollegen Wolff, Hempel, Link
Ruhr-Mitte
Schutzenbahn 11-13
4300 ESSEN

Hauptvorstand

Assistant to the Chairperson
Officer for International Affairs

Kollege W. Müller*

1.2 Gew. Textil-Bekleidung

Verwaltungsstellen

Frankfurt a.M.
Wilhelm-Leuschner-Strasse 69-77
6000 FRANKFURT a.M.

Kollege Truhe

Fulda
Goethestrasse 11
6400 FULDA

Kollege Spriestersbach

Marktredwitz
Durnbergerstrasse 34
8590 MARKTREDWITZ

Kollege Nuss

Augsburg**
Schaezlerstrasse 13½/III
8900 AUGSBURG

Kollege Paintner

Grenzland
Rheydterstrasse 328
4050 MONCHENGLADBACH

Kollege Schiffers

Gronau-Schuttorf
Am Oilenkamp 1
4432 GRONAU/WESTFALEN

Kollege Cosse

Hof-Munchberg-Naila
Weissenburgstrasse 11
8670 HOF

Kollege Taubald

Bocholt
Wesemannstrasse 10
4290 BOCHOLT

Kollege Radenaker
**Bezirke**

**Frankfurt a.M.**
Wilhelm-Leuschner-Strasse 69-77
6000 FRANKFURT a.M.

**Sudbayern**
Schaezlerstrasse 13½/III
8900 AUGSBURG

**Nordbayern**
Weissenburgstrasse 11
8670 HOF 2

**Munster-Arnsberg**
Bahnhofstrasse 15
4400 MUNSTER/WESTFALEN

**Nordrhein**
Brucknerallee 11
4050 MONCHENGLADBACH

**Hauptvorstand**

Officer for Economic and
Womens Affairs

Kollegin Dr W Kruer-Buchholz*

**1.3 Gew. Öffent.Dienste, Transport u. Verkehr**

**Kreisverwaltungen**

**Wilhelmshaven**
Kielerstrasse 63
2940 WILHELMSHAVEN

**Bottrop-Gladbeck**
Kirchellenerstrasse 60
4250 BOTTROP

**Verden-Rotenburg/Syke-Diepholz-Osterholz**
Nikolaiwall 18
3090 VERDEN/ALLER

**Nurnberg**
Am Kornmarkt 5-7
8500 NURNBERG
Fulda
Goethestrasse 11
6400 FULDA

Landshut
Hans-Bockler-Strasse 1
8300 LANDSHUT

Koln
Hans-Bockler-Platz 1
5000 KOLN

Frankfurt a.M.
Wilhelm-Leuschner-Strasse 69-77
6000 FRANKFURT a.M.

Munster
Bahnhofstrasse 6
4400 MUNSTER/WESTFALEN

Bezirke

Landesbezirk Bayern
Schwanthalerstrasse 64
8000 MUNCHEN

Weser-Ems
Bahnhofsplatz 22-28
2800 BREMEN

Nordrhein-Westfalen I
Friedrich-Ebert-Strasse 34-38
4000 DUSSELDORF

Nordrhein-Westfalen II
Bruckstrasse 48
4630 BOCHUM

Hessen
Wilhelm-Leuschner-Strasse 69-77
6000 FRANKFURT a.M.

Hauptvorstand

Officer responsible for
Constitutional Issues

Kollegen Hofmann, Malkmus
Kollege Huber
Kollege Kaiser
Kollege Jungmann
Kollege Rosenbach
Kollege Piesche (retired)
Kollege Hubrich
Kollege Mosch
Kollege Liersch
Kollegen Engel, Faust
Kollege H Vitzthum**
Interview Sheet (i) 1979

Date ........................................

Name ........................................

Union ........................................

Position in Union .........................

........................................

........................................

Place of Interview .......................

........................................

........................................
1 Wie lange sind Sie schon Bezirksleiter/Geschäftsführer?

2 Wann sind Sie dieser Gewerkschaft beigetreten?

3 Haben Sie einmal einer anderen Gewerkschaft angehört?
   Ja
   Nein
   KA

4 Wenn ja, welche war das?

5 Hatten Sie vorher schon andere hauptamtliche Funktionen?
   Ja
   Nein
   KA

6 Welche waren diese Funktionen?

7 Sehen Sie die Chance, als hauptamtlicher Funktionär in Ihrer Gewerkschaft weiter vorwärts zu kommen?
   Ja
   Nein
   KA/WN

8 Wenn ja, in welche Richtung geht Ihre Interesse?

9 Sehen Sie Chance bei anderen Gewerkschaften?
   Ja
   Nein
   KA/WN

10 Hatten Sie Arbeitsniederlegungen schon miterlebt, bevor Sie Ihre jetzige Stellung angenommen haben?
   Ja
   Nein
   KA
11 Und seitdem?
Ja
Nein
KA
Welche Gesetze schränken Ihre Tätigkeit als ___ ein?

Erleichtern die Gesetze Ihre Tätigkeit in irgendeiner Weise?
Ja
Nein
KA/WN

Wenn ja, könnten Sie näher darauf eingehen?

Würden Sie eine Einwirkung in Arbeitsstreitigkeiten (zum Beispiel Schlichtung/Arbeitsgericht) von dritter Seite positiv oder negativ beurteilen?
Positiv
Negativ
KA/WN

Gibt es Ihrer Meinung nach irgendwelche Unterschiede, bei denen Sie sich besonders gegen einen Eingriff einer dritten Partei wehren würden?
Ja
Nein
KA/WN

Wenn ja, welche?

Gibt es irgendwelche andere Gründe, ausser der besonderen Beschaffenheit der Verschiedenheit, die Sie dazu veranlassen würde, den Eingriff einer dritten Partei abzulehnen?
Ja
Nein
KA/WN
Wenn ja, welche?

Würden Sie gerne Änderungen am Betriebsverfassungsgesetz bzw. Personalvertretungsgesetz vornehmen?
Ja
Nein
KA/WN

Wenn ja, was im besonderen hätten Sie gerne verändert?

Gibt es irgendwelche anderen Gesetze auf dem Gebiet der Arbeitsbeziehungen, die Sie gerne verabschiedet oder verändert sehen würden?

In welcher Weise würden diese Ihre Arbeit erleichtern?

In welchem Ausmasse stützen Sie Sich eher auf informelle Kontakte als auf schriftlich niedergelegte Vereinbarungen in Ihren Beziehungen zu den folgenden?
(siehe Tabelle 1)
1. Hat es Situationen gegeben, in denen Sie sich auf Grund Ihrer Stellung in der Gewerkschaftshierarchie frustriert fühlten?
   Ja
   Nein
   KA

2. Wenn ja, lag der Grund hierfür in den Richtlinien der Gewerkschaft oder in den starken Personlichkeiten Ihrer Vorgesetzten?
   Richtlinien
   Vorgesetzten
   Unzutr

3. Spielt sich der Einfluss starker Personlichkeiten innerhalb des Rahmens der Gewerkschaftseigenen Vorschriften ab, oder gehen sie aus Gewohnheitsrecht bei der Auslegung Ihrer Funktion über die Vorschriften hinaus?
   Nach Vorschrift
   Aus Gewohnheitsrecht
   KA
   Unzutr

4. Siehe Tabelle 2

5. Wenn Sie an die letzten 3 Monaten denken, von wem haben Sie überwiegend Rat/Unterstützung eingeholt, um Entscheidungen zu treffen?
   Bitte in jedem Fall angeben
   Tabelle 2

6. Stehen Sie/in ständigem informellem Kontakt mit wenigen/vielen/allen/keinem der folgenden:
   a  Betriebsräte
   b  Vertrauensleute
   c  Mitglieder der TK
   d  Mitglieder anderer Ausschüsse
7 Wie oft haben Sie letzten Monat einen Betrieb besucht?

8 Welche Art waren die Probleme, die Sie zu diesen Besuchen veranlassten?

9 Wie oft im letzten Monat hatten Sie Kontakt mit einem anderen ________?

10 Aus welchen Gründen tun Sie das?

11 Wie weitverbreitet ist in diesem Bezirk/Ort das Problem der Organisation - Können Sie mir schätzenweise die Zahl der Arbeitnehmer angeben, die davon betroffen sind?

12 In welchen Branchen/orten ist Sie besonders

13 Sind die Betriebsräte in der Lage auf anderen Wegen Einfluss auf solche Verhandlungen auszuüben?

Ja

Nein

Wenn ja, bei welchen Streitigkeiten/Angelegenheiten ist ihnen gelungen, gewissen Einfluss auszuüben?

14 Kommen Ihrer Erfahrung nach einigungsverschiedenheiten zwischen hauptamtlichen und ehrenamtlichen Funktionären auf?

Ja

Nein

15 Wenn ja, um welche Probleme geht es dabei?

16 An wen wenden Sie sich im Falle eines Scheiterns der Verhandlungen mit dem Arbeitgeber/um mehr Spielraum für Ihre Verhandlungen zugestanden zu bekommen?

17 Werden die Mitglieder über alle/viele/wenige/keine Entscheidungen informiert, die auf dieser Organisationsebene getroffen werden?
18  Bei welchen Angelegenheiten werden sie informiert, bei welchen nicht?

19  Sind Sie mit dem Interesse der Mitgliedschaft dieses Bezirks/Orts an ihrer Gewerkschaft zufrieden/nicht zufrieden?

20  Wenn nicht, was meinen Sie, sind die Gründe für dieses Desinteresse?

21  Wie weitverbreitet ist das Problem der Organisation? In welchen Branchen bzw. Orten ist sie besonders schwach?
III

1 Haben Sie außer während der Tarifverhandlungen andere Kontakte mit Vertretern der Arbeitgeberverbände?
   Ja
   Nein
   KA

2 "Können Sie Beispiele geben, für Angelegenheiten, die zu solchen Kontakten führen?"

3 Wenn ja, "können Sie mir eine Vorstellung von der Form und Häufigkeit dieser Kontakte geben? (Tabelle 3)

4 "Können Sie die unterschiedlichen Formen dieser Kontakte bitte aufzählen? (siehe oben)

5 i) "Können Sie unterschiedliche Arten von Angelegenheiten nennen die Sie mit den Führungskräften der Unternehmen diskutieren?

   ii) Unterscheiden sie sich von denen der Arbeitgeberverbände?

6 "Können Sie die unterschiedlichen Formen der Kontakte mit den staatlichen Behörden bitte aufzählen? (Siehe oben.)

7 Wo tauchen Ihrer meinung nach die Problembereiche zwischen Ihnen und den staatlichen Behörden auf den verschiedenen Ebenen auf?
1 Enthalten Ihrer Gegenspieler bei den Arbeitgebern während der Verhandlungen Ihnen bewusst Informationen vor?
   Ja
   Nein
   KA

2 Wenn ja, welche Art von Informationen?

3 Und, in welcher Weise hatten diese Ihnen genutzt, wenn sie Ihnen zu Beginn der Verhandlungen zugestanden hatten?

4 Werden Ihnen auch während der übrigen Zeit Informationen vorenthalten?
   Ja
   Nein
   KA

5 Enthalten die Behörden wovon wir schon gesprochen haben (siehe oben), Ihnen Informationen vor?
   Auf Bundesebene    Ja/Nein/WN
   Auf Landesebene    Ja/Nein/WN
   Auf anderen Ebenen  Ja/Nein/WN

6 Wenn ja, wäre es von kleinem oder großem Wert für Sie im Besitz dieser Informationen?
   Kleinem Wert/Grossem Wert/WN/KA

7 Enthalten Sie Informationen den Behörden
   den Arbeitgeberverbänden
   den Betriebsleitungen
   Ja/Nein/KA
   Ja/Nein/KA
   Ja/Nein/KA

8 Haben Sie Zugang zu all denjenigen Informationen innerhalb der Gewerkschaftsorganisation, die Sie gerne möchten?
   Ja
   Nein
   KA
9  Von wem erhalten Sie normalerweise den überwiegenden Teil Ihren Informationen?
    (siehe Tabelle 5)

10  Können Sie mir noch andere Informationsquellen nennen?
1 Erinnern Sie sich an einen besonderen Erfolg Ihrer Gewerkschaft in den letzten 2-3 Jahren?
   Ja
   Nein
   KA

2 Woran denken Sie dabei und wann war das?

3 Wie beurteilen Sie persönlich die Tarifpolitik, die Ihre Gewerkschaft in den letzten 2-3 Jahren gemacht hat?
   Waren Sie mit ihr insgesamt eher zufrieden oder eher unzufrieden?
   Eher zufrieden
   Eher unzufrieden
   KA

4 Warum waren Sie besonders unzufrieden?

5 Soll Ihre Gewerkschaft sich für prozentuale Lohnerhöhungen oder Erhöhungen um den gleichen Pfennigbetrag einsetzen?
   Prozentual
   Gleicher Pfennigbetrag
   KA

6 Warum sind Sie dieser Meinung?

8 Wenn nein, warum nicht?

9 Befassen sich hauptamtliche oder betriebliche Funktionäre Ihrer Gewerkschaft mit der Anwendung von Leistungsbewertungssystemen?
   Ja
   Nein
   KA

10 Wenn ja, in welchen Industriezweigen oder Organisationsbereichen?
11 Welche Ihrer Funktionäre sind an diesen Verhandlungen direkt beteiligt?

12 Wurden diese Schemata bzw. Veränderungen dieser Schemata von der Gewerkschaft oder von der Arbeitgeberseite ins Leben gerufen?
   Gewerkschaft
   Arbeitgeberseite
   KA

13 Wenn Arbeitgeberseite, fühlte sich die Gewerkschaft dazu gezwungen zu kooperieren oder haben Ihre Funktionäre freiwillig in diese Schemata eingewilligt?
   Gezwungen
   Verschieden
   Freiwillig
   KA

14 Meinen Sie, dass mit einem Arbeitsbewertungssystem eine gerechte Entlohnung erreicht wird?
   Ja
   Nein
   KA/WN

15 Es wird häufig gesagt, dass Arbeitgeber und Arbeitnehmer in einem Boot sitzen, da sie gleiche oder ähnliche Interessen verfolgen. Ist da etwas daran, oder halten Sie diese Meinung für falsch?
   Etwas daran
   Falsch
   KA

16 (Etwas daran) Und wo bestehen am ehesten gemeinsame Interessen zwischen Arbeitgebern und Arbeitnehmern?

17 (Falsch) Gibt es Ihrer Meinung nach überhaupt gemeinsame Interessen zwischen Arbeitgebern und Arbeitnehmern?
   Ja - Welche?
   Nein
   KA
Wenn "überhaupt, ganz allgemein betrachtet, gibt es mehr gemeinsame oder mehr gegensätzliche Interessen zwischen Arbeitgebern und Arbeitnehmern?
Mehr gemeinsame
Mehr gegensätzliche
WN/KA

Halten Sie die Ausperrung für gerechtfertigt?
Ja
Nein
KA

Warum sind Sie dieser Meinung?

Haben Sie jemals eine Ausperrung entweder als Arbeitnehmer oder als Gewerkschaftsfunktionär miterlebt?
Als Arbeitnehmer - Ja/Nein
Als Gewerkschaftsfunktionär - Ja/Nein
KA

Welche Partei oder Parteienkoalition dient den Interessen Ihrer Gewerkschaft am ehesten? Können Sie Ihre Anwort bitte erklären.

Angenommen eine andere Regierung würde die Macht innehaben, waren Sie unter diesen Umständen in einem größeren Masse dazu bereit mit dieser Regierung und der Industrie zusammenzuarbeiten?
Ja
Nein
KA

Waren Sie dazu bereit, die konzertierte Aktion unter der gegenwärtigen Regierung wieder aufleben zu lassen?
Ja
Nein
KA
25 Wurden Sie die Bedingungen für eine Zusammenarbeit unter einer neuen Übereinkunft ändern?
Ja
Nein
KA
26 Wenn ja, auf welche Weise?
27 Meinen Sie, dass die Gewerkschaften durch Ihre Lohnpolitik dazu beitragen können, dass die Preise stabiler werden?
Ja
Nein
KA
28 Wenn ja, welche Strategie sollen die Gewerkschaften verfolgen?
29 Wenn nicht, warum nicht?
30 Sollten die Gewerkschaften auf Lohnerhöhungen verzichten, wenn die Konkurrenzfähigkeit des Industriezweiges gefährdet ist?
Ja
Nein
KA
31 Manche Leute meinen, dass sich die Gewerkschaften nur um die sozialen Angelegenheiten der Arbeitnehmer kümmern sollen. Andere meinen, dass die Gewerkschaften auch in politische Auseinandersetzungen (wie z.B. über die Notstandsgesetze und andere politische Streitfragen) aktiv eingreifen sollten. Welche Aufassung sind Sie? Nur soziale Angelegenheiten Auch politische Auseinandersetzungen
WN/KA
32 Halten Sie die politische Aktivität Ihrer Gewerkschaft gegenwärtig für ausreichend oder sollte sie Ihrer Meinung nach verstärkt werden?
Ausreichend
Verstärkt
KA
Gibt es irgendwelche Gebiete in denen Ihre Gewerkschaft schon aktiv geworden ist, die von anderen Gewerkschaften weitgehend ignoriert werden?
Ja
Nein
KA

Wenn ja, welche sind diese Gebiete und warum hat sich gerade Ihre Gewerkschaft speziell diese angenommen?

Bietet Ihre Gewerkschaft ihren Mitgliedern irgendeine spezielle Dienstleistung an, die den Mitgliedern anderer Gewerkschaften nicht zur Verfügung steht?
Ja
Nein
KA

Wenn ja, was?
<table>
<thead>
<tr>
<th></th>
<th>Hauptsächlich informelle Kontakte</th>
<th>Nach Vorschrift</th>
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<td>andere Ebenen</td>
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<td>Sonstigen Behörden</td>
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Konnen Sie bitte die folgenden Bereiche Ihrer Arbeit nach Umfang aufschlusseln:

<table>
<thead>
<tr>
<th>Tabelle 2</th>
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</table>
| "Können Sie auch hier bitte hin- hinschreiben, von wem Sie Rat bzw. Unterstützung einholen, um in Fällen 1 bis 6 Entscheidungen zu treffen:"

<table>
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<tr>
<td>Arbeitswissenschaft</td>
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Tabellen 3/4/5

Kontakte mit den Arbeitgeberverbanden / Führungskräften der Unternehmen / staatlichen Behörden

<table>
<thead>
<tr>
<th></th>
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<tr>
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<td></td>
</tr>
</tbody>
</table>
Date ........................................

Name ........................................

Union ........................................

Position in Union  .........................

Place of Interview .........................

Tape No. ...... Side .........................

Length of Interview .......................
1 Wie lange sind Sie schon Bezirksleiter/Geschäftsführer?
2 Wann sind Sie dieser Gewerkschaft beigetreten?
3 Haben Sie einmal einer anderen Gewerkschaft angehört?
4 Wenn ja, welche war das?
5 Hatten Sie schon vorher andere hauptamtliche Funktionen?
6 Welche waren diese Funktionen?
7 Sehen Sie die Chance, als hauptamtliche Funktionär in Ihrer Gewerkschaft weiter vorwärts zu kommen?
8 Wenn ja, in welche Richtung geht Ihre Interesse?
9 Sehen Sie die Chancen bei anderen Gewerkschaften?
10 Hatten Sie Arbeitsniederlegungen schon miterlebt, bevor Sie Ihre jetzige Stellung angenommen haben?
11 Und seitdem?
Fühlen Sie sich von den Arbeitsgesetzen in irgend einer Weise belastet? Betrachten Sie die Gesetze als ein Erschweren für Ihre Arbeit?

Erleichtern die Gesetze Ihre Arbeit in irgendeiner Weise?

Wenn ja, können Sie näher darauf eingehen?

Würden Sie eine Einwirkung in Arbeitsstreitigkeiten von dritter Seite positiv oder negativ beurteilen?

Gibt es Ihrer Meinung nach irgendwelche Verschiedenheiten bei denen Sie sich besonders gegen einen Eingriff einer dritten Partei wehren würden?

Gibt es irgendwelche andere Gründe ausser der besonderen Beschaffenheit der Verschiedenheit, die Sie dazu veranlassen würden, den Eingriff einer dritten Partei abzulehnen?

Würden Sie gerne Änderungen am Betriebsverfassungsgesetz bzw. Personalsvertretungsgesetz vornehmen?

Wenn ja, was im besonderen hätten Sie gerne verändert?

Gibt es irgendwelche andere Gesetze auf dem Gebiet der Arbeitsbeziehungen, die Sie gerne verabschiedet oder verändert sehen würden?

In welche Weise würden diese Ihre Arbeit erleichtern?

Siehe Tabelle 1.
III

1 Hat es Situationen gegeben, in denen Sie sich auf Grund Ihrer Stellung in der Gewerkschaftshierarchie frustriert fühlten?

2 Wenn ja, lag der Grund hierfür in den Richtlinien der Gewerkschaft oder in den starken Persönlichkeiten Ihrer Vorgesetzten?

3 Spielt sich der Einfluss starker Persönlichkeiten innerhalb des Rahmens der gewerkschaftseigenen Vorschriften ab, oder gehen die aus Gewohnheitsrecht über die Vorschriften hinaus?

4 Siehe Tabelle 2.

5 Stehen Sie in ständigem Kontakt mit wenigen/vielen/allen der folgenden:
   a Betriebsrate
   b Vertrauensleute
   c Mitglieder der Tarifkommissionen
   d Mitglieder anderer Ausschüsse

6 Wie oft haben Sie letzten Monat einen Betrieb besucht?

7 Welche Art waren die Angelegenheiten, die Sie zu diesen Besuchen veranlassten?

8 Wie oft im letzten Monat hatten Sie Kontakt mit einem anderen _________?

9 Aus welchen Gründen tun Sie das?

10 Nehmen die Betriebsräte jemals an Verhandlungen teil, die über betriebseigene Probleme hinausgehen?

11 Sind die Betriebsräte in der Lage auf anderen Wegen Einfluss auf Verhandlungen auszuüben?
12 Wenn ja, bei welchen Streitigkeiten/Angelegenheiten ist es ihnen gelungen, gewissen Einfluss auszuüben?

13 Kommen Ihrer Erfahrung nach Meinungsverschiedenheiten zwischen hauptamtlichen und ehrenamtlichen Funktionären auf?

14 Wenn ja, um welche Probleme geht es dabei?

15 An wen wenden Sie sich im Falle eines Scheiterns der Verhandlungen mit dem Arbeitgeber?
IV

1 Haben Sie außer während der Tarifverhandlungen Kontakte mit Vertretern der Arbeitgeberverbände?

2 Können Sie beispiele von Angelegenheiten geben, die zu solchen Kontakten führen?

3 Siehe Tabelle 3.

4 Siehe Tabelle 4.

5 Wie unterscheiden sich die Diskussionen, die Sie mit den Betriebsleitungen führen, von denen mit den Arbeitgeberverbänden?

6 Siehe Tabelle 5.

7 Wo tauchen Ihrer Meinung nach die Problembereiche mit den Behörden und Regierungsstellen auf?
V

1 Enthalten Ihre Gegenspieler bei den Arbeitgebern während der Verhandlungen Ihnen bewusst Information vor?

2 Wenn ja, welche Art von Informationen?

3 Werden Ihnen während der übrigen Zeit Informationen vorenthalten?

4 Enthalten die Behörden bzw. Regierungsstellen Ihnen Informationen vor?

Auf welchen Ebenen?

5 Wenn ja, wäre es von kleinem oder großem Wert für Sie im Besitz dieser Informationen?

6 Enthalten Sie Informationen den Regierungsstellen den Behörden den Arbeitgeberverbänden den Betriebsleitungen vor?

7 Haben Sie Zugang zu all denjenigen Informationen innerhalb der Gewerkschaftsorganisation, die Sie gerne möchten?

8 Haben Sie immer Finanzen genug, um Ihre Arbeit auszutragen, wie Sie wollen?

9 Haben Sie sonstige Informationsquellen?
Funktion A

1 Was ist Ihrer Meinung nach die Hauptfunktion einer Gewerkschaft?

2 Welche wirtschaftlichen oder gesellschaftlichen Faktoren können eine Veränderung dieser Hauptfunktion bewirken?

3 Was betrachtet Ihre Gewerkschaft als wesentliches Ziel von Tarifverhandlungen?

4 Haben Ihrer Ansicht nach die Gewerkschaften auch eine Rolle als Ordnungsfaktor in der Gesamtgesellschaft zu spielen?

5 Wie stehen Sie zum Wiederaufnehmen der Konzertierten Aktion?

6 Sollte Ihre Gewerkschaft weiterhin auf den Ausbau der wirtschaftlichen Mitbestimmung hinwirken?

7 Wo liegen die Grenzen gewerkschaftlicher Mitbestimmung?

8 Was sind die wesentlichen Aufgaben ihrer Gewerkschaft in der Zukunft?

9 Halten Sie gesetzgeberische Massnahmen für ein Hindernis oder für eine Hilfe bei der Durchsetzung gewerkschaftlicher Massnahmen?

Funktion B

1 Gibt es in Ihrer Gewerkschaft bestimmte soziale Gruppen, die sie von anderen Gewerkschaften unterscheiden?

2 Inwiefern beeinflusst dies die Gewerkschaftspolitik?

3 Welche besonderen Strukturprobleme ihrer Industriezweige bestimmen die Politik Ihrer Gewerkschaft?
4 Hält sich Ihre Gewerkschaft an die allgemeinen Richtlinien des DGBs?

5 Gilt das auch für andere DGB-Gewerkschaften Ihrer Meinung nach?

6 Ist Ihre Gewerkschaft in der Lage, Einfluss auf die Politik des DGBs auszuüben?

7 Von welchen Faktoren hängt dies ab?
Innergewerkschaftliche Demokratie

1. Was ist Ihre gewerkschaftliche Funktion in der Orts-bzw. Bezirksverwaltung?

2. Mit welcher Art gewerkschaftlicher Tätigkeit sind Sie auf dieser Ebene besonders befasst?

3. Welche dieser Tätigkeiten kommt Ihrer Meinung nach auf dieser Ebene besondere Bedeutung zu?


5. Hat dies zu Veränderungen hinsichtlich der Rolle der Orts- bzw. Bezirksverwaltung in der Gewerkschaft geführt?

6. Wer ist berechtigt, bei dem Gewerkschaftstag zu sprechen?

7. Wer von den hauptamtlichen Funktionären nimmt am Gewerkschaftstag teil?

8. Sind alle Anwesenden stimmberechtigt? Wie ist die Stimmberechtigung geregelt?

9. In welcher Weise wird das Stimmrecht ausgeübt?
   (a) Handelt es sich um ein freies Mandat?
   (b) Gibt es Stimmbindungen?
   (c) Gibt es Formen des imperativen Mandats?


11. Wenn ja, wie wird ein solcher Konflikt gelöst?
Gewerkschaftliche Organisation

Tarifverhandlungen

1 Welche Organe Ihrer Gewerk schaft sind für Tarifverhandlungen beständig?

2 Auf welcher Ebene werden sie tätig?

3 Wer gehört diesen Organen an?

4 Sind die Mitglieder dieses Organs gewählt oder von Amts wegen entsandt?

Wenn gewählt -

5 Von wem? In welchen Zeitabständen?

6 Wie wird der Vorsitzende bestimmt?

7 Welcher Einfluss hat der Vorsitzende auf die Entscheidungen dieses Organs?

8 Haben andere Gewerkschaftsorgane oder Funktionsträger. Veto-Rechte gegenüber die Entscheidungen dieses Organs?

Die Gewerkschaftliche Repräsentation im Betrieb

1 Wie oft gehen Sie in die Betriebe?
Zu welchen Zweck?
2 Seit wann hat die Gewerkschaft einen Vertrauenskörper im Betrieb?

3 Wie haben die Aufgaben der Vertrauensleute seitdem entwickelt?

4 Wie werden die Vertrauensleute bestimmt?
   (a) Von wem?
   (b) Wie oft?

5 Wie viele Gewerkschaftsmitglieder repräsentiert ein Vertrauensmann?

6 Hätten Sie lieber mehr oder weniger Vertrauensleute in den Betrieben?

7 Verhandeln Vertrauensleute jemals direkt mit der Betriebsleitung?

8 Wenn ja, was ist in diesen Fällen Gegenstand der Verhandlungen?

9 In welchem Anteil sind Vertrauensleute zugleich Angehörige des Betriebsrats?

10 Welche Konflikte ergeben sich für die Gewerkschaft aus dieser Doppelfunktion?

11 Welche Formen der Kommunikation der Vertrauensleute untereinander gibt es?
   (a) Wie oft treffen die Vertrauensleute zusammen?
   (b) Zu welchem Zweck?

12 Wie steht Ihre Gewerkschaft zur Frage der sogenannten "betriebsnahen Tarifpolitik"?
Welche Kontakte bestehen zwischen den Vertrauensleuten und den gewerkschaftlichen Ortsverwaltungen?

(a) offiziell
(b) informell

Welche Kontakte bestehen zu höheren Ebenen der Gewerkschaftsverwaltungen?
<table>
<thead>
<tr>
<th></th>
<th>&quot;Hauptsächlich informelle Kontakte&quot;</th>
<th>Nach Vorschrift</th>
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<tr>
<td>Sonstigen Behörden</td>
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Tabelle 2

Können Sie bitte die folgenden Bereiche Ihrer Arbeit nach Umfang aufschlusseln:

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<thead>
<tr>
<th>Bereich</th>
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<tbody>
<tr>
<td>Arbeitsrecht</td>
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<td>Regionalpolitik</td>
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<td>Sozialrecht</td>
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<td>Tarifpolitik</td>
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<tr>
<td>Unternehmensverfassung</td>
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<tr>
<td>Wirtschaftspolitik</td>
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</table>
Tabellen 3/4/5

Kontakte mit den Arbeitgeberverbänden / Führungskräften der Unternehmen / staatlichen Behörden

<table>
<thead>
<tr>
<th></th>
<th>persönlich</th>
<th>telefonisch</th>
<th>schriftlich</th>
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<tr>
<td>in der Woche</td>
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<td>im Jahr</td>
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<td>Rank Correlation of Union Activity Centres</td>
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IGBE Hannover/GTB Verwaltungsstelle 0.77  Highly significant
IGBE Hannover/OTV Landesbezirk 0.84  Very highly significant
IGBE Hannover/OTV Kreis 0.94  Very highly significant
IGBE Other/GTB Bezirk 0.63  Significant
IGBE Other/GTB Verwaltungsstelle 0.67  Significant
IGBE Other/OTV Landesbezirk 0.85  Very highly significant
IGBE Other/OTV Kreis 0.92  Very highly significant
"OTV Frankfurt & Koln/GTB Bezirk 0.29  Not significant
(1) Very highly significant correlations
(2) All other correlations
### Executive Functions: Trade Union Constitution and Rules

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<th>Responsible Union Body</th>
<th>Authorisation of Strike Action</th>
<th>Support for action short of Strike Action</th>
<th>Support during unemployment or disability</th>
<th>Sickness Benefit</th>
<th>Death Benefit</th>
<th>Long Standing Membership Awards</th>
<th>Legal Aid</th>
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**Key:** ✓ GTB ✓ OTV ✓ IGBE
Main centres of official union bargaining as determined by number of employees covered by the agreements
The mining industry of the Federal Republic is dependent to a very great extent on the extraction of hard coal. This branch of the industry was at the centre of the so-called coal crisis in the mid-Sixties, brought about by an increase in the consumption of oil as an alternative source of energy.

According to a study of the union in 1977 by Eckbert Treu, although growth rates in general were down in the 1960s on rates of the previous decade, only mining showed a net volume of production, measured at 1962 prices, in 1970 which was lower than that of 1960. The industry became dependent on government support, and the union, for its own survival, had to follow suit.

Under the auspices of the government long-term energy plan, the crisis brought the employers in the Ruhr to agree to the formation with the union of a "cooperative"Einheitsgesellschaft). This increased the influence of the union in the industry and enabled them to strengthen their position further by introducing 'check-off' for the collection of union contributions direct from wages. Codetermination was extended at plant level with the appointment of an additional Worker Director reporting to the Managing Director of the plant and the senior managers were now granted representation by the Worker Director on the Main Board. The important position of the hard coal sector in the industry and the union can be understood from the following figures for 1975.*

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<thead>
<tr>
<th>Employees</th>
<th>IGBE members</th>
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<td>Hard Coal</td>
<td>209 369</td>
<td>192 302</td>
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<td>Lignite</td>
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<td>17 782</td>
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<td>Potash &amp; Rock Salt</td>
<td>13 031</td>
<td>10 177</td>
</tr>
<tr>
<td>Other Minerals</td>
<td>23 439</td>
<td>14 954</td>
</tr>
</tbody>
</table>

* Figures as at 31.12.1975
IGBE Jahrbuch (Annual Report) 1974/75
Geographic Structure of the Union

Clearly the structure of the union geographically is dictated largely by the geological constraints upon the industry.

The main areas of organisation of the union may be distinguished as follows (leading areas in bold script):

<table>
<thead>
<tr>
<th>Industry</th>
<th>Areas</th>
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</thead>
<tbody>
<tr>
<td>Hard Coal</td>
<td>Ruhr, Saar, Aachen, Niedersachsen</td>
</tr>
<tr>
<td>Lignite</td>
<td>Rheinland, Hessen, Niedersachsen, Bayern</td>
</tr>
<tr>
<td>Petroleum</td>
<td>Niedersachsen, Bayern (concentrated mainly in a few companies, Mobil AG, Deutsche Texaco AG, Norddeutsche Erdgas-Aufbereitungs GmbH)</td>
</tr>
<tr>
<td>Metal Ore</td>
<td>Nordrhein-Westfalen, Niedersachsen, Bayern</td>
</tr>
<tr>
<td>Potash &amp; Rock Salt</td>
<td>Niedersachsen, Nordrhein-Westfalen</td>
</tr>
</tbody>
</table>

2. GTB

Like mining, textiles has suffered heavy cut-backs since the early 1960s, attributable to a large extent to the economic liberalisation policies of the government of that time. Certainly the industry labours under the heavy competition of imported textiles from less industrialised countries, while the clothing industry survives a little better by concentrating on the production of quality goods. Moreover, rationalisation has had less impact upon the clothing industry than the now highly automated textiles industry. Both industries comprise middle-sized firms, besides which the union organise a large number of small producers in a host of associated fields:

- Dry cleaning & dyeing
- Laundries
- Sacking & sail-cloth industries (including man-made & heavy fabrics)
- Corsetry
- Hand-knitting & crochet (including home work)
- Raw materials industry (North-Rhein-Westfalen)
- Furriers
- Umbrella industry
- Eiderdown industries
- Upholstery
- Millinery
- Tailoring
Geographic distribution of members

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<th>1974</th>
<th>1977</th>
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<tr>
<td>Registered</td>
<td>287 641</td>
<td>286 971</td>
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<tr>
<td>Membership</td>
<td></td>
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<tr>
<td>Members in work</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Textiles</td>
<td>175 133</td>
<td>166 942</td>
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<tr>
<td>Clothing</td>
<td>73 576</td>
<td>78 696</td>
</tr>
<tr>
<td>Other</td>
<td>10 680</td>
<td>12 845</td>
</tr>
<tr>
<td>Total</td>
<td>259 389</td>
<td>258 483</td>
</tr>
<tr>
<td>As a proportion of total employees</td>
<td>36.6%</td>
<td>42.7%</td>
</tr>
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</table>

Bezirk Niedersachsen/Nordmark

<table>
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<th>1977</th>
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<tr>
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<td>22 298</td>
<td>22 236</td>
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<tr>
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<td></td>
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<tr>
<td>Members in work</td>
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<tr>
<td>Textiles</td>
<td>9 869</td>
<td>9 607</td>
</tr>
<tr>
<td>Clothing</td>
<td>7 489</td>
<td>7 556</td>
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<tr>
<td>Other</td>
<td>2 237</td>
<td>2 593</td>
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<tr>
<td>Total</td>
<td>19 595</td>
<td>19 756</td>
</tr>
<tr>
<td>As proportion of total employees</td>
<td>36.8%</td>
<td>41.3%</td>
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Bezirk Minden-Lippe

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<td>22 510</td>
<td>24 022</td>
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<tr>
<td>Members in work</td>
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</tr>
<tr>
<td>Textiles</td>
<td>7 692</td>
<td>7 358</td>
</tr>
<tr>
<td>Clothing</td>
<td>11 907</td>
<td>13 094</td>
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<tr>
<td>Other</td>
<td>789</td>
<td>1 301</td>
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<tr>
<td>Total</td>
<td>20 388</td>
<td>21 753</td>
</tr>
<tr>
<td>As proportion of total employees</td>
<td>43.5%</td>
<td>55.8%</td>
</tr>
<tr>
<td>Bezirk</td>
<td>1974</td>
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<tr>
<td>Munster-Arnsberg</td>
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<tr>
<td>Registered Membership</td>
<td>52 253</td>
<td>50 949</td>
</tr>
<tr>
<td>Members in work</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Textiles</td>
<td>35 882</td>
<td>33 573</td>
</tr>
<tr>
<td>Clothing</td>
<td>8 275</td>
<td>8 510</td>
</tr>
<tr>
<td>Other</td>
<td>2 640</td>
<td>2 874</td>
</tr>
<tr>
<td>Total</td>
<td>46 797</td>
<td>44 957</td>
</tr>
<tr>
<td>As proportion of total employees</td>
<td>56.8%</td>
<td>63.3%</td>
</tr>
</tbody>
</table>

| Bezirk Nordrhein |          |           |
| Registered Membership | 37 033 | 36 567 |
| Members in work |           |           |
| Textiles      | 26 717    | 25 207    |
| Clothing      | 5 455     | 6 307     |
| Other         | 743       | 1 133     |
| Total         | 32 915    | 32 647    |
| As proportion of total employees | 34.4%  | 42.4%    |

<p>| Bezirk Frankfurt |          |           |
| Registered Membership | 23 697 | 24 227 |
| Members in work |           |           |
| Textiles      | 11 939    | 11 075    |
| Clothing      | 9 958     | 11 060    |
| Other         | 376       | 630       |
| Total         | 22 273    | 22 765    |
| As proportion of total employees | 34.0%  | 40.7%    |</p>
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<th>1977</th>
</tr>
</thead>
<tbody>
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<td>59 101</td>
<td>57 672</td>
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<tr>
<td>Members in work</td>
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<td></td>
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<tr>
<td>Textiles</td>
<td>44 441</td>
<td>43 315</td>
</tr>
<tr>
<td>Clothing</td>
<td>10 029</td>
<td>9 404</td>
</tr>
<tr>
<td>Other</td>
<td>724</td>
<td>1 010</td>
</tr>
<tr>
<td>Total</td>
<td>55 194</td>
<td>53 729</td>
</tr>
<tr>
<td>As proportion of total employees</td>
<td>33.9%</td>
<td>37.6%</td>
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<tr>
<td>Registered Membership</td>
<td>33 908</td>
<td>33 903</td>
</tr>
<tr>
<td>Members in work</td>
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<tr>
<td>Textiles</td>
<td>18 583</td>
<td>16 592</td>
</tr>
<tr>
<td>Clothing</td>
<td>9 013</td>
<td>10 795</td>
</tr>
<tr>
<td>Other</td>
<td>1 244</td>
<td>1 390</td>
</tr>
<tr>
<td>Total</td>
<td>28 840</td>
<td>28 777</td>
</tr>
<tr>
<td>As proportion of total employees</td>
<td>31.9%</td>
<td>35.1%</td>
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<td>Registered Membership</td>
<td>31 841</td>
<td>33 185</td>
</tr>
<tr>
<td>Members in work</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Textiles</td>
<td>18 118</td>
<td>18 360</td>
</tr>
<tr>
<td>Clothing</td>
<td>9 279</td>
<td>10 587</td>
</tr>
<tr>
<td>Other</td>
<td>1 489</td>
<td>1 418</td>
</tr>
<tr>
<td>Total</td>
<td>28 886</td>
<td>30 365</td>
</tr>
<tr>
<td>As proportion of total employees</td>
<td>35.2%</td>
<td>39.4%</td>
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</table>
The largest section of the ÖTV membership is in public employment. Indeed, though workers in private transport are well organised, they form only a small group and have complained of neglect by their union. The field of recruitment of ÖTV overall is as follows:

**Federal Group**
- general federal administration and corporations
- federal finance
- federal transport and communications (not post or railways)
- federal bank
- armed forces: administration, soldiers, civilian services
- stations of foreign troops

**Länder Group**
- general Land administration and corporations
- Land finance
- judiciary
- road construction and maintenance
- social security administration
- science and research establishments

**Municipalities**
- general municipal administration
- fire brigade
- schools and other cultural establishments
- social services
- gardens, cemeteries, parklands, forestry
- municipal car parks & environmental health
- other public establishments & services
- municipal savings banks

**Welfare**
- employment centres
- sickness insurance offices
- pension offices including seamen's pensions
- miners' insurance scheme
- salaried employees' insurance schemes
- other insurance schemes for employed groups
- including the insurance for agricultural workers
Health Services
- Federation of union doctors
  nursing
  medical technicians & assistants
  hygiene & sanitation services
  hospital administration & servicing

Energy & Water Supplies Group
- public sector energy & water supplies
  private sector energy supplies
  atomic energy

Local Transport
- public sector municipal transport
  local railway, mountain & funicular railways

Transport & Communications
- harbours, ports & fish markets
  inland waterways
  sea/coastal vessels & fishing
  private freight
  haulage, shipping & warehousing
  private passenger transport
  air-travel & airports: ground/air personnel
  air piloting & navigation
  other general services

Unemployed, retired and others
**Membership (1975)**

<table>
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<tr>
<th>Field</th>
<th>Manual Staff</th>
<th>Salaried Staff</th>
<th>Civil Servants</th>
<th>Total</th>
</tr>
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<tbody>
<tr>
<td>Federal Group</td>
<td>48 198</td>
<td>24 402</td>
<td>6 413</td>
<td>79 013</td>
</tr>
<tr>
<td>Länder Group</td>
<td>32 581</td>
<td>47 870</td>
<td>13 979</td>
<td>94 430</td>
</tr>
<tr>
<td>Municipalities</td>
<td>140 476</td>
<td>110 927</td>
<td>34 399</td>
<td>285 802</td>
</tr>
<tr>
<td>Welfare</td>
<td>2 687</td>
<td>27 664</td>
<td>11 621</td>
<td>41 972</td>
</tr>
<tr>
<td>Health Services</td>
<td>33 480</td>
<td>67 892</td>
<td>2 262</td>
<td>103 634</td>
</tr>
<tr>
<td>Energy &amp; Water Supplies Group</td>
<td>83 731</td>
<td>39 689</td>
<td>994</td>
<td>124 414</td>
</tr>
<tr>
<td>Local Transport</td>
<td>67 198</td>
<td>10 871</td>
<td>222</td>
<td>78 291</td>
</tr>
<tr>
<td>Transport &amp; Communications</td>
<td>61 459</td>
<td>20 956</td>
<td>25</td>
<td>82 440</td>
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<tr>
<td>Unemployed, retired and others</td>
<td>78 256</td>
<td>51 951</td>
<td>18 465</td>
<td>148 672</td>
</tr>
</tbody>
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**Total** 1 038 650*

* Excluding Police Section

---

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<td>Clegg H A</td>
<td>The Changing System of Industrial Relations in Great Britain</td>
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<td>Oxford</td>
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<td>Clegg S</td>
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