The German Trade Union Movement

by

Franz LEPINSKI

In the following pages Franz Lepinski, member of the Executive Council of the German Confederation of Trade Unions—to which the overwhelming majority of trade unions in the Federal Republic are affiliated—traces the origins of the German trade union movement and describes the vicissitudes through which it passed up to the time of the Second World War and its rebirth after 1945. The author lays particular stress on the firm will of the unions to prosecute the claims of the workers—in the fields of wages or hours of work, co-management, fair distribution of the national product, or social security—in a constructive spirit of negotiation with employers and their organisations [1], and to have recourse to work stoppages only in the last resort.

THE FORERUNNERS

THE German trade union movement has its historical roots in the Middle Ages. The mediæval master craftsmen were organised in guilds and corporations which, together with the municipal authorities, controlled the professional and economic life of each trade. The journeymen, for their part, were grouped in brotherhoods whose initial purpose was mainly to promote fellowship and mutual assistance. From the fourteenth century onward the conflict between masters and journeymen became sharper, and the character of the brotherhoods changed gradually to that of economic associations. Their primary objective became—and, through the many vicissitudes of their struggle with the masters and the authorities, remained—better working conditions, particularly higher wages and shorter working hours. In this struggle their most potent weapons were the blacklisting of anti-social masters and collective work stoppages, following which they often

[1] Regarding collective bargaining between unions and employers' organisations in the Federal Republic see E. G. ERDMANN (Jun.): "Organisation and Work of Employers' Associations in the Federal Republic of Germany", in *International Labour Review*, Vol. LXXVIII, No. 6, Dec. 1958, p. 533.

left town in a body. By these means they were able to achieve both recognition and success, and this in turn developed their awareness of their own strength and their self-confidence.

True, the journeymen's associations were not grouped in any central organisation ; but travelling craftsmen made for a lively exchange of news and information and thereby helped to develop a community of outlook among the existing local bodies. Those who travelled abroad were able to make new contacts and bring back valuable experience and ideas by which their compatriots could benefit.

These journeymen's associations were the forerunners of the trade unions of today, whose weapons they were in a sense the first to forge and to test. Historical evidence shows that they were well organised and that they drove hard bargains with the master craftsmen. Often the parties entered into arrangements resembling the collective agreements of today. Conciliation procedures were also laid down by mutual agreement. In many cases the journeymen's organisations had their own courts, with power to impose penalties on the members. In their struggle with the master craftsmen and the authorities the journeymen developed a strong sense of solidarity and a readiness to accept individual sacrifices in the common interest, wherever necessary.

With the growing strength of the princes ruling over the multiplicity of small states of which Germany consisted at that time and of the urban middle classes, the journeymen had to fight increasingly hard for the right to pursue economic objectives and to wage their fight for better working conditions. After 1530 several orders prohibiting associations were issued. Though not strictly enforced at first, they were repeatedly renewed and gradually strengthened. In 1713 a general prohibition was embodied in the imperial laws governing corporations. Later, under the pressure of the French Revolution, the activities of journeymen's associations were branded as treasonable, and if the law was not always enforced with the full severity intended by the legislator, this was only because it was feared that valuable skills might be lost thereby and that trade and industry might suffer as a result. Therefore, though illegal and living under a constant police threat, some journeymen's associations managed to remain in existence and even to make their influence felt from time to time.

Early History

In Germany, as elsewhere, the Machine Age and with it the Industrial Revolution began in the first half of the nineteenth century. The small handicraft workshop was replaced by the

factory, and industrial centres mushroomed in areas such as Saxony and Westphalia. In the new factory processes there was no room for the traditional handicraft skills. There was, however, a considerable demand for unskilled labour, with the result that factories began to recruit large numbers of untrained workers—men, women and children. As the factories became more efficient they gradually compelled the handicraft workshops to close down, and the craftsmen—masters as well as journeymen—to accept poorly paid jobs in industry, with unemployment as the only alternative. Often hunger drove the unemployed to try, through competitive underbidding, to take the factory workers' jobs away from them. Labour had become a commodity the price of which (i.e. wages) fell with the growing demand, thus speeding up the impoverishment of the workers. A new social class, the proletariat, gradually emerged, its propertyless, underpaid and overworked members thickly settled in the new industrial districts.

Various suggestions were made to deal with the workers' plight. It was widely believed that princes and governments would take a sympathetic attitude if approached with reasonable plans for a fair and just social order. This belief gave birth to various Utopian schemes, one of which, among the better-known, originated within the working class itself: its author was a tailor named Wilhelm Weitling, whose writings are still quoted today. The Utopians, however, proved to be of no help.

In some cases the workers themselves sought relief in direct action. Carried away by their anger they destroyed the machines which they blamed for their plight, as in the 1884 uprising in Silesia which Gerhart Hauptmann commemorated in his drama "The Weavers". The machine-breakers went to gaol and the other workers were no better off than before.

However, the experience and tradition of the old journeymen's associations had not been lost, and the idea of self-help through joint action gradually penetrated even the non-industrial proletariat. Wherever groups of badly paid workers formed associations to wrest better conditions from their employers, the growth of the modern trade union movement was assured.

The revolution of 1848 was hailed as the dawn of a new age. In the uprisings against princely tyranny and oppression workers fought in defence of freedom and human rights side by side with the liberal middle classes. The Socialist workers' movement came out into the open and set up its first political organisations. Karl Marx and Friedrich Engels aroused the workers' class-consciousness and showed them the political tasks that lay ahead. Their ideas influenced the local occupational associations which were being set up everywhere, first by printers and tobacco workers and later by

smiths and bakers. An All-German Workers' Congress met in Berlin under the leadership of a typesetter named Stephan Born and decided to establish a central " workers' brotherhood " *(Arbeiterverbrüderung)* which, in essence, was to be a central trade union organisation. The demands of the Congress included normal wages, unemployment relief and the regulation of child labour.

The new dawn of freedom turned out to be no more than a brief interlude, following which the reactionaries gained the upper hand and suppressed the free workers' organisations.

Not until the 1860s did the movement begin to stir again. Changed political circumstances resulted in a relaxation of the ban on freedom of association, which was repealed in Saxony in 1861 and in the North German Federation in 1869. Once again the printers and tobacco workers began to press their claims. In January 1868 a General Congress of German Workers met in Berlin and decided to set up 12 central occupational associations to be known as " workers' communities " *(Arbeiterschaften)*. These in turn were to form an All-German Workers' Congress. This bold attempt failed owing to dissensions among the workers themselves. Nevertheless, the workers' education societies, in which August Bebel began his career, contributed powerfully to the development of the trade union concept. By 1877 there were already 23 trade unions with a total membership of about 50,000.

In 1878 the workers suffered a serious setback with the passing of the Socialism Act which remained in effect until 1890. Two attempts on the German Emperor's life in 1878 gave the Bismarck Government a pretext for declaring war on the increasingly powerful Social-Democrats. The " Act against the socially dangerous activities of the Social-Democrats " forbade all associations pursuing " socialistic activities aimed at undermining the established order of the State and Society ". While the trade unions were not specifically mentioned in the Act they felt its full impact. The Prussian Minister of the Interior severely punished all strikes, behind which he invariably saw the lurking " hydra of revolution ". Many unions were summarily dissolved, their newspapers prohibited and their property confiscated. Others adjusted to the new situation by converting themselves into vocational training or mutual assistance organisations. Sometimes, even this was not possible ; in such cases, attempts were made to hold the membership together through the medium of trade newspapers.

Even the Socialism Act did not fully succeed in suppressing the labour movement. In 1889 the Ruhr miners' strike brought the workers' plight to public attention, and the subsequent about-face of public opinion resulted in the fall of the Bismarck Government, together with the repeal of the Socialism Act in 1892. How-

ever, the remaining provisions governing the right of association still gave the Government plenty of legal ammunition for use against the trade union movement.

The Trade Union Movement up to the First World War

After the repeal of the Socialism Act, the trade unions once again came out into the open. A Central Trade Union Committee was formed under the leadership of a turner named Karl Legien. Much later, in 1919, this was to become the General Federation of German Trade Unions *(Allgemeiner Deutscher Gewerkschaftsbund)*. In 1892 the delegates assembled at Halberstadt for the first trade union congress represented no less than 300,000 individual members. The congress called on all unions to form central associations. The following year witnessed a further growth of the movement, but also a bitter struggle for higher wages and shorter working hours.

In 1904 the employers founded an association for defence against the trade unions. Its chief weapons were the lockout and barring of union members from employment by means of blacklists. Nevertheless, the workers' organisations waged many successful battles and entered into an increasing number of industrial agreements. By 1913 the " free trade unions " had a total membership of 2.5 million. Their welfare activities were efficiently organised and they had their own trade union premises. Their newspapers and other publications had a large circulation and their coffers were far from empty.

In addition to the " free trade unions ", which formed the backbone of the working-class movement, two other tendencies emerged. The growing poverty of the workers had not escaped the notice of the churches. They thought, however, that the " labour question " could be solved through charity. Members of the Catholic clergy under Bishop Ketteler and an ex-cobbler's assistant named Kolping encouraged workers to form associations but rejected the trade union philosophy and the concept of the class struggle. However, in 1891 Pope Leo XIII in his encyclical " Rerum Novarum " urged the workers to participate actively in the defence of their economic interests, and in the 1890s a number of Christian trade unions came into being. The first of these was the Christian Mineworkers' Union, founded in 1894 ; others followed. The first Christian trade union conference was held at Mainz in 1899. In 1901 Adam Stegerwald became the first general secretary of the newly established German Federation of Christian Trade Unions *(Gesamtverband der Christlichen Gewerkschaften Deutschlands)*, the membership of which had grown to about 350,000 by 1913.

An older but smaller group was that formed by the so-called Hirsch-Duncker unions, so named after their founders. Max Hirsch, who organised the first bodies of this type in 1868 at the suggestion of the German Progressive Party, was a student of the English trade union movement. Set up originally with the establishment of mutual assistance funds as their main purpose, these unions rejected resort to strikes, and only in the light of later social developments did they eventually alter their philosophy in this respect. Members were required to certify in writing that they were neither members nor supporters of the Social-Democratic Party. The Hirsch-Duncker unionists were mockingly referred to as " apostles of harmony " by the free trade unions. However, their professed belief in industrial peace sheltered them from police harassment under the Socialism Act. In spite of this their membership remained small, amounting only to 170,000 in 1913. However, after the First World War the salaried employees' section of the movement acquired considerable importance.

The Period between the Wars

During the First World War the German Government altered its trade union policy. A " truce " concluded at the beginning of the hostilities temporarily put an end to the class struggle. For the first time the Government recognised the unions as the authorised representatives of the workers and even entrusted them with a number of responsibilities in the management of the war economy. It also set up joint conciliation committees for the settlement of disputes concerning wages and conditions of employment, in which the trade unions and the employers enjoyed equal representation. However, towards the end, general war-weariness, together with the scarcity of food and the manpower shortage, resulted in renewed labour unrest and widespread strikes.

After the defeat in 1918, the employers in turn publicly recognised the trade unions as the authorised representatives of the workers and agreed to withdraw their support from the so-called " yellow " unions which were hostile to the bona fide trade union movement and were described by Rudolf Hilferding as " hotbeds of class treason ". Trade union and employer representatives founded a " central labour community " with a joint structure, which set out to solve the economic and social problems of industry and business. However, neither the central labour community nor other bodies set up for similar purposes met the workers' expectations. This, together with the economic problems raised by the occupation of the Ruhr and the fall in the value of the currency, aggravated labour-management antagonism. Constructive co-

operation was no longer possible and the central labour community was dissolved in 1924.

The republican Constitution of 1919 guaranteed the freedom to form associations for the maintenance and promotion of economic and labour conditions as a basic human right. Wage earners and salaried employees would be called upon to " co-operate on an equal footing with employers in the determination of wages and other conditions of work, and also with a view to the full development of productive forces in the economy as a whole ". The Constitution itself provided for the setting up of workers' councils and economic councils. This plan was only carried out partially. The Works Councils Act of 1920 [1] gave the workers a limited right of participation in the management of undertakings and public bodies, restricted to personnel and social policy matters. Apart from this, a provisional national economic council, set up on a joint basis and entrusted with limited advisory powers, was established in Berlin.

During the post-war years trade unions of all political shades made considerable advances. Even groups which formerly had had difficulty in becoming organised, e.g. salaried employees, civil servants and agricultural workers, were able to form strong associations. However, with a deteriorating economic situation and spreading inflation, the employers stiffened their stand against trade union demands, and in this they were backed by undemocratic forces, which once again appeared on the political scene.

In 1920 a group of reactionary politicians, led by Wolfgang Kapp, attempted a *putsch* with the support of part of the German army under the command of General von Lüttwitz. The Republic was in dire peril. At this point the free trade unions, under Karl Legien's leadership, called a general strike, and some 12 million workers promptly laid down their tools. This quickly broke the back of the Kapp-Lüttwitz rebellion. The Republic was saved, and the potency of the strike as a political weapon was demonstrated once and for all—something which decades of academic discussion had failed to do.

The three major historical trade union currents continued in existence under the Weimar Republic. Most important by far were the " free " trade unions, grouped into three central organisations : the General Federation of German Trade Unions *(Allgemeiner Deutscher Gewerkschaftsbund)*, the Federation of Unions of Salaried Employees *(Allgemeiner Freier Angestelltenbund)* and the General Federation of Public Employees *(Allgemeiner Deutscher Beamtenbund)*. The Christian trade unions, for their part, had

[1] See *I.L.O. Legislative Series*, 1920 (Ger. 1, 2).

formed a " German Confederation of Labour " *(Deutscher Gewerkschaftsbund)* and the Hirsch-Duncker unions a " trade union league " *(Gewerkschaftsring)*.

Before the First World War salaried employees' associations comparable to trade unions were very few in number and very weak. Most of them rejected the trade union philosophy. The commercial employees' associations even included employers among their members. After the 1918 defeat these " bourgeois " employees' associations excluded the employers so that they might engage in collective bargaining. One of these organisations, the Commercial Employees' Union *(Deutschnationaler Handlungsgehilfenverband)*, whose nationalist and anti-semitic tendencies set it apart from other salaried employees' organisations, joined the Christian trade union movement. Leading officials of this organisation later became members of the National-Socialist Party and, after 1933, helped to destroy the trade unions.

As for civil servants' associations, the first were set up following the First World War and made rapid progress thereafter.

The economic crisis of the 1920s resulted in unemployment for more than 6 million workers, wage cuts for others, and the decline of social legislation. This was a godsend for the political extremists. The Communists, whose Revolutionary Trade Union Opposition *(Revolutionäre Gewerkschaftsopposition)* had failed in its frontal assault on the trade union organs, now set up a network of cells to carry on the work in undertakings. The National-Socialists, too, later set up a National-Socialist Works Organisation *(National-sozialistische Betriebsorganisation)* aimed at destroying the trade unions and weakening democratic forces in the Republic. With the Republican régime on the verge of collapse, the three major trade union organisations resolved to co-operate more closely in the future, but by then it was too late.

After the National-Socialist seizure of power there was no further room for independent trade unions. On 2 May 1933 the National-Socialist Works Organisation and the stormtroopers of the National-Socialist party occupied the premises of the free trade unions and seized their assets. The leading officials were gaoled and other permanent union employees dismissed. After months of uncertainty concerning future policy, a German Labour Front *(Deutsche Arbeitsfront)* was set up, into which all trade union members were brought together as a body. The German Labour Front was actually an organ of the National-Socialist party and its membership included both employers and workers provided they were of " Aryan " extraction. It had nothing in common with a trade union organisation set up for the defence of working class interests. Instead, its avowed purpose was " to convert

the productive forces of the nation to the National-Socialist philosophy ".

Under the Hitler dictatorship thousands of trade union officials suffered unemployment, want, persecution, maltreatment and loss of liberty. Many were imprisoned or sent to concentration camps. In spite of the threats which hung over their heads and the danger of severe punishment if caught, trade unionists maintained close and extensive contacts with one another through the entire period of the Nazi régime.

The Rebirth of the Trade Unions

Immediately after the 1945 defeat—and in Western Germany immediately after the end of the actual hostilities—trade union committees were set up for the purpose of launching a new workers' movement. The new organisations developed along different lines in the various occupation zones.

The pre-1933 trade union leaders who had survived the Hitler régime were determined to avoid any splintering of the new trade union movement into ideological factions. They were in favour of a single organisation grouping all workers regardless of ideology, religion or party affiliation. Trade union solidarity in the fight for, and construction of, a new social order was to be the common bond linking all workers.

It was also unanimously agreed that the new organisations should be set up by industry. The question whether trade unions should be organised on a trade or industry basis had been debated for decades. Gradually, through the economic vicissitudes of the 1920s, a clear preference for the latter type of organisation had emerged and it was now proposed that each union should group all of the workers within the industry concerned regardless of their number, occupation and the nature of their employment contract, i.e. all wage earners, salaried employees and civil servants. Basically, all employees in a given undertaking were to belong to a single organisation.

By 1946 the trade unions in the British occupation zone had already set up a top-level organisation, the German Confederation of Trade Unions *(Deutscher Gewerkschaftsbund)* under the leadership of Hans Böckler. In the French and American zones a central trade union organisation, divided into trade sections, was initially set up in each Land. In 1947 the British and American zone unions set up a joint council which was later joined by the unions in the French zone. In the Soviet zone a " German Confederation of Free Trade Unions " *(Freier Deutscher Gewerkschaftsbund)* was established as a single organisation subdivided on an industry basis. Efforts to set up a central confederation for the whole of Germany failed.

At a congress held in Munich in October 1949, at which trade unions throughout the Federal Republic were represented, the German Confederation of Trade Unions was founded and Hans Böckler elected as its President. With its 16 affiliated unions[1] the Confederation in 1958 had an aggregate membership of 6.3 million.

In addition to the German Confederation of Trade Unions, the salaried employees continued to have an organisation of their own, the German Union of Salaried Employees *(Deutsche Angestelltengewerkschaft)*, which has remained faithful to the principle of organisation by occupation rather than by industry. Its membership today totals about 450,000.

The unions affiliated to the German Confederation of Trade Unions are democratically organised. They are free from any form of control by the employers, the Government, political parties or religious confessions.

Each trade union has a general assembly of members, which meets every two or three years. The delegates are chosen by the local or district unions according to uniform rules and by secret ballot. The general assembly elects an executive council, which includes both salaried officials—the members of the management committee—and unpaid members, and also a general committee, which supervises the work of the council. Attached to the executive council is an advisory body in which the various districts are represented according to size. In this body the district representatives sit together with the members of the council.

Trade unions are made up of local units grouped, at the intermediate level, in district associations. They are further divided into trade sections, from the top level down to the local units. The latter maintain close contact with the rank and file through plant delegates, members of works councils and other union officials.

The unions are free to administer their own affairs, both as regards the collection of contributions and the various services which they provide for their members. Trade union welfare activities are highly organised and developed. They include financial assis-

[1] Covering metalworking *(Industriegewerkschaft Metall)*; public service, transport and communications *(Gewerkschaft Öffentliche Dienste, Transport und Verkehr)*; mining *(Industriegewerkschaft Bergbau)*; the chemical, paper and pottery industries *(Industriegewerkschaft Chemie, Papier, Keramik)*; the railways *(Gewerkschaft der Eisenbahner Deutschlands)*; the construction, stone and earthwork industries *(Industriegewerkschaft Bau, Steine, Erden)*; textiles and clothing *(Gewerkschaft Textil, Bekleidung)*; catering, restaurants and hotels *(Gewerkschaft Nahrung, Genuss, Gaststätten)*; the postal service *(Deutsche Postgewerkschaft)*; woodworking *(Gewerkschaft Holz)*; printing and paper *(Industriegewerkschaft Druck und Papier)*; commerce, banking and insurance *(Gewerkschaft Handel, Banken und Versicherungen)*; education, etc. *(Gewerkschaft Erziehung und Wissenschaft)*; leather *(Gewerkschaft Leder)*; gardening, agriculture and forestry *(Gewerkschaft Gartenbau, Land- und Forstwirtschaft)*; and art *(Gewerkschaft Kunst)*.

tance in case of strikes, lockouts, disciplinary measures and sickness; supplementary old-age and survivors' benefits for the needy; and legal assistance in the event of disputes arising out of individual contracts of employment or social insurance matters.

The structure of the German Confederation of Trade Unions is similar to that of the affiliated unions. Its supreme head is the General Congress which meets every three years. The delegates are democratically elected by their respective unions. The Congress elects the President of the Confederation, its two Vice-Presidents and the other members of the managing board, who are the heads of the technical departments of the Confederation. Special departments and secretariats deal with questions affecting young workers, women, salaried employees and civil servants. The executive council of the Confederation is made up of all the members of the managing board, together with a representative of each affiliated union (usually its presiding officer). A committee concerned mainly with the Confederation's policy in legislative matters is attached to the executive council.

Limits between the jurisdictions of the respective unions are laid down by this committee. In case of dispute, the executive council tries to effect a settlement through conciliation, and if this fails the case is appealed to an arbitration panel, consisting of three members chosen by each of the parties and a chairman co-opted by the members, the award of which is binding.

The German Confederation of Trade Unions has eight regional subdivisions. Each of these is further subdivided into district and local bodies. The trade union organs set up at the Land, or provincial, level and the district and local trade union committees include representatives of the various affiliated unions.

The Policy of the German Confederation of Trade Unions

At its 1949 founding congress, the Confederation defined its ideals as follows : full employment, participation by the workers in the management of the economy, public ownership of the key industries, and equitable distribution of wealth. Later on, in 1955, it issued a detailed policy statement listing the following specific objectives : shorter working hours, higher wages and salaries, more social security, co-management as a guaranteed right, and higher occupational safety standards.

Wages

Wage increases constitute the oldest of all trade union objectives and to this day remain the most important. They are secured mainly through collective agreements between the trade unions and the employers or their organisations.

The first collective agreement was concluded by typesetters in Leipzig in 1840, and the first nation-wide agreement by printers in 1872. Subsequent progress was irregular ; nevertheless a comprehensive network of collective agreements gradually came into being, covering not only wages but an increasingly wide range of other matters connected with employment conditions, e.g. working hours, holidays, the maintenance of earnings in case of sickness, and advance notification of dismissal. The early agreements were purely local in scope. Later it became the practice to conclude them at the district or national level. Another practice which gradually established itself was that of concluding wage and salary agreements for a limited period of time only, whereas " blanket agreements ", dealing with all the other matters, were established for a longer period. Throughout the duration of any agreement the parties are bound by a mutual " peace pledge " which excludes any resort to direct action. Before the First World War 2 million workers were covered by collective agreements ; today the figure is 17 million. Before 1914 employers concluded collective agreements with the greatest reluctance ; in 1918 they accepted the principle readily. Subsequent legislation made the agreements legally binding and thereby appreciably strengthened their influence on industrial life.

The relaxation (in 1948) and subsequent abolition of the wage-freezing measures decreed by the allied Occupation Powers ushered in a period of intensive collective bargaining. Thanks to the efforts of the trade unions, wage earners and salaried employees benefited by the improvement in economic conditions, and their standard of living rose appreciably. Apprenticeship pay, holiday allowances and Christmas bonuses were increased. Women workers achieved new gains in their fight for wage equality with men. From 1949 to 1957 real wages rose by 61.3 per cent.—less, however, than productivity, which increased by 67 per cent. during the same period, and less also than the income of a small privileged class. The trade unions have consistently criticised the resulting concentration of wealth in a few hands and called for its more equitable distribution.

The work of the trade unions in the field of wage policy was complicated by the continuous rise in prices and the corresponding decline in the purchasing power of wages and salaries. Trade unions were compelled to make constant new wage demands and in so doing were unjustly accused of driving prices further up. Meanwhile the price stabilisation measures taken by the Government remained inadequate.

Where direct negotiation between the parties failed, they normally resorted to conciliation, usually under a mutually agreed procedure. Voluntary conciliation machinery established in this

way has, on the whole, operated satisfactorily in Germany ; nevertheless, some employers favour the statutory introduction of " compulsory " conciliation methods. The trade unions, however, remembering the disappointing results of state conciliation machinery under the Weimar Republic, are convinced that compulsory conciliation would curtail the freedom of action of the parties; for this reason, they strongly oppose it (as do the employers' organisations, albeit with certain reservations). The top-level organisations on both sides have expressed their willingness to improve existing voluntary conciliation provisions, as may be found necessary in the light of experience. In the past few years most labour disputes have been satisfactorily settled under the existing procedures.

When these fail, direct action is usually the result, although, by and large, strikes in the Federal Republic of Germany have been less frequent and less severe than in other countries. A major dispute was that which culminated in the Schleswig-Holstein metalworkers' strike in the winter of 1956-57 ; in this case not wages but holidays and sick pay were at issue. This strike, the longest since 1948, lasted three months and ended in a signal victory for the workers.

Like wage matters, decisions relating to direct action in case of dispute are essentially within the province of individual unions. These, nevertheless, are bound by general directives specifying that work stoppages shall only be a last resort in the prosecution of labour disputes—even when the workers' position is a purely defensive one, concerned with the maintenance, rather than the improvement, of an existing position.

Decisions to resort to direct action must be taken by a 75 per cent. majority of the members with voting rights. The voting is by secret ballot. If the action proposed affects undertakings engaged in vital work, the executive council of the German Confederation of Trade Unions must be notified, and if it affects the public interest, the council can act. Where the proposed measures are in the interest of the entire trade union movement, the executive council can decide to grant financial assistance to the unions concerned. The Confederation has special funds for this purpose.

Hours of Work

Closely related to the question of wages and salaries is that of working hours. In the early days of the trade union movement, the length of the working day in factories was 12, 14 or even 16 hours. In 1903 the textile workers at Crimmitschau, in Saxony, waged a bitter fight for a ten-hour day ; this went on for five months and

failed in the end. The eight-hour day became the watchword of the trade unions and figured prominently in all of their May the First proclamations up to the outbreak of the First World War. However, it was not to be achieved until November 1918, when the employers freely agreed to the introduction of an eight-hour day without loss of earnings.

Shorter working hours are still the foremost objective of the German Confederation of Trade Unions, according to its 1955 policy statement. This calls for an eight-hour day and a five-day week without loss of earnings. Modern production methods, it is argued, are causing more and more workers to lose their working capacity long before reaching retirement age, and social insurance costs in the form of sickness and employment injury benefits are steadily rising. A proper balance must therefore be restored between work and rest periods. Physical recuperation, however, is not the sole purpose of shorter working hours: culture is also important. The individual subjected to the feverish pace of modern living needs more time to rediscover his soul—time for family life, for personal betterment, for civic and cultural activities. More and more workers are coming to realise that greater leisure means greater freedom to be a human being.

Though strongly opposed at first, the principle of a 40-hour week has now gained general acceptance, and only the timing of its introduction is still in dispute. Since they issued their policy statement the unions have pressed their claim in nearly all industrial negotiations, with the result that by mid-1958 more than 12 million workers (including 2 million salaried employees) were on shorter hours.

The objection that this would have adverse effects on productivity has proved unfounded. A statistical survey conducted in 1957 showed that, while working hours had been shortened by 4 per cent., industrial productivity per hour worked had increased by 8 per cent.

Social Security

Apart from the question of wages and other conditions of employment, one of the most urgent tasks facing the nation after the Second World War was the reform of the social insurance scheme. Social insurance thus became—and to this day remains—one of the major preoccupations of the unions.

In the past the German social insurance system had long been a model for the rest of the world ; more recently, however, it had fallen behind developments in other progressive countries. It was therefore necessary, first of all, to clear away the vestiges of the National-Socialist system and give back to the social security

institutions the autonomy which they had lost in 1933. In 1953 more than 2,000 of them elected their managing organs, nearly all on the basis of equal representation for the insured and the employers. Usually, the representatives of the insured are trade union appointees. As a result tens of thousands of union officers are now directly associated in the administration of sickness, employment-injury and pensions insurance schemes, where they contribute to the implementation of social insurance legislation in a truly social spirit and participate, although to a limited extent, in the fixing of social insurance benefits.

At the urging of the trade unions special courts were established to settle disputes concerned with social insurance matters. The new courts, set up at three jurisdictional levels, are patterned after the labour courts for the settlement of employment disputes which have existed in Germany for several decades. Both the labour and the social security courts include assessors, of whom half are chosen by the unions.

The main problem, however, was that of adjusting pensions to constant changes in prices and wages. After considerable delay the Parliament took measures to increase pension rates; these measures, however, were insufficient and the result was the gradual impoverishment of the pensioners. Finally, in 1953, the federal Government announced a comprehensive social security reform, but so far has shown little zeal in carrying it through.

Under pressure from the trade unions, the federal Parliament in 1957 passed a new Wage Earners' and Salaried Employees' Act. While improving pensions to some extent, the new measure still fell short of the trade union goal of retirement on 75 per cent. of full pay after a normal career.

A particularly bitter fight was waged on the trade union demand for the automatic adjustment of pensions to rising wage and salary levels. The trade union view is that old-age pensioners, though no longer active, are none the less entitled to a share of the economic prosperity which, through their past efforts, they helped to bring about. The principle of the automatic adjustment of pensions to salaries was in fact laid down in a new Pensions Act, but its practical effect was minimised by a number of restrictive clauses. On the other hand, pension increases were provided for the prematurely disabled, whose position was substantially improved as a result.

Next in importance to the adjustment of pensions is the improvement of the health insurance system. The trade unions regard it as a basic function of social insurance to protect the health (and working fitness) of workers and their families through increasingly effective and up-to-date methods. This means that the resources of modern medical science and technique must be available to all,

irrespective of income or family situation. Equally important are preventive services and vocational rehabilitation of the handicapped.

An important development in connection with the reform of sickness insurance resulted from the insistence of the German Confederation of Trade Unions that wage earners be guaranteed full pay during the first six weeks of sickness, a right already enjoyed by certain categories of workers, e.g. civil servants and private salaried employees. This claim was partly met by the passage of a new law which, however, places additional financial burdens on the scheme and thereby prejudices other aspects of the reform. The trade unions are determined that wage earners shall be treated on precisely the same footing as other employees.

The third aim of the social insurance reform is to improve employment accident insurance, not only by increasing pensions in the light of present-day requirements but also by improving accident prevention measures—a task made all the more imperative by a rising accident rate. The unions are accordingly devoting special attention to the raising of occupational safety standards, particularly in the case of women and young workers. Automation and the use of atomic energy have raised a further series of social policy problems, which the unions have examined repeatedly over the past few years.

Economic Questions

In the struggle for better wages and conditions of employment it became apparent at an early stage that neither collective bargaining nor other ways of influencing social policy within the framework of the existing economic system could do away altogether with the oppression and exploitation of workers. This could only be achieved through a complete reorganisation of the economy along Socialist lines, to which the trade unions, and primarily the German Confederation of Trade Unions, accordingly dedicated themselves.

In the days of the Weimar Republic the unions made every effort to associate the workers actively in the conduct of economic affairs, in keeping with the principles of economic democracy. This process, however, was slowed down by a severe economic crisis and finally brought to an abrupt conclusion by the Hitler dictatorship.

After the 1945 defeat it was necessary first of all to put the economy back on its feet by clearing away the ruins, repairing production facilities, creating jobs and providing food for the people. The trade unions also had to wage a bitter struggle against the policy of industrial dismantlings carried out by the Occupying Powers.

With the return of normal conditions the question of the future organisation of the economy once again came to the fore. At first the trade unions and the two major political parties, i.e. the Christian Democratic Union and the Social Democrats, were in broad agreement that the old system, in which only the employers' interests counted, should not be revived but that economic democracy and social justice should form the basis of the new order. Economically as well as politically the workers should no longer be relegated to a subordinate position but should have the same rights and duties as other citizens. However, there was disagreement concerning the means of achieving these goals.

At its founding congress in 1949 the German Confederation of Trade Unions set for itself the following two major economic policy objectives : labour participation in the management of the economy, and public ownership of the key industries, e.g. mines, iron and steel, the heavy chemical industries, power production, the major transport facilities and credit institutions. The rationale of these demands was explained by Hans Böckler himself, in a statement to the congress.

With regard to co-management the unions were not to be satisfied with a limited right of co-decision such as the workers had enjoyed under the Works Councils Act of 1920 (primarily, it will be remembered, with regard to personnel and social policy matters). What they now wanted was a decisive role in economic affairs, including not only the management of undertakings, but the establishment of machinery through which the workers could participate in the shaping of national economic policy. Many proposals were put forward with this end in view.

However, years of discussion between the unions and the employers failed to bring agreement. Indeed, with the national economy back in the hands of its old masters, opposition to trade union demands grew stronger. Matters came to a head in 1950 when it became apparent that the federal Government was no longer prepared to take favourable legislative action on a series of proposals concerning co-management in the mines and in the iron and steel industry which had been put forward by the German Confederation of Trade Unions. Under Hans Böckler's leadership the unions then decided to use their strongest weapons. A general vote was taken, in which more than 90 per cent. of the workers employed in mines and in the iron and steel industry voted to go on strike for the all-important objective of co-management.

In view of the determined spirit shown by the workers, negotiations were resumed. The result was the passing, in May 1951, of the " Act respecting co-management by employees in the boards of supervision and managing boards of undertakings in the mining

industry and in the iron and steel production industry ", which went a considerable way towards meeting the trade unions' demands.

This Act provides that, in the undertakings to which it applies, the managing board shall include a " labour manager " nominated by the trade unions.[1] A top management official, equal in status to the commercial and technical managers, he directs company policy in respect of social and labour matters. The supervisory board consists of five representatives of the workers, five of the shareholders and an eleventh " neutral " member. The workers' representatives must include one wage earner and one salaried employee from the undertaking and two trade union appointees.

With the passing of the co-management laws, the trade unions were faced with new responsibilities. Many of their ablest officials had to take on tasks for which they were unprepared and for which past experience, within the union or outside it, afforded little practical guidance. The unions accordingly decided to provide the necessary training facilities for the officers in question. In 1954 the Hans Böckler Society was founded for the theoretical study and practical promotion of co-management, as well as for a continuing exchange of views and experience between all interested parties.

As in the case of the co-management laws, the passing of the Works Constitution Act, which came into effect in 1952, was preceded by lengthy discussions. This Act gives workers a right of co-decision on personnel and social policy questions and also—though to a limited extent—on economic problems. It provides that in the larger undertakings one-third of the supervisory board shall consist of workers' representatives and that, in undertakings with more than 100 employees, an economic committee shall be set up consisting of an equal number of employers' and workers' representatives ; but this committee's functions are on the whole of a purely advisory and informational character. Unlike the Works Councils Act of 1920, the present Act does not apply to public employees ; these are covered by special provisions which the trade unions have consistently criticised as inadequate.

Although the works councils are legally independent bodies, they owe their existence, as well as their effectiveness, to the trade unions. Only by co-operating closely with the latter can they hope to discharge their responsibilities properly. The unions draw up lists of candidates for election to the works councils and in so doing try to select the employees with the most experience and the

[1] See, in this connection, Adolf JUNGBLUTH: " The Role of the Labour Manager in Undertakings under Co-management in the Federal Republic of Germany ", in *International Labour Review*, Vol. LXXVIII, No. 4, Oct. 1958.

greatest sense of responsibility. Moreover, the councils, in discharging their statutory functions, receive regular advice from the unions. Finally, contacts between the councils and the unions are maintained by means of a steady exchange of information and experience.

Meanwhile, the process of industrial concentration has been going on in Western Germany, particularly in mines and in the iron and steel industry, and private ownership of the means of production has resulted in an increasing accumulation of economic power in a few hands. This trend had been foreseen by the unions. Hans Böckler, in advocating public ownership of the key industries, based his claim not only on social and economic considerations, but also on grounds of political necessity, i.e. the need for preventing the revival of " destructive political forces born of, and nurtured by, the profits of mammoth economic combines ".

A congress of the Mineworkers' Union held in 1958 put forward a proposal for the reorganisation of the power production and mining industries. With regard to the former, it was proposed that a " power resources council " should lay down guiding principles for a unified policy. It would be composed of 75 members, chosen by the federal Government and the governments of the Länder and by the industries concerned, with equal representation for the trade unions, the employers and the consumers. A " coal production council " would also be set up. This would be a top level co-management organ, which would reorganise the industry on the basis of " optimum production units " and would determine its investment policies. The assets of the mining companies would be taken over (against compensation for the owners) by a central holding company set up as a public law corporation. The new scheme would encompass coal distribution and the manufacture of by-products.

The unfair distribution of income and wealth in the Federal Republic and the possibility of remedying the situation in the interests of the wage earners have been a subject of lively discussion for a number of years. Throughout this period the workers continued to receive an insufficient share of the wealth created in common and were able to save very little, while the owners of the means of production were often in a position to accumulate enormous fortunes. The amount of new capital created through self-financing since 1949 is estimated at 80,000 million to 100,000 million marks. Some doubts have been expressed as to whether this unhealthy trend can be corrected and a fair distribution of wealth achieved through the traditional methods, i.e. social policy measures and collective bargaining. Many ways of giving the worker a fair share of the constantly increasing national product—

an increase for which he himself, through his own work, is largely responsible—have been suggested. They include profit-sharing, distribution of shares to the workers, wage investment schemes, and special investment funds, among others.

Educational and General Questions

Apart from their economic and social policy functions, the trade unions have long been concerned with the training and education of their members. These activities are covered in the Constitution of the German Confederation of Trade Unions under the general heading " Cultural Policy ".

The unions have always insisted that workers should be thoroughly trained for their jobs so as to be able to perform them efficiently, and have consistently pressed for new and better vocational and technical training establishments. They consider that education above the elementary-school level should be available to each according to his talents, qualifications and propensities and not according to his income, social position or family standing.

The unions are also concerned to ensure that those of their officers who are entrusted with special functions on their behalf, either as members of works councils, supervisory boards of undertakings or autonomous social security organisations, or as assessors on labour or social security courts, are suitably equipped for the tasks involved. This is achieved mainly through the publication of periodical and technical trade union literature and also through trade union schools set up in different parts of the Federal Republic, where the student attends regular courses aimed at improving and enriching his knowledge of economic and social problems and preparing him for work in responsible positions.

Apart from this, the shorter working hours and higher earnings which the trade unions have secured for the workers have enabled them, as never before, to enjoy the benefits of culture and civilised living. Of course, the worker should be free to use his well-earned leisure as he sees fit ; but the trade unions encourage him to do so intelligently. The " Ruhr Festivals " held each summer at Recklingshausen under the auspices of the German Confederation of Trade Unions show how the theatre, music and the figurative arts can contribute to the working man's cultural enrichment. Special events are devoted to the trade union youth organisation and its work among the rising generations. Another feature of the Festivals is the seminar, widely known even outside the Federal Republic, at which workers' representatives discuss topical economic and social issues with persons from other walks of life, e.g. scientists and journalists. These discussions constitute a valuable stimulus for the trade union movement.

In the past, the trade unions had been concerned mainly with the defence of the workers' economic and social interests. This concept was considerably broadened by the founding congress of the German Confederation of Trade Unions, held in 1949, which, among the organisation's major constitutional objectives, included the protection and development of democratic rights and freedoms, the fight against nationalism and militarism and the promotion of peace and understanding among peoples. Accordingly, the tasks set for the Confederation and the workers' movement by successive congresses go beyond the mere defence of economic and social interests. In particular, stress has been repeatedly laid on disarmament of the more heavily armed nations, in the interests of world peace, and the 1956 Congress came out with particular force against atomic armament.

Conclusion

The trade unions have successfully striven from the beginning to improve the living conditions of wage earners, salaried employees and civil servants and to ensure equal rights and opportunities for all, social as well as political. Their final goal—a just social order, and not a class society in which economic exploitation and political oppression are the lot of the workers—is not yet in sight. However, their struggle has brought them strength. They are now an active, dynamic force, independent of employers, government and political parties, ever ready to defend the workers' interests wherever they may be challenged and increasingly influential in the economic and political sphere. With their millions of members they represent not only a substantial part of the population, numerically speaking, but one of the most important factors in the nation-building process.

The trade unions are for democracy—democracy, not merely in the formal sense, but as increasingly reflected in social reality, including equitable distribution of wealth among the working population and effective participation of the workers in the organisation and management of the economy. The unions are actively opposing the efforts of the large industrial combines to take undue advantage of their monopolistic position through the excessive accumulation of wealth, and the unbridled use of power, at the expense of social progress. They are also against all dictatorships which deprive workers of their freedom, including freedom of association, and entire peoples of their right of self-determination. At the same time German workers realise that, in the long run, the development of democracy and social progress depend on willing and peaceful co-operation with other peoples, and the German

trade unions, which were among the first to call for international working-class solidarity, are active members of the International Confederation of Free Trade Unions, whose efforts on behalf of peace, prosperity and social progress throughout the world they wholeheartedly support.