

Fishermen's Guilds in Spain

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Historical background

THE WAY OF LIFE and the political, economic, social and religious organisations of peoples are all governed by historical factors. In Spain the beginning of the eighth century, when the Christians launched their drive to reconquer the areas under Arab control, saw the emergence of a new type of community composed of natives of the country led by Visigoths. The territories conquered by Don Pelayo and his successors up to the twelfth and thirteenth centuries required a special form of organisation allowing a certain degree of autonomy to social classes and the guilds, while at the same time harnessing the energies of the citizens to the great enterprise of reconquering the country and achieving national independence. At that time, in addition to constant incursions by Arab armies and fleets, especially during the campaigns of Almanzor, the northern and north-eastern coasts of Spain were being harried by Norman corsairs, who made several forays into Spain and carried off captives into slavery. The same happened on the Mediterranean seaboard, which was constantly attacked by pirates.

These tremendous problems overtaxed the resources of a new, centralised State still grappling with the task of regaining territory from the Arabs. Inevitably a great deal of the responsibility for manning watch-towers and for local defence had to be placed on municipalities and guilds, and this engendered in them a pugnacious spirit and a readiness to accept hardships. To face the dangers threatening them the sturdy citizens of the new kingdoms required fortitude and determination; but inevitably the greatest and most frequent sacrifices were demanded of the inhabitants of the coastal towns, which were wide open to attack from the sea.

The pressing need to organise and regulate these populations and their resources was, in our view, the fundamental reason for the emergence of the Spanish fishermen's guilds, which undoubtedly embody the oldest tradition of association now surviving in Spain.

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Emergence of the guilds

In addition to these external dangers, the fishermen's trade was made exceptionally hazardous by the primitiveness, small size and clumsy propulsion of the vessels themselves. The large number of widows listed in the censuses held in the Biscay ports between the thirteenth and eighteenth centuries shows how dangerous a livelihood fishing was—and the death of the breadwinner meant destitution for his family. Not surprisingly, therefore, fishermen tried to insure, at least to some extent, against the hazards of their life by making arrangements for the relief of distress, on a scale that is surprising even by modern standards. In fact, they cared for the poor and regulated the industry so well, in addition to their religious and local defence duties, that when at the end of the eighteenth century the abolition of the religious guilds was being discussed, statesmen such as Jovellanos, Floridablanca and Campomanes had nothing but praise for those that they proposed to leave in existence as charitable or mutual benefit organisations.

Some authors argue that the predecessors of these guilds were the Roman "sodalitates". After all, it was not for nothing that the Iberian Peninsula formed part of the Roman Empire for more than 600 years and retained the laws and institutions of Rome. These "sodalitates" had existed in Rome itself since the earliest times, and under the Julian Law passed in 7 A.D. special permission was required in each case before a guild could be founded, authorisation taking the form of a "senatus-consultus" (or an imperial rescript in the provinces). The "sodalitates" also combined religious and craft functions.

A brief account is given below of some aspects of the history of the fishermen's guilds between their emergence in the eleventh and twelfth centuries and modern times.

The medieval guilds

During the reign of Ferdinand I of Castille—in the first half of the eleventh century to be precise—Benedictine monks from Cluny founded the Monastery of Santa Catalina at Laredo (Santander). These monks, who were great reformers in their day, urged the fishermen to form their own guilds so as to present a united front in legal, labour and welfare matters in their dealings with the King and the feudal lords. Although the dates on which the guilds were founded are not always known, the records that have survived show that, for example, official recognition was given to the Lequeitio Guild (on the Basque coast) in 1325, to the Bermeo Guild in 1353 and to the Fuenterrabia Guild in 1361. In 1570 the Laredo Guild was granted the title of "perpetual and noble guild of St. Martin". On the Mediterranean coast, the Tortosa Guild seems to date back to 1116, the Guilds of the Albufera de Valencia and San Telmo in Palma

(Majorca), to approximately 1393 and the Guild of Santa María de Caplliure (Barcelona) to 1380. In turn, the guilds formed federations called fraternities. The first of these was the fraternity of the towns and ports of the Kingdoms of Asturias and Galicia, formed in 1295, and the second, comprising the towns and ports of Castille, was established in 1296.

The tradition of regulating all aspects of the fishing industry is deeply ingrained in Spain, as is shown by the fact that King Sancho the Wise of Navarre in a Charter given to San Sebastian in 1150 declared its ships to be "free and unrestricted". Alfonso VIII in 1203 issued regulations governing the establishment of fish-preserving factories, which exempted the fishermen from taxes. Ferdinand III regulated whale hunting in 1237 and in 1251 granted the guilds the privilege of settling any disputes arising among their members, the judge being the head fisherman. Indeed, when a magistrate ordered the arrest of a fisherman in Lequeitio, the King, at the request of the guild, immediately ordered the man to be placed at the disposal of the head fisherman. John II in 1406 exempted the property of the Laredo seamen from seizure for debt and subsequently extended this privilege to other ports.

Original functions and subsequent development

In addition to safeguarding fishermen's interests, the guilds set about organising and regulating the fishing industry itself. Each fleet was commanded by an experienced sailor, who wore a special badge and was responsible for navigation and for deciding when to return to harbour. For guidance in navigation, large bonfires were lit on the headlands and lookouts were posted to give warning by means of prearranged signals of impending storms, the approach of strange vessels, etc. The guilds also decided whether or not boats should leave harbour, and a flag was hoisted over the headquarters building if it was forbidden to put to sea—a custom still observed by the guilds of the Basque country.

In internal matters they were empowered to impose penalties in the event of breach of their rules on such subjects as compliance with seamen's articles, whether by employers or seamen; the even distribution of old fishermen throughout the fleet so that they could still earn their living without any one boat being unduly handicapped by their lower efficiency; the obligation on members not to join in brawls or disputes between fellow members, either on board ship or on land; the punishment of slanderous talk about the conduct of the officers of the guild; the holding of fraternal banquets to foster unity among all fishermen; the collection of ransom money for seamen captured and sold into slavery by corsairs; and many equally important obligations of a more humanitarian character, such as the requirement that the president of each guild should visit members' families once a week to inquire about their circumstances and help them if necessary.

Not only did the guilds represent the fishermen in dealings with the nobles and kings of the peninsula but even the monarchs of neighbouring countries (especially England and France) accorded them special treatment and sought their alliance. For example they fought against England on their own account and without royal permission during the Hundred Years' War, allying themselves with King Philip VI of France, despite the fact that the King of Castille was neutral. As a result, Edward III of England complained through diplomatic channels to Alfonso XI of Castille and also to his successor Peter I. But despite his demands that the fraternity's fleet should cease its attacks on the English coasts, their own kings were unable to curb them altogether. The fraternity sent its own ambassadors to London, where they were received by King Edward III and negotiated with him as one potentate with another. This led to the agreement of 1 August 1351 (subsequently ratified by the Cortes at Valladolid), which entailed: firstly, cessation of hostilities; secondly, mutual compensation for the damage caused; and thirdly, freedom for Spanish fishermen to trade and fish along the coasts of England and Brittany. The agreement also had to be ratified by the guilds themselves and this was done at a meeting held at Fuenterrabía.

The fraternity concluded a number of other agreements with southern French towns as well as with England on various occasions and with the Spanish monarchs until, in 1498, Ferdinand and Isabella, now firmly in power, subjected the guilds as a matter of policy to the general legislation of the country and thereby started a process of readjustment which is a fascinating subject of study.

Changes from the sixteenth century onwards

It must be acknowledged that Ferdinand and Isabella, far from curtailing, actually enlarged the responsibilities of the guilds towards their members, although they naturally deprived them of any power to act independently either at home or abroad in matters outside their own sphere.

On the other hand, they granted the fishermen the title of "gentlemen of the fisheries"—a concession which implied high social status. Queen Joanna, in 1507, limited the profits of middlemen while maintaining freedom of trading in the ports. Similarly, by virtue of a privilege granted by King John II, an arrangement was made with the Monastery of El Poular (Segovia) for the exchange of fish for wheat and other farm products, without employing middlemen or paying dues of any kind. This was in accordance with the royal policy of granting charters and other privileges to the peoples subject to the Crown as a reward for their exertions and loyalty.

Not only did the kings devote special attention to their relations with the fishermen's guilds, but even the Popes themselves made con-

cessions. For example Clement VIII in the sixteenth century issued a bull, confirmed and extended by Paul V at the start of the seventeenth century, giving the fishermen's guilds power to override the local clergy in fixing the times of church services.

Towards the end of his reign the Emperor Charles V ordered the dissolution of a number of guilds but spared those with major welfare responsibilities (including those at Fuenterrabia, Pontevedra and Laredo). Most of those which survived this order had to change their rules under Phillip II and conform to the standards he laid down.

Subsequently, the changes caused by the discovery of America, the growth of new ideas—especially the philosophical upheaval which took place in Europe during the eighteenth century—and the development of a spirit of antagonism towards the guild system, which was stifling the economies of most countries, all created an almost irresistible movement for greater freedom. Although the old fishermen's guilds, unlike the others, had never been closed corporations and had never placed any restrictions on their industry, they were officially dissolved by King Charles IV in 1805.

Modern times: dissolution and reform

For the fishermen's guilds these were years of indecision, discouragement and resignation. The 1805 consolidation of laws involved the dissolution of the guilds but did not repeal the seamen's registration ordinances of 2 January 1802, which encouraged the formation of seamen's unions to protect men serving in the navy. This omission was repaired by a royal order dated 2 May 1847.

Despite everything, the guilds did not accept dissolution and continued to function until 24 December 1865, when another royal order was issued declaring them to be finally dissolved. It should be noted, however, that this measure was not aimed at activities concerning the welfare of the members of the guilds, but rather at their religious status; for it was widely held at that time, even by men with Catholic leanings, such as Jovellanos himself, and by prominent churchmen, that many guilds had become centres of merry-making and economic and political speculation. In actual fact, however, they were still primarily concerned with welfare and the organisation of employment.

Most of them made the best of the new situation and became seamen's clubs, friendly societies and the like; but some, against all opposition, clung to their traditional guild titles. It was inevitable, though, that the old spirit of unity should decline; and, since this led to inactivity or failure to act in certain situations, it was found advisable to make changes in the regulations. Accordingly the royal order of 2 May 1847, mentioned earlier, was rescinded by a royal decree dated 10 July 1864, which in turn only remained in force for a few months. Despite the

contents of a further royal order issued in December 1865, a new enactment dated 9 May 1867 made it clear that the Government welcomed the formation of mutual benefit associations by seamen.

The beginning of the twentieth century witnessed the work of the eminent sailor and sociologist, Alfredo Saralegui, who devoted the greater part of his life to the study of seafarers' problems. His efforts bore fruit in the royal order dated 5 January 1918 permitting the reorganisation of the old fishermen's associations with state aid; the associations were now to be called fishermen's societies and were to be lay bodies with a co-operative structure. In order to provide the necessary financial backing, an Act was passed on 10 October 1919 establishing the Marine and Fisheries Credit Fund, out of which the Maritime Welfare Institute later developed.

In this way, as a result of Saralegui's efforts, the different associations, friendly societies, corporations and guilds of the second half of the nineteenth century were formed into a chain of societies covering the whole Spanish coast and helped by government grants towards the cost of medical care, medicines, unemployment benefit, co-operative administration expenses, etc.

During the civil war and up to 1939, the fishermen's societies did much to regulate output and keep the market supplied. When the conflict came to an end, their position was carefully reviewed by the Marquis of Valterra, a leading authority on the subject, who urged that the old system of fishermen's guilds should be revived and incorporated into the trade union organisation. To quote his words: "The important thing is to *respect* them and to safeguard their autonomy and that of their constituent sections, even while incorporating them into the vertical trade unions". The Marquis won his point and incorporation took place, as will be seen later, without affecting the guilds' autonomy or legal status.

Present purposes of the guilds

The purposes of the guilds today can be summarised as follows: (a) to represent fishermen in their dealings with the State, the trade union organisation, private individuals, etc.; (b) to expand and improve fish output through the establishment of co-operatives and schemes for obtaining the best possible return; (c) to regulate the marketing of fish and collaborate with the State in working out nation-wide labour regulations for the industry and such other regulations as are left to the guilds by collective agreement; (d) to enforce economic and social standards; (e) to supplement the general social security schemes with their own welfare arrangements; (f) to collaborate with the social security schemes themselves; (g) to act as arbitrators in the event of disputes between their members; (h) to promote good relations between workers and employers; (i) to engage in any other kindred activity.

Almost all the fishermen's guilds run primary schools for the sons of fishermen, with a bias towards seafaring and fishing. There are also vocational training centres which hold night classes for adults wishing to qualify for entry into the industry.

In many guilds, the state social security schemes are supplemented by various optional benefits for old age, sickness and death.

The guilds offer other positive benefits to their members through their marketing facilities, consumer co-operatives, etc.

In general the guilds, by representing capital, technical skill and labour, constitute a striking demonstration of what can be done in their particular field.

Administration and structure

Each guild is now run by its general meeting, council, and section or group committees. The general meeting consists of all the members entitled to speak and to vote, both shipowners and crews alike.

Each guild is divided into three sections—economic (comprising employers), social (comprising workers), and welfare. The president is elected by the members of the council, which is made up of the chairmen of the three sections and two members of each, elected by majority vote. The president of the guild is its representative for legal purposes, and in the event of absence or sickness his place is taken by a vice-president. There is also a secretary with appropriate responsibilities.

The administrative side is headed by the secretary, although all departments are directly answerable to the president himself. It must be borne in mind that the administration of many fishermen's guilds is extremely complex because they are virtually large-scale businesses in their own right, handling all sales of fish in their own ports, settling accounts with the shipowners, collecting the money from the purchasers, selling ice to the fleet and to private individuals, operating fish-preserving co-operatives (especially salting) and in some cases refrigeration facilities, and running consumer co-operatives and even fuel stations for the fleet (by arrangement with the petroleum company).

For social security purposes, the guild is the primary administrative body under the special scheme for fishermen; this is without prejudice to the supplementary benefits referred to earlier.

The guilds and their incorporation in the trade union organisation

The guilds were incorporated in the trade union organisation by an order dated 31 March 1943, which renamed them guilds instead of associations, friendly societies, corporations, etc., as hitherto. They were

declared to be corporations subject to public law, and control over them was divided between the Maritime Welfare Institute, which itself had been reorganised by an Act dated 18 October 1941, and the trade union organisation, subject to the proviso that their autonomy and traditional subdivisions must be respected. The National Trade Union Council issued a general order (No. 29) in 1945, dealing with the details of the change and this was later superseded by another order (No. 81) dated 27 November 1961, which is still in force.

Financial and managerial autonomy

The guilds enjoy complete financial autonomy and are not required to pay any special contribution to the trade union organisation. As bodies subject to public law they can own, acquire, and dispose of property and are exempt from taxation. A guild's funds are administered by its president, and transactions must be countersigned by the secretary or, in his absence, the cashier. The annual budget must be approved by the general meeting and submitted for scrutiny to the National Trade Union Council and the Maritime Welfare Institute, which check that the guilds are carrying out their statutory duties. Any changes in the budget must go through the same procedure.

Election and replacement of officers

Although the usual practice in trade union elections in Spain is for officers to be elected for three years, and this is in fact widely followed by the guilds themselves, there are some in which the members of the council and section committees are elected or confirmed in office every year when the statutory general meeting is held. The representatives of the economic and social sections are, of course, elected by the members, i.e. by the employers in the case of the economic section, and by the workers, including technicians, in the case of the social section. The guilds jointly elect provincial delegates who in turn elect the chairmen of the social and economic sections for their province. In the event of incompetence, misconduct, etc., officers can be relieved of their posts, without waiting for the next general meeting, under the regulations dealing with removal from trade union office.

It should be noted, in particular, that (a) all the members of a guild, irrespective of whether they are workers or employers, are entitled to vote and speak in their own section; (b) there is no preliminary selection of candidates, and therefore any member can be elected; (c) once the committees of the social and economic sections have been appointed, a joint meeting is held to elect the president of the guild and the other members of the council; (d) in matters which do not affect the

interests of employers or workers whether individuals or firms, all members of the guild are entitled to speak and vote, and it is not necessary for equal numbers of employers' and workers' representatives to be present, e.g. such matters as the financial situation of the guild, the annual budget, assistance to members, the allocation of funds and other internal matters.

Federations of guilds and their status

Ever since the guilds formed their celebrated fraternities about 700 years ago, fishermen have been convinced that their problems cannot be dealt with on a purely local basis. In due course, they formed the federations of societies which in 1943 became federations of guilds with exactly the same structure, degree of autonomy and legal status as before. The functions of these federations, which are organised on a provincial basis, are economic, representational and administrative. In economic matters they provide marketing facilities for guild co-operatives and make bulk purchases for them. In some provinces they have their own fish-salting factories, which prevent wastage in times of glut. In their representative capacity they concern themselves with problems affecting the province and combine with other federations to submit proposals to the Government. Lastly, the federations take any other steps that may be necessary on behalf of individual guilds and support their requests whenever the importance of the case warrants it. Each federation is headed by a board composed of the presidents of the guilds in the province, who in turn elect a chairman and secretary.

National representation

The fishermen's guilds, as autonomous organisations, are also represented in the Cortes, to which all the guilds in Spain elect a delegate every three years.

Contribution to the development of the Spanish fishing fleet

It must be clear from the foregoing that the guilds have made a remarkable contribution to the development of the fishing fleet. Until little more than 50 years ago, all fishing vessels without exception belonged to the guild fleets and it was only when mechanisation made large-scale investment necessary that deep-sea fishing from certain ports developed to some extent outside the guilds, at least on the processing side; nevertheless, all the fishermen themselves belong (or can belong) to the guilds. This is the reason for the existence of the Federation of Deep-sea Fishing Vessel Owners as an autonomous corporative body and the federations of guilds referred to earlier.

Production, consumer and processing co-operatives

Production co-operatives are now being formed in large numbers especially in "share fishing", which is the traditional system of payment for so-called inshore fishermen in Spain (crews of large trawlers are paid a wage plus production bonus). Many guilds also have their own consumer co-operatives, which proved invaluable in the years immediately following the civil war of 1936-39, when food was short and rationing was in force for the whole population. Processing co-operatives, which are off-shoots of the production co-operatives, also exist in a number of provinces; they are managed by the federations of guilds and are mainly engaged in salting fish, usually for subsequent sale at a higher price than if it had been sold fresh.

Sales of fish

Sales are held in fish markets which usually belong to the guilds, although in a few cases they are run by the municipality or shipowners' association. During 1963 markets owned by the guilds sold over 500,000 tons of fish worth approximately 4,000 million pesetas, which gave them a commission income of the order of 150 million pesetas to cover running expenses and welfare and supplementary social security schemes.

Though there were 232 guilds in Spain in 1963, 70 per cent. of the above turnover was accounted for by about 40 guilds in the largest ports. Landings by the inshore fleet, about 80 per cent. of which are sold through the fish markets, consist of the more ordinary types of fish such as sardines, anchovies, tunny, saurel, horse mackerel, etc.; these are heavier in proportion to value than the trawlers' catch, which usually consists of the more expensive varieties such as hake, sole, etc.

The guilds collect the money from buyers and manufacturers and make payment (often immediately after the sale) to the shipowners, minus the commission mentioned earlier. This is of great assistance to the employers as it ensures them the means to replenish their stores without delay; in many cases the guild co-operatives also sell supplies at low prices. It is fair to say, therefore, that if the fishermen's guilds did not exist, the Spanish fishing fleet, which is now one of the largest in the world, would be a good deal smaller than it is.

Some guilds have their own refrigeration plant to supply the boats with ice, and warehouses which help to iron out fluctuations in prices. Others transport their own fish, usually by road, to the main consuming centres, and some federations (such as those of Vizcaya and San Sebastian, for example) have their own salting and canning factories, which help to regulate the price of fresh fish and operate in competition with private firms.

Finally, there is a network of radio links with the main ports so that skippers of ships at sea can be kept informed about fish prices, vessels which have just docked, the state of supply and demand and the opportunities that can be expected in the next few hours, so that they can decide which is the best port to make for. All fishing vessels with a radius of action exceeding two days have their own radio-telephone equipment and often electronic devices for direction finding and locating shoals of fish.

Credit facilities

The existence of guilds operating their own auction sales greatly simplifies the provision of credit, because a guild can endorse its members' commitments and also act as an effective collecting agency, since, when paying shipowners for their catch, it can deduct any amounts that are owing from the total. This aspect of their activities was greatly extended with the entry into force of the Fishing Fleet (Modernisation) Act of 23 December 1961, under which loans were made available through the National Reconstruction Credit Bank and the Fisheries Social Credit Fund (which, until the legislative decree of 23 July 1964, used to be the Central Maritime Credit Fund). Investment in new fishing vessels since the entry into force of the Act totals approximately 3,000 million pesetas.

Common interests; social security

The guilds carry out a number of tasks on behalf of employer members, such as paying social security contributions, serving benefits to workers and handling all the complicated administrative work involved. Local collective agreements are also negotiated under their auspices. There is a special sickness insurance scheme for the industry which, drawing on the wide experience of the guilds, operates a flexible, efficient service that is one of the best in the country. The scheme maintains the time-honoured custom whereby all sick or injured fishermen, without exception, are still reckoned as part of the crew, no matter how long they have been away. Care is provided by doctors and health organisations selected by the fishermen themselves through their provincial committees. Lastly, the guilds have helped to tackle the housing shortage by building several thousand homes themselves, providing land and securing official loans, in many cases through the Maritime Welfare Institute, which has a statutory responsibility for fishermen's housing.

Any social security scheme, no matter how extensive, has shortcomings and inadequacies. The fishermen's guilds remedy these either by granting supplementary benefits or by meeting needs which are not covered by the official scheme. Some 4,000 aged fishermen are drawing supplementary pensions from the guilds, and many sick men who are not entitled to a disability or protracted sickness pension draw an equivalent amount from the guilds at a cost of more than 100 million pesetas a year.

Concluding remarks

In describing, in broad outline, the history and present situation of the fishermen's guilds in Spain we have deliberately tried to avoid any doctrinaire judgments concerning the political vicissitudes that have affected them at various times. For it is precisely the guilds' astonishing capacity for survival over the centuries, despite all their brushes with the State, that is their most noteworthy claim to fame. Civilisations, ideologies, peoples and even nationalities have been swept away by time, but these bodies have continued to thrive, whether as guilds, corporations, societies or associations, thereby proving to posterity that in the long run nothing is durable except the spirit of service and good neighbourliness, and that the humbler and poorer men are, the greater the solidarity and generosity they display towards their fellow men.
