Relations industrielles Industrial Relations



The Evolving Status of American Unionism Le syndicalisme américain : vers un nouveau profil?

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Volume 22, Number 3, 1967

URI: https://id.erudit.org/iderudit/027809ar DOI: https://doi.org/10.7202/027809ar

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Publisher(s)

Département des relations industrielles de l'Université Laval

ISSN

0034-379X (print) 1703-8138 (digital)

Explore this journal

Cite this article

Alexander, K. O. (1967). The Evolving Status of American Unionism. Relations industrielles / Industrial Relations, 22(3), 344–356. https://doi.org/10.7202/027809ar Article abstract

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The Evolving Status of American Unionism

Kenneth O. Alexander

The Ruther of today in his criticisms of organized labor may sound like the Lewis of the 1930's. But the issues within organized labor and the circumstances surrounding them are very different.

The interest of American intellectuals and social scientists seems to have turned away from institutional studies of unions. Professional literature is marked by relatively fewer articles on such topics as union history, government, internal affairs, membership characteristic, leadership characteristics, etc. than was the case ten or fifteen years ago. Today's writing is much more likely to treat unions within a broader discussion of economic, social or political relevance, rather than be centrally focused on the union.

Relative Stagnation of Membership Growth Over the Last Decade or So

A favorite topic of the contemporary writing that has focused on unionism has been the relative stagnation of membership growth over the last decade or so. Since Korea the rate of union membership growth has definitely slowed. The growth in absolute numbers has been so low as to barely keep stable the percentage of the civilian labor force that is organized. Indeed, some recent years show a membership increase proportionately less than labor force increase so that the portion of the civilian labor force composed of union members has fallen below 25%. The major and oft-cited reasons for this membership picture are:

The employment areas of relative union strength are now almost completely unionized. In these core areas of manufacturing, mining

and construction, there is little remaining room for membership expansion.

In addition, these core areas

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are suffering a relative shrinkage in employment as the labor force grows. Employment is growing relatively faster in such areas as trade, tourism, government — in general, in the service-producing rather than goods-producing sectors.

In these sectors of relatively most rapid employment growth, workers are less union-oriented and more difficult to organize. There is a higher proportion of female workers and « secondary wage-earners » with a relatively short time perspective on the job. Less firmly attached to the labor force, they are generally less inclined toward unionism.

Both inter-industry employment shifts and technological developments within industries are resulting in occupational shifts in the labor force to the detriment of union membership gains. The greatest relative growth is taking place in those jobs with greater technical, managerial or supervisory content to the relative disadvantage of more strictly manual, and especially unskilled, jobs. And these rapidly growing job types are again more difficult to organize. Workers are closer to management; in some areas labor unions find themselves competing with professional associations.

Added to this inhospitable atmosphere is the charge that American unions have become lethargic. Their leaders have become «fat cats», lolling in the Miami sun between the bureaucratic bickerings of their conventions. They have become powerful and secure figures of public prominence, and in the process have lost their missionary zeal. Rather than leading a movement, most, like Hoffa, engage in business unionism, not only in the sense of being free from radical political taint but also in the sense of administration of their unions.

Finally, the general reputation of unions among the public, and among potential union members has fallen. This was hastened by the cases of corruption and unethecial practices of union leaders highly publicized through the McClellan Committee hearings of the late 50's. Unions have been subject to more regulatory and restrictive legislation in Taft-Hartley and Landrum-Griffin. And while the law has probably had little effect upon the membership of strong, established unions, it probably has restricted the organizing effectiveness of weaker unions, especially in the more hostile environment of the South.

While all of these may be of worrisome concern to organized labor, they contain nothing that is particularly startling to the observer. They are the inevitable result of the evolution of unions and the society within which they function. The turning away by the scholar and intellectual is probably the combined result of a research field well-tilled and the growing sophistication and mathematical orientation of the social sciences, with a resultant lesser emphasis upon institutional description and greater concern for seeking analytical interdependence.

They have simply turned to more fertile fields. The industrial and occupational shifts in the labor force are beyond the control of unions. They are the inevitable result of increasing consumer incomes and shifting consumer tastes, on the one hand, and a technological advance which has brought both new products and new production methods on the other. The institutional characteristics of today's unions and their leaders are the result of their growth and new power. With size has come the inevitable bureaucratic characteristics. With power has come the necessary legal restraint.

Relative Stagnation in the Late 1920's

Yet, it may be instructive to take a second look at the position of American unionism today, and to consider more closely some contemporary history. To begin with, it is somewhat disconcerting to appreciate that the description of current union membership stagnation could easily be taken as from some piece of writing of 40 years ago. On these aspects of the position of American unionism, the repetition of history has occurred in a relatively short span of time. Consider the late 1920's. Union membership was stagnating after periods of rapid increase before and during World War I. The core of the AFL's strength lay in the skilled crafts. Its leaders were concerned with preserving structure and consolidating jurisdiction, showing little interest and imagination in the extension of unionism to new areas. And the shifts occurring in the labor force were to the relative disadvantage of the centers of union strength. The relatively most rapidly growing areas of employment were in the industries using large numbers of unskilled and semi-skilled labor: autos, steel, oil, chemicals, etc. The public esteem of unions suffered from the fresh memories of labor-connected violence as a challenge to the heritage of private property, from a suspected foreign influence during the heightened isolationism of the times, from the employer-publicized conflict between unionism and American individualism, as exemplified by the «American Plan» of the NAM. And unions were subject to severe legal restriction, especially through Sherman Act prosecution and the widespread use of the labor injunction.

Between the Two Eras

Of course, differences between the two eras abound. But nonetheless, basic similarities in important aspects of unionism's status remain. It would make sense to speak of the «revolving» rather than «evolving»

status of American unions. What happened between the eras that has resulted in a status for unionism with so many echoes from the past?

What happened to the 1920's of course, was the 1930's. We entered the Great Depression, the deepest and most severe in our history. The tremendous cost, sacrifice and deprivation that resulted wrenched the very foundations of our social, economic and political thinking. Our economic system, so highly touted with smug praise only yesterday, was leaving millions destitute and desperate. Private enterprise, if simply left alone by government, would not carry us ever upward and onward, as the mythology of yesterday proclaimed. Our heritage of the protestant ethic, with its extolling of individual responsibility, was not sufficient to prevent the massive catastrophe which had overtaken society. Something had to be done, and by reasons of both power and responsibility, government was the logical locus of action. The ethic of the recent past was cracked by the massive necessity of the present.

KEYNES' ECONOMIES

Within economics, the impact of Keynes and the development of fresh macro-economic thinking was spreading a break with the past among economists that paralleled and meshed with the public mood. The «old economics» held that full employment was the natural equilibrium point for a free enterprise economy. Government intervention should be held to a minimum, for it could be the source of «unnatural» or frictional factors which could mean sacrifices of efficiency, on the one hand, and sacrifices of output on the other, through unemployment. The basic contribution of Keynes was to demonstrate that full employment has no preferred claim as the equilibrium point for a market society. The system could just as easily arrive at equilibria with various levels of unemployment. There was no analytical reason to assume that the economy would erase it if only left alone. Hence, the base was being laid for the intellectual respectability of government measures to assure full employment.

This is not to say that early New Deal measures were proposed with the intellectual support of Keynesian economics. Quite the contrary, they were more typically the response of practical men to very obvious problems. As politicians, naturally enough, these men were responding to a public mood rather than to an often-unknown development in economic analysis. And they faced obstacles from the heritage of the

past. Not until 1935 and the desperation of the court-packing episode did the Supreme Court begin to allow government intervention in many problem areas. Split decisions against new legislation became split decisions for. And it was not until 1946, and the Employment Act of that year, that a legislative rationale appears for the general role of government in the * new economics. *

Nonetheless the acceptance of the policy prescriptions of the new economics grew inexorably among intellectuals, politicians and the public. Of course an opposition to the new ideas remained, and still remains, especially in the business community. But the relative strength of the non-interventionist view of the role of government lost ground, and its influence on policy ebbed. After all, the seed of the new ideas fell on fertile ground. It was a hard man whose desperation did not increase somewhat during these years. The deprivation and suffering of millions was not easily blotted out, and not made acceptable by weak mutterings that it might go away.

Many men, intellectuals especially, were internally torn between their humanitarian concern for the underprivileged and disadvantaged, on the one hand, and an intellectual respectability for government aloofness on the other. The new economics eliminated the terrible conflict. After Keynes a specific policy measure could be supported on both humanitarian and intellectual grounds. It became a much more comfortable world, in which ethical and functional prescriptions meshed. But these were years in which the new economics was truly new. In retrospect, some of its applications appear naive. And this is only the usual observation of hindsight, which must be expected if economics has made any progress at all in over 30 years. But in some cases the desperate search for a rationale ignored the writings of Keynes himself.

THE WAGNER ACT

A case in point is the Wagner Act of 1935, the single most important piece of legislation affecting the basic status of unionism in American history. Its preamble constitutes congressional justification for the measure and contains two main points. One of these was really aimed at the Supreme Court and contained Congress' argument that the law was within its constitutional powers. The basic line of reasoning was: the Law protects the formation of unions which are necessary to collective bargaining, collective bargaining will reduce labor-mana-

gement disputes which halt production and interrupt the flow of interstate commerce, and Congress has the constitutional right to protect the flow of interstate commerce from such interruption. That Congress took pains to write this into the preamble is understandable, considering the treatment of legislation of the early 1930's by the Supreme Court. But it is not likely that the subsequent decision of the Court in *lones* & Laughlin v. NLRB, upholding the constitutionality of the Wagner Act, was much influenced by this argument. For at the time the Court was struggling to get away from such a simple equating of protecting interstate commerce with the avoidance of strikes. It knew that such a simple equation would place it in the position of declaring any major strike a restraint of interstate commerce and therefore a violation of the Sherman Act. Ever since the Danbury Hatters' case the Court had skirted this issue. During the 1920's it was only through some mighty legal reasoning that the Court avoided such a tempting, but alarming, restrictive application of the Sherman Act to union activity. And it was not until 1941 and U. S. v. Hutcheson that the Court definitely steered away from the temptation and adopted a more tolerant view toward Sherman Act prosecution of labor union activity.

But if the first point of Wagner's preamble was of dubious legal merit, so also was the second point of dubious economic merit, and this is for more central concern here. The argument of Congress was that unionism and the collective strength of workers would raise their wages, which in turn would increase purchasing power and contribute to the reduction of unemployment. This line of reasoning constituted a complete turnabout from the prognosis of the old economics, but this did not mean it conformed to the new economics. For Keynes himself had warned that changes in the wage level were a poor economic policy weapon for government. They were fraught with administrative difficulties, and, more important, they had no dependable impact on the level of unemployment and this remains as the general view of macroeconomic analysis today.

INTELLECTUAL AND GENERAL SUPPORT FOR ORGANIZED LABOR

Within this same rather unfair retrospect, the naivete of Congress at the time also marked a good deal of the intellectual support for organized labor in the late 1930's. The ethical-functional mesh of thought allowed by the new economics was comfortable in this context too. The CIO challenged the lethargy, smugness, narrow concern for skilled

crafts and bureaucratic jurisdictional bickering of the AFL. It pointed to basically the same circumstances for organized labor as those listed at the beginning of this essay as « modern » characteristics, and charged them to the narrow craft structural basis from which the AFL refused to move. The CIO would change all this and bring the benefits of collective strength to the masses of unskilled and semi-skilled in much of American basic industry — steel, autos, rubber, etc. Intellectual support was forthcoming out of humanitarian concern for the underdog. And the new economics could be applied for consistent functional support. For organization of these masses could shift the distribution of income away from the property owner and in favor of the wage earner. This was not only ethically desirable for many but, because of the greater propensity to consume of the wage earner, would increase the level of aggregate demand and thereby reduce the level of unemployment. And since the unemployed, too, qualified for humanitarian consideration, the ethical-functional mesh was a tight one.

All this was part of the favorable atmosphere for unionism of the times. With concrete legal expression in the Wagner Act, protecting the right to organize and prohibiting many of the anti-union techniques of employers, the CIO went on to spectacular organizing successes after 1935. The structural change embodied in the CIO allowed organized labor to take advantage of the prevailing pro-union sentiment among workers in many of our basic industries, which in large measure was the result of a smug managerial righteousness based upon notions of property rights and management prerogatives that were fast fading. The unilateral, and often inequitable, personnel policies resulted in a unionization that amounted to self-organization once the CIO opened the possibility. The support and money of Lewis' well- established United Mine Workers helped, and the late 1930's saw the most rapid rate of increase in union membership in American history.

THE ENTHUSIASM BEGAN TO EBB BEFORE WORLD WAR II

But the enthusiasm of intellectual and general support for organized labor began to ebb before the decade was out. Both its ethical and its functional foundation dimmed with the approach of World War II. Domestic problems of the disadvantaged eased with the growing prosperity. And the attention of humanitarians shifted to the international sphere and the terrible threat of Nazism. After the War there was a brief period of interest in what seemed to many a struggle over the functional

distribution of income, i.e. over relative wage, profit and income levels in the context of pervasive uncertainty about the economic impact of conversion to peacetime production. But in only a few years we were enmeshed in Korea, and the social-betterment hopes for unionism were again subdued as once again they were drawn into the administrative complexity of a semi-regulated economy. The AFL-CIO merger in 1955 was an institutional rationalization that occurred after both organizations had become more like the other over preceding years. The assumption of leadership positions by AFL personnel and the history of AFL v. CIO jurisdictional battles that was a major motivating factor for the merger gave little hope for those who were looking for some basic alteration of the «business unionism» set down by Gompers. Then came the McClellan hearings and wide publicity that the business unionism of Gompers had, in some cases, resulted in graft, corruption, criminal activity and the « unions are a business » philosophy of Hoffa. And this further estranged many of those who, twenty years earlier, had given visceral support to the fresh hope of the CIO.

Of special significance for the relationship between the intellectual and American unionism, empirical research and increasing sophistication in macro-economic analysis pretty much erased the naive and comfortable functional basis for union support that marked the 1930's. In the first place, it became apparent that unionism had little, if any, impact on the distribution of income. But beyond this, even if it were assumed that unionism had resulted in a relative shift from property to wage income the impact on aggregate output and employment was dubious. At the very least, it had to be admitted that there were more predictable and powerful weapons to reduce unemployment in the hands of the federal government. Furthermore, the functional argument in support of unionism is, by its nature, a dangerous one. Its comfortable conformity with ethical considerations depends on the current state of the national economy. The vagaries of time can then yield an uncomfortable functional-ethical conflict. That is, if one supported unionism in the 1930's on grounds that it caused an income redistribution which increased aggregate demand and thereby reduced unemployment, one could just as easily oppose unionism to reverse the line of causation in order to combat postwar inflation. The increased postwar skepticism toward unionism was probably more the result of experience and observation through changing times than the result of generally enhanced economic sophistication.

The Postwar Experience

The postwar experience has resulted in a calmer, and if not more cynical then more realistic, view of unionism. Quite understandably, out of concern for their very survival, they must act in the interests of their membership first. And their power to affect the economic well-being of that membership is subject to strong limitations. In large measure, their economic power is derived from and dependent upon the market power and economic fortunes of the employer. In a market society, whatever affects the latter will affect the former. Unions themselves are quite aware of this, and in some cases have modified product market structure to the advantage of both employers and themselves, usually through some combination of employer assistance, government intervention, industry-wide organization and changes in the bargaining structure. But whatever the details, the overall result is that relative profit levels are a much better indicator of inter-industry wage levels than is relative degree of unionization.

To a much greater degree, unions are now viewed as organizations of vested economic interest, shorn of a good many humanitarian overtones. But the ethical-functional support for the CIO in the 1930's is probably viewed in better prespective as inevitable rather than as naive. Like many developments, the CIO was new, emerging in a time of intensified ferment and change. True, in retrospect, some of the hopes attached to it were near-desperate and confused. But this was no less so for a good many developments of the times, including major federal policy measures. Then too, the immediate target of the CIO, the mass production worker, was eligible, even in the context of the times, for humanitarian empathy. His burden of unemployment was obvious. And when employed he was subject to a factory discipline without recourse and to an earnings level that were viewed by many as detracting from human dignity.

Too much cannot be made of the many similarities between unionism's basic position today and its position 40 years ago. The similarities are there. Lewis, in 1935, urged the AFL to make « a contribution now to your less fortunate brethren, » to grasp the opportunities « to befriend the cause of humanity and champion human rights. » Today, it is not hard to believe the same phrases as coming from Reuther and directed toward the AFL-CIO of 1967. The reasons for membership stagnation are very much the same. But of course the issues within organized labor and the circumstances surrounding it are very different.

So far as membership is concerned, the targets of today's organizing drives are not easily given the sympathetic status of underdog. The mustering of support for unionism on humanitarian grounds is not the same for the teacher, the technician and the white-collar worker in general, as compared with the mass production worker of the 1930's. And for other reasons already traced, the ethical-functional basis for union support has waned among the public in general and the intellectual in particular.

Segments of American unionism continue to chafe under the narrowness of vested interest-membership benefit functioning. They remember their humanitarian heritage and their hopes for a movement of broader siginificance. They may be sorely tempted to expand the substantive scope of their organizational functioning beyond the narrow interests of their members to encompass the welfare of the new underdogs — the aged, the uneducated, racial minorities, the poor in general. For some within unions, this may appear as a social responsibility that would at the same time improve their status by strengthening public support.

Some unions do have peripheral programs of general welfare purposes, and many consistently extend a voice of sympathy for the new underdogs in the eves of society. But it is highly unlikely that any functional shift beyond this toward broader functioning will take place within American unionism. For most leaders, the necessity for narrow functioning in the interest of membership benefits to assure organizational strength and even survival is a readily apparent fact of life that stems both from the contemporary political realities of union government and the lessons of history. Most of the 19th century constitutes a strong teacher on the implications for unionism of directing its efforts toward broad reform goals. It was a history of dismal failure in that reform unionism could not even succeed in becoming an enduring institution on any significant scale. It was out of this experience that the narrow. practical «business unionism» of Gompers evolved as the basis on which a viable American unionism was established. In short, a membership status similar to 40 years ago is not likely to tempt unionism into the futility of the strategy of a century ago.

Then too, the federal government has begun to assume ethical responsibility for the new social underdog, as it earlier assumed functional responsibility for the unemployed. In many respects this is a

logical development, certainly more so than such an assumption by unionism. But it does place unionism in a somewhat frustrating and uncomfortable position, that is no less so because it also is a familiar one. Unions find that even limited progress toward reform and humanitarian goals is most effectively accomplished through political activity and support of a political party. And that party, out of the realities of politics, must have a broader appeal than unionism and therefore must reflect the increasingly common view of unionism as an institution seeking narrow and vested economic intrest. Out of this, and out of the real increase in union strength over recent decades, that same party must be part of a governmental process to restrict and restrain unionism.

For unions, the resulting political party alliance must be something less than satisfactory, subject to recurring strains of varying intensities. Recent years are replete with examples. But unions are not alone here. Almost by definition, our political system reserves the same basic discomfort for any private social or economic institution. It is not to be deplored. The near future holds no prospect for basic change here, just as it seems to hold no prospect for a union membership spurt to parallel the late 1930's in response to a membership stagnation that parallels the 1920's.

LE SYNDICALISME AMÉRICAIN; VERS UN NOUVEAU PROFIL?

Il semble que l'érudit et l'intellectuel aient abandonné depuis quelque temps les études institutionnelles du syndicalisme. En plus, la littérature écrite sur le syndicalisme a surtout insisté sur la non croissance du nombre de membres depuis environ dix ans. Cette stagnation est due à plusieurs facteurs :

- 1) la majorité des secteurs où le syndicalisme puisait traditionnellement sa force sont maintenant presque tous syndiqués;
- ces dits secteurs emploient relativement de moins en moins de travailleurs comparativement à la main-d'oeuvre totale;
- 3) dans les secteurs où l'emploi croît très rapidement, les travailleurs sont moins orientés vers le syndicalisme et en plus, il est très difficile de les organiser;
- 4) les changements dans l'emploi et les développements technologiques entraînent une mobilité occupationnelle qui rend la syndicalisation plus difficile:
- 5) les syndicats ainsi que les chefs syndicaux sont dans un certain état de léthargie :

 l'opinion publique a changé au sujet du syndicalisme et la législation est devenue plus restrictive.

Fait surprenant à noter, la place des syndicats dans la société américaine aujourd'hui est sensiblement la même qu'en 1920. Il serait très instructif de retracer brièvement les moyens employés par les syndicats pour presque revenir au point de départ en un si court laps de temps.

En ce faisant, on pourra connaître les raisons de l'éloignement des syndicats d'une part, des érudits et des intellectuels d'autre part.

Les années 20 furent suivies d'une période qui faussa notre pensée sociale, économique et politique. En économique, Keynes a détruit la conclusion classique à savoir que le plein emploi était le point d'équilibre naturel dans une économie de libre entreprise, avec, en plus, la philosophie de non-intervention de l'Etat comme conséquence. Ses idées ont trouvé des supporteurs parmi ces intellectuels qui étaient pris entre d'une part leurs préoccupations humanitaires pour les sous-développés et les désavantagés et d'autre part une certaine honorabilité intellectuelle face au désintéressement du gouvernement.

L'application du New Deal ne représente pas la mise en pratique de la nouvelle conception économique. On dirait plutôt que ces mesures sont une recherche de solutions à des problèmes urgents par des politiciens pratiques. Quand on prend la peine de faire une analyse raisonnée à partir de la nouvelle conception économique, c'est souvent crû et naïf (par exemple, le préambule à la loi Wagner justifiait une augmentation de salaires par le simple pouvoir d'achat). Cette sorte de naïveté a aussi été la caractéristique du support intellectuel pour le syndicalisme dans les années 30. L'appui pour le COI provient de préoccupations humanitaires pour le travailleur désavantagé de l'industrie américaine : en plus, ce support provient de l'application fonctionnelle de la philosophie de Keynes qui prônait des transferts de revenus en faveur de la consommation croissante du salarié, de la demande aggrégative et contribuant à une diminution du niveau de chômage. Avec cette conception de hausse, l'économique était naïve, mais l'entremélage de morale et de fonctionnalisme était confortable pour les intellectuels.

Mais l'enthousiasme des intellectuels et l'appui général pour le travail organisé commença à baisser avant la fin des années 30. La deuxième guerre mondiale détourna la préoccupation humanitaire. Après la guerre, il y eût un certain intérêt dans le conflit de l'établissement du niveau de salaire, de profit et de revenu dans un contexte d'insécurité d'après guerre. Mais la guerre de Corée éteignit vite cet effort.

La fusion FAT-COI était considérée comme une rationalisation institutionnelle issue d'une rivalité bureaucratique. Tout ceci gagna l'estime de plusieurs intellectuels qui, vingt ans plus tôt, se sentaient confortable dans leur support moral et fonctionnel du COI.

En plus, la publication d'une pensée macro-économique plus compliquée ébranla les bases fonctionnelles du support syndical. Il devint apparent que le syndicalisme avait peu d'influence, sinon aucune, sur la distribution du revenu : et même s'il en avait, le gouvernement fédéral possédait des armes plus puissantes et prévisibles pour réduire le chômage. En plus, le fait de supporter le syndicalisme comme agent de transfert de revenu pour augmenter les dépenses et ainsi réduire le chômage, était une base transitoire de support syndical. En fait, une personne pouvait aussi logiquement s'opposer au syndicalisme afin de renverser la ligne de causalité dans le but de combattre l'inflation d'après guerre.

L'expérience d'après guerre a façonnée une conception moins idéaliste du syndicalisme : en effet, on considéra alors les unions comme étant d'abord préoccupées par leur propre survie et agissant dans l'intérêt de leurs membres. Le pouvoir du syndicalisme d'affecter le bien être de ses membres est sujet à de fortes limitations dépendant dans une large mesure du pouvoir de marché et des fortunes économiques des employeurs. Aujourd'hui, on considère les unions comme étant des organisations à intérêt économique, privées de plusieurs préoccupations humanitaires. Les buts des campagnes d'organisation syndicale n'ont pas aujour-d'hui un appui aussi sympathique que pendant les années 30.

Voilà donc les ressemblances entre la position des syndicats aujourd'hui et leur position en 1920. Ainsi le Reuther d'aujourd'hui avec ses critiques du travail organisé peut ressembler au Lewis des années 30. Mais évidemment les résultats à l'intérieur du travail organisé et le contexte environnant sont très différents. Certaines parties du syndicalisme américain s'irritent à la suite de l'abandon de leur héritage humanitaire. Ils ont constamment une voix de sympathie pour les nouveaux « underdog » de la société et certains ont des programmes périphériques dont le but est le bien être général.

Le 19e siècle s'avère être une leçon pour ce qui a trait à la faillite du syndicalisme de bien être et de la vitalité du syndicalisme d'affaire gompérien qui, encore, caractérise le mouvement du travail en Amérique.

Les syndicats, aujourd'hui, trouvent leur succès dans des buts réformistes et humanitaires mieux atteints par une activité politique et par le support d'un parti politique : et ce parti doit considérer le syndicalisme comme une institution à intérêt économique. Il doit alors faire partie d'un processus gouvernemental afin de retenir et de restreindre le syndicalisme. Pour les syndicats, cette alliance politique doit être sujette à des tensions périodiques, comme on peut le noter depuis