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Article abstract

This paper is an effort at a synthesis of industrial relations concepts in the United States. Labor's human essence and employment equity are seen as the defining themes of industrial relations. The leading concepts are structured in a sort of logic or sequence of propositions which are summarily stated in the form of a syllabus as an expository device.

Industrial Relations Concepts in the USA

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This essay represents a beginning synthesis of industrial relations as a field of study. The time span is industrial relations' "golden age" when IR was "the focus of national attention as unions and collective bargaining spread rapidly" (Strauss and Feuille 1980:79). Toward the end of this period industrial relations studies moved out of the workplace and into the postwar labor market, as admirably surveyed in *How Labor Markets Work* (Kaufman 1988).

This present synthesis serves several purposes. The first is to make explicit the underlying values of industrial relations at a particular stage in its development. Industrial relations' underlying value, it is argued here, is the human essence of labor as a commodity or factor of production and, in consequence, labor's right to equity in the employment relationship. Equity is defined for the moment as fairness and justice in the employment relationship. Labor's human essence and equity in the employment relationship are at the core of what industrial relations researchers research and what industrial relations practitioners do.

The objective is to impart a sense of unity, order and structure to a field that otherwise "sprawls and a territory [that] takes in a polyglot lot of inhabitants" (Chamberlain 1960: 101). Labor's human essence and employment equity are seen as the defining themes of industrial relations.

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Industrial relations sprawls because it “is problem-based. It is not a discipline in itself but rather draws on many disciplines to understand and help solve the problems arising in the workplace, the labor market and at the bargaining table” (Shultz 1968: 1). Labor problems arise fundamentally out of the adverse effects of industrialism on the human condition. Industrial relations’ problem-solving aims to ameliorate these effects through applications of the equity principle in the employment relationship so far as compatible with maintaining a going enterprise and economy.

Industrial relations’ leading concepts are structured in a sort of logic or sequence of propositions. Labor’s human essence and equity form the basic premises, followed by the institutional options through which equity can be implemented in a pluralist democracy.

The propositions are summarily stated in the form of a syllabus as an expository device. The headnote for each proposition is taken from the words of a prominent industrial relations expositor.

American industrial relations began with the argument for equity and social justice marshaled by the institutional labor economists somewhere in the early 1900s. This phase closes, in a manner of speaking, with Sumner Slichter’s “laboristic state” suggesting that equity may be overextended in some respects (Slichter 1961).

In many respects the synthesis and syllabus represent a personal statement reflecting an organization of ideas found helpful in thinking, teaching and theorizing about industrial relations in the American context (see Barbash 1984). The synthesis draws mainly on American sources enhanced at several points, however, by common ground occupied with British writing. Marx, Weber, Mayo and Taylor, although not in the main industrial relations tradition are also fed into the stream of thought.

THE PROPOSITIONS

1. *“It is one of the fundamental characteristics of an individualistic capitalistic economy that it is rationalized on the basis of rigorous calculation, directed with caution and foresight toward the success which is sought” (Weber [1904-5] 1958: 76).*

“Rationalization” is the source of industrialism’s adverse effects on human labor. Industrialism’s strategic processes in the management of the labor input consist of (1) rationalization which turns out to be central to all industrialisms, capitalistic or not; (2) bureaucracy, the “discharge of

business according to calculable rules” (Weber 1958: 216); (3) scientific management, “every single subject becomes the question for scientific investigation for reduction to law” (Taylor 1947: 212).

In the modern period rationalization “measure[s] the efficiency and achievement of both policy decisions and administration against the objective criteria of cost and efficiency, of return on the invested capital and of competitive standing in the market ... aim[ed] at the elimination of personal and subjective elements in the relationship between boss and subordinate (Drucker 1964: 67).

2. *The application of rationalization or efficiency methods to “this peculiar commodity — labour power” (Marx [1857] 1912: 189) produces a “labor contract” that is also “something peculiar” (Commons and Andrews [1916] 1936: 502); “its peculiarities single it out for special treatment both in theory and in practice” (Boulding 1962: 209).*

“The buying and selling of bushels of wheat, factories and farms, stocks and bonds deliver something external and inhuman.” A laborer “must deliver himself into the control of another” (Commons and Andrews [1916] 1936: 502). The idea of the labor factor as “fundamentally” different runs throughout the literature of economics from the very beginning. But it remained for industrial relations, starting with Commons, to build “a whole system of political economy on the foundations of labor” (Commons 1964: 131). (Marx built a whole system on labor but his system leads to socialism whereas Commons and industrial relations are able to improve labor conditions under capitalism.)

3. *“The labor problem ... exists because man is not only the end, but also a means of production. Out of his dual capacity arises a conflict between his activities as a producer and his interests as a man, a clash between life and work” (Slichter 1928: 287).*

Commons sees the duality as a clash between machine and commodity theories of labor, and his “goodwill theory.” The former are not so much “false” — there are important senses in which both are true — as they are “incomplete.” “Successful business is finding the right proportion.” Taylor’s machinery theory “carries to the final limit the disintegration of the workman’s skill” and of “labor solidarity.” The commodity theory, while very real for the employer, disregards what the goodwill theory takes as given, that labor has “soul” (Commons 1919: 15-20 passim) and that workers have “wills of their own” (Commons 1950: 155). And anticipating human relations, the “intangible goodwill of labor may be as profitable as the scientific management of labor” (Commons 1919: 18). The point is buyers and sellers of labor have different “exchangeables.” “The employer is ... exchanging a commodity (or money) for commodity. ... The worker is exchanging life for income” (Boulding 1962: 211).

Using human beings as commodities or means of production renders the “workers stupid and ignorant,” as in Adam Smith’s division of labor (Smith 1901: 734). Marx’s exploitation and alienation represent the “laborer ... as a commodity, like every other article of commerce” and “an appendage of the machine” (Marx 1959: 14). The corporation’s exact system of costs “measure[s] a man as they do coal, iron and kilowatts and labor becomes literally ... a commodity” (Commons 1923: 73).

4. *“It is but equity that they who feed, clothe and lodge the whole body of the people should have such a share of the produce of their own labor as to be themselves tolerably well-fed, clothed and lodged (Smith [1776] 1901: 139).*

Efforts at the amelioration of labor problems make use of the equity idea or some variant as the guiding principle of their reforms. There has to be something more to the employment relationship than a simple cash nexus, the equity argument invariably asserts.

A sampler of equity or equity-like themes in the modern industrial relations commentary includes: industrial jurisprudence, job protection, constitutionalism, dignity, justice, security, equal employment opportunity and moral order; “management by rule rather than by arbitrary decisions” (Slichter 1941: 2), “a new equity that would protect the job as the older equity protected the business” (Commons [1924] 1959: 307), “institutional changes ... to harmonize man’s activities as laborers with their interests as men” (Slichter 1928: 288), “constitutionalism ... to preserve the dignity of all those engaged in the enterprise” (Selekman 1958: 16), “equity, seniority, equal employment opportunity in addition to efficiency” (Dunlop 1984: 17), “the infusion of group life with the aspirations and constraints of a moral order” (Selznick 1969: 3), “[not] merely the balance of power [but] a system of industrial justice” (Blauner 1964: 19), “a multi-dimensional relationship that stretches far beyond price” (Lester 1956: 5-6), “equity [as a] vital lubricant of market processes” (Okun 1980: 3). The operating dimensions of equity as captured in the analogous concept of industrial democracy are: 1. representation, 2. participation, 3. equal rights and opportunity, 4. right of dissent, 5. due process, 6. responsibility, 7. minimum standards, 8. information, 9. personal dignity (Derber 1971: 602).

5. *“... Both the simple demands of a democratic relationship — namely, consent of those over whom authority is wielded — and the realistic necessity of getting something done require this accommodation” (Chamberlain 1963: 190).*

Equity is not only morally right but it also serves the function of making the impact of efficiency on the human condition bearable and even

agreeable. Equity operationalized is both process and substance: process as voice, constitutionalism, due process, etc.; substance as a compensation structure establishing rational relationships between jobs and pay and allocating an increasingly larger share toward the longer run costs of human maintenance, i.e., health, retirement and leisure.

6. *Equity is enforced through institutions: "collective action in control, liberation and expansion of individual action"* (Commons 1950: 1).

Commons' "major contribution" and probably that of industrial relations was that "the crucial group organizations in our society — the corporation, the union, the democratic state — represent ... great human or social inventions" for equity (Selekman 1951: 128).

Economic theory treats individuals "like atoms, molecules, steam engines, horsepower and the like controlled by external forces and not self-controlled." Laborers have "wills of their own" (Commons 1950: 154) and use them to organize a variety of protective institutional responses. The institutionalists rejected economics' "atomism," "hedonism," "mechanomorphism" and "'low' pecuniary motives" (Boulding 1957: 11).

Elton Mayo's human relations also rejected economics' "rabble hypothesis" that "natural society consists of a horde of unorganized individuals" (Mayo 1945: 40). The Mayo-inspired Hawthorne investigation found that "the human organization of a plant is more than a plurality of individuals... It is also a social organization" (Roethlisberger and Dixon 1947: 554). "The same process that had gathered those laborers together had forged a 'society' in which a sense of identity became inevitable" (Tannenbaum 1951: 59).

The work society is capable of "successfully matching wits with the management in self-protective resistance against wage incentive plans, piece rate cuts and lay-off" (Leiserson [1931] 1969: 163). Restriction of output among unorganized workers was found to be a "deeply entrenched institution in the working habits of American laboring people" (Mathewson [1931] 1969: 146).

7. *"The individual laborer is at great disadvantage in bargaining with an employer... It is only when labor bargains collectively that its bargaining power approximates equality with that of capital"* (Commons and Andrews [1916] 1936: 117).

"In the long run the workman may be as necessary to his master as his master is to him; but the necessity is not so immediate" (Smith [1776]

1901: 123). Inequality of bargaining power is created by "the peculiar relation between a propertyless seller of himself on the one hand, and a propertied buyer on the other" which puts the worker under "an imperious necessity of immediately agreeing" with the employer (Commons and Andrews [1916] 1936: 2).

8. *"The laborer is bargaining while he is working"* (Commons 1919: 22).

Individual bargaining functions within the constraints established by the work society. The worker's "tacit offer to the employer is the amount of work he is turning out. If the employer accepts the offer he keeps him at work. If the employer wants a different contract the old is already terminated in the very words that suggest a change in amount of work." The labor contract, therefore, "is a new contract every day and every hour" (Commons 1919: 22-23).

9. *"If unions didn't exist we should have to invent them"* (Homan 1954: 57).

The union meets the "need for representation and defense" which "the boss is not in a good position to meet" (Homan 1954: 57). The union is "a continuous association of wage earners for the purpose of monitoring or improving the conditions of their working lives" (Webb 1897: 823-1). Unionism performs a permanent function in a "democratic state" (Webb 1897: 823). It is the necessary "countermovement" to the "rise of great industries" (Adams 1958: 168).

The union is not directly descended from the guild but emerged at the point (quoting Ingram) of "the definite separation between the functions of the capitalist and the workman or, in other words, between the direction of industrial operations and their execution in detail" (Ingram [1896] 1965: 25-26). "The separation of classes" in the United States "first appears in the shoemakers" (Commons 1923: 226), which demonstrated how the extension of markets gives rise to successive "competitive menaces" and "protective organizations" to combat these menaces (Commons 1923: 220).

The union in its essence is a "protective" association. It is "a combination to get a larger return" which "in the nature of the case" puts "obstacles in the way of free action of employers." History has demonstrated that the union has no future solely as a "society for technical education or an association for sharing profits, or a cooperative association" (Commons 1923: 122ff.).

10. *"All unions sooner or later stress shop rights"* (Perlman [1928] 1949: 275).

After much historical experimentation “business unionism” (Hoxie [1917] 1923: 31ff.) as “job control” and “scarcity consciousness” (Perlman [1928] 1949: 239) works out to be best suited to survival in the “hostile American environment” (Perlman 1945: 35). Business unionism has proved its superiority to “revolutionary unionism” (Hoxie [1917] 1923: 239). Perlman’s “job control” is Hoxie’s “business unionism” with “predatory” and “uplift” unionism as other functional types, and “revolutionary unionism” as the polar opposite of “business” or “job conscious” unionism.

Manualists prefer business unionism’s “shop rights which don’t get lost en route” like the “broader liberty promised by socialism.” Workers, therefore, come to capitalism not to overthrow it but as “bargainers desiring to strike the best wage bargain possible” (Perlman 1922: 266-67).

Perlman, late in his life, distilled the vital essences of Gompers as “pure and simple” unionism: class organization, capitalism nonpartisan politics, job control, occupational unions — basically craft or industrial — and collective bargaining (Perlman 1957: 224).

The tendency toward centralization of power in the union and in the bargaining unit has been noted from the Webbs on, but variously interpreted as *the* (or *a*) necessary effect of bargaining in expanding product and labor markets (Commons 1923; Ulman 1955; Barnett [1913] 1921), as part of the inevitable maturing process and of the inexorable tendency toward oligarchy (Michels 1968; Herberg 1943; Lipset et al. 1956; Lester 1958).

11. *“Collective bargaining means that wage earners as a group acting through their chosen representatives bargain with one or more employers as to the wages, hours and conditions under which they are to be employed”* (Commons and Andrews [1916] 1936: 372).

The Webbs classified trade union methods into collective bargaining, mutual insurance, legal enactment and arbitration. They identified as trade union “expedients” the common rule, the restriction of numbers and the standard rate (Webbs 1896: 145-323).

The Webbs coined the term collective bargaining: the employer “meets with a collective will and settles in a single agreement, the principles upon which for the time being, all workmen of a particular group or class or grade will be engaged” (Webbs 1896: 173). Although trade unionism is not the necessary condition of collective bargaining, without it “it would be almost impossible to get a common rule” (Webbs 1896: 179).

The bargaining transaction is differentiated from the managerial and rationing transactions. Bargaining puts the worker on a plane of legal

equality with his employer because it is based on the "employee's ability to withhold his labor" (Commons 1934: 59ff.). Collective bargaining "gives workers a feeling that blind economic forces are being properly tempered by human forces" (Harbison 1954: 277). American business unionism turned to collective bargaining over the other trade union methods because collective bargaining most effectively capitalized on "the dynamic character of the American economy" and the "relative scarcity of labor" (Ulman 1955: 312).

11a. "Collective bargaining is (1) a means of contracting for the sale of labor, (2) a form of industrial government and (3) ... a system of industrial relations" (Chamberlain and Kuhn 1965: 11).

The marketing concept looks upon collective bargaining "as a means of contracting for the sale of labor..., the governmental concept views collective bargaining as a constitutional system in industry, ... the industrial relations concept view collective bargaining as a system of industrial governance" (Chamberlain and Kuhn 1965: 137).

Bargaining's breadth evolved from a price to a wage to a mode of joint governance in the workplace. The labor contract started out as a simple price-agreement remunerating the laborer for his product. When the laborer no longer sells a product but sells himself, that is, his labor power, price evolves into a wage. (Ware 1958: 108).

Out of the wage bargain a constitution for "industrial government" is being constructed (Commons [1924] 1959: 312). A system of "industrial jurisprudence" emerges, providing "protection against the arbitrary and uncontrolled discretion of management" (Slichter 1941: 2). Collective bargaining narrows managerial discretion by establishing rules for a broad range of personnel actions, production standards and rates and by requiring that management be "reasonable or fair" and "act only with just cause" (Slichter, Healy and Livernash 1960: 947-48).

11b. "The typical worker covered by a collective agreement in the United States has a kind of life tenure in his job so long as it continues to exist" (Meyers 1964: 6).

Wages become compensation and compensation becomes so complex as to take on the aspects of a structure with rules to accommodate to the various contingencies which arise during tenure, including:

1. Wage level and job classification structure and method of wage payment;
2. Fringe benefits: holidays, vacations with pay, health and welfare, pensions, et cetera;
3. Internal labor market movements: hiring, transfers, promotions, temporary layoffs, leaves, permanent layoffs, retirement;
4. Hours and shifts, overtime and premiums;
5. Manning rules;
6. Safety and health;
7. Discharge and discipline;

8. Dispute resolution procedures; 9. Status of worker and management (and government) organizations and representatives; 10. Special rules shaped by the particular technology or markets (Dunlop 1988: 47).

11c. "The heart of the collective agreement — indeed of collective bargaining — is the process for continuous joint consideration and adjustment of plant problems" (Shulman and Chamberlain 1949: 3).

"The formal wage bargain is never precise in stipulating how much effort is expected for a given wage (and vice versa). The details ... are left to be worked out through the direct interaction between the partners to the contract" (Baldamus 1961: 35).

A species of collective bargaining operates, therefore, at several levels in the employing unit through a "hierarchy of joint conferences," "reason, contract and law in labor relations" (Shulman 1954: 1002), starting with "(a) periodic negotiations for a new collective agreement, ... (b) the day-to-day administration of the provisions of the existing agreement including grievances ... and arbitration, (c) ... informal joint consultations and conferences" (Dunlop 1978: 83).

11d. "... Labor negotiations usually contain a mixture of conflict and collaborative items: the need to defend one's self-interest and at the same time engage in joint problem-solving" (Walton and McKersie 1965: 3).

This typology goes to the blend of cooperation and conflict. "Conflict of values is virtually inherent in the very functional roles which are played by the two parties... [F]or management, change is the law of life, whereas unions ... very frequently are cast as the forestallers of change" in the interests of their members' security (Chamberlain 1963: 187).

But bargaining is not conflict. Competitors do not need one another — they seek to oust one another. Bargainers offer complementary not competitive services. Each stands to gain from the transaction because each wants what the other offers (McIver 1969: 15). The employees need the jobs, the employer needs the product. "Both ... are dependent on the same enterprise and, as a practical matter neither can pull out without destroying it" (Shulman and Chamberlain 1949: 4). Bargaining may start out adversarially but agreement is the intended result.

"Bargaining viewed as negotiation distinguishes four "sub-processes... Distributive bargaining receive[s] pure conflicts of interest, ... integrative bargaining functions to find common or complementary interests and solve[s] problems confronting both parties ... Attitudinal structuring functions ... to influence the attitudes of the participants toward each other and to affect the basic bonds which relate the two parties they represent... Intra-organizational bargaining has the function of achieving consensus within each of the interacting groups" (Walton and McKersie 1965, 4).

The cooperation-conflict continuum has also been typed as (1) "conjunctive bargaining. ...The parties agree to terms as a result of mutual coercion and arrive at a truce only because they are indispensable to each other..." and (2) "cooperative bargaining. ...Each party is dependent on the other and ... can achieve its objective more effectively if it wins the support of the other" (Chamberlain and Kuhn 1965: 428-29).

Judging by its incidence, the parties appear to prefer, as variously put, "conjunctive bargaining" or "distributive bargaining" (Walton and McKersie 1965: 4), "antagonistic cooperation" or "mutual survival" (Bakke 1946: 81) or "armed truce" (Harbison and Coleman 1951: 20). The parties chose "the minimum required cooperation" (Chamberlain and Kuhn 1965: 428) because the union resists cooptation into the management system and management resists the weakening of its prerogatives. Adversarialism has become manageable because the parties have found ways of taming its harsher aspects (see Barbash 1981). Even in its adversarial mode the union's "shock effect" (Rees 1979: 77-78) has likely "created a superior and better balanced management" (Slichter et al 1960: 952).

"Protect[ing] members against ... the employer" is unionism's "primary task" and intrinsic to unionism. Cooperation can't stray too far without impairing this essential union function. "The trade union is ... industry's opposition — an opposition which can never become a government" (Clegg 1972: 76).

Conflict and cooperation coexist in the same relationship. Even though parties are mostly "inclined toward a conflict model" in the negotiation of the agreement, this need not preclude 'teamwork' on the shop floor" (Daniel 1973: 50-51).

Trust, as the highest stage of industrial relations, is mostly an ideal-type. Collective bargaining is by its nature a "low-trust" relationship; the participants in a "high-trust relationship are ready to repose their fortunes in each other's hands, give each other the benefit of any doubt that may arise with respect to goodwill or motivation" (Fox 1974: 362).

If American collective bargaining and industrial relations in general have opted mostly for conjunctive bargaining, it has not been for the lack of experimentation (Slichter et al 1960: 19, 28). In earlier times innovative arbitrators were given sufficient scope to infuse relationships with a spirit of trust, responsibility and "statesmanship." The "impartial chairman" was "conciliator, friend, counselor and only as a last resort, arbitrator" (Fleming 1968: 7; see also Eisner 1967 and Shils 1979). This role differs from the more formal, legalistic and judicial remoteness of the later umpire, referee types of arbitrator (Fleming 1968).

Racketeering, or Hoxie's "predatory unionism" (Hoxie [1917] 1923: 49) is outside of the main adversarial-collaborative continuum because it relies on systematic violence, not on bargaining. The racketeers, typically criminals more than trade unionists turned criminals, "gain a foothold under the pretense of effecting a stabilization of competition" (Perlman and Taft 1935: 602; also Witte 1957: 179ff.).

12. *"It is by mobilizing their power — economic, political and moral — that workers and their leaders compel management in the first instance to deal with them and then to grant, in whole or in part, the demands which they make on the corporation. It is by countering with power — economic, political and moral — that corporate management determines how much and to what extent it will deal with employees through organized unions ..."* (Selekman et al. 1958: 3).

Power is a "strategic factor" in the employment relationship (Selekman et al. 1958: 3ff.). "When a laborer agrees to work he must deliver himself for a time into the control of another" (Commons and Andrews [1916] 1936: 502). The organization of employment in the modern firm "is of a piece of a command system which is necessarily hierarchical" (Hicks 1969: 128).

The "pure power dimension" in the negotiation of the agreement is exemplified in the "willingness of the union membership to strike [and] the size, financial resources, and cohesiveness of the employees" (Levinson 1966: 18).

Enforcing management accountability via the grievance procedure also involves a test of power. "Grievance bargaining and its disruptive tactics are not an occasional anomalous event in the shop; they are normal practice" (Kuhn 1961: 57). The terms of the initial agreement become meaningless if they are not continually tested out in specific cases.

Because price and power are interrelated the union "has become an exercise in power accumulation" (Hardman 1928: 104) in behalf of its constituents. Beyond that the labor movement makes a bid for "social power, the achievement of a conspicuous position in the life of the nation" (Hardman 1928: 108).

The necessity to negotiate over matters which management earlier had settled unilaterally results in an erosion of management power which management is bound to resist: "Scarcely a function of management ... has been impervious to union penetration" (Chamberlain 1948: 4).

The question of power arises most forcefully in the formalized, institutionalized union-management relationship. It is the union's active and

continuous presence that makes management highly conscious of the institutional challenge which the union represents to management "prerogatives."

Management also creates its own power challenges. "Participative management," "quality circles," etc., human relations-human resources management all have at their core some "equalization of power" (Strauss 1963: 41-84).

"Differences between unions (or workers) and management may often be overshadowed by the differing interest within either the union or management organization" (Kuhn 1961: x). Craft v. industrial, men v. women, young v. old, ethnic and communal differences, rank-and-file v. leadership, local v. national, racketeers v. reformers are some of the differences that introduce calculations of power for its own sake in "intra-organizational bargaining" (see Walton and McKersie 1965; see also Barbash 1967).

Power differences within management ranks are not unusual. The foreman's status has been "undermined by a proliferation of management specialists, by the growth of hierarchy and by new channels of communication between higher management and his work-group subordinates which often by-pass him altogether" (Fox 1981: 85).

Union or no, "high up on the list of factors making for individual satisfaction in work is the desire among all groups for autonomy, responsibility and decisionmaking power on the job" (Blumberg 1969: 119). "The main thing is to be independent and give your own orders and not have to take them from anybody else" (Blauner 1964: 19). It is "not so much that the employer owns the means of production but that he possesses a high degree of bargaining advantage over them" (Perlman 1922: 267). But the power sought by workers is to "face his boss man to man ... not to elect the managers of industry" (Perlman [1928] 1949: 290).

13. *The strike is "a scheme of withholding your property until you can agree on the terms of exchange" (Commons 1921: 1).*

The strike, or more precisely, its credible threat, is deemed the primary and the most institutionalized instrument of power in the union-management relationship. It "serves the function of bringing the parties to terms" (Taylor 1948: 20). Withholding labor inflicts costs on the employer and also, reciprocally, on employees and union and warns the respective sides away from extreme positions. Absent the withholding threat the employer has no reason to share authority with the union over matters which he previously disposed of unilaterally.

The strike also serves employer interests. The strike “represent[s] a defensible and constructive use of power” and need not be avoided at any cost “since strikes which, in and of themselves, appear irrational subsequently create changed attitudes and improved relations” (Livernash 1963: 18). The possibility that the strike may have been “withering away” in modern times (Ross and Hartman 1960: 42 ff) elicited the observation from George Shultz that “we don’t have enough strikes” (1970).

In an earlier time the strike was seen as the denial of bargaining, as warfare. By now the strike is seen as performing a bargaining function. “The risks and costs that come with the stoppage of work are vital parts of a collective bargaining system” (Taylor 1948: 20). For the revolutionary left the strike was seen as a prelude to total workingclass power. But it is now generally understood that the strike is “a means, not an end,” the end being “a settlement, that is, peace” (Hardman 1928: 107).

From an industrial relations standpoint, John Hicks was probably mistaken in attributing “the majority of actual strikes” to “faulty negotiations” (1948: 146-47). Negotiations under the increasing pressure of the strike deadline reveal costs not evident in the early encounters. The attrition worked by time forces continuing reassessments of costs as the negotiations wear on and likely bring the parties closer to eventual settlement.

13a. If unions are able to withhold labor [in the public sector] — to strike — as well as to employ the usual methods of political pressures they may possess a disproportionate share of effective power in the process of decision” (Wellington and Winter 1974: 395).

Mainstream industrial relations sentiment questions whether public sector strikes partake of the functionality of private sector strikes. The public strike, it is argued, shifts effective power away from representative government to collective bargaining (Wellington and Winter 1969: 1126). “A new force” is created “strong enough to subordinate constitutional government transferring decisive public power beyond the reach of our normal political pressure” (Spero and Capozzola 1973: 325). Public sector bargaining enforced by the strike displaces, in George Taylor’s words, “the elected officials [who] are responsible for determining the amount of taxes we pay and how the total revenue is to be allocated among claimants so as to maintain a viable society” (1969: 63).

It is not really the bilateral parties who bear the heaviest cost in the public sector strike. “The public sector ... strike succeeds, if at all, by inconveniencing the public enough to bring grass roots pressure to bear on public officials” (Bok and Dunlop 1970: 335). By contrast, “most strikes in the private sector exert cost pressure by hurting the employer’s pocketbook” (Bok and Dunlop 1970: 335).

- 13b. *"The U.S. has experienced more frequent and bloody labor violence than any other industrial nation [but] ... sharply reduced in the last quarter of a century (Taft and Ross 1969: 380).*

The violence which has pervaded strikes historically suggests that something much more than price is at stake in the way the parties perceive their interests. The historic violence in labor disputes can be explained by the use of "scabs" (Hoxie [1917] 1923: 16), the operation of the plant during a strike (see U.S. Commission on Industrial Relations 1915: 142; see also Barbash 1956, Ch. X), and the use of injunctions (Witte 1932: 298).

14. *"The labor question or — more accurately — the many labor problems of our time require legislation" (Ely 1908: 11).*

Government, in this view, is not "the badge of original sin" (Beard 1957: 82). For industrial relations, law is ultimately the source of equity in the employment relationship. But government has to be constrained by federalism, due process, consensus and the professional administration of the laws. In any case, government ought ideally to be one among a variety of pluralistic instruments of equity.

The locus of power in the making of public policy has historically oscillated between the legislature and the courts. American courts "block[ed] the way of a new aggressive class with precedents created to protect a dominant class... By vetoing the laws which labor, in its political struggles, has been able to secure, the courts, joined to divergent state policies, have excluded or delayed labour from legislative influence" (Commons 1926: 9).

"Many of the [courts] force upon legislation an academic theory of equality in the face of practical conditions of inequality" (Pound 1921: 580). By contrast, "legislation," Commons and Andrews said, "goes beyond the legal face of things and looks at the bargaining power which precedes the contract" ([1916] 1936: 502-503).

Industrial relations defines public policy as much in terms of process as of content — "the discovery through investigation and negotiation of what is the best practicable thing to do under the actual circumstances of conflicting economic interests" (Commons [1924] 1959: 107). A generation or so later the public interest is still defined not as a "clean and firm and permanent ideal but as something we can get a working agreement on for the time being" (Bakke 1963: 513).

The "laboristic state" marks "the gradual shift from a capitalistic community ... to a community in which employees rather than businessmen are the strongest single influence" (Slichter 1961: 255).

The union has “obligations to its members, to employers and to the public consonant with [its] power” (Seidman 1943: 202).

The question of “social control of industrial relations” moves to the forefront of public policy (Slichter 1949: 242). “As an instrumentality of state power” the union should be “subject to ... constitutional limitations” (Aaron 1968: 282), including “the state’s obligation to provide minimum protection for the rights of individuals” (Kerr 1964: xv). Concern with union excesses spurs research into emergency disputes (Bernstein et al. 1955), union democracy (Kerr 1964; Cox 1960), union discrimination against blacks (Northrup 1944) and union-driven inflation (Morton 1950: 13-19).

15. “[Management] sees in human relations techniques a means for improving its organization, for reducing friction at the workplace, for increasing quantity and quality of output, for reducing costs” (Worthy 1957: 15).

Although there were management spokesmen who associated themselves very early with the movement for equity, the main movement came “in response to certain pressures on the management organizations ... in large measure ... generated by unions” (Whyte 1969: 379; see also Whyte 1987 and Jacoby 1985: 8).

The seminal figure in the diffusion of ideas about equity on the management side was Elton Mayo and the movement for human relations in industry which he set off. Human relations occupies much common ground with industrial relations although human relations is ambivalent on whether unions and collective bargaining serve necessary functions. In any case, the human relations movement bolstered the movement for equity from the management side even if it took the pressure of unions and the state to get it fully under way.

Human relations is a critique of the hyperefficient rationality of Taylorism and classical economics. Mayo and his followers appropriated “nonlogical” behavior from Pareto and “anomie” from Durkheim — the destruction of “all established social contacts” (Durkheim 1945: 8) — to construct a broader base for employee motivation.

Mayo rejected the view of “workmen ... as a mere item in the cost of production rather than as a citizen fulfilling a social function... No increases in wages or improvement of working conditions can atone for the loss of real autonomy and of all sense of social function” (Mayo [1919] 1970: 131). A new science of “social skill” is needed which begins with “the art of provoking and receiving communication from others” to replace “haphazard guess and opportunist fumbling” (Mayo 1945: 13).

Mayo inspired the Hawthorne investigation at Western Electric. Industrial organization is a "social system ... which must be considered as a whole because each part bears a relation of interdependence to every other part" (Roethlisberger and Dickson 1947: 558-59). Hawthorne also introduced the influential idea of formal and informal organization in the workplace.

Mayo and the Hawthorne investigation transformed the ideology, if not altogether the practice, of American work management. To be sure, managers still manage by classifying, tabulating and reducing work to quantifiable standards of performance and cost. Nonetheless, the human relations movement brought a more sensitive awareness of the employee's human condition.

The human relations movement spawned a varied progeny — self-actualization, socio-technical systems, work humanization, quality of worklife, organizational behavior and development, human resources management, to name only a few. Whatever their differences and whatever else they did, they were all meant to serve management efficiency (albeit a "higher" efficiency) at the bottom line. All were based on the not unreasonable proposition that employees work harder and better when they feel they have had a say in their work.

The notion behind the informal organization is that even unorganized employees are likely to organize "nonlogical" defenses to ward off the full force of the efficiency drive (Mathewson [1931] 1969). Human relations' lasting legacy to the industrial relations tradition is the idea of a protective work society which resists the single-minded drive for efficiency and bureaucracy and, in effect, bargains — or better, "cryptobargains" — with the work society. The informal work society is the organizer of the union.

Nor can F. W. Taylor's perverse contribution to equity be ignored. Taylor has served "more as a foil for criticism than as a source of knowledge" but this "obscures the pioneering role" Taylor played (Whyte 1969: 5). He was the first to formulate a "science" of labor efficiency as an "equitable code of laws." (My emphasis.) Taylor's labor science was equitable because it was objective, "reducing ... to laws, rules, and even to mathematical formulae ... the old rule-of-thumb knowledge of the workmen" (Taylor [1911] 1947: 189, 40-41). Although many had made the point that efficiency was a function of equity, Taylor spoke up for the reciprocal precept that equity was a function of efficiency.

COMMENTARY

Industrial relations and its intellectual antecedents in institutional labor economics came to the labor problem in order to do something about it. Economics, from which industrial relations is descended, came to the labor problem as an exercise in science-building.

In the final analysis differences in method are typically metaphors for differences in underlying ideology. Institutional labor economics and industrial relations sought to advance equity in the employment relationship. Economics has been used mostly to resist it.

Industrial relations represents something of a recoil from socialist theory. Industrial relations resisted socialism's condition that solutions to the labor problem would have to wait on capitalism's breakdown. Commons conceded his conservatism: "It is not revolution and strikes that we want but collective bargaining on something like an organized equilibrium of equality" (Commons 1964: 73).

Industrial relations has not rejected economics altogether. It has hewed to the principle that the market functions as the ultimate constraint on equity.

Industrial relations traveled part of the way with socialism too. Like socialism, industrial relations built its foundations on the human essence of labor and labor's entitlement thereby to a measure of equity in the employment relationship. Industrial relations went its separate way because neither economics as theory and science nor "scientific socialism" had much to say about problem-solving for equity here-and-now, although socialism's critique of industrial capitalism's inequities fueled industrial relations programs.

"In a general and abstract sense there is such a thing as *the* labor problem," the first labor text began. Actually, "there is no one labor problem... The [labor] problem divides up into a number of evils and abuses like sweating and child labor" and includes, in addition, immigration, poverty, earnings and unemployment "for each of which ... a number of practical remedies are in use and under active consideration" (Adams and Summer [1905] 1919: 3).

Industrial relations' problem-solving used theory as "only a tool for investigating practice, like a spade for digging up facts and converting them into an understandable system" (Commons 1934: 723). A quarter-century or so later Dunlop, in the same vein, acted to "make one world of direct experience in industrial relations ... and the realm of ideas" (1958: viii). At

about the same time, Witte contrasts industrial relations' "practical problems approach" with economics' "quest for universality and the overpowering desire to be scientific" (1957: 11, 12). If not science, industrial relations brought to its problem-solving what J. Douglas Brown called "the values arising in the minds, intentions and emotions of individuals as these values become embodied in the group organization and action" (1952: 6).

Industrial relations' values rest on the duality between labor as a factor of production and labor's human condition. The given in industrial relations logic is that "somebody must pay for the conservation of the nation's human resources. If left to supply and demand the most valuable resources are not conserved" (Commons 1919: 126).

Duality becomes the moral premise which justifies (a) why the labor factor is entitled to equity, (b) why the market, left to its own devices, falls short of equity, (c) how trade unions and collective bargaining, public policy and management "human relations" can variously compensate for the market's equity deficiencies, (d) why equity is indispensable to the stability of an industrial order and (e) why industrial relations came into being as the field of study and practice primarily concerned with equity in the employment relationship.

Economics recognized labor's uniqueness as a commodity but treated it as a deviant case. Industrial relations treated labor as its general case and erected a scheme of ideas on that foundation.

Problem-solving in industrial relations encourages the unity of theory and practice, favors action-based research and attracts people who find such attributes congenial. Research oriented to problem-solving leads naturally to practical work in public policy, collective bargaining, arbitration, mediation, personnel administration, training and education. A cursory inspection of the American sources herein reveals how almost every author brought a body of significant experience collateral to his academic career.

Industrial relations is more likely to produce concepts than theory. Commons, for example, "was a concept-builder who believed ... that concepts as abstractions had to abstract from ... the real-life activity of a society [and] ... founded in observation and experience, not in introspection and *a priori* surmise" (Chamberlain 1964: 90). "Do not only read and think but observe, Commons used to tell his students" (Witte 1957: 16).

Industrial relations' analytical constructs are cast as institutions, rules, structures and processes, better suited than "pure theory" to portray the complexity and dynamism of the employment relationship in the real world.

Following from its basic premises of labor as a “peculiar” commodity, industrial relations’ constructs come with a human face. “Industrial relations does not have to do with inanimate materials and prices but with great numbers of self-determining individuals reacting on each other” (Brown 1952: 7). As against economics’ treatment of human beings like “atoms, molecules, steam engines ... and the like” (Commons 1950: 154), of Marx’s working class as “an abstract ‘mass’ in the grip of an abstract ‘force’” (Perlman [1928] 1949: 280), industrial relations’ actors are endowed with “human will” (Commons 1950: 155) able to shape institutions and processes to their own ends.

Industrial relations constructs are moved by human beings in recognizable social interactions including exchange, to be sure, but also power, cooperation, conflict, bargaining, participation and self-actualization; in diverse human organizations — work groups, unions, “industrial governments” — conceptualized into multidimensional wage structures, work rules and going concerns. The center of industrial relations’ world is not only the market but also the complexities of the employment relationship.

Problem-solving necessarily introduces a powerful strain of pragmatism into industrial relations. *What* to do — content — becomes intertwined with *how* to do it — strategy. Commons “explores the mechanism by which a going society resolves successive problems as they arise rather than one that offers set solutions for economic problems themselves” (Selekman 1951: 113). Incrementalism and “opportunism” displace the “pure” and “perfect” solutions of the “left” and “right” utopians (Tannenbaum 1951: 79).

Industrial relations elevates the state to a major player. But it is state power cast in pluralistic American forms as one among several instrumentalities for equity, contained by federalism, consensus, due process, accountability and professionalized administration.

The question properly arises whether this problem-solving field has solved any problems. To begin with, the whole fabric of social and labor legislation in the United States is undoubtedly bound up with the activism of institutional labor economists and industrial relations investigators. “Pure power” relationships between unions and management shaped American collective bargaining but industrial relations as a field has had much to do with the public policy which legitimized and set the power relations, to begin with.

Industrial relations as a field of study infused the labor problem and the movement for equity with precepts, rationale, coherence, theories, intellectual legitimacy and a continuing discourse. The products of

industrial relations programs of American universities populated the civil and industrial governments and imbued them with a sense of calling and professionalism.

Industrial relations has come to be an accepted field of study with learned societies, academies, scholarly journals and graduate training. Most important, industrial relations has helped create an intellectual climate favorable to the diffusion, acceptance and practice, and even a critique of employment equity in the society at large.

Over time industrial relations as a field has had much to do with civilizing the employment relationship from harsh and brutal beginnings. Industrial relations civilized raw power not only through policy prescriptions but by devising mediating institutions and techniques to moderate violence, confrontation, trial-by-ordeal and the "competitive struggle... Human nature is not suited to a world in which there is nothing between separate individuals and households, and the overwhelming impersonal state, with every man's hand turned against every other in a universal competitive struggle" (Clark 1951: 362). Industrial relations has created institutions to mediate the ruthlessness of the "competitive struggle" like collective bargaining, arbitration and mediation, "industrial jurisprudence," labor statistics, wage and job structures. Even the strike, which had been perceived as "class warfare," has now come to be understood in its institutionalized form as a rationalization of otherwise violent confrontation.

The seminal figure in industrial relations as a field is John R. Commons because he was the first to formulate the essential questions, to set the stage for their resolution and, by his works, move equity toward reality. But Commons was a product of his own time with all the limitations that that imposes on universalizing his precepts beyond their time. His was "the cry for justice" that represented a first stage in institutionalizing a reign of equity in the employment relationship. In the almost half-century since his death, it is a sign of the passing of time that now it is the overextension of equity that is generally perceived as the problem.

Industrial relations' preferred method to bring about equity has been bargaining. Bargaining is not only more efficacious; bargaining proceeds from a proximate position of equality between the bargainers. Industrial relations' method of bargaining contrasts with the method of managed equity via human relations and its variations. All of these expedients involve "power equalization," to be sure, as in participation, but invariably from the top down.

If, as some say, industrial relations is going out of style, it is because markets and politics have realigned power relationships to favor management. Management does not renounce equity, because it is indispensable to

the management of human resources. But management is retrenching on equity as too costly; and the same market forces which impel management to retrench on equity also allow it to enlarge the area of unilateral determination.

Industrial relations *is* equity, I have been saying. The opposite of equity — of securing employee consent — is the method of unemployment. Industrial relations came into being in part because unemployment alone was becoming obsolete in the era of near-full employment. What we are observing in the new industrial relations is, paradoxically, the decline of industrial relations as incentive and a greater reliance on the coercive effects of Marx's "industrial reserve army."

Equity is still the name of the game because it is not possible to manage the labor input under modern conditions without it. With the marginalization of collective bargaining and unionism pressures for equity are emanating from legislation and litigation. Feminization of the work force forces to public attention such new issues of employment equity as family policy, including daycare, marital leave and "pay equity." Drugs in the workplace brings to the fore the question of privacy; and the unprecedented scale of mass white-collar layoffs in the wake of restructuring raises the question of unjust discharge. Labor relations law, at this point, seems to be giving way to *employee* relations law. Mostly equity's venue is changing in the new industrial relations, not really its substance — all of which suggests profound institutional realignments in the offing.

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Les concepts en relations industrielles aux États-Unis

Les concepts principaux des relations professionnelles revêtent la forme d'une suite ou d'un enchaînement de propositions qui constituent en quelque sorte un syllabus, c'est-à-dire un instrument d'interprétation. Chacune d'entre elles exprime la pensée d'un spécialiste en la matière. Voici ces propositions:

1. «C'est une des caractéristiques fondamentales d'une économie capitaliste individualiste d'être conforme à la raison, en s'appuyant sur une appréciation rigoureuse, menée avec prudence et avec clairvoyance en vue d'en arriver au succès qu'on recherche» (Weber [1904-5] 1958:76).

2. Le recours à la rationalisation ou à des méthodes efficaces propres à «cette marchandise singulière — la force de travail» (Marx [1857] 1912:189) engendre un «contrat de travail» qui est aussi «quelque chose de singulier» (Commons et Andrews [1916] 1936:502); «ses particularités exigent un traitement spécial tant en théorie qu'en pratique» (Boulding 1962:209).
3. «Le problème du travail [...] existe parce que l'homme est non seulement la fin de la production, mais qu'il est aussi un moyen de production. À cause de ce double état, il y a conflit entre son activité comme producteur et ses intérêts comme homme, donc un conflit entre la vie et le travail» (Slichter 1928:287).
4. «Il n'est que juste que ceux qui nourrissent, habillent et hébergent le corps humain tout entier aient une part suffisante du produit de leur travail de façon qu'il soient eux-mêmes passablement bien nourris, bien vêtus et bien logés» (Smith [1776] 1901:139).
5. «Tant les simples exigences de relations démocratiques — surtout le consentement de ceux sur qui l'autorité s'exerce — que la nécessité de faire quelque chose requièrent cet accommodement» (Chamberlain 1963:190).
6. L'équité est assurée par les institutions: «l'action collective pour contenir, libérer et développer l'action individuelle» (Commons 1950:1).
7. «Le travailleur pris individuellement est très désavantagé quand il négocie avec un employeur [...]. Ce n'est que lorsque le travail négocie collectivement que son pouvoir de négociation se rapproche de celui du capital» (Commons [1916] 1936:117).
8. «Le travailleur négocie pendant qu'il travaille» (Commons 1919:22).
9. «Si les syndicats n'existaient pas, il faudrait les inventer» (Homan 1954:57).
10. «Tôt ou tard, tous les syndicats exercent des pressions sur les règles de l'atelier» (Perlman 1928:275).
11. «La négociation collective implique que les salariés, en tant que groupe agissant par leurs représentants dûment choisis, négocient avec un ou plusieurs employeurs leurs salaires, la durée de leur travail et leurs conditions d'emploi» (Commons [1916] 1936:372).
- 11a. «La négociation collective est 1) une façon de régler la vente du travail; 2) une forme de gouvernement professionnel et 3) [...] un régime de relations du travail» (Chamberlain et Kuhn 1965:11).
- 11b. «Le travailleur typique régit par une convention collective aux États-Unis détient une espèce de jouissance viagère de son poste aussi longtemps que celui-ci existe» (Meyers 1964:6).
- 11c. «L'essence de la convention collective — en fait de la négociation collective — est le processus de prise en charge et de régulation conjointe et continue des différends qui surviennent dans l'usine» (Shulman et Chamberlain 1949:3).
- 11d. «Les négociations collectives consistent généralement dans un alliage de conflit et de coopération: la nécessité de défendre ses propres intérêts et, en même temps, de s'engager conjointement dans la recherche de la solution des différends» (Walton et McKersie 1965:3).

12. «C'est en mobilisant leur pouvoir — économique, politique et moral — que les travailleurs et leurs dirigeants obligent les employeurs, dans un premier temps, à traiter avec eux et, ensuite, à accorder, en tout ou en partie, les revendications qu'ils réclament de l'entreprise. C'est en ripostant par leur pouvoir — économique, politique et moral — que les dirigeants des entreprises établissent combien et jusqu'où ils négocieront avec les employés par l'entremise des syndicats» (Selekman *et al.* 1958:3).
13. La grève est «une manoeuvre destinée à retenir votre bien jusqu'à ce que vous puissiez vous entendre sur les termes de l'échange» (Commons 1921:1).
- 13a. «Si les syndicats sont en mesure de cesser le travail [dans le secteur public] — de faire la grève — tout en recourant aux moyens ordinaires de pression politique, ils peuvent détenir une part disproportionnée du pouvoir véritable dans le processus de décision» (Wellington et Winter 1974:395).
- 13b. «Les États-Unis ont connu des incidents violents plus fréquents et plus sanglants dans le domaine du travail que tout autre pays industrialisé [mais...] ceux-ci ont diminué nettement au cours du dernier quart de siècle» (Taft et Ross 1969:380).
14. «La question ouvrière ou — plus exactement — les multiples problèmes dans le domaine du travail à notre époque, exige qu'on ait recours à la législation» (Ely 1908:11).
15. «[La direction] voit dans les techniques de relations humaines un moyen pour améliorer leur organisation, diminuer les frictions sur les lieux de travail, accroître la quantité et la qualité de leurs produits et diminuer les coûts» (Worthy 1957:15).

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