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## Trade unions and labour law in France during the Second World War

By Jean-Pierre Le Crom

Enthusiasm for corporatist ideas reached its peak in France under the Vichy regime, between 1940 and 1944. A law of 1940 created the Peasant Corporation, then, in 1941, the status of the civil service was altered, and, lastly, the reorganisation of trade and industry was to be achieved by the Labour Charter. The first two laws have been extensively researched, early on by Isabel Boussard<sup>1</sup> for the Peasant Corporation, and later, as part of a larger piece of work, by Marc-Olivier Baruch,<sup>2</sup> for the civil service. Here I shall discuss only the third landmark, the Labour Charter, a very long and very ambitious document emblematic of the French State headed by Maréchal Philippe Pétain.<sup>3</sup>

There are two main reasons for taking a closer look at this text. First, it is a good gauge of the range and influence of corporatist ideas in Vichy France, which had made corporatism into a mainstay of the National Revolution. Second, it is a privileged vantage point from which to observe trade unionism in France under German Occupation. As the philosopher Jacques Rancière noted over 40 years ago: "Vichy's entire labour history can be summed up as waiting for the Charter, then waiting for its application. Trade unionists talked of nothing else - of what it would be, of what they hoped it wouldn't be, of why it was delayed, of how it would be applied, of what was missing from it, and of how reality would knock it into shape."<sup>4</sup>

This text was indeed immensely ambitious. Its Preamble mentions "determining harmonious and just relations" between employers, workers, technicians and craftsmen, and "making a clean break with the old system of class struggle." These goals were attuned to a two-fold European-wide movement at the time: the rise of fascism and authoritarianism, and the burgeoning of corporatist ideas. In Germany and Italy, but also in Franco's Spain, Salazar's Portugal and Dolfuss's Austria, Labour Charters were passed which broke completely with all the systems of labour relations in force until then. In these countries, the right to strike, as well as cross-sector trade union relations were abolished or made illegal; mechanisms for compulsory arbitration of industrial disputes became widespread, as did exclusive and compulsory trade union membership. We shall attempt to show here that the French Labour Charter, while very similar to other Charters of the same kind, stands apart as regards its origin, its contents and its effects.

Jacques Julliard analysed this law, without access to the archives, in the first major symposium on the history of Vichy France, in 1970, organised by the *Fondation nationale*

*des sciences politiques*.<sup>5</sup> Twenty years later, the classification and opening of the archives of the Ministry of Labour's Department for the Organisation of Work and Welfare, which had been created specifically to implement the Labour Charter, enabled me to carry out the research required for my Doctorate in Law, entitled *L'organisation des relations professionnelles en France (1940-1944). Corporatisme et Charte du travail* ["The organisation of labour relations in France (1940-1944). Corporatism and the Labour Charter"].<sup>6</sup> Two collective volumes on similar themes were published around the same time, *Syndicalismes sous Vichy*,<sup>7</sup> and *Ouvriers pendant la Seconde Guerre mondiale*.<sup>8</sup> Since then, trade unionism during the Second World War has attracted quite a lot of research, often with a sectoral focus, and since it cannot all be cited here, I shall mention only the collective volume published in 2008, *Le syndicalisme dans la France occupée*.<sup>9</sup>

What I shall be attempting to do here is summarise what my thesis (of 1992) contributed to the debate, while also bringing in later works. I shall first discuss the wide range of opinions which fed into the Charter, and the fact that the text was conceived as a compromise solution. I shall then examine why it failed in its primary objective of establishing a trade union-based corporatism, but also why it succeeded in one of its subsidiary goals, developing welfare provision within individual enterprises. I shall conclude with a brief overview of the major differences between French corporatism at the time, and the situation in other authoritarian or totalitarian regimes, namely Italy and Germany.

### **The Charter: a compromise solution**

In France, trade unions, which had first been banned and then tolerated at the end of the Second Empire, gained legal recognition by a law of 21 March 1884. This law was quintessentially liberal in that it gave employees the right to join a trade union, or not, and it did not impose any specific type of union (according to trade or industry, for example, according to category - workers, employers, etc.- , or mixed, and so forth).

The 1884 law remained in force until the Second World War, with only a small reform concerning trade unions' legal capacity (law of 12 March 1920). However, with the resurgence of corporatist ideas under France's Third Republic, culminating in the 1930s, this liberalism of trade unionism came under fire. Some protagonists close to the *Action française* called for a return to the Ancien regime system of corporations. Others wanted trade unions to become part of the State machinery, as occurred in Italy under fascism. Most people, however, advocated moving towards an associative corporatism based on

models already in existence such as collective agreements, the compulsory arbitration of industrial disputes or the National economic council.

These considerations lay at the heart of the Vichy regime's economic and welfare reforms. Initially, trade unions were only indirectly affected, and the 1884 law remained in force throughout the first changes concerning industrial production, and civil service associations. However, with the publication of the *Charte du travail* in October 1941, trade union law and labour relations were to be entirely reworked.

### ***The diverse viewpoints represented in the Charter***

Three systems, in three different chapters of the Charter, were concerned with how class conflict could be eradicated. The first and most important system (called "the cornerstone" in the Preamble) established permanent occupational work and welfare committees [*des comités sociaux professionnels*] (which were tripartite: employers; the intermediate categories of managers, engineers and supervisors; and industrial and white-collar workers). These committees were to be set up at local, regional and national level in some 30 occupations or "occupational families". Underpinning these committees were exclusive ("to be frank" [*pour être francs*]) and obligatory ("to be strong" [*pour être forts*]) trade unions, themselves divided into 5 categories. The work and welfare committees were to have significant normative power, ranging from setting salary levels to working hours, organising apprenticeship and implementing hygiene and safety policies. They were to reflect upon and introduce "all the measures necessary for corporations to fulfill their duties to their members" regarding social welfare, in the areas of unemployment, insurance, retirement, mutual aid and assistance, and improvement in living conditions.

The Charter's authors, startled by their own boldness (since compulsory union membership meant a potential threat of millions of people brought together) made sure trade unions were strictly supervised. Their statutes and regulations had to be approved – unless they were standard – by the occupation's work and welfare committee at national level, or by the Minister for Labour, and stringent conditions were applied for the nomination of union officers. Although Jews were not singled out in the Charter, they were unable, due to their "status", to become trade union officials.

Moreover, the first trade union heads were provisionally - but it was a "provisionally" which lasted until the Liberation - nominated by ministerial decree. As a last precaution, the workings of trade union governing bodies were strictly regulated: there was to be a secret ballot, a maximum of two consecutive terms in office, and the Board was to be replaced on a rolling basis, all of these measures being designed to "shelter these organisations from the sudden changes which have occurred in the masses."<sup>10</sup>

State control also weighed heavily on the occupational committees. A government commissioner was present in each of these national-level committees, who could impose a veto on the execution of decisions in order to paralyse whatever was not to his liking. The government could also dissolve or suspend work and welfare committees, and appoint a provisional management committee, with full powers, to replace the suspended committee.

The second, and rival, system proposed in the Charter was that of mixed occupational associations, which also had welfare responsibilities, or else corporations, which played both an economic and a welfare role. What both systems had in common was their blindness to categorial differences within a particular occupation. All members were part of a single organisation that could be divided, on certain issues, into two sections (labour and management), but no other trade union membership was allowed. Again, these bodies operated under strict conditions: in both cases, motions required ratification by 50% of the members in each category in the occupation, or else a decision in favour by the trade unions concerned.

The Charter also mentioned a third mode of organisation: company-level work and welfare committees [*les comités sociaux d'entreprise*]. These were not an alternative to the occupational committees, but were complementary organisations. They were made compulsory in companies of over 100 employees. These committees were in charge of organising relations between employers and employees within the company or the branch, as well as managing welfare programmes, but they played no economic role.

### ***Divergent logics***

The reason why the Charter proposed a variety of ways of organising labour relations was because a disparate band of Vichy officials had been called upon to draft it, and Maréchal Pétain was too weak politically to impose a single line.

We shall not dwell here on the vicissitudes of the drafting process, described by Henry W. Ehrmann as "grotesque",<sup>11</sup> and by Jacques Julliard as more of a "Western" than of due political process.<sup>12</sup> A first draft was prepared by the Ministry for Labour in August and September 1940. It was reworked several times after the opposition it encountered from Maréchal Pétain's civil cabinet, and from the Office for corporative and social affairs of the Vice-Presidency of the National Council. It was abandoned after Laval, the Vice-President of the Council, was dismissed, on 13 December 1940. In order to break the stalemate, a Committee for occupational organisation [*Comité de l'organisation professionnelle*], or *COP*, was set up, which met three times, between June and August 1941. The text drafted by this select group was altered dozens of times thereafter, including after it had been passed by the Council of Ministers, giving rise to a plethora of meetings and audiences with Pétain. One version was even substituted for another as it was going to press in the *Journal Officiel*.

Two crucial areas were the object of controversy: the role of trade unions in the new organisation of labour relations; and the conditions for the creation and accreditation of mixed occupational associations and corporations. The Vichy regime had decided to establish these as a way of rewarding Jules Verger, the President of the Confederation of Mixed Occupational Associations (an umbrella organisation for companies from the electrical, building, and public works sector). After the large-scale strikes of 1936, this stalwart supporter of Pétain took it upon himself to try to reduce the "dreadful incomprehension reigning between employers and workers". The first mixed occupational association was created in his company, *L'entreprise électrique*, in 1937.<sup>13</sup> Jules Verger's vision of labour relations was extremely paternalistic, and based on strongly reactionary Catholic ideas. He was very much out on a limb during the *COP*'s deliberations, while claiming to be "the only true corporatist in the strict sense" present. Over this period, on numerous occasions, he condemned what he deemed to be a most unholy alliance between the two main groups in the *COP*, representatives of big business on the one hand, and ex-CGT trade unionists on the other.

Marcel Rouaix and Jean Paillard, who were active in the Office for corporative and social affairs of the Vice-Presidency of the National Council represented the "hardline" corporatist stance which sought to limit trade union involvement as far as possible, even if it was stripped of Communist influence, in order to extend the role of corporations as far as possible. Rouaix is little known. Jean Paillard is better known because of the memoirs he published, at his own cost, in 1979.<sup>14</sup> He was a die-hard supporter of Pétain, and an

activist in the far-right, monarchist *Action française*, a movement and a journal whose best-known figure is Charles Maurras. Although neither Rouaix nor Paillard were members of the Committee responsible for drafting the Labour Charter, one of their close associates, Colonel Cèbe, also a member of the *Action française*, was the Committee's secretary and responsible for the final form of the Charter. He was a member of Pétain's civil cabinet, and close to its head, Du Moulin de Labarthète.<sup>15</sup>

The opposition to these unconditional devotees of corporatism was made up of proponents of a trade union-based corporatism, founded on the occupational work and welfare committees, themselves made up of representatives of single and compulsory trade unions differentiated according to category. Their main advocate was the Minister for Labour, René Belin, and the trade unionists who toed the same line as he did, and were members of the *COP*, such as the leaders of the ex-CGT federations for metallurgy (Roy),<sup>16</sup> mining (Bard) and the food industries (Savoie), as well as employer representatives of major industries.<sup>17</sup> There were of course divergences between employer and employee representatives, and nuances in the positions defended. However, all agreed on Belin's diagnosis of the failure of the French system of labour relations under the Third Republic, and on the ways to remedy this. From 1936, Belin headed the *Syndicats* tendency and journal within the CGT. Disappointed by the Third Republic's record, a convinced pacifist, and a relentless anti-Communist, he became increasingly critical of parliamentary process, declaring in 1938, that "what is really intolerable is the regime itself. The honest citizen who is neither better nor worse than the others asks himself whether the parliamentary system, which is often confused with democracy, still deserves to be fought for to the death."<sup>18</sup>

As Minister for Labour and Industrial Production,<sup>19</sup> Belin adopted positions far removed from those of the "die-hard" corporatists, and accepted, for example, the existence of class conflict, even if he sought to eliminate its effects. In his view, labour law should take two phenomena into account. The first was "the extraordinary intertwining of interests". Although within a single occupation there existed divergent interests according to one's category, there were transverse interests also, and even where categorial divergences appeared, these did not exclude common interests. Take for example, he argued, the "corporation of miners" where, from the boss down to the apprentice, everyone wants to protect the industry from massive coal imports; even if, at the same time, conflicts can erupt between engineers applying for a particular post, or between workers for access to a particularly good gallery. For Belin, the Charter could reverse people's perspective and

emphasise common goals. He denied reproducing the traditionalist illusion that disagreements could simply disappear. As he said, "it is not a question of ignoring them, but of finding a method for expressing them under conditions which are normal and healthy for the whole country; one must enable divergences to be resolved, and when this is not possible, make arbitration compulsory in order to put an end to these present disputes."<sup>20</sup>

Belin sought to align legislation on collective labour relations with trade union practice. He was shocked by the disparity between the increasing powers granted to the trade unions, especially since the Popular Front, and their structural weaknesses. The movement was, in his view, vitiated by politics and bureaucracy, with too many declarations and too little coherence. Its positions since 1938 followed a logic which was incompatible with modernising its relations with management. Thirty years later, reflecting on the reasons why he had advocated institutionalising the trade unions in 1940, Belin said, with reference to the law professor Georges Scelle and the employers' representative Auguste Detoef, "laws on collective labour relations can only be implemented where there are entities with clear limits, which have the real capacity to shoulder a defined collective responsibility."<sup>21</sup> Since, in 1940, the moribund trade union movement seemed unable to redress itself by its own means, only the vigorous action of a State able to command obedience could, he maintained, revitalise it. This action would be founded on a "restored authority" and a "hierarchy", which themselves were only effective if imposed by "disciplines", with the overall goal being the precedence of the general over the particular interest.

Pétain proved incapable of acting decisively in the face of these disagreements. He would endorse one camp one day, and go back on his decision the next. He wanted social legislation that embraced the range of situations present in trade and industry, and was wary of a single status for all occupations. Yet he also sought to preserve his image as a figure of unity, refusing to take sides among the many camps which tore each other apart around him on how labour and welfare issues should be handled. Overall, however, his speeches and articles position him in the camp of the traditionalists.<sup>22</sup>

### **A relative failure**

The long-awaited Labour Charter became law on 4 October 1941. The new leadership of the Ministry of Labour's Department for the Organisation of Work and Welfare was responsible for its implementation, using a number of means, including a monthly bulletin, the *Bulletin de la Charte du travail*. Company-level work and welfare committees were



provided with an Office in every *département*, to boost their activities. The Office also had its own Bulletin, often piloted by a trade unionist aligned with René Belin.

These propaganda instruments proved far too weak to elicit the enthusiasm the Vichy regime had hoped for. The Charter's refashioning of the occupations failed dismally, whereas the company-level work and welfare committees were strikingly successful.

### ***Reorganising the occupations: a political failure***

The main, trade union-based, corporatist system was a resounding failure. The Vichy government had initially planned to create 15000 to 20000 exclusive and compulsory trade unions, then lowered its sights to 5500 to 6000, by expanding their territorial coverage. In the end, only 1749 were created. Of these, 331 were entirely inactive, while the rest hardly organised more than two meetings, convened around what to do and how to do it.

Since the trade unions were to constitute the basis of the occupational work and welfare committees, these were equally unsuccessful. Of the 30 occupational families envisaged, only one saw the light of day, the "subsoil family" (mining).

The results were just as bad for the mixed occupational associations and the corporations. There were 14 in the first category, primarily in the radio-electrical and hardware sectors, and seven in the second, all in the food trades. Other corporations were set up outside the framework of the Labour Charter in the sea fishing, merchant navy, and inland water transports sectors.

What were the causes of this failure? Leaving aside the nature of the Charter's text - its incoherence, ambiguities, and lacunae - and also more general considerations relating to the development of the Vichy regime and how it was perceived by public opinion, two causes appear fundamental.

The first could be called the "clanic wars" which affected labour relations and more broadly work and welfare issues, which continued right up to the Liberation. They were so intense that most of the decrees required to clarify the Charter's imprecisions could not be passed. Far from being simply technical, the decrees were often politically loaded, and as such became the focus of heated debate between the Ministry of Labour and the traditionalists.

After the publication of the Charter, Pétain received a number of notes from Rouaix, Paillard and Cèbe, which criticised the Ministry of Labour as "the rallying point and keystone of a certain number of trade unionists who are real professionals of this system, and who will do anything to maintain this profession [as trade union leaders]. They supplement their sparse numbers with a plethora of official activities (newspapers, meetings, study seminars, and so forth). But the majority of employees are completely separate from their former leaders. They are waiting for the new organisation announced by Maréchal Pétain."<sup>23</sup>

Belin was also critical. He wanted Pétain to curb Rouaix and Paillard, "who, in the mind of any serious worker or employer, ruin the notion of corporation", and he also wanted the Ministry of Labour to be in charge of applying the Charter.<sup>24</sup>

The conflict focused on the procedure for accrediting mixed occupational associations, and corporations. Article 40 of the Charter provided that they should be approved on a case by case basis, by a decree countersigned by the Vice-President of the National Council and the relevant ministers (or their highest civil servants), on receipt of an opinion delivered by a commission composed of their representatives. The fact that this "small commission" was placed under the authority of the Ministry for the Coordination of New Institutions, and that its headquarters were to be in the Ministry of Labour spelt failure for the proponents of a fully-blown corporatism, as did the provisional dismissal of Rouaix and Paillard. All the leaders who succeeded one another in the Ministry of Labour would have echoed the analysis made by Moysset, the Minister for the Coordination of New Institutions: "The commission wonders whether the corporations are capable of being guided by the general interest in the leadership of their professions. Anyone can see that the corporations in their present state are corporations only in name [...]. The goal we should pursue at present – and it is a distant goal - is to give workers the instruction necessary for them to be associated with employers in leading the professions. To want to establish corporatism immediately, despite the state of ignorance of the working classes today, is to end up with economic paternalism and so to "torpedo" the very idea of corporation".<sup>25</sup>

The second, crucial, reason for the failure of the occupational chapter of the Labour Charter, was the absence of union support. In 1940, and even in 1941, the need to renew the system of labour relations seemed urgent to most of the social partners. In July 1940, the CGT's national confederate committee in Toulouse – its "Parliament" -, which represented all union tendencies (except for the Communists, who had been

excluded after the German-Soviet Pact), deleted from its statutes references to the class struggle, and replaced them with an article on mandatory arbitration of labour disputes, despite the fact that from 1937 to 1939 the effects of this procedure on salaries had been largely negative. The search for stability, and the construction of a system sufficiently constraining to prevent management eluding debate by invoking the "red peril", yet based on an understanding of the complexity of contradictions in the world of work, seemed a realistic objective for Belin's reforms at the time, in the summer of 1940, given the hugely traumatic defeat of France. A sign of this realism is the fact that a large number of workers' representatives (heads of private-sector federations and of local and *départementale* union branches) reacted favourably to Belin's proposals, especially because he integrated long-standing workers' demands such as contributory pensions for older salaried workers (vetoed by the Senate under the Popular Front), and an increase in the number of health and safety inspectors.

However, this relative good will was soon withdrawn. Already in the Autumn of 1940, the authoritarian character of the regime's first measures had radicalised trade union opposition, which until then had remained isolated through lack of a political alternative. But it was not until 1943 that resistance to the Charter really won out over mistrust and wait-and-see attitudes. 1943 was the year in which the two previously antagonistic branches of the CGT, the Communists and the Reformists, were reunited. A direct consequence of this was that the *Comité d'études économiques et syndicales* [Committee for economic and trade union studies], whose leading members had been in the Resistance since 1940, adopted increasingly outspoken positions. Gone were the days when, reading between the lines of the many criticisms, one could detect support for the principle of occupational work and welfare committees and single trade unions "as long as they are free". The time had come for actively sabotaging the Charter, that "fascist muzzle they want to put on the French working class", and for getting a political foothold in the surviving older trade unions, in preparation for the post-war period, which felt imminent.<sup>26</sup>

### ***The success of the "spuds committees"***

Although the Charter's main programme - union-based corporatism - was a failure, the establishment of company-level work and welfare committees (which, we must remember, were a complementary and not an alternative system) can be deemed a success.

In contrast to the small number of trade unions set up, the number of company-level work and welfare committees established was huge: 7807 in January 1944 and roughly 9 000 in August 1944, that is, as many as the number of companies of more than 100 employees, where they were mandatory.<sup>27</sup> How is this at least quantitative success to be explained?

It should be stressed that the trade unionists, including those in the Resistance, were not opposed to the principle of workforce representation at the company level. A study published by the *Comité d'études économiques et syndicales* - a body composed of ex-CGT and ex-CFTC trade unionists hostile to Vichy - showed that trade unions were divided on the issue of the development of these Committees: "Some were mistrustful, going as far as turning their back on them. Others were more involved, less wary, or else were more opportunistic."<sup>28</sup> Many believed that the representatives on the company-level work and welfare committees could replace the staff delegates created under the Popular Front in 1936; these, although not explicitly abolished, did not figure in the Charter. So the trade unionists did not criticise the idea in itself, but rather the highly paternalistic criteria according to which worker representatives were nominated: when the employer did not himself nominate the Committee members, he often wielded the Vichy motto of "Work, Family, and Fatherland," and singled out for separate lists the older employees, the most productive, the war veterans, and the fathers or mothers of large families. After 1943, however, elections according to category or college became the rule (supervisors, white-collar workers and technicians, workers), partly because of government directives, and partly due to Pétain's expressed preference for election, and also no doubt due to management's sense that the tide was turning.<sup>29</sup>

Another reason why unionised workers who were also Resistance fighters participated in the meetings and activities of the company-level work and welfare committees was because they provided useful services for employees.<sup>30</sup> An inquiry carried out by the car manufacturer Renault in March 1943 showed that the employees knew next to nothing about the Committee itself, but could identify all the services it provided.<sup>31</sup>

The Committees's main focus was mutual assistance and health insurance, and help to prisoners, but their primary virtue was actually providing food, hence their expressive nickname of "spuds committee" [*comités patates*]. Of the 100-odd committees of this kind, around 70 managed a company-level canteen, and 50 owned a cooperative, or belonged to a cross-company purchasing group.<sup>32</sup> Employees sometimes contributed to

financing these services, but employers paid the bulk of the costs. They financed all the Committees, and, in 30% of the cases, were the sole funders. In some companies, the outlay could represent as much as half the direct salary of employees. In Renault plants, the "liberal" - non-mandatory - welfare expenditure, which was essentially the costs of these "spuds committees", came to 11% of the turnover in 1943, as against 2% in 1938. For the employers, this massive investment had the advantage of reducing the physiological impact of shortages on the workers (malnutrition, illness, and accidents), and it countered the correspondingly low productivity levels. But it also functioned as a way of indirectly increasing salaries and thus retaining workers drawn to these higher wages, like those offered by the organisation Todt for building Nazi Germany's Atlantic Wall.

The company-level work and welfare committees proved to be so useful that already in early 1944, in Algiers, the Commissariat for Social Affairs (the equivalent of a Ministry) of Général de Gaulle's provisional government was planning to continue them after the Liberation: "As regards welfare services, I think you can usefully consult the remit of the company-level work and welfare committees as laid down in the Labour Charter. It is probable that some of the texts defining the powers of these Committees could be maintained."<sup>33</sup> Despite the abrogation of the Charter in July 1944, the committees continued to function until their replacement by Works Councils in February 1945.<sup>34</sup>

Our inquiry into the application of the Labour Charter shows two phenomena. First, the failure of the corporatist organisation of labour. This had political causes, namely the authoritarian and intransigent attitudes of the Vichy regime. Second, the success of the company-level work and welfare committees, which owed nothing - or almost nothing - to the political sphere of Vichy. Their 70,000 delegates and 160,000 volunteers did not get involved in order to please Maréchal Pétain. Their motivation was first and foremost to reduce the disastrous effects of the German Occupation and the Collaboration on everyday life, and one can imagine that they would have acted in much the same way had the Charter not existed.

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The Labour Charter was long considered to be a foreign import, particularly from Italy. This argument rested on the fact that René Belin's successor as Minister for Labour, Hubert Lagardelle, whose law doctorate of 1905 was entitled "The general strike and socialism", had been a counsellor for social affairs in the French Embassy in

Italy in the 1930s, and had met Mussolini on several occasions. Additionally, mention is made of the fact that Pétain was a fervent admirer of Salazar, and kept a copy of his book "How to restore a State" on his desk. The situations in France during the Second World War and in other Southern European countries, and even elsewhere in the 1930s and 1940s, did indeed have much in common. The outlawing of strikes, the abolition of cross-sector trade union relations, and the compulsory arbitration of labour disputes were common to almost all the Southern European countries.

Yet there were also many differences. In Germany, trade unions were simply abolished in 1933, and replaced by a "Labour Front" responsible for ensuring "labour peace". In the words of an ordinance of 24 October 1934, this "Labour Front" was "the only organisation with jurisdiction in all areas concerning the representation of workers and the resolution of disputes between them and employers". It was also empowered in certain work and welfare areas (training, safety and hygiene, and leisure activities under the aegis of the organisation "Strength through Joy"). However, it existed in companies principally as an instrument of Nazi Party policies, in order to ensure their application.<sup>35</sup>

In Italy, the existing trade unions were progressively brought to heel with the development of Fascist unions, whose power was officially enshrined in a law of 3 April 1926. For each occupation, the State officially recognised one, non-mixed trade union. Although not strictly obligatory, the union's prerogatives and characteristics were such that freedom of association was a pure fiction. The union had to demonstrate "good political conduct", and there was no right to strike. It could collect the subscription fees from all members of the occupation and sign mandatory collective agreements on its own, within the overall framework of disciplining the labour market and improving production.

The Italian trade unions formed one of the three groups, with the employers on the one hand, the State and the Fascist party on the other, of each of the 22 corporations instituted by the law of 5 February 1934. They were also represented in the Corporative Chamber, which replaced the Chamber of Deputies in 1927, and they later became part of the Party's National Council within the Chamber of Fasci and Corporations, in 1939.<sup>36</sup>

The originality of Fascist trade unionism consisted in the primacy of the political, and the subordination of work and welfare issues to totalitarian dogmas. The French Labour Charter did not go that far. Needless to say, its Preamble shows the dependence of the trade unions on the State, in the claim that their doctrines could never differ from those of

the government. However, the single trade union under Vichy was never conceived as a means of relaying the National Revolution.

Besides, it is important to stress that in France the existing trade unions, created under the 1884 law, were not dissolved, and neither were their local or *départemental* branches. Among the transitional arrangements of the Charter, Article 72 precisely provides that "the trade unions and groupings of existing trade unions at the date of publication of the present law will continue their activity until a decree is passed for their dissolution or their integration into the new occupational organisation".

Finally, to summarise this comparative aspect, the essential difference between the three countries was the relation to the trade unions: in Germany, they were simply abolished; in Italy, they were subordinated to political ends; and in France, the objective was, on the contrary, to depoliticise the trade unions.

*Translated by Sashia Brown*

<sup>1</sup> I. Boussard, *Vichy et la corporation paysanne*, Paris, Presses de la Fondation nationale des sciences politiques, 1980, 414 p

<sup>2</sup> M.-O. Baruch, *Servir l'État français : l'administration en France de 1940 à 1944*, Paris, Fayard, 1997, 730 p.

<sup>3</sup> The text of the Labour Charter is reproduced in J.-P. Le Crom (ed.), *Deux siècles de droit du travail*, Paris, L'atelier, 1998, pp. 154-163.

<sup>4</sup> J. Rancière, « De Pelletier à Hitler : syndicalisme et collaboration », *Les Révoltes logiques*, n° 3, Winter 1977, p. 5.

<sup>5</sup> J. Julliard, « La Charte du travail », in René Rémond (ed.), *Le gouvernement de Vichy (1940-1942)*, Paris, FNSP - A. Colin, 1972, pp. 157-194.

<sup>6</sup> Published under the title of *Syndicats, nous voilà! Vichy et le corporatisme*, Paris, L'Atelier, 1995, 410 p. (Preface by Robert O. Paxton).

<sup>7</sup> J.-L. Robert, « Syndicalismes sous Vichy », *Le Mouvement social*, n° 158, 1992.

<sup>8</sup> D. Peschanski and J.-L. Robert (eds.), *Les ouvriers pendant la Seconde Guerre mondiale*, Paris, Institut d'histoire du temps présent, 1992, 511 p.

<sup>9</sup> M. Margairaz and D. Tartakowsky (ed.), *Le syndicalisme dans la France occupée*, Rennes, Presses universitaires de Rennes, 2008, 508 p.

- <sup>10</sup> François Perroux, *Capitalisme et communauté de travail*, Paris, Sirey, 1938, p. 23-24.
- <sup>11</sup> *La politique du patronat français (1936-1955)*, Paris, Colin, 1959, pp. 88-91.
- <sup>12</sup> *Op. cit.*, p. 167.
- <sup>13</sup> J. Verger, *La structure professionnelle de demain. L'association professionnelle mixte, centre de la Charte du travail*, 1943, 123 p.
- <sup>14</sup> *La révolution corporative spontanée*, 1979, 350 p.
- <sup>15</sup> J.-P. Le Crom, « La défense du corporatisme intégral sous Vichy. Ses acteurs, leurs inspirations, leurs réalisations », *Les Études sociales*, n° 157-158 : Les sciences sociales et la corporation (1850-1945), 1st and 2<sup>nd</sup> Quarter 2013, pp. 245-259.
- <sup>16</sup> On this federation, see M. Margairaz, « La Fédération des travailleurs de la métallurgie CGT sous l'Occupation ou les "échelles" de la présence », in *Le syndicalisme dans la France occupée*, *op. cit.*, pp. 235-252.
- <sup>17</sup> For example, the heads of the employers' federations in the chemical and metallurgy industries, respectively Painvin and Lenté.
- <sup>18</sup> *Syndicats*, n° 77, 1st April 1938.
- <sup>19</sup> René Belin published his Memoirs under the title : *Du secrétariat de la CGT au gouvernement de Vichy*, Paris, Albatros, 1978, 201 p.
- <sup>20</sup> French National Archives F22 1788. René Belin's audition before the *Conseil national*, 6 December 1941.
- <sup>21</sup> René Belin's paper at the colloquium organised by the *Fondation nationale des sciences politiques*, in *Le gouvernement de Vichy (1940-1944)*, *op. cit.*, pp. 196 and 199.
- <sup>22</sup> See particularly Philipp.e Pétain, « La politique sociale de l'avenir », *Revue des deux mondes*, 15 September 1940.
- <sup>23</sup> A note quoted by Georges Lefranc, *Les expériences syndicales en France de 1939 à 1950*, Paris, Aubier, 1950, p. 70 et 71.
- <sup>24</sup> Institut d'histoire sociale, Archives René Belin, hand-written note, n.d.
- <sup>25</sup> French National Archives, F22 1843.



- <sup>26</sup> « Syndicalisme et Résistance », in *La Résistance et les Français : villes, centres et logiques de décision*, Cachan, IHTP, 1995, p. 397-413.
- <sup>27</sup> L. Baudin, *Esquisse de l'économie française sous l'occupation allemande*, Paris, Librairie de Médicis, 1945, p. 55.
- <sup>28</sup> Comité d'études économiques et syndicales, étude n° 13 : « Syndicats et comités sociaux d'entreprise », 17 March 1942.
- <sup>29</sup> P. Charpy, *La constitution des comités sociaux d'entreprise dans les industries de la métallurgie et des métaux non ferreux*, Thesis in Law, Paris, 1944.
- <sup>30</sup> J.-C. Daumas, « La Révolution nationale à l'usine. Les politiques sociales des entreprises sous l'Occupation », in O. Dard, J.C. Damas and F. Marcot, *L'Occupation, l'État français et les entreprises*, Paris, Association pour le développement de l'histoire économique, 2000, pp. 181-195.
- <sup>31</sup> P. Darasse, *La condition ouvrière aux usines Renault (1940-1944)*, doctoral thesis, université Paris I, 1986.
- <sup>32</sup> "Un an de vie des comités sociaux provisoires d'entreprise" ["The provisional company-level work and welfare committees, one year on"]. A study by the Office for company-level work and welfare committees of 1500 such committees, *Bulletin de la Charte du travail*, n° 2, May 1943.
- <sup>33</sup> French National Archives, Centre for contemporary archives, Fontainebleau, 890293, article 1, note of 26 February 1944. These archives have since been transferred to the site at Pierrefitte in the Paris region.
- <sup>34</sup> French National Archives, Centre for contemporary archives, Fontainebleau 890293 (today at Pierrefitte), art. 1, Note by the Ministry for Labour, October 1944.
- <sup>35</sup> P. Waline, *Cinquante ans de rapports entre ouvriers et patrons en Allemagne*, vol. 1 : de 1918 à 1945, Paris, A. Colin, 1968, 279 p. ; T. Mason, *Nazism, Fascism and the Working Class*, Cambridge, Cambridge University Press, 1995, 361 p. and, by the same author, *Social Policy in the Third Reich. The Working Class and the "national community"*, New York City, Berg, 2<sup>nd</sup> ed., 1997, 434 p.
- <sup>36</sup> A. Mazzacane, A. Somma and M. Stolleis (ed.), *Korporativismus in den südeuropäischen Diktaturen (Il corporativismo nelle dittature sud europee)*, Frankfurt-am-Main, Klostermann, coll. "Das Europa der Diktatur" (6), 2005, 421 p. ; O. Dard et M. Nacci, « Corporatisme et syndicalisme en Italie et en France dans les années 1930 », in *Le syndicalisme dans la France occupée, op. cit.*, pp. 35-48.