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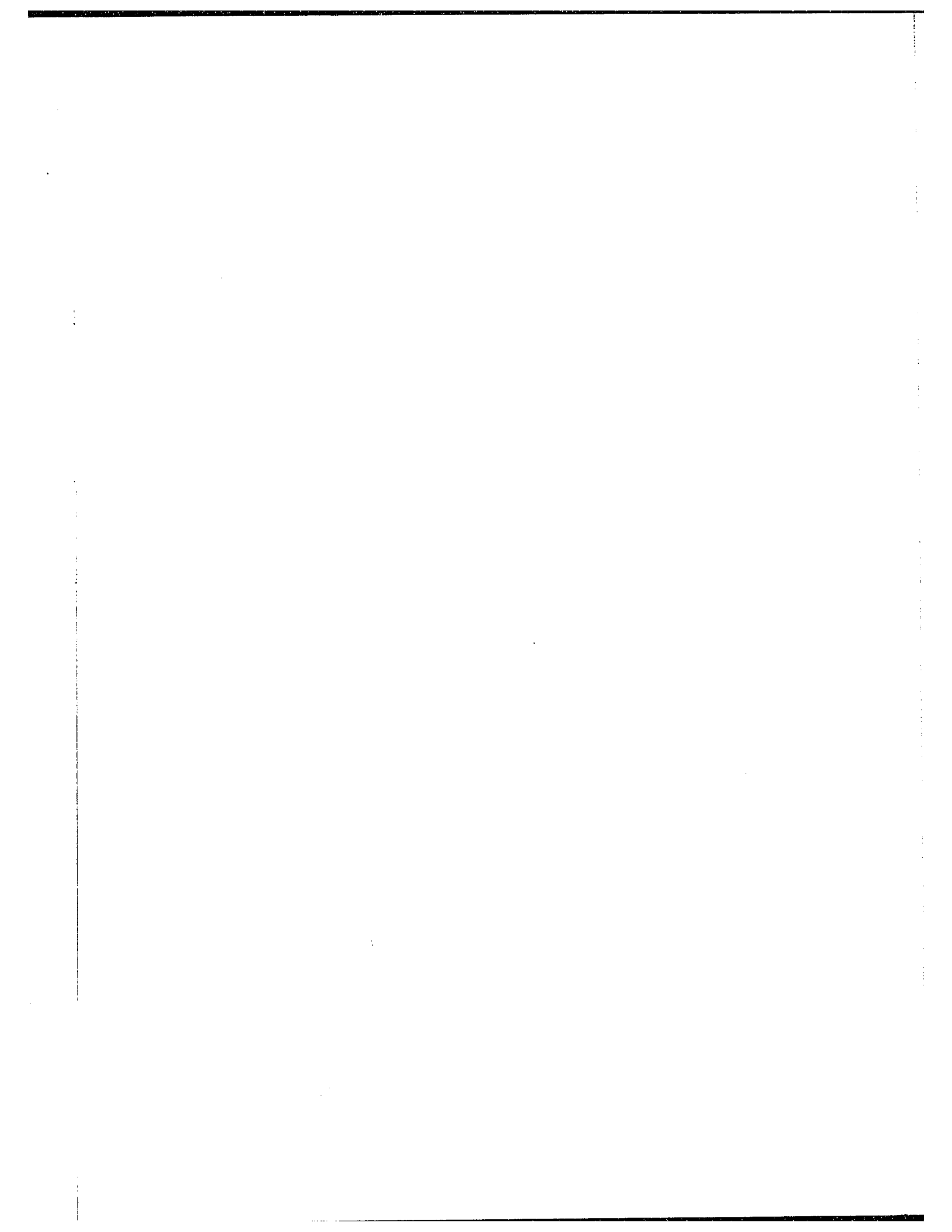
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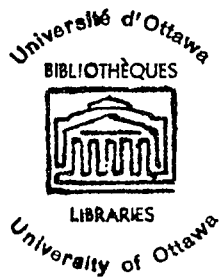
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THE STRIKE
ITS CHARACTERISTICS AND ITS MORALITY

(M.A. U.S.)



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GENERAL PLAN

1. Introduction.
2. Definition.
3. Division.
4. Historical Development.
5. Causes of Strikes.
6. Effects of Strikes.
7. Morality of Strikes.
8. Conclusion.

STRIKE

II

DEFINITION -----

I INTRODUCTION TO DEFINITION

- a) General idea of strike.
- b) Origin of the word.
- c) So called strikes.
- d) Broad sense of labor strike.

II DEFINITION

- a) Definition.
- b) Detailed exposition.
 - 1. Interruption of Work.
 - 2. By a number of workmen.
 - 3. Organized interruption.
 - 4. For the purpose of enforcing certain demands.

III DEFINITION OF STRIKE TERMS

- a) Unions
 - 1. Labor.
 - 2. Trade or craft.
 - 3. Industrial.
- b) Picketing.
- c) Strike Breakers.
- d) Strike Pay.
- e) Boycott.
- f) Union Label.
- g) Lock out.

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CHAPTER 1
INTRODUCTION

Living as we do, in the midst of a world torn by strife, in the political and economical spheres, we are naturally inclined to want to know the reason of it all. Using the words so often employed in describing the existing conditions,--never was the world in such a turmoil. Not only one country seeks to ~~enforce~~^{strengthen} itself at home and abroad, but all nations are arming themselves to the teeth for fear of an aggression. The political field is not the only one to be troubled. Conflicts have taken place in the world of labor since its very beginning, but with the turn of our present century, their number has multiplied a hundred fold. In fact today, every period of prosperity brings with it innumerable uprisings, the consequences of which are felt by every section of society.

In this thesis we are concerned with the latter problem, the conflicts in the domain of economics, or more precisely in the field of labor, namely the strikes. Ever so often in the past thirty years the people of every nation have witnessed times, in which, strikes virtually inhabited every industrial establishment. These have been given enormous publicity by daily newspapers, and we might add, with a great misconstruction of the facts, a fault greatly deplored in connection with our modern press. The result has been a growing sentiment of public feeling opposed to this action on the part of the labouring class. The opposition is due also to the influx of communistic doctrines into practically every country, inciting the labourers to revolts which had no sane reason whatever. Not only is the general consensus of opinion one of rebuke for the workers, but the general public has more than once questioned the workers right to (such) action.

Another fact, which makes this study of greater moment to us, is the lack of consideration, on the part of both employers and employees and also on the part of the state, for the moral aspect of the strike. The employer blinded by his greed for gain and seeking only to enrich himself at the expense, yes, the sorrowful expense, of the worker, finds it more profitable to disregard his workers' moral rights. The employee, goaded on by the oppression of his employer, sees no limit to the exercise of this forcible weapon, the strike. Then again, state legislatures, judging the strike only from the evil consequences that follow, have in the past denied the worker his right to use this means of obtaining justice, thereby overstepping their powers.

It is therefore our purpose in the course of this thesis to prove, as clearly as it is possible on our part, that the laborers ^{may} can have recourse to this forcible means, and to determine the extent of its ^{use} employment. Our thesis will therefore strive to sustain this point by first dealing with the definition, the various kinds, and the historical development of the strike, followed by a study of the more immediate preliminary notions in connection with the morality of the strike, namely its causes and effects, and lastly, needless to say, a study of the morality of the strike. Therefore, without further introductory comments, we will proceed with our subject.

CHAPTER II DEFINITION

The strike considered in its most universal sense, that is, as applicable to all kinds of strikes, labor or non-labor strikes, and as implied in the terms of different languages, is an element of revolt, a manifestation of protestation. Generally speaking, it consists in a confirmed refusal of one party to submit to the conditions of another and the determination to persist in its recalcitration until its grievances are remedied. It does not necessarily follow that all relations are thereby broken. On the contrary, what does occur is at most a suspension of those relations closely connected with the subject of controversy. It usually terminates with an agreement in favor of one or other of the parties.

As regards the English origin of the word strike, as used in this thesis, its application seems psychological rather than accidental. The Oxford Dictionary refers to it as first used in the Middle English period, which would be at the time of Queen Elizabeth. As for the "why and how" of its adoption few, if any references can be found. There is possibility that it had not always the same meaning, but came into use in time with this particular significance, i-e. labor^{or} conflict. Beyond that, little can be said with regard to the origin. The French and

Latin derivations are more easily understood. The French use the word "grève" taken from the Paris square "Place de Grève", where unemployed laborers gathered in hope of obtaining work. Later, this square was used as a meeting place for workers who voluntarily and collectively stopped working. This action in time adopted the name of the square. The Latin expression in use today is "operistitium", a combination of "opus" meaning work and "stare" to stand or rest. Thus we derive the sense of a rest or stop in work.

There are many instances in which the word "strike" is used, but in a very general sense. For example, students are known to strike by absenting themselves from lectures because of a dislike for a certain professor. House wives are also said to go on strike refusing to do their house work until the assailed husbands are willing to rectify the grievances. Even children have adopted a means of showing repugnance toward certain demands of their parents by hiding out. These acts are termed as strikes by our daily newspapers, the editors of which are also responsible for many a disturbance being regarded as strikes, when they are not in fact i.e. not as understood in this thesis.

Here it has the particular significance of a rupture between employees and their employer. By an employee we understand the man who offers his services to an employer in return for which he is to receive a salary. The employer is he who hires the worker, who owns the factory and raw material and who pays the labour for his services, as all uprisings the strike is an abnormal state of things. Capital and labor are naturally ordained to work together, thus that their disunion would necessarily imply an unnatural state. The strike is occasioned by the halting of work

on the part of the workers and its success depends largely on their powers of resistance. Many other elements enter into the success, such as public favour, the reason, the place and the time. The worker considers the strike as a means of protection of his just rights. The employer looks upon it as a disturbance which he must do all he can to settle without conceding any demands, or, if any, as few and as unimportant as possible. The families of the workers usually fear the strike, for their sacrifices are often great. Society is at times opposed to it and at other times sympathetic toward the strike, but it is usually regarded by society as an evil to be restricted as much as possible. In its broadest sense, the strike may be said to be an interruption of work.

In its strictest sense, it is an organized interruption of work on the part of a number of industrial workers for the purpose of enforcing certain demands from the employer. The essential elements are three, the interruption of work, the organized interruption of work, and the enforcing of demands from the employer. In connection with the latter mention will be made of the various means used to bring about a conciliation. It would appear that a treatise of these three elements would be ample justification of the definition.

It will be noted that in the definition, the word "interruption" is used in place of the more common words, "cessation" and "withdrawal," and this for reason of a stricter and more complete definition. The two latter words do not alter the whole sense of the definition by any means. However they do not bring the point home as strictly and as clearly as the word "interruption".

If "cessation" is used there necessarily must be some determination as for example, "temporary cessation," which only means interruption. The word "withdrawal" has lost its place in the definition, for with it the definition is not complete, the recent sit-down strike not being a withdrawal. The term "interruption" is also instrumental in expressing the intention of the workers to return to their jobs. The strike either in its general sense, or considered in its more particular signification, the labor dispute, is not meant to be a complete break of all relations. It is rather a temporary [U]LL in the usual run of things. The purpose is to better conditions, so it is hard to understand how anyone can conceive it as a complete break. It has therefore the added advantage that it carries out a fuller sense of the strike by implying a suspension of the labor contract, which is a factor to be reckoned with.

The strike cannot be said to break the labor contract as Mr. Bouloc, a French author, in his book entitled "Les Grèves" states in the following words: "Le droit de grève serait---le droit de détruire le contrat du travail." This however does not seem plausible. The labor contract is an agreement, express or implied, between an individual worker and an employer, under which the former agrees to perform work in return for a compensation. Entry into the contract creates a relationship of employer and employee which entails mutual rights and obligations. These are assumed to form part of the contract. It is our contention that not all these relations are broken. "The striking workmen have some moral tie if not technical or legal rights on their

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general position towards their recent employer. The "cash nexus" is not the only one. When that has been broken and wages are no longer paid and received there is still a bond of some sort so they feel, and society substantially agrees with them; even the employer is likely to speak of them as his workmen implying that there is yet a tie of some kind between them. (Gelman, Methods of Industrial Peace P. 252 N.Y.1904). The contract is broken when the worker quits permanently, or when the employer discharges him. But such is not the case with the strike. There is an implicit agreement of both parties that work will be resumed when the dispute is settled. The workers fully intend to return to their jobs and the employer expects them to return. The unjust contract is usually the reason of a strike and the aim, of the workers in striking is to render the existing contract just, rather than to formulate a new one. Thus the interruption of work implies a suspension rather than a complete rupture of industrial relations.

The interruption of work may take place in one or more departments of the same industry, in the whole industry, or in several industries. The general and at times the sympathetic strike include several industries. By the word "industry" is to be understood a working establishment or a shop, under the ownership of an employer or a board of directors, not for example the automobile or steel industry as a whole.

Another essential factor with regard to the strike is that it be an interruption of work on the part of a number of workmen. The point to be made clear here is that the strike is carried on in the interest of all workers of one, of a few, or of all departments according as the strike effects one or more parts or the whole industry.

The demands of a number of workers are implicitly or explicitly the demands of all workers whether all be striking or not. Non-strikers, that is those unable to leave their work or who for personal reasons refuse to do so, either through fear of losing their jobs or for financial reasons, benefit as much from the strike as the strikers themselves or if it is a loss they suffer as much. Therefore a strike although not necessarily carried on by all the workers concerns all the workers. But such is the case only when the interruption is on the part of at least a number of workers, if not the majority. A few workers leaving their work in an attempt to seek better conditions would not be said to strike, for here it is for personal reasons rather than in the interest of all that the disturbance is brought about.

From a practical point of view we may say that it is an interruption of profitable work, as Cardinal Villeneuve notes in his pamphlet "La Grève et l'enseignement Catholique.". Essentially the strike is not altered whether the work is profitable or not, although in most cases, the work will be found to be profitable. In fact the more its resourcefulness to the employer the greater is the chance of success.

The next essential element is the organized interruption of work. Here, as with regard to the number of workers striking, the aim must be a betterment for all workers affected by the strike. Several may quit working at the same time and yet not be striking. There must be an agreement at least implicit of interrupting work. Otherwise it is no more than a general disturbance in which each worker seeks his own personal advantages. There is not only one

dispute but several exist, in fact there are as many as workers leaving work. It may happen that after such an incident takes place the workers agree to join in demanding reforms. Then and not until then is it a strike; for then only is the welfare of all workers sought.

When strikes are ordered by union leaders, the common agreement of workers is implied in this order, thus that in such an event the ^{True} ~~three~~ sense of the strike is not altered.

The last factor to be considered is the purpose of the strike, which is included in the definition as follows: "to enforce certain demands from the employer." The means to attain this end are by interrupting work and by endeavouring to prevent others from taking the positions vacated, which is more popularly known as picketing. Boycotting and labelling the products of the industry are also effective in obtaining reforms. The three latter means will be defined in the next paragraph. The demands usually include a living wage, fair hours, union recognition, and decent conditions of work. The purpose may also be to resist a change in the existing conditions. These will be treated fully in the chapter on causes.

There are a few terms which although they do not enter into the definition of the strike are closely connected with it and demand some explanation here. Foremost among these are labor organization^y which are continuous associations of wage earners for the purpose of maintaining or improving the conditions of their employment. They are directed by an executive elected from and by the workers. These are three in kind.

Labor Union. = a union of all classes of wage earners. These are more ----- or less idealistic and humanitarian in aim. They were found to exist principally in the middle of the last century and almost totally in

the United States. They were defective as they were too *altruistic*
Strikes were rarely used and reforms were more political *than of labor*

Trade Union.- An association of workers in any trade or in allied trades for the protection and furtherance of their interests in regard to wages, hours and conditions of labour, and for the provision from their common funds of pecuniary assistance to members during strikes, sickness, unemployment, and old age. These are sometimes called craft unions or syndicates. The English are recognized as responsible for the origin and development of this type of union. The American Federation of Labor is an example of a trade union.

Industrial Union.- an organization of all workers in one industry, which unites the skilled and unskilled laborers into one group. The aims are similar to those of trade unions. Our recent C.I.O. is a union of this kind.

The following are terms which are heard of in connection with most strikes.

Picketing.- consists in placing pickets near the establishments of the employer for the purpose of persuading or coercing strike-breakers from taking the places of the strikers. It is either peaceful or violent.

Strike-Breakers.- a workman who consents to work for an employer whose workmen are on strike, thus contributing to the defeat of the strike. It may also mean an actual worker who refuses to strike.

Strike Pay.- The periodical payment by a union for the support of men on strike.

Boycott.- A product is boycotted when union members refuse to buy it and persuade others not to do so, because it is made by their employer or other employers unfair to organized labor. This is known as simple boycott. It becomes compound when it includes a person handling the branded article.

Union Label.- A label placed on all articles produced by members of a union and seeking to strengthen the union. It endeavours to further the cause of organized labor, as the consumers are encouraged to use only the labelled product. It was originated and first used by cigar makers in United States in 1874. Such labels may still be found on products.

Lock-out.- is accomplished by the closing of a shop by an employer due to a disagreement with his workers and refusing to furnish work except on conditions to be accepted collectively by the workers. It is the employer's means of fighting strikes.

With these definitions we conclude our chapter on "what is the strike". Our aim was not only to show what the strike is, but also to distinguish between our present day labor strike, which is the subject of this thesis, and several so called strikes, by emphasizing each element of the labor dispute. The next chapter will acquaint us with the various kinds of strikes, all of which essentially contain all the qualifications of the strike as defined in this chapter, but vary according to the different view points e.g. extent, aim, etc.

STRIKE

CHAPTER III DIVISION

1. Extent

- a) Particular
- b) National
- c) International
- d) General

2. Aim.

- a) Intrinsic to labor^N.

1. Offensive

- a) Economical
- b) Social
- c) Revolutionary
- d) Sympathetic

2. Defensive

- a) Economical
- b) Legislative
- c) Solidarity

- b) Extrinsic to labor^N-Political.

3. Intensity

- a) Violent
- b) Peaceful

4. Method

- a) Methods of Strike in the strict sense

1. Method of striking

- a) Simple
- b) Sit-Down

- c) Manifestative

- d) Warning

- e) Wild Cat

2. Method of procedure

- a) Par Echelons
- b) Sudden

- b) Methods of strike on
Broader sense
- 1. Grève en détail
- 2. Grève perlée

CHAPTER III KINDS OF STRIKES.

In the previous chapter we made mention of a few of the strikes in existence such as the sympathetic and general strikes, but with no explanatory notes. Our purpose here is to deal thoroughly with all the different kinds of strikes. Many will be found to be merely different methods of procedure of the same type of strike; while others vary in extent, according to the aim in view and in intensity. Nevertheless, it is necessary to treat of each of these in particular, for, as will be seen in the chapter on the morality of the strike, the same type of strike is permissable in some circumstances, whereas in others it becomes immoral.

Before dividing the strike into its various kinds it is well to note that there are only two that are diverse, i-e. different in themselves, namely, the simple and the sit-down strikes. All other are different, i-e. different adaptations of the sit-down or the simple strike. The division is made under four main headings, extent, aim, intensity, and method.

Judging the strike from the point of view of extent, we find four types, namely, particular, national, general and international.

Particular-- The particular strike concerns one establishment. It is a break between the workers and the employer of one concern in view of a betterment of conditions for the workers of that concern alone.

National-- The national strike includes all the branch establishments of an industry throughout the country. The strike itself comprises several particular strikes, thus that it includes all the workers of a given industry. It is a complete halt of the nation wide activity of that industry, e-g. The General Motors Company of Canada or the United Steel Corporation of the United States. This strike and the following

two are also known as sympathetic, the definition of which will be given in the next paragraph under the heading-"aim".

General - The general strike paralyzes the whole economic life of a country. It includes all industries or the principle industries on which depend the majority of less important ones, in which case the same effect is bad. If the workers of the coal and railway companies were to strike all shipping would necessarily be at a standstill, so also the smaller industries, either through lack of coal to keep the wheels of industry turning or through lack of raw material. This strike is aimed at overthrowing the capitalist regime and placing the industrial property in the hands of the workers. It is the socialists' most potent weapon for attacking the capitalist class. It is also known as the syndicalist strike. As was mentioned with regard to the national strike, the general is also a sympathetic strike. In fact, it is the most extensive and devastating form of this type. It is sometimes quite lengthy.

International-- The international strike comprises all the branches establishments of an industry in two or more countries. Whereas the first three pertain to one country this strike takes place in at least two countries. It is another form of sympathetic strike.

In relation to the end, strikes are divided first into those intrinsic to labor i.e. seeking reforms in the labor field, ^{and those extrinsic to labor i.e.} ~~and~~ those intrinsic to labor we in turn distinguish the offensive, i-e. those strikes carried on to obtain better conditions and the defensive i.e. striking to prevent a change in existing conditions. The offensive strikes are four in number, economical, social, revolutionary and sympathetic.

Economical-- The economical strike has two significations. It may either be that strike which seeks better wages, more convenient hours of labor and better physical working conditions, or it may apply to the strike

seeking reform

seeking to lessen production thereby raising the price of the product and also the wages.

Social-- The social strike has for aim the recognition on the part of the employer of the workers union. In striking socially the workers seek to have the employer recognize the power of the union to bargain for the workers of that union on matters concerning the rights and welfare of the same workers. The success of this strike also means the recognition by the employers of the workers' right of association. A strike endeavouring to obtain better moral conditions of work could also be said to be a social strike.

Revolutionary-- The revolutionary strike seeks the betterment of working conditions by intending the down-fall of capitalism and the socialization of the means of production. It is a communistic and socialistic tactic. The general strike is of this type.

Sympathetic-- The sympathetic strike is for the removal of others' grievances. It is called sympathetic because the sole reason of the strike is to support another striking group of workers of the same union, by striking in sympathy. It could have been considered from the point of view of extent, along with national, international and general strikes, as these are all sympathetic. However its aim is the point of interest here. It is offensive and intrinsic in its aim, but does not seek reforms, for the workers in question, but for another group. It may also take place in one industry under two forms, workers of one department striking in sympathy for a *harassed* few of that department, - workers of several departments for one department waging a strike. There are three types of defensive strikes namely, economical legislative and solidarity.

Economical-- A defensive economical strike, is carried on to prevent the employer from lowering the wages or from making any change in the existing conditions of work.

Legislative-- The legislative strike is to force the employer to submit to a law regarding labor. The aim of the workers is to defend certain rights obtained from a law made for their protection by having the employer obey it.

Solidarity-- In this strike the end in view is the solidarity of the union. The union must remain intact. The strike is called to defend a member who has been discharged or badly treated by an employer. The solidarity strike is another application of the sympathetic strike.

So far, considering the end of the strike we have treated of those strikes waged in the interests of labor. We now come to the second division dealing with the political strike, which is not carried on in the interests of labor itself. The aim is to obtain reforms but in the political field. Such reforms would include universal suffrage, cessation of war etc. General strikes are usually the means used.

As to the intensity, the strikes are classified as violent and peaceful.

Violent-- The violent strike is typical for the forcible acts and aim connected with it. The acts of violence include sabotage, i-e. destruction of the means of production; rattening, i-e. taking away the machinery or by intentional errors causing a spoilage of the product; violent picketing, i-e. keeping strike breakers away from the establishment by bodily force; and loss of lives as occur in cases of very violent picketing and military supervision. Needless to say these are committed by the workers. A strike may also be violent in its aim as for instance ~~and~~ ^{the} general strike, by means of which the downfall of capitalism is sought. These strikes are commonly recognized as communist and socialist tactics.

Peaceful-- In peaceful strikes the workers rely on a discussion of the problem and powers of resistance. They seek to interrupt strike-breakers by method of persuasion rather than bodily violence. At times, threats

are made to the latter, but these are considered as persuasive means rather than acts of violence.

The final division to be considered is that of strikes according to their method. The methods are of strikes strictly speaking and of disturbances which resemble strikes in their aims. As concerns the strikes in themselves another division is made namely methods of striking and methods of procedure of strikes. The methods of striking are the simple and sit-down.

Simple-- "A number of men suffering from the same real or imaginary grievance strike for a remedy" (Cronin, Science of Ethics). In this strike the workers simply leave the establishment and refuse to return until their demands are granted. The main problem here is to keep other workers from interfering which is the chief reason for picketing. Employers may very easily make use of the "lock-out" in this case.

Sit-Down.-- The sit-down strike differs from the simple in this that instead of leaving the shop the workers remain within. This affords an assurance of non-interference on the part of strike-breakers, It is nothing else than preventing the employer from making use of his own property. Besides rendering the interference of outsiders impossible the sit-down strikes make it impossible also for the employer to close up his shop.

These are the only two strikes that differ in themselves i-e. are not adaptations of another type, as is the case with all other strikes. The latter differ in extent, aim, intensity or method of procedure, but they are either simple or sit-down strikes or groups of simple or sit-down strikes. There are five strikes which differ according to method of procedure, which are, "Grève par echelons", sudden, manifestative, warning and "Wild-cat".

"Grève par échelons"-- This strike is by gradual attack, beginning with one establishment, usually the smallest, then another and so forth until

the workers of the whole industry have benefited. It may also proceed from one department to another in one establishment. Strictly speaking it is a series of strikes. The aim is to give more resistance to the workers. While one establishment or department is on strike the others remain working, and furnish funds. This one succeeding it in turn helps supply another with necessaries during the next strike. Usually when employers are aware of the fact they retaliate with a "lock-out". No strict English name is to be found for it, although it is of English origin.

Sudden-- A strike occurring without a moment's notice, taking the employer unaware. It is usually brought on in time of progress and has the effect of frightening the employer into submission.

"Strike of Manifestation"-- The strike of manifestation is very short. It lasts about a day, but sometimes only an hour or even a few minutes. The aim is to show the strength and solidarity of the workers.

"Strike of Warning"-- This is also a very short strike, usually preceding a long one. It resembles somewhat the strike of manifestation and is brought on to warn the owner. It has at times the effect of avoiding the longer strike.

"Wild-Cat"-- This name is given to strikes that take place in an industry where a union exists, but without the supervision or assent of the union. Several of these have taken place in the automobile industries during the winter of 1936-37. They are caused by a few radicals seeking to bring on a disturbance.

The final groups consists of methods which are not strictly of strikes but called such because of similar aims. These are two in number. "Grève en detail" and "Grève perlée"

"Grève en detail"-- One worker after another quits the shop. These are replaced by other workers, but the latter in turn leave. The aim is to ruin the employer's industry.

"Grève perlée"-- By this method the production is showed up. It is not a complete halt in work. The workers limit their efforts so that the rate of production will be lowered. It causes a raise in prices and thereby a great chance of a raise in salaries. It has the same aim as the second type of offensive economical strike, but it is not strictly a strike as work is not interrupted. The English were the originators of this type of labour weapon.

It must not be imagined that these various types were always in use. In fact very few have been carried on before 1870, at which date they came into being with the increase of power on the part of the laborers, due to stronger unions and favourable state legislation. This aspect, concerning the origin of these strikes will be more closely considered in the next chapter. With the above division we feel that we had ^{de} dealt sufficiently with the various kinds of strikes, to acquaint us with the greater number of possible strikes. With these in mind we now proceed to trace the development of the strike, to study its causes and effects, and finally to determine the morality and the conditions of the morality of the strike.

STRIKE

IV

HISTORICAL DEVELOPMENT.

I Introduction.

II Pre-Capitalistic Era.

- a) Slave Era.
- b) Serfdom.
- c) Guild era.
- d) Domestic System.

III Capitalistic Era.

- a) Factory System.
- b) Large Scale Industry.

IV Conclusion.

CHAPTER IV Historical Development.

A close inspection of the history of labor itself will prove that the evolution of the strike, beginning with the first resemblance of our modern worker's weapon for protection, is closely connected with the evolution of industry. In fact, not only is it closely connected with it, but the development of the strike will be found to depend "in toto" upon the changes in method of production. The slaves in the time of the Romans could not be expected to have had as highly developed a means of production as the laborers of the present day, for they were not of the same circumstances and of the same working atmosphere. Neither could these same slaves have had as developed a means as the workers of the last century. Nevertheless, they did revolt, crude as their means of expressing their dissatisfaction and demanding justice might have been, and it is for a better understanding of the evolution of the strike that the insurrections of the early slaves will begin this survey of the belated but eventually perfected workers' means of obtaining justice.

The greatest change takes place with the disappearance of the craft guilds, giving way to the ever increasing influences of the Reformation found in the "laissez-faire" doctrine, imminent throughout the eighteenth century and reaching its full force in the nineteenth. It is during this period that the world became aware of the existence of a new method of production currently known as capitalism, which ruled partially during the domestic stage, grew in strength with the factory system and reached its zenith with the large scale

industry. Prior to this industry had passed through various stages, such as the slave, serf, craft and domestic. The revolts of the pre-capitalistic era were the prototypes of our modern strike and the hot-beds from which it grew, However the true development of the strike proper begins with the advent of the capitalistic regime. Thus we trace the origin of the strike to this period of labor history and the basis of its origin to the experiences of previous ages. It will be found that as the "laissez faire" theory grew in strength the workers sought greater resisting power, thus the more and more perfected strike as the peoples of the nineteenth and first quarter of the twentieth centuries came to know it. Another factor to be pointed out in connection with the historical development of the strike is, that the sentiment of public feeling, as shown in state legislation, has changed from hostility during the seventeenth and eighteenth centuries to that of favor during the latter nineteenth and present centuries. There is also to be noted that throughout its history, the tendency has been to make the strike more and more peaceful. "C'est avouer que peu à peu la grève ^{devient} ~~de plus~~ plus calme et plus raisonnée. Sans doute encore nous verrons des crimes et des attentats faire un sinistre cortège aux grèves qui éclateront; mais peu à peu, ces faits se font plus rares. Peu à peu les ouvriers prennent conscience de leurs droits et de leurs responsabilités. ("Les Grèves: Léon de *Seiche* p.21.")

Before depicting the evolution of the labor conflicts taking place prior to the advent of capitalism a word or two on the characteristics of these two eras, namely pre-capitalism and capitalism. It is only with the coming of the factory system that the strike begins to have any characteristics of its own or in other words, the strike begins to hold public attention as the workers

weapon with the ^{inception} ~~inception~~ of capitalism. Not until this period of the development in industry is the worker, an employee in the sense that we understand it today.

It may seem odd that whereas the strike with its particular characteristics can be traced only to the beginning of capitalism, the history of the strike should begin with the time of the Romans. True the conflicts of pre-capitalistic days were not really strikes yet they were the prototypes of our modern workers' means of defense. "Although these revolutions can hardly be called strikes in the modern sense of the term they are still the historical antecedents of the present labor struggles, their purpose being akin to that which is at the basis of present day industrial conflicts. They constituted a revolt of the workers against the oppression and grave injustices of those for whom they labored and represented the expression of the general desire for personal liberty and relief from the industrial system of the time, which ground them in both body and soul." (Morality of the strike, McLean p.5) We can trace slave revolts as far back as 413 B.C. It was that year that the revolt of the slaves in the silver mines at Laurium took place. Others include the insurrection at Latinum and that headed by Spartacus. Some authors have attributed these insurrections to labor unions existing at the time. However proof can be found that such was not the case. These associations "made no attempt to raise wages, to impose working conditions,----or to better the social and political position of the laborer. It was the need which their numbers felt for companionship, sympathy and help, in the emergencies of life and the desire to give more meaning to their lives that drew them together." (Waltzing Etude Historique sur

les corporations professionnelles chez les Romains pp.221-222).

Christianity was influential in relieving the masses of the people from the galling yoke of slavery, bringing into existence the more humane life of the serf and avoiding labor troubles until the fourteenth century by effecting the removal of most of the injustices to which the laboring class had been previously been subjected. During the fourteenth century however, revolts are said to have taken place both in England and on the mainland. One occurred in 1381 in England which was more political and social in character than economic. Others took place in 1350 and 1362 which resembled somewhat our modern strike. Disturbances have been recorded as occurring in Germany among the girdle makers in 1329, and among the tanners of Paris in 1349, the latter being for increase in wages. It was at this period of change in labor that the household system came into being. Here we find each member of the family helping to provide the needed commodities of the house. The standard of living was very low, the only capital invested was in the form of tools and, transportation and money were unnecessary; Typical examples of this system were to be found in England and Europe in the Manors and connected with the large estates of the Romans. The manor was the political and economic unit in England. It was a world in itself with very little relation to the world without. The manor comprised the lord and the tenants or serfs, whose position was much more pleasant than that of the slaves. They were permitted to own property and lead a family life, but they were attached to the land. Some sought freedom by hiding in the villages and towns for a year and a day, after which time they became freemen. In England serfdom died out in the fourteenth century. However on the continent especially in Germany and Russia, it remained in force until 1817 and 1861 respectively. Ferdinand abolished it in Spain in 1486.

The period which marks the decline of serfdom in England and which corresponds to the period of growth of the craft guilds saw great changes in the conditions of the labouring classes. It was during this era of industrial development that the town replaced the household as the political and economic unit. This gave rise to the development of skill in particular trades such as shoemaking and weaving. Later associations known as craft guilds grouped the workers according to their different trades. These guilds developed into very strong organizations, protecting the technical knowledge of each trade by instituting apprenticeship and the journeyman and also protecting the residing workers from outsiders. The latter part of this period is known as the golden era of labor. The influence of the Catholic religion was largely responsible for the "entente" which existed between masters and laborers, for the spirit of justice which prevailed at the time and the absence of disturbances of any account. "The guild legislation kept steadily before itself the ideal of combining good quality and a price that was fair to the consumer with a fitting remuneration to the workmen." (Ashley WG English Economic History London 1892. Vol. II p.129). However as Father McLean points out the Reformation produced a great change in the condition of labor. The church had raised the laborer from the dire conditions of the slaves ~~to the slaves~~ to the "golden ERA" of the craft guilds only to have ~~it~~ destroyed by the Reformation. Poverty and destitution ~~was~~ to be found everywhere. From 1541 to 1601 twelve acts were passed by the Parliament of London in support of the poverty stricken.

The State of things at the beginning of the eighteenth century can be summarized in the words of Bruno Schoenlank a great non-Catholic authority. "The Reformation was drawing its social conclusions, the golden era of labor was coming to an end, capitalism began to bestir

itself." It was the period when a general desire for freedom was to be found in all fields and especially in the economic and political. In these two spheres it was known as the "laissez-faire" policy generated by the Reformation. There arose a strong reaction against government restrictions and interference with private business. The cry of philosophers, economists and statesmen was "let things alone". This theory upheld that the prosperity and welfare of the nation was to be had by the prosperity of the individual. It sought complete freedom of individualistic interests from government supervision, freedom of trade, of regulation of prices, quantity and quality of goods, freedom of the individual to enter any occupation he might choose and freedom to determine wages by unrestrained bargaining. Its influence was felt a little during the domestic era but especially with the factory and large scale industry under capitalism.

It was during the spring of the "laissez-faire" policy that the domestic stage of industry, the final step to the capitalistic era, came into being. It is looked upon as the experimental stage of capitalism. The reason of its existence can be traced to two factors, the specialization by the individual in his particular trade throughout the sixteenth and seventeenth centuries and the expansion of markets to include foreign lands. The craftsmen began to produce for an unknown and distant market. The worker had neither the knowledge nor the ability to handle the marketing of his wares in distant parts. Thus there arose a middle man who took the responsibility and who later supplied the material and sometimes even the tools. Some for reasons of economy gathered the workers in buildings affording the first resemblance of the factory. The craftsmen no longer produced for the consumer directly. He became a wage earner.

With this stage of industrial evolution we see the first break between the capitalist and the worker which breach is definitely made in the factory period. The disturbances which took place at this time were due mainly to the opposition of the workers to the introduction of new machinery. Some others took place because of the great demands of the middle man or merchants. Carlton in his book entitled "History and Problems of Organized Labor" refers to one of the former instances as taking place in U.S.A. in 1767. The spinners were annoyed by the introduction of the new spinning jenny. They broke into the inventors house and destroyed the machine.

The latter eighteenth century and the beginning of the nineteenth marks the era of the Industrial Revolution. It began about 1770 and ended about 1840. "It involved the displacement of the domestic system of manufacture by the factory system, a great extension of the division of labor, the invention and perfection of machinery in all lines of manufacturing, mining and transportation and consequently an enormous increase in the output of industry. "(Fairchild, Furniss and Buch. Elementary Economics p.55). As mentioned in the above quotation the Industrial Revolution caused the removal of the domestic system and the founding of a more advanced method of production, the factory system. This new period in industry was characterized by the gathering of workmen in buildings known as factories, the regulation of hours, power driven machines ownership of all capital by the capitalist and the gradual decrease of the workers technical knowledge. This change took place especially in England although factories were also in vogue at this time in the United States and France. The reasons for the change in system and especially in England were several. Serfdom had long been abolished in England and the guilds had broken down completely by the seventeenth century. Consequently there followed a liberty to experiment

on new methods of production. England's geographical position rendered her free from foreign aggression. She had accumulated capital through trade and was well able to finance such a step. Her foreign markets were large and lastly the iron and coal needed in running the machines were at her door. It is believed that strikes on the part of the domestic workers were also responsible for the change. The progress of this system was somewhat stunted by the reluctance both on the part of laborers and employers to adopt this new method.

Four main factors serve to signal out this period of industrial history. It was marked by the birth of capitalism the separation of labor and capital, the dire conditions of the working class and the beginning of labor unions and strikes. Instances of capitalistic tendencies were to be found before the inauguration of the factory era, however, capitalism as the result of the individualistic interests growing stronger and stronger at this time, began with the adoption of the factory method. It is here also that we become aware of the first authentic ^{split} between capital and labor, which division of parties augmented as the century rolled on until it reached unbearable heights with the large scale industry. It was not only a separation of the two main factors of production that took place but also a diverging of interests. The old ties no longer existed giving rise to class consciousness. The lot of the laborer was a little better than that of the slave. The human dignity of the laborer disappeared and labor became a commodity to be bargained for upon the market. Professor Hayes of Columbia University in his book. "A Political and Social History of Europe. Vol 11 pp.85-86." gives us some idea of the working conditions at that time. "There was a law by which pauper children could be forced to work-----, In factories they were set to work without pay. Many ~~of~~ little children died of

overwork and others were carried off by diseases which were bred by filth, fatigue and insufficient food". Workers lived in the midst of filth, wages were low, hours were long and the conditions of work inhuman. The consequences of the individualistic tendencies of that period were proving very burden some for the laborer.

As a result of the capitalistic oppression the workers naturally looked to each other for mutual support. This resulted in the formation of labor unions and the occurrence of strikes. These associations remained somewhat weak and ephemeral until the end of the nineteenth century. It was not until this time that the strike became the workers means of defense, i-e. the agreement to stop working until their demands were conceded. Being of little experience the workers did not use this weapon as usefully as was possible. They relied mainly on force, consequently the strikes proved to be very imperfect and violent. As in factories also in other branches of industry, such as mining, strikes were being used. Leon de Seilkar mentions, in his book "Les Grèves pp.19 and 20," the waging of strikes among the Glasgow miners at the beginning of the century. These also were violent. The unions existing there resembled our present ~~Klu~~ Klux Klan, with their secret meetings and forceful means, such as destruction of the owners property. In England they had the character of political uprisings. The law prohibiting unions and strikes was repealed in 1824 but with little advantage to the worker. Unions and strikes were looked upon as conspiracies and prohibited until the latter part of the century. In France also both were prohibited under penalty of fines and prison terms. Many secret associations existed in France at this time, professing to be aid societies for the sick and unemployed. Never has the United States government forbidden them. They were permitted providing they sought purely

outright.

economical aims. Strikes here occurred in periods such as 1832-37, 1853, and 1863-65. during which times they were referred to in the newspapers as "the fashion." In 1869 France suffered great losses from an epidemic of strikes. The strikes during the factory era were waged mostly because of low wages, and exceedingly long hours, and ~~were~~^{were} frequently for political reasons. Public feeling was opposed to the strike until the period of large scale industry when it became apparent that the workers had good reason to revolt against the conditions to which they were subjected.

The last half of the nineteenth century marks the beginning of an era which still exists today altered only with regard to the intensity of the various characteristics. In so far as industry itself was concerned, many small industries were merged into big corporations with a consequent increase of power for the capitalist. Here we meet the greatest division of capital and labor. Just how this change effected the development of the strike will occupy us for the remainder of this chapter. "The strike became of marked social consequence only after the rise of large scale industry" (Encyclopedia of Social Sciences, "The Strike"). The workers soon realized that to meet the increased power of the employers, strength and not a fanatical use of force was needed. The result was the formation of powerful unions, such as the trade unions in England and the American Federation of Labor, and a more systematic strike. One factor important in the evolution of the strike at this time was the recognition by the state of the workers' rights of uniting and of striking, which recognition was brought about mainly by the sympathy shown by the public for the strikers. In England the bill acknowledging the workers rights was passed in 1871 and in 1884, France granted the workers their rights of union and of striking.

Strikes of this period were more and more perfect due to long preparation and the introduction of boycotting and picketing, although at times the latter became somewhat violent. Unions stored money in the treasure months in advance and waited for the psychological moment before bringing about their "coup d'état". At this date there was also a marked tendency among employers to unite for their common interests, which proved to be a great incentive for the more perfected strike. The number of strikes also showed a considerable increase. Prior to 1881 in United States the number of disputes including strikes and lock outs amounted to 1440, as compared with 36,757 for the period from 1881 to 1905. This was the case for most industrial countries except England, the scarcity being due to the highly perfected trade unions and unemployment of that time. Comparing the earlier epoch with that following the shake up both in industry and strike manœuvring we find quite a change in the strike.

"The strike of the first half of the twentieth century is as different from that of 1835 as modern military tactics differ from tribal warfare." (Carlton History and Problems of Organized Labor). The latter part of the nineteenth century was also signalled out by the creation of various new and more extensive strikes, such as the general, sympathetic, political, legislative and solidarity strikes *etc.* The reason for such a new creations is to be found in the new characteristics of this period, such as state legislation and stronger unions. Until the period after the Great War the general trend in all countries was toward a larger proportion of strikers' victories. Following this the proportion varied with times of depression and booms. The greatest decline has been from 1922 to 1932. In the years 1919 and 1920 the number and severity of the strikes were exceptional. The severity declined in Great Britain, U.S.A. Canada, and France from 1920 to 1930 with the exception of Japan, due to the rise of trade unions and class consciousness at that time. In the year 1933, with the inception of the sit-down strike a marked

increase in the number of ³⁰ strikes was shown in U. S. A. At the turn
of the century the number of sympathetic strikes was low, thirty one taking place in Canada
from 1901-1912, but after 1925 the percentage increased considerably
in Great Britain where it involved 58 percent of all strikes in 1926.
In France in 1920 the percentage was 31 and in 1922, 44 percent of
strikers had something to do with sympathetic strikes. Great Britain
prohibited the sympathetic and general strikes in 1927, although a
few have taken place since.

In conclusion to this chapter on history a word or two in con-
nection with a few characteristics of the strike. Wages are still
the major cause of strikes, whereas, union recognition and working
conditions and hours vary. Most countries have today accepted the
right of striking where compulsory arbitration is not in force. A
general characteristic with regard to the strike is that it is symp-
tomatic of prosperity and not depressions. Workers feel, and rightly
so, that there is a greater chance of winning a strike during a period
of progress. Looking back over the historical development we conclude
that our modern strike is the result ^{of} a long struggle of the work-
ers for their rights, beginning with the Roman slaves, and culminating
with the sit-down strike of a few years back. This latter method has
proved to be the workers strongest means and one which incites great
fear on the part of the capitalist class. Public opinion and state
legislation, which are closely connected, have played important roles
in the development of the strike. Also the greater care taken by
employers to weaken workers associations has turned out to be a
boomerang and weakened themselves. Finally it has been a prominent
fact throughout all books and articles in connection with strikes,
that where there exists economic inequality, that is below the just
level, there is always a great possibility of a strike.

STRIKE

V

CAUSES OF STRIKES

1. Foreword.
2. Causes.
 - a) Employer.
 - b) Outside Influence.
 - c) Workers.
 1. Wages.
 2. Hours of Work.
 3. Conditions of Work.
 4. Unions.

STRIKE

CHAPTER V CAUSES.

We now reach the second half of this thesis on the strike. The preceding chapters serve to furnish the preliminary notions with regard to the strike, whereby we are now able to deal with it more closely, considering first its causes, which will be followed by a study of its effects and its morality. This and the following chapters, will serve as an introduction to the chapter on morality. Our purpose here is to treat of the circumstances which facilitate the occurrence of a strike and the various causes themselves. Strikes are of two origins, the revolutionary forces making use of the strike to break down society, and the oppression of capitalists, giving birth to economic inequality and social ills.

Whereas many strikes are inevitable for reasons of wages, hours of etc. several are the direct consequences of bad relations existing between the employer and his employees. The employer, far from exercising those acts of charity and honesty common with the masters of the guild system, today is possessed of an insatiable greed for gain. As Father Coughlin remarked, in one of his radio speeches a few years ago, the god of gold has replaced God the creator. Our modern patron is blind to the human personality of his worker, from whom he wishes to obtain the maximum of effort for the minimum of pay. Another factor common with our industrial methods is the foreman. He represents the employer and acts in his stead in the shop. Too often this man is lacking in his knowledge of workmen and by rash action causes a bad feeling to arise among the workers, not only in his regard, but also toward the whole personnel of the industry. The workers in turn are continually reminded of the advantages enjoyed by their superiors whereas they themselves must content themselves with the ^{mere} ~~best~~ necessities of life. Here reactionaries, communists and anarchists play the leading role. The result

is that the employees suspect their employers, even when the latter realizing their responsibilities toward the workers, seek to better the working conditions. We should not thereby be led to believe that the two parties are continually cutting each others' throats. Nevertheless, the foregoing elements are greatly instrumental in preventing friendly relations and bringing about unpremeditated revolts often for no strict reason whatever.

Carelessness on the part of patrons has often been the cause of many a labor conflict when these had no intention of harming the workers. The worker we must remember has a great admiration for his government and all the more if this ruling body passes laws for his protection with the result that when employers nonchalantly disregard a certain law as immaterial he is awakened from his indifference by a revolt on the part of the workers. It is very often the case also where employers deliberately violate state legislation for reasons of their own welfare giving rise to the legislative strike, Strikes are also occasioned by a deliberate command on the part of the employers to rush production without, at the same time, a proportionate remuneration for the workers. The latter whose conditions are none too pleasant and already burning with class consciousness and ABETTED by fantastic ideas aroused by radicals, soon show opposition to such oppression. Lack of foresight and understanding by the personnel of the industry has been responsible in part for the workers striking. By this is meant the alterations which could easily have been made and with no loss to the employers.

Mention has been made in the foregoing lines of communistic influence but special account must be made of the causes due particularly to this source. Strikes such as the general, the extensive sympathetic and the "wild-cat" are all found to originate from this radical doctrine. As was explained in the chapter of the different kinds of strikes, the

general seeks the downfall of the capitalistic regime and the transferring of the means of production into the hands of the employee, betraying revolutionary influence. The sympathetic and "wild-cat" strikes are no less free from radical instigation. As these have occurred quite frequently since the turn of the twentieth century it marks a strong infiltration into the workers' ranks of these doctrines.

Among the causes of strikes, wages have held and still hold the predominant position. In all countries more strikes result from controversies over wages than any other single cause. In United States for the period of 1881 to 1905 the percentage of strikes due to wages was 53, and 55 percent from 1916 to 1932. In Great Britain from the period of 1919 to 1930 the percentage was 59 per cent. In Australia and New Zealand, where laws fixing wages exist these causes rate low. The wage problem varies with the economic situation. In time of depression it is to prevent a decrease and for a raise during a boom period. To understand the nature of this cause it will be well the study the wages contract which will at the same time enable us to find out how much the workers expect as a wage, and what they really have a right to.

Gronin defines it as a "contract by which one man's labour is loaned out to another for a definite salary". In its widest sense it applies to all labor of skilled and unskilled men. However, in the stricter sense and as used here it is a contract between the capitalist and his employees who receive daily or weekly pay. The labourer might stand to the capitalist in either of two relations, as a partner or as a wage earner. However here we are concerned principally with the worker as a wage earner. Two conditions are necessary. First the worker must receive full reward of his labour and at brief intervals. Second he must be assured of a standard income whether the profits of the concern rise or fall. This contract naturally implies obligations from both parties. The capitalist is entitled to the net profits which are

those profits after all expenses including the wages are paid, the latter constituting the first charge on receipts. The worker is to receive his weekly pay which must be a just wage, or a real wage if considered according to its purchasing power. This wage is just if it is a living wage, thus it will change with circumstances such as rises in costs of living.

The just or living wage is based on the intrinsic value of work. But the value of a man's energies consists in the end of these energies which is to supply the requirements of life. The just wage would then be a wage capable of supplying the needs of life. These include a decent habitation, clothing, recreation, sufficiency of rest and an amount to be put aside for illness, unemployment and old age. The minimum just wage would be that capable of supplying the minimum essentials of life. The just family wage would naturally have to be sufficient to support not only the worker but also his family. As Gronin says, unmarried as well as married men, are entitled to this wage, as the intrinsic value of labour is the same for both. Even if a man is not married he has a right to place himself in a position to marry. Moreover as both labour on the same type of work they demand the same wages. In the determinations of wages normal conditions have to be considered and all adult men are actual or prospective fathers of families.

The wages contract also implies that as the capitalist runs all the risks he is to receive all temporary profits. However the workers have a right to a share of the permanent profits, both legally, as the welfare of society requires that the workers share in the advancement, and in commutative justice, as the worker's living wage varies with the standard of living and as he is in part the cause of the increase in the profits.

Strikes taking place due to wages, are either for a living wage, an adequate wage, which is determined not according to the requirements

of the laborer but according to the service rendered, and for a share of the permanent profits, or to prevent a lowering of wages during a slack period. Mr. Scott Nearing in his book "Social Adjustment" published in 1916 states that three quarters of the workers of that time were not paid a living wage. Doubtless that proportion has lessened since that time yet we are still safe in saying that a very great number of workers must try to make ends meet on less than a sufficient wage, often giving rise to strikes.

Pope Leo XIII has indicated the causes of strikes due to hours of labor in his Encyclical "Rerum Novarum" in the following statement. "Daily labor must be so regulated that it may not be protracted during longer hours than the strength admits. How many and how long the intervals of rest should be will depend upon the nature, on the circumstances of time and place and on the health and strength of workmen. Those who labor in mines and quarries should have shorter hours in proportion as their labor is more severe and trying on their health."

Most of our present day strikes because of working hours are for an eight hour day. Workers cannot be expected to work long hours without hindering their health and causing a rupture in family life. Many of our present strikes are due to this cause. Often a sympathetic strike is carried on for the sake of a few whose health is not up to par and who are compelled to work as long as the sturdy workers. Miners and quarry workers as Pope Leo pointed out have wages strikes demanding suitable hours in accordance with the severity of their work. Many of the strikes occurring in the Pennsylvania coal mines in the last few years were for this purpose and a greater number of shifts. In U.S.A. from 1916 to 1932 the percentage of strikes due to laboring hours was 13% and in Great Britain for the period of 1919 to 1930.

Another frequent cause of industrial conflicts is the working conditions or to be more specific conditions of work, as "working conditions" is often meant to include wages and hours. Workers have ~~and~~ still protest

against conditions of work which are detrimental to their health, life of morals. This, of course, would differ with the different industries. Today we find that the greatest attention of state legislators has been given to this factor with the result that many protective laws have been passed. However there still remain a few trades of which the working conditions could be reformed, although generally speaking this cause of labour conflicts today has practically disappeared. One example of the danger of some shops is the case occurring not so long ago in a watch factory in United States where insufficient care was taken against radium used on the faces of watches. One employee died and another is awaiting the hour. This and many other conditions arouse the workers to demand better conditions.

Since the latter nineteenth century, strikes due to union recognition have occurred more and more. The workers conscious of their right to unite and the advantages to be had by associating, strike for recognition as the employers are usually opposed to the mustering of strength on the part of the workers. When a trade union moves into an unorganized industry it is usually accompanied by strike waves. Such strikes occurred in the United States in the steel industry in 1919 and amongst the dockers in England in 1889, and here in Canada at Oshawa a year or so ago. It is due to the existence of unions that general, solidarity and sympathetic strikes etc. take place. This cause is second only to wages in percentage from 1916-32 was 17. In Great Britain from 1919 to 1930 it was only 7.5 percent and this due to the highly organized unions in existence there.

The important part which the causes occupy in the study of the morality of the strike has necessitated the foregoing treatise. It will be seen that a just and proportionate cause is needed for the just strike. The aim therefore of this chapter has been to afford a sufficient know-

ledge of the reasons of the strike, that the determinations with regard to the two conditions just mentioned may be the more clearly made. Our next step will be to deal with the consequences of the labor conflict, which will also aid in the better understanding of strike morality.

STRIKE

VI

EFFECTS OF STRIKE

1. Introduction
2. Economical.
 - a) Industry Directly Affected.
 1. Industry Itself.
 2. Employer.
 3. Workers.--elevating the workers living conditions.
 - b) Other Industries.
 - c) General Public
3. Moral.
 - a) Individual
 1. Worker
 2. Employer
 - b) Family.
 - c) Society.
4. Conclusion.

STRIKE

CHAPTER VI EFFECTS

As was mentioned in the introduction to the previous chapter, this chapter on the effects will serve as an "avant-propos" to that on the morality of the strike. In the preceding chapter, we dealt with the elements leading to the strike. Here we shall strive to make a thorough study of its consequences both economical and moral. That the employer suffer losses is, what we might call the "raison d'être" of the strike by means of which the workers hope to have the employer come to terms. But even the ordinary peaceful strike, although not intentionally so, is nevertheless responsible for other evil effects felt by the workers, the industry itself, other industries, the workers' families and society which effects exceed the employer's losses,

The common economical effects of all strikes include the interruption of work as intended by the workers, the cost both to the employers and employees and the loss or gain by strikes and non-strikers. However, besides the above mentioned, the strike leaves in its wake many other effects varying with the kind, extent and duration of the strike. These together with the former are important in the determination of the morality of the strike as will be shown in the next chapter.

In the event of a strike the employer has little to gain economically, whereas his loss at times amounts to an incredible sum. He must pay his foremen and engineers and many other industrial expenses whether production is halted or not. We must also remember that during the time of a strike the employer's share of profits is not forthcoming. On the other hand, the workers not only deprive themselves of their salaries but also impose great sacrifices on their respective families and also exhaust the unions' treasury by their act of revolt. Should the strike prove to be a failure there is grave danger that the employers will make use of this opportunity to lower the already disputed wages on the grounds

of defraying strike expenses, and here mention is also to be made of non-striking workers who benefit by a successful strike but also suffer from a failure on the part of the strikers to gain concessions. Now we come to that factor in industrial circles which has to do with the industry itself and consequently involving both the employer and the worker in its losses. One of its many set-backs is the cancellation of deals with other firms which is felt long after the parties concerned in the strike have come to terms. Needless to say violence on the part of the workers retards production and leads to hardships which take their toll on the employers and on the workers themselves. Excessively violent and lengthy strikes have caused the discontinuance of the industry. A too long interruption of production necessarily implies unsurmountable evil consequences irregardless of the important advantages to be had by the success of the strike.

It is a common fact that the effects of a strike waged in one industry are felt by other subordinate concerns and the general public. This is especially so with the general, sympathetic, violent and long lasting strikes. An interruption of work in one of the principle industries such as the coal industry all too frequently involves a halt to many other industries and a check to the railroad and shipping companies, either because they cannot obtain the raw material with which to carry on. Naturally, in such a case the extent of losses to workers and employers will augment in proportion to the number of concerns delayed by the strike.

The last and most considerable party to be affected by the strike is the nation. The strike is greatly instrumental in lowering the economic status of the nation. "It is detrimental to national industry which it ruins to the profits of foreign bargainers who monopolize the market. Especially today the international order is affected because of industrial concentration and economic interdependence of nations" (Cardinal Villeneuve La Grève et l'Enseignement Catholique). Perhaps one of the most felt

consequences to the nation is the rise of prices due to the strike, leading to privation, hunger and cold misery among the already necessitous part of society. Another effect is the cost to the state for the maintenance of army protection during violent strikes.

A typical strike exemplifying the various economical consequences is the general coal strike of France in 1902. It involved a loss of millions of francs for both the workers and employers. The workers lost thirty six days of salary amounting to 4,681,142 francs. The employers' cost was double, certain charges amounting to 1.25 francs per ton of coal, and wages of directors and engineers totalling 3 francs per ton. There was also a loss of benefits amounting to one twelveth of the production. The total cost to the employer was 13,841,068 francs. Other losses included deals lost to foreigners, loss of income, increase of war budget due to army protection, increase in price to other industries for outside coal, and the increase in price of domestic coal. In this particular instance, it was a total loss as the workers failed to obtain their demands.

Morally considered, the effects of the strike demand perhaps still greater consideration for here we are concerned not only with an economical loss, but a consequence the detriment of which can be traced to the very roots of society. The strike is instrumental in arousing unfriendly relations between workers and employers, it is harmful to family peace and creates social unrest.

Employers are inclined to become embittered by a strike and particularly so if the workers halt the progress of the industry without warning or for unreasonable causes. One such existence took place in Detroit, U.S.A. during the spring of 1937, where the owner of the Fry Seat Covers Co. threatened to close down his factory if the workers persisted in striking for every imaginary reason. It is often the case today with our modern sit-down strike which can be brought about very easily. However, the strike has this good point that it acquaints the indifferent employer with the workers' grievances, which he is ignorant of due to the little

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contract he today has with the laborers. The employer also is intimidated by a strike and becomes more cautious in avoiding future conflicts. It has been noted that the fear of a strike is often as effective as the strike itself. By the strike, the bad labor conditions are also made known to the general public, which acquaintance has been known to lead to favourable state legislation for the workers.

Psychologically the short strike causes the workers to be naive, believing that the employer is weak due to quick success. The usual result is a second strike within a short period which proves to be of evil consequences to the workers. One French politician once said that there is nothing like a good long strike to settle labor disputes once and for all. The employer is made to fear a subsequent strike, the workers are timid about beginning another, and public feeling becomes anxious that the rights of the laboring classes be upheld so that no more strikes will occur. However, there are other effects following the long strike which overshadow the AFORESAID good points. For as Father Lemkuhl expresses it in his article "Les Grèves" in the book entitled "La Question Ouvrière", when workers have been off work for a length of time communicating to each other their bad humour and igniting the fire of anger in each other they become a danger to public peace as they are easily led to the destruction of property and taking of another's life. The grave danger of a too long rest, is a tendency to revolutionary acts, lowering of morale, perversion of character, and immorality. Nevertheless, it has had the effect of awakening the worker to his strength in united effort when demanding reforms.

One aspect too often disregarded in connection with the strike is its effect on the family life, not only of the strikers but also of non-strikers. The ill-feeling which the head of the family brings home with him tends to create unrest in the family. Then too there is also a fear attached to the strike which pervades the households of strikers and non-strikers,

Of late the workers incessant recourse to strikes and especially the sit-down strike has begun to turn the tide of public feeling them with the consequent danger that state legislation in time will pass a law forbidding once more the strike. For society in general the strike particularly the general and sympathetic strikes arouses social unrest. It is detrimental to society as it divides still more the ever widening breach between worker and employer. The result is a strong class consciousness and a fertile soil for communistic and socialistic doctrines.

Of course we must not overlook the fact, that a successful ^{do} does bring advantages to the worker and society in general; for immoral conditions of a whole community are sometimes removed, which, everyone will agree, is of enormous benefit to both the workers and the public. Nor do we, by any means uphold that all the above mentioned evil effects are connected with every strike. In making this study of the consequences of strikes our aim is to determine all the possible effects which will go far in deciding the morality of the strike. Good and bad effects are to be considered in judging any strike.

STRIKE

VII

MORALITY

I. Moral Right to Strike.

- a) Introduction
- b) Worker's Right to Strike according to
 - 1. Interruption of Work.
 - 2. Organized Interruption
 - 3. Enforcing of Demands.

II Conditions of the Morality of a Strike.

- a) Just Cause.
 - 1. Wages.
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 - 1. Foreword.
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 - a) Moral & Economic Compulsion.
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CHAPTER VII MORALITY.

The morality is needless to say of primary importance in treating of any ethical problem, and particularly so with regard to the strike, for today public sentiment is either of doubt whether the workers have a right to strike, or of opposition to the workers having recourse to such methods, IRREGARDLESS of the laborers' rights. Thus it will be our purpose here to prove, that the worker has a right to strike and to determine the conditions of a just strike, The five preceding chapters, although each is important in itself, serve a still greater purpose by affording a knowledge of those phases of the strike, necessary as a preparation for the study of its morality. Thus having determined what the strike is, its various kinds, its origin, its causes and effects, we now proceed to study of its morality and the conditions of its morality.

In determining the workers' right to use the strike method, we shall have recourse to man's natural end and show that it is in view of his greatest human happiness in this world that he is justified in using this drastic means for enforcing demands from his employer. Man, by his very nature is ordained to seek his greatest human happiness here, on earth, or in ethical terms his imperfect beatitude, which constitutes a preparation for his perfect beatitude in the next life. Man's ultimate happiness in this world, his imperfect beatitude consists in the practise of virtue, that is the ordination of all his acts to moral law, and here we speak necessarily of human acts or free and deliberate acts. To put it in other words, it consists in the greatest possible perfecting of his human qualities. But as St. Thomas points out in his Theologiae secundae q4.a7. man in this life requires body needs as

much for the practice of contemplative as for active virtues. For if the body is not sufficiently disposed, the operation of the mind necessary in the practice of virtue will be impeded. It is therefore evident that where man has not the average amount of body requirements, such as food clothing and other comforts, his standard of living will be very low and consequently his moral advancement will be interfered with. Thus man not only needs these material goods but also has a natural right to them in view of his true earthly happiness. In case of interference he can defend this right by forceful means which is a property naturally emanating from the right and which is also required by the common good. But as the laborers only means of attaining these corporeal necessities is by means of his work, this work should be such as to assure him of these commodities. Surely, if the conditions of work are such that these goods are lacking and no other means is useful, the worker can have recourse to forceful means, and this means could involve the use of the strike provided of course that the strike is not immoral in itself. A close examination of the strike by its three essential elements will prove that such is not the case.

As was mentioned previously the three essential properties of the strike comprise, the interruption of work, the organized interruption of work, and the enforcing of demands. We might first mention that the Church has at no time condemned the strike. Pope Leo XIII in his encyclical Rerum Novarum, which is considered as the official organ of Catholic doctrine on the problems of labor implicitly assumes the morality of the strike by not openly condemning it. Moralists also uphold its validity. As there exists no strike, it can therefore prove immoral only as a violation of natural law. But this does not seem plausible. By external relations the strike

divine, ecclesiastical or general civil law

could be a violation of nature's designs but not intrinsically and this we aim to prove by treating of each essential element individually.

There is no doubt that the worker has a right to interrupt his work, temporarily or permanently in so far as one particular employer is concerned. Nature requires that man work for his daily bread, however she does not stipulate that the worker is to restrict his services to any particular employer. Circumstances alone can render such an act immoral as in the case of the existence of a just and valid contract. The worker may also be bound in charity to continue working due to the severe losses which a strike would cause to the employer and the general public. Nevertheless, in justice the former has a strict right to suspend his services and particularly so if he should be subjected to unjust conditions of work, in view of his abstract right to human happiness here on earth, and his concrete right to just conditions by which he is rendered capable of this happiness.

Nor can it be said that the agreement of all workers to interrupt work renders this interruption immoral. The agreement does not affect the intrinsic morality of the interruption, for it is not wrong to do a thing in common which is in itself lawful. True there is a big difference between interruption of work by the laborers individually and collectively, but this difference lies in the effect, rather than in the suspension of work itself. Should one worker refuse to work he can easily be replaced but in the event of a collective refusal the employer is face to face with a real problem. Naturally he suffers a great loss. However the losses to the employer do not thereby necessarily render the organized interruption of work immoral even though the effect is the direct consequence of the organization. As was mentioned previously the rights of man can be defended by force if need be, and naturally the use of force entails consequences which are

injurious to the victim. These injurious effects constitute the main reason for using force, when the agent's rights are not respected any other way. Of course there are conditions which must be complied with in the use of such drastic methods, which conditions for the strike will be determined at length later on ⁱⁿ this chapter. As for the workers themselves the interruption of work by agreement gives them more strength. Labourers might in certain cases be bound in charity to suspend this act due to the enormous losses to the employer and the general public. Nevertheless in justice they have a strict natural right to agree in their refusal to work. Man of his very nature feels the necessity of uniting with his fellowmen in the quest of his human happiness and this necessity is as important in the attainment of this end as are the material goods. None will deny man's natural right of association. This right is manifested in the religious, political, intellectual and social spheres of life by the innumerable societies which arise therein. The need of coordination is particularly felt in the economical field today when modern forces seek to crush the individual. The organized interruption of work is a manifestation of the natural right of association by which the workers seek to safeguard their interests and rights. Thus it is safe to say that the worker has a strict moral right, in view of working out his destiny, to unite with his fellow workers in the interruption of work.

The third and final element, the enforcing of demands, needs no proof of its validity. Particular demands might render it immoral, however this would be due to external relations and not the element itself. Thus the workers have a right to interrupt work to organize to do so and to enforce demands.

Nor can it be said that the strike is rendered immoral as it

violates the strict rights of the employer and society. The only way in which the employer could be unjustly affected would be the violation of a valid contract. But as Fr Kelleher says "it is only rarely that strikes can be said to violate contracts". In most cases the contract is DEVOID of moral force either due to the fear by which the workers were compelled to accept unjust conditions or because the employer has failed to live up to his part of the contract. It would therefore be erroneous to substantiate any such statement, namely, that the strike violates the employer's rights by violating the contract as it is only in the odd cases that the contracts are valid.

It has also been stated that society's rights are violated by the strike as it has to pay the increase in prices consequent to the strikes or because of the loss suffered by the general public due to the dislocation of industry. It cannot be denied that these consequences are injurious to society, but the point of consideration is do they render the strike immoral. It does not seem so. It must be remembered that society is in part responsible for the unjust conditions by "the insatiable yearning to buy cheap, without any thought how the cheapness is obtained, this is the incentive which tempts men to buy cheap labor, and underpay workmen." (Father Cuthbert Catholic Ideals in Social Life. P.211 N.Y.1914). Society has not mere right to demand that workers continue to labor under unjust conditions than have the immediate employers. For the public good society is bound in justice to do its part for the ALLEVIATION of the workers' dire conditions.

Thus by striking the workers do not commit an immoral act, nor do they violate any strict rights of the employer or of society from which we may safely conclude that the laborers have a moral right to strike. But to have the right to strike is not sufficient. For the justification of strikes certain conditions must be fulfilled. These

conditions will occupy us in the next section of this chapter.

Having conceded to the workers their right to strike we must now determine the limits of this right. Being a drastic method it naturally follows that to be ordained to the attainment for the workers of their lawful happiness, there must be restrictions. The importance of these restrictions today needs special stress, as the workers crushed by the greed of egoistic capitalists are inclined to overstep their rights. As one old poet put it, "drive our nature with a pitchfork and it will return." Another reason for the particular emphasis given to these limitations is to drive away all doubt as to the socialistic and communistic doctrines regarding the extent of the workers' demands and the intensity of force to which the laborers are entitled. As Father Maclean ably points out, the workers have not a right "to all that they can get" The worker must be made to realize that although he has the moral right to strike, which in itself violates no one's strict rights, he cannot thereby use this right beyond its own limits. Labor is but one of the necessary factors of production. As was shown before labor and capital must necessarily unite, each entitled to a remuneration commensurate with services or capital invested in the production. However as the employer commits an injustice by refusing to accede to the lawful demands of the workers, so also the latter act unjustly by demanding more than is their due. Therefore to avoid all confusion we shall specify the conditions of the just strike, which are, a just cause, a proportionate cause, a right use of the means, and a sufficient hope of success. These conditions necessarily imply an unjust labor contract. Wherever a valid contract exists a strike cannot be justified. For the workers' and employers' welfare the contract must be fulfilled. Society also demands that this agreement be followed to the mark by both parties. "Both morality and expediency dictate that labor should always regard its con-

tracts, agreements and engagements as sacredly obligatory." (Catholic Charities Review, Editorial, Nov. 1919, p.203.) Therefore as long as the valid contract exists the workers' right of striking is suspended and it is only as a grave injustice to the employer and society that they make use of it at this time.

First in importance among the conditions for the just strike is that the cause be a just one and this for two reasons. First, because a just strike requires a just cause, for the morality of an act is primarily specified by the object of this act, and in the case of the strike the cause is the same as the object. This condition not being fulfilled the strike cannot be morally permissible under any circumstances. The workers therefore would not be justified in waging a strike merely to take revenge on the employer or to weaken the employers as a whole. The second reason is because the evil effects consequent of the strike, of which the workers are indirectly responsible, demand a sufficient reason for placing such an act. When in proving the workers' right to strike we said that these effects such as are usually brought to bear upon the employer and the general public, do not render the strike immoral in itself, we do not imply that the workers are thereby entitled to strike for any reason whatever. We must remember that the strike is a drastic method, a forceful means to be used in defense of a right, only in case of extreme need. Therefore unless the cause is just the workers cannot occasion these bad effects i.e. they cannot strike.

Fr. Lehmkuhl, in treating of the just cause of a strike distinguishes between self-defense or legitimate defense (not wehr) and self-help (selbsthilfe). The self-defensive cause is a demand not only for that to which the workers have a strict right in justice but for that which they must have to be able to live as an intellectual being. It is the demand for the minimum of their due, thus the term self-defense.

This cause is double, either opposition to an existing injustice, when there are no other means of obtaining lawful rights, which opposition constitutes a just cause even if a contract exists which would naturally be unjust, or opposition to a menacing injustice which also constitutes a just cause. In the latter case it is to prevent an injustice which endangers the contract if a valid one exists. It is clearly evident that the workers need not wait until the injustice is actually causing harm before they strike. Workers have as much right to prevent a menacing injustice and to remove an existing one. Therefore the self-defensive cause in either of its two senses is permissible for the waging of a just strike. Self-help is a demand for that which is above the minimum. Workers have a strict right to this providing they do not exceed the just limit. In this case the absence of the higher wage etc. does not render the contract unjust even though the workers have a right to it, with the result that all just contracts must be fulfilled before self-help can be considered as a just cause. Although at times it is unwise to bring on a strike for this reason it is not unjust. There are four causes which usually bring about a strike, and which are possible just causes, namely wages, hours of work, conditions of work, and recognition of unions and union principles. The previous distinction between self-defense and self-help is connected with the four causes but particularly with wages.

Although other causes have at times surpassed the wages dispute in percentage yet throughout the history of the strike, the latter has held the predominant position. To the question, can the wages dispute constitute a just cause for striking? Our answer is an emphatic yes! Pope Leo XIII in his encyclical Rerum Novarum, states very clearly that "the remuneration should be sufficient to maintain the wage earners in reasonable and frugal comfort." This is the estimate of the

minimum just wage to which the worker is fully entitled and which he must have if he is to live as a human being. Any strike having for cause the minimum just wage is termed as self-defense and therefore morally just, whether there exist a contract or not, No contract can be morally binding which requires the workers to labor for a wage below the minimum level. As regards the family wage it would seem safe in saying that with the living wage it constitutes a just cause, in the sense of self-defense. In the chapter on causes when treating of wages we determined that the adult worker was entitled to a family wage even though he be single. Thus workers have a right to strike for a family wage even if a contract exists, the latter lacking moral force in this case as well as in the case of the minimum just wage. It may happen that an employer is not able to pay the minimum just wage, as determined in the chapter on causes. In this event the workers are bound in charity not to strike, but they need not continue working for this employer. If the industry cannot pay a living wage the workmen will be justified in leaving such an industry to die out, for it endangers the welfare of both the workers and the general public. However, when the strike is waged for a salary above the necessary limit it would seem that the worker would be bound to fulfill all valid contracts prior to the inception of the strike; for the privation of the higher wage does not necessarily render a valid contract unjust. Yet we cannot deny man's right to a higher salary even if this salary meant the maximum just wage and providing all just contracts are fulfilled it would constitute a just cause for a strike, if however, the strike is absolutely necessary and the only means for its attainment."Strikes, which are called for the purpose of enforcing a higher wage, as long as it is just, even though it be the "summum justum" or the maximum just wage, are not to be adjudged on this account unjust."

(Vermeersch's Quaest, de Justitia n 473 b). Should the worker ask for a wage beyond the "summum Justum" he would be committing a double injustice, an injustice to the employer and to society, because in order to meet the demand the employer would have to raise the price of the product above the just level. However to determine when a strike is unjust due to an excessive demand we will have to determine the "summum justum" which is somewhat difficult. We do know that it is not "all the workers can get" as the socialists would have it. The capitalist is in justice entitled to his share of the profits. As Doctor O'Donnell would have it," perhaps if we said that the maximum wage meant all the profits remaining when the employer has been paid a full interest on the value of capital involved and a full remuneration for individual service in the way of management and otherwise we should be as near the truth as any others that have speculated with the problem." This would be as close as anyone could come to the proper estimate yet it is far from definite. Thus from the point of view of wages it is rather difficult to adjudge a strike unjust. One reason is as everyone generally admits, because the majority of workmen do not receive a living wage. Another reason is because before we can come to a verdict as to the justice of a strike for higher wages we must be able to determine whether or not the wage demanded exceeds the maximum limit. In conclusion we may sum up as follows: workers are justified in striking for a living wage which includes the family wage, and also for a higher wage providing all just contracts are fulfilled, which higher wage is limited only by the "summum justum" as yet undetermined.

The dire consequences of too long hours of work upon the health morals of the laborers, leaves little doubt as to the right of striking for a limited work day. The determination of the limits that constitute a just cause will depend on the severity of work and the

health of the workmen. The just conditions of work as regards the hours of labor cannot be better summarized than in the words of Pope Leo XIII in his encyclical "Rerum Novarum" Daily labor must be so regulated that it may not be protracted during longer hours than the strength admits. How many and how long the intervals of rest should be will depend upon the nature of the work, on the circumstances of time and place and on the health and strength of the workmen. Those who labor in mines and quarries should have shorter hours in proportion as their labor is more severe and trying on their health." Moralists seem to agree that in general the demand for an eight hour working day is reasonable and constitutes a just cause for a strike. It is the general sentiment that the eight hour day is the just limit for the average factory. However it would not be wise to state this as the absolute limit for all factories, for there are certain industries where work could be carried on for a longer period without causing an injustice to the workers. Nevertheless considering the average factory we would be safe in saying that the eight hour day is sufficient to insure the health and morals of the workers, and at the same time not cause an injustice either to the employer or to the general public. To place the standard above this limit would be endangering the welfare of the workers and also society. The six hour work day calls for a more detailed examination. True as Pope Leo points out those who work in mines and quarries should not be expected to work as long as other working men. In view of the fact that in general other industries might reasonably be limited to the eight hour day it does not seem unfair that the miners and quarry workers ask for shorter hours. But to place the level for all industries at six hours could not be said to constitute a just cause for a strike.

This would necessarily lead to an increase in prices which other workers would not be able to pay. As the eight hour day does not interfere with man's health or morals the workers cannot demand shorter hours, and be morally justified in so doing. Just as the employer commits ^{an injustice} in demanding too much of the workers so also the latter, should their demands be unreasonable. Therefore the mean for most industries could safely be said to be eight hours, with the exception of mining and the quarry industries which demand a shorter work day, and which limits the worker can demand in justice. Where, as mentioned previously, the workers can possibly put in a longer day justice requires that they refrain from demanding less provided the day is not too long. In any case where the contract is rendered unjust by the duration of work the strike is permissible, for to overtax man's energy is against the laws of nature and an unpardonable disregard for the human aspect of the workers.

Conditions of work perhaps influence the morals, health, and mental state of the workingman more directly than any other cause. Considering this great influence we hasten to add that there is no doubt as to the justice of the cause which demands just conditions of work. The worker is not only entitled to a sufficient wage and a limited working day, but also he must not be made to ruin himself in order to obtain this wage. However there are a few restrictions to be made with regard to this cause. There certainly are improvements which the workers are entitled to and which are a just cause for a strike. These vary with the different employments. In some industries the conditions of which are particularly dangerous for the health of the workers, a great protection is naturally required. Yet there are others which the workers have a right to but which would not seem sufficient to cause a strike until all valid contracts were fulfilled. Never-

theless, providing the laborers demands for improvements are reasonable they are totally justified in striking and these demands include, protection against accidents, diseases, and ill health, and also a safeguard of their morals, in so far as the shop is concerned. Of late years this cause has lessened more and more, until today the workers very seldom strike for this purpose, except perhaps due to the effect on the mental state of the worker of his daily routine. It is comprehensible, how in our modern industries, due to the continued repetition of the same act day in and day out, the worker becomes a mere robot. Of course this work has to be done, but care should be taken to protect the worker from this consequence, even though it required a change of jobs once in a while. Where sufficient precaution is not taken workers would in justice be permitted to wage a strike and especially where this protection is not enforced by civil law.

A great tendency among the capitalists has been to check the union of workers, and thus refusing to recognize the workers' organizations and their principles, the most important of which is collective bargaining. As a counter attack the workers seek to enforce this recognition from the employers by means of the strike. The question is - are the workers justified in striking for this purpose, or is the effort to have their unions accepted by the patrons a just cause for a strike. There seems to be no other alternative but to substantiate the legitimacy of this cause. It would seem contradictory that the workers have the natural right to organize to protect themselves against the injustices so common in our present day industrial era, and at the same time that they be denied the advantages of such a right, which advantages in most cases cannot be had except by the use of force, the strike. An employer refusing to recognize an association of workers whose aim is to better their conditions commits an injustice which permits the use of the strike.

But not all unions can be said to be justified in demanding recognition. Workers associations such as the I. W.W. which seek the downfall of capitalism and the destruction of the government can under no circumstances be justified in enforcing their principles upon the capitalist class. A strike for the purpose of enforcing the recognition of an association is just in so far as the aims of the said association are good, otherwise they must be unreservedly condemned. Whereas there are organizations of this kind i.e. which are immoral in their aims, these are few. The majority of labor unions have as their objective collective bargaining which is morally just. In fact the hope of industry for peace rests in collective bargaining. Thus there seems to be no reason for denying the workers' right to strike for recognition of their unions, the aims of which are justified.

With this treatise of union recognition as a just cause for striking we close our study of the just cause, the first condition for the justification of a strike. We have seen that wages, hours and conditions of work, and union recognition may constitute just causes for a strike, but it is well to reiterate the importance of using the strike only as a final and drastic means of securing just rights. For the disregard of this characteristic will lead to abuse and finally the prohibition of the strike by state legislation. Returning to the just cause, this is only one of the conditions and is not sufficient of itself to justify a strike. Our next study will concern the second and no less important condition- the proportionate cause.

To this point in the justification of the strike we have proven that the worker has a right to strike and also treated of the just condition in the exercise of this right, namely the just cause. But as we have already mentioned a just cause alone does not permit the waging of a strike, unless it be also a proportionate cause, that is of sufficient

gravity to offset^{as} the evil effects usually following a strike. In so far as the worker is concerned sufficient gravity would be found in causes which would aim at the workers assurance of a proper human life. Such causes include a fair wage, proper hours and conditions of work and recognition of laborers' associations. However even here due care must be taken that a serious reason exist. It is possible that a strike over wages or conditions of work, etc., is not justifiable due to the unimportance of the cause as regards the worker, even though the cause be a just one.

When we say that a cause must be a proportionate one in order to offset the evil effects, this proportion is not to be understood as the mathematical equivalent of the bad effects, but that the cause formally balance the evil consequences, that is that it be important enough to the workers to justify the strike which usually entails moral, physical, and mental effects besides the economic effects. For as was said before, when a man's strict right is not respected by ordinary means, he can have it respected by the use of force, providing of course that the man's right is of sufficient importance to him to permit force which naturally entails harmful effects the victim and sometimes a third party as the general public in the case of the strike. We might add that although evil consequences are bound to ensue they are not intended in themselves but being connected with the means employed are thereby indirectly willed. Nevertheless, in order to place an act entailing such effects the reason of such an act must be of sufficient importance to counter-balance them. Again we repeat that the strike is a means to be used as a last resort and only in case of extreme need.

In connection with the consequences we must distinguish between those which are directly or indirectly caused by a strike and those which are brought about by radicals and which can have no bearing

whatever on the relation between the sufficient cause and the evil effects. It is to offset the former effects only that the cause must be of sufficient importance. Nor can it be held that these effects render the strike immoral, thereby making it impossible for any cause to be of sufficient gravity to permit the use of the strike. The evil effects directly or indirectly consequent of the strike are, as enumerated in the chapter on this subject, those affecting the industry and employer which are economical, besides the economical and moral effects on the side of the workers, their families and the general public. However, there are also advantages which have been obtained from the exercise of the strike. "It has conferred considerable moral benefits on the community in removing gravely unjust conditions and immoral surroundings. (Mclean P.83) We must remember also that many of these consequences particularly the economical are remedied soon after work has again begun. Besides we must not let ourselves be overwhelmed by the bad effects to the extent of forgetting that the workers suffer great evils by being denied the proper conditions of work such as a sufficient wage etc. Then too the workers, forming a section of society, count as much as any other section, thus that "society is bound as a whole to suffer injury also from any grave injustice inflicted on any section of the laboring class." (Mclean 83). It would therefore be safe to conclude that a proportionate cause does offset these evil effects, but only a proportionate cause.

Although the first two conditions are absolutely necessary yet they are useless unless there is a sufficient hope of success. It stands to reason that workers are not permitted to carry on a strike which they know is to be a failure. The very act of striking entails evil effects which may be occasioned on condition that the cause is a just and proportionate one. However the latter conditions necessarily must presuppose a successful issue. The proportionate cause will offset the evil

effects providing this cause, which is at the same time the end in view such as a living wage, is won. But where there is no hope of success there is no hope of counterbalancing the evil effects. In other words it gives rise to suffering, on the part of innocent women and children and society, without compensation. Here there is no doubt that the end of the workers is deviated to the occasioning of harm as they know that the good effects are impossible. Thus a strike with no hope of success is to be condemned as unjust.

The unsuccessful strike proves to be only a disaster to all involved. It is characterized by the violence connected with it. The workers knowing that they have little chance of winning out are goaded on by this fact to destroy the employer's property and the less hope of success the more violence is found to take place. It brings into exercise the most violent and terrible of human passions and tends to create social disorder. In such a case it would seem more reasonable that the workers withhold their attack upon the employer and suffer the present ills rather than make things all the worse and at the same time harm others in so doing. Thus it is clear that unless the workers have some hope of success the strike is not justifiable.

Nevertheless we must not become too narrow in our judgment of the strike in relation with this condition. Because the workers return to work without concessions does not always mean a complete failure. Due to the strike the employer may be forced to ^{remedy} better conditions even though it is not immediately. It would seem that when the workers have sufficient grounds to believe that the strike will prove effective at a later date, they are justified in carrying it out, for every often the fear of a strike is as effective as the strike itself. Again it is difficult at times to determine precisely whether the strike will be successful or not. In this event providing the workers have a just and proportionate cause, they could not very well be refused the right

to exercise this forceful means.

It might be asked why we are so inclined to be lenient with the workers when such a risk is at hand. Judging from the cruelty which the workers are made to suffer, and the fact that the strike is often the only means at hand to withdraw this oppression, we do not feel that we are overstepping the just bounds when we accord the workers, the right to strike even though its success be founded on a chance. Although here we do admit that the cause should be such as will counterbalance the risk taken. Of course if there is no possible hope of a favourable result than we have no alternative but to condemn the strike under such conditions, no matter how just and serious the cause that drives the workers to such action.

The last but no less important condition is the right use of the means employed during a strike. A strike may fulfill the three preceding conditions perfectly and still be unjust due to the bad use of the means, for a good end important as it may be to the workers never justifies a bad means. To this condition we attach a singular importance as most of our present day strikes are rendered unjust because of the non fulfillment of this condition. In the majority of cases due to the use of force, and the awakening of the workers to their power by the strike, the latter are inclined to commit acts of violence. We will therefore lay particular stress on the importance of the right use of means as the abuse is not only instrumental in rendering the strike unjust but also in causing its failure, and disfavor on the part of the employer.

Note has been made throughout this chapter, of the strike as the last drastic means, However considering the grave importance of this fact we feel that particular emphasis is yet required. The workers' concrete right to the use of the strike cannot be acknowledged until all possible peaceful methods have been seriously attempted. For instance, if it is possible to settle the dispute by means of arbitration,

recourse to the strike would then constitute an injustice. However all peaceful means having been tried we could not very well expect the workers to give warning of strike. In the first place a sudden interruption of work might mean the turning point of success. Then again the workers should not be expected to show consideration for the employer when the latter has deliberately refused to give them what is justly theirs. It would be different should the end of the strike be a higher wage when no injustice on the part of the employer existed. Here the workers are bound in justice to give warning, that the employer may avoid needless loss, besides fulfilling all valid contracts.

Returning to the main point of this last part of the chapter on morality we find ourselves face to face with an important aspect of the strike and one which is of particular significance in the study of the strike at this time due to the present day labor conditions. The two primary elements essential for the success of our modern strike is the interruption of work and the formation of a strong defense against intruders seeking to replace the strikers. As to the morality of the first element we have treated at length in proving the workers right to strike and determining the necessary conditions for the use of this right. One of these conditions which is the fourth and last to be studied concerns the second element of success, namely the means used in checking strike breakers, It will be our purpose here to determine what means can be justly used and to what extent they can in justice be employed.

In the course of a strike the feeling of resentment toward strike breakers at times runs very high. The workers know that unless they can keep these outsiders from taking up the places vacated their chances for success are slim. The strike is usually the result of long suffering and careful preparations so one can easily understand how the workers, anxious to have their demands accepted, might exceed the

just bounds, in the exercise of compulsion both on the employer and strike-breakers. However, as natural as this issue may be compulsion must have limits and these limits we aim to determine.

First, extreme compulsion, that is physical violence demands our outright condemnation. No man is ever morally justified in violating the strict rights of another no matter how important his reason may be except of course in the case of self-defense. Therefore workers, are never entitled to harm the employer's person or property or to use violence on non-strikers. Religion teaches the laboring man and the artisan never to injure the property nor to outrage the person of an employer, never to resort to violence in defending their own cause nor to engage in riot or disorder. (Pope Leo XIII Rerum Novarum). Union leaders through experience have come to realize the utter impracticability of violence thus that today they use stringent means to assure themselves that such acts will not occur.

Although violence is never permissible workers are justified in using moral and economic compulsion which consist respectively in, reasoning with the non-strikers to abstain from interference and economic pressure brought to bear both on the employer and the strike-breakers. Just fear is also allowed providing that it is just fear. It would not violate any strict rights of the strike breakers to threaten to except them from benefits of the union etc. However it would constitute an injustice were the latter interfered with in their civil rights, such as obtaining the necessaries of life at a just price etc. These peaceful methods of persuading non-strikers (and these include actual workers, for there are those who are not outsiders and at the same time refuse to strike) ^{from} ~~even~~ working do not seem in any way to violate strict rights either of the employer or the strike breakers it may be asserted that such disuasion is an injustice to the employer as it violates his right to freedom of contract". However this does

not seem plausible. One can hardly condemn an act which is licit in itself, on the grounds that it interferes with the employer's exercise of freedom of contract; for this natural right is opposed to unjust means used to prevent others from entering a favourable contract and no more. "The employer certainly cannot have a strict right that the men abstain from such attempts at disuasion as may induce others to refrain from accepting employment from one who refuses just terms to his laborers". (P.30 McLean) Nor is it a violation of any strict right of the strike-breakers as it consists merely in the direction of the latter to refrain from interfering with the strike. It is not the same as physical force when the non-strikers are compelled against their will to refrain from working. A certain amount of fear is also permissible providing it is within just limits as stated above. Of course this persuasion could not be brought to bear on laborers who are in grave need or in the case of an unjust demand. In the event of unjust demands strike breakers are perfectly justified in cooperating with the employer in the refusal.

The persuasive methods include peaceful picketing, boycott and union label. Peaceful picketing which consists in seeking the cooperation of non-strikers against an injustice of the employer is morally permissible and upheld by all moralists. As to the extent of pressure brought to bear upon the so-called "scabs" the preceding determinations are to be applied. Naturally violent picketing as all other acts of violence is to be condemned.

There does not seem to be anything with regard to the boycott which demands condemnation. It is no more than the exercise of economic compulsion on the employers products which while remaining within peaceful limits is permissible.

The union label is perhaps the least harmful of strike means and is by all means moral.

In conclusion we will summarize the chapter, by the following words --we have shown that man has a right to strike in view of his happiness here on earth,-to use this right four conditions are necessary.-namely a just cause, a proportionate cause, a sufficient hope of success and a right use of the means. These conditions being fulfilled, the strike, as a last drastic means, is permissible.

CHAPTER VIII

CONCLUSION.

In concluding this thesis we necessarily conclude the last chapter for the morality of the strike is the main point treated here, the others serving to acquaint us with the necessary preliminary notions to this topic.

Therefore in conclusion we may safely say that the worker has a strict and natural right to strike, which right he has in view of his human happiness here in this world, the working out of his destiny. The use of this right can be suspended by the state during a crisis, such as war, in view of public welfare, or it can be rendered unnecessary and not only unnecessary but also impossible in justice, by removing the causes. However in either case the right remains intact, guarded so to speak, for use when the occasion should present itself.

We therefore conclude also that for the concrete use of this right certain conditions such as a just cause, a proportionate cause etc. must be fulfilled. Our stand in this thesis with regard to any particular strike is neutral. It has been our aim to prove that man could strike and when and it would therefore be unjust to say that we support the workers in their recent strikes. Examination of particular strikes was not our purpose.

Lastly, we again repeat that by its very nature the strike is a drastic method. Accepting that the worker has the right to strike and that all other conditions necessary for the just use of this right are realized, unless all possible peaceful means of obtaining reforms have been tried and have failed, the workers cannot strike. We do uphold the worker's right to strike, and even go so far as to specify the conditions for the just strike, but for the welfare of all concerned, directly or indirectly, we hold and firmly hold that the strike, resembling as it doe

the state of warfare, must be employed only when all other means have failed.

With these few words we close our all too short and restricted study of the strike.