

“State Corporatism and Democratic Industrial Relations in Spain 1926-1935.

A Reappraisal”

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Abstract

In this paper we explore the development of Spanish industrial relations institutions in the late 1920s and early 1930s. This period witnessed a change from a semifascist dictatorship towards a democratic regime as well as from economic growth to a deep economic recession. In spite of these transformations we evidence remarkable continuity in the corporatist industrial relations institutions created in the last years of the Primo de Rivera dictatorship. The analysis of collective bargaining practices in two regions with different trade union traditions and industrial configurations shows how the experience of *Comités Paritarios* (Joint Committees) initiated in 1926 had lasting institutional effects. This contrast with the views expressed by some authors as well as accepted wisdom according to which state corporatism is necessarily rhetorical and accounts for little more than a mechanism to disarm the labor movement. Based on historiographic analysis and a previously unexploited source we provide further support to the view that Primo de Rivera contributed significantly to the modernization of labor relations in Spain. Collective bargaining expanded significantly during this period and the joint committees system was an institutional innovation that persisted, with minor changes, during the Second Republic, until 1935.

Keywords: industrial relations, collective bargaining, corporatism, anarchism, socialism, Spain.

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Introduction

European countries experienced increasing social tensions during the early 1920s as a consequence of a growing and better organized working class. In a period of deepening industrialization, workers' demands for both individual and collective rights augmented steadily. Moreover, the immediate years after the First World War witnessed the institutionalization of labor in all combatant countries as well as at the international level -through the creation of the International Labor Organization (ILO)- in what Crouch calls 'new tripartite capitalism'¹. This process increased the expectations of workers and labor movements that took advantage of the anxiety caused by the Russian revolution. Even though some governments endorsed a reformist agenda, and in other cases corporatist-type institutions were created, the responses to the 'social question' varied greatly across countries. Notwithstanding their differences, common to all these responses were attempts at providing an institutional framework to accommodate and institutionalize the labor conflict or, as put by some authors, to domesticate it. As a consequence, a state-driven thickening of the industrial relations collective rights edifice occurred, which set the foundations for the consolidation of tripartite management of industrial conflict in many countries.

Spain was no exception to the above trends. Since the mid 1910s, political turmoil and industrial conflict had generated unprecedented levels of social and political instability. As a consequence of this, a coup in 1923 established a military dictatorship led by Miguel Primo de Rivera. One of the main policy goals of the semifascist-type Primo de Rivera dictatorship was to reduce the high levels of industrial and social conflict that had characterized Spanish labor relations in the late 1910s and early 1920s. In order to do this, he adopted a 'carrot and stick' strategy: he used repression and coercion against the revolutionary anarchist trade union (CNT, Confederación Nacional del Trabajo) but allowed the reformist and moderate socialist trade union (UGT, Unión General de Trabajadores) to maintain its organization and membership. More importantly, Primo's labor minister established a corporatist institutional framework for managing industrial relations (OCN, Organización Corporativa Nacional-National Corporatist Organization) whose central piece were the so-called *Comités Paritarios* (CP, joint committees). The main objective of these institutions, formed by representatives of unions and employers, was to solve labor disputes and facilitate the negotiation of comprehensive collective agreements.

The true nature and impact of this system is still controversial: were workers' representatives really free in the joint committees to defend workers' interests? Did the new system facilitate the peaceful resolution of collective labor disputes? Were comprehensive agreements really effective? Was UGT's collaboration a treachery or service to workers? What was the impact and significance of these institutions for the development of industrial relations in Spain? Historians

¹ Crouch (1993), p. 126

hold very different views about these issues, but most of them support their arguments relying almost exclusively on qualitative evidence, such as the reports and speeches of UGT officials and government members, which provides an incomplete and biased interpretation of the facts.

In this paper we explore the development of Spanish industrial relations institutions in the late 1920s and early 1930s. This period witnessed a change from a semifascist dictatorship towards a democratic regime as well as from economic growth to a deep economic recession. In spite of these transformations we evidence remarkable continuity in the corporatist industrial relations institutions created in the last years of the Primo de Rivera dictatorship. The analysis of collective bargaining practices in two regions with different trade union traditions and industrial configurations shows how the experience of *Comités Paritarios* (Joint Committees) initiated in 1926 had lasting institutional effects. This contrast with the views expressed by some authors as well as accepted wisdom according to which state corporatism is necessarily rhetorical and accounts for little more than a mechanism to disarm the labor movement. Based on historiographic analysis and a previously unexploited source we provide further support to the view that Primo de Rivera contributed significantly to the modernization of labor relations in Spain. Collective bargaining expanded significantly during this period and the joint committees system was an institutional innovation that persisted, with minor changes, during the Second Republic, until 1935.laborlabor

The analysis is developed in three sections. Section I critically reviews the existing interpretations of the industrial relations institutions created in Spain in 1926 in light of the literature on corporatism. More specifically, this section shows how some scholars have misinterpreted the real meaning and impact of industrial relations institutions created in 1926 simply because they were born under a state corporatist framework. Section II then analyzes the comprehensive agreements in the two most industrialized Spanish regions for the period 1926-35. The cases exhibit variance both in their industrial and economic configuration as well as on the characteristics of the trade union movement, hence allowing us to assess the impact of these variables on the effectiveness of the collective bargaining institutions created in the last years of the dictatorship. Section III concludes by discussing the question about institutional persistence in industrial relations institutions.

Industrial Relations in the Interwar Period in Spain

Between State and Social (Neo) Corporatism

From an historical perspective, corporatism has to be interpreted as a *via media* response to the social challenges posed by an increasingly strong and organized labor force. The ascent of

communism as a social model to accommodate and promote economic and political change caused increasing concern amongst business interests and right-wing politicians in Western Europe. However, it was becoming increasingly clear how pure repression of the labor movement or the concession of a minimum floor of labor rights within a liberal framework, did not constitute real alternatives to the social question that European societies faced as a consequence of industrialization. A strategy inspired in some of the principles of the social doctrine of the Catholic Church gradually developed a third way, consisting in the incorporation of the more moderate factions of trade unions into the state apparatus together with employer organizations.

The underlying motivation was endowing representatives of labor and employers with public roles as this would automatically lead to cooperation. Moreover, by enhancing the political and institutional role of the labor movement, the state indirectly managed to control its militancy as this was accompanied by the organizational centralization of trade unions². In other words, particularistic objectives / motivations and conflict would come to occupy a secondary role, as the new configuration of interest representation would gradually transform into cooperation around common goals.

However, in order to achieve this, it was necessary for the state to take an active role in industrial relations. First of all, because the government had to provide a set of rules which could bind the socially responsive behavior of social partners. This was reflected in the development of labor market regulations and more importantly, the construction of the industrial relations edifice. Secondly, because this involvement was not limited to the provision of legal regulation, but required the incorporation of labor and capital into the state machinery in order to guarantee responsible behavior. This later aspect became a key feature of totalitarian right-wing regimes of the inter-war period. However, as other works have showed, states in countries under democratic regimes like now the UK and France, followed similar strategies³.

As we will see below in more detail, these ideas were developed in Spain by the regimes of Primo de Rivera in the 1920s and later on, Franco after 1939. Even though both were inspired by ideas from Catholic social doctrine and had Mussolini's Italy as a model, there were remarkable differences between the two. More precisely, Primo's state corporatism did not mean outright prohibition of free trade unionism. Rather, the 1920's dictatorship opened some spaces for the participation of free trade unions. More specifically, the ideological architects of Primo's corporatist industrial relations were convinced that the prohibition of any form of union activity

² Friedman (2007)

³ Howell (2007)

would endanger the system itself. The underlying issue here was that of legitimacy as a precondition for any corporatist system to be effective.

The Problems of Legitimacy and Compliance

For a corporatist system to work effectively, it is necessary to have interest organizations capable of controlling their rank-and-file and implement the terms of agreements. In the words of Crouch⁴, corporatism requires actors with articulated organizational structures⁵. In a pure state corporatist system, this results from the incorporation of labor unions and employer organizations into the system and the prohibition of free trade unionism. Within the authoritarian regimes that adopted state corporatist ideas and institutions in the interwar period, the Spanish experience under Primo de Rivera exhibited certain peculiarities. The most important one is that the corporatist institution OCN (*Organización Corporativa Nacional*) established in 1926, opened up some spaces for the participation of free moderate trade unions in the system. The underlying motivation for this was to provide some social legitimacy to the regime and by extension reduce opposition and conflict. Moreover, it was also expected that by allowing one of the strongest trade unions to participate, industrial relations would automatically benefit from its organizational structure and would work more effectively. However, the institutionalization of the trade union movement and the acceptance of a reformist role required some degree of organizational centralization and control that undermined internal democracy and was a source of intra-organizational conflict and compliance problems⁶. As a matter of fact, in the case of Biscay we observe how the legitimacy enjoyed by the OCN thanks to the support and collaboration of the UGT was outweighed by important compliance problems. Moreover, the favorable treatment given by the dictatorship to the UGT in the political and industrial relations spheres triggered strong criticisms from other unions (anarcho-sindicalists, communists) as was the case of the SOV (*Solidaridad de Obreros Vascos*) that did not adhere to the new industrial relations institutions..

Historiographical Debate

The first question we need to answer is whether or not Primo de Rivera's labor corporatism was fascist. Primo de Rivera followed a 'carrot and stick' policy with the labor movement. The repression against anarchists and communists was led by Martínez Anido, vice-president and home affairs minister, while labor minister Eduard Aunós led the conciliatory policy with the

⁴ Crouch (1993)

⁵ Schmitter (1974)

⁶ Friedman (2007)

socialists. The cornerstone of the social policy developed under Primo de Rivera was the industrial relations system and more specifically the CP, where employers and workers' representatives negotiated collective labor agreements and tried to resolve disputes⁷.

Some scholars have argued that Aunós' policy was not really effective. Particularly, critics argue that the establishment of the CP was very limited in scope as they covered few sectors and workers. Soto Carmona compares the small number of committees and agreements under Primo with the larger number of Jurados Mixtos (JM) under the left-wing government of the Second Republic⁸. Primo's dictatorship would have accordingly performed as a fascist regime, corporatism being only a rhetorical discourse for controlling working class action and having little impact on the later development of industrial relations during the Republican years.

However, other authors give more credit to Primo's industrial relations policy. Shlomo Ben-Ami believes that it was different from fascist industrial relations in three key aspects: the existence of some space for trade union freedom; the strengthening of a Socialist trade union instead of its banning; and a generally pro-worker attitude in the activity of the CP⁹. Contrary to the Italian case, where workers were compulsorily integrated into the official trade union, in Spain there were several (moderate) trade unions that competed in free union representatives elections. Moreover, the right to strike was maintained¹⁰. Although anarchist and communist unions were outlawed, the socialist trade union (UGT, Unión General de Trabajadores) was not only legal, but openly supported by the regime's policies and institutions. As a consequence not only the CNT (Confederación Nacional del Trabajo), the second most important trade union at that time was out of the system, but the majority system for electing members and representatives of workers in the CP marginalized Catholic and other moderate free unions¹¹. Aunós believed that a majority system strengthened the workers' negotiation power and, therefore, made the joint committees system more effective in defending workers' interests whilst legitimizing the industrial relations system created in the dictatorship. Whereas in Fascist Italy, Nazi Germany and later on Francoist Spain, all left-wing unions were eliminated and persecuted, the socialist union was an essential element of the system under Primo. José Luis Gómez-Navarro emphasizes that Italian Fascism gave a prominent role to the state and, therefore, those who called themselves representatives of the Nation, the fascists, controlled the corporative organization through the state. In contrast, Primo's corporatism gave some room for civil society through trade unions and employers'

⁷ Mc Ivor (1982); Ben-Ami (1983), ch. 8; Gómez-Navarro (1991), pp. 406-407

⁸ Soto Carmona (1989), p. 403-407

⁹ Ben-Ami (1983), ch. 8. The first and third characteristics were stressed by Aunós himself [Aunós (1944), p. 64]. See also Aunós (1964).

¹⁰ McIvor (1982), p. 47 and Gómez-Navarro (1991), p. 422.

¹¹ The so called "Sindicatos Libres" (Free Unions) had been created by Martínez Anido when he was civil governor in Barcelona in the early twenties. About this contradictory policy, see Gómez-Navarro (1991), p. 452.

associations, the role of the state being less invasive and the system slightly more pluralistic and democratic¹². This notwithstanding, the underlying idea behind the corporatist system of Primo's industrial relations was state administrative intervention in the industrial relations sphere and the incorporation of the three actors into the OCN.

As pointed out above, this leaves us with the impression of an industrial relations system which was a hybrid between a state authoritarian corporatist system and a social neo-corporatist system. Apart from wondering about the impact and implications of this, another important question is why did a right-wing dictatorship follow this labor policy and a socialist trade union support it? Did employers' associations support it? Several authors have answered these questions and, in doing so, they have given credibility to Primo's social and industrial relations policy.

Anthony McIvor provides an interesting explanation of Aunós' overtures to the left. According to this author, the ILO deeply influenced industrial relations policy under Primo¹³. When Aunós integrated the Institute of Social Reforms into the Ministry of Labor he surrounded himself with reformist officials. He believed in the importance of consensus and the arbitration of social conflict and used the ILO's influence to pursue these goals.

The ILO, an organization contemplated in the Versailles Treaty, was led by a French moderate socialist, Albert Thomas, who was very influential among trade unions such as the UGT. In fact, the ILO's representative in Spain was Antoni Fabra Ribas, an UGT executive member and Largo Caballero's close advisor¹⁴. A good relation with the ILO was a very valuable asset for Primo's regime because it provided the much needed international legitimacy. Aunós cleverly used this for enforcing his political agenda within the Spanish cabinet and, at the same time, Thomas influenced Aunós in his collaboration with the UGT and in the CP system implemented beginning in 1926. The ILO's general secretary's support of Primo's industrial relations policy shows its hybrid character.

Santos Juliá explains UGT's attitude during Primo's dictatorship very well. After the failure of the revolutionary strike in 1917, the socialists became very suspicious of republicans and anarchists. The Socialist Party weakened and the UGT adopted a more pragmatic approach in dealing with governments and other trade unions; no matter the political regime, the union had to defend workers' interests, grow and be stronger. Largo embraced an evolutionist and organic view of the road to proletariat revolution, understood as a day-to-day task whose success would critically depend on the strength of the trade union. The main UGT goal was to strengthen the

¹² Gómez-Navarro (1991), p. 423-424.

¹³ McIvor (1982).

¹⁴ Largo Caballero was the UGT leader. In fact, he became Largo's right-hand man in the Ministry of Labor during the Second Republic. See also Gómez-Navarro (1991), pp. 399-400

organization relying also upon political action, with the final aim of improving workers' conditions and becoming the only trade union in Spain. The revolution would only be possible when the working class was ready, well organized and powerful. This would explain UGT's acceptance to participate in a corporatist industrial relations structure whose rules were particularly favorable to this union. An authoritarian regime opened the door of the state to the organized working class, and a trade union that believed that gradual organic strengthening would eventually lead to socialism necessarily had to cross that threshold. Largo's writings of this period wisely defended this option¹⁵ and, even if it can be labeled as opportunistic, it is the best proof that Aunós' overture to the working class was sincere¹⁶.

A large majority within the UGT backed Largo's policy of collaboration, which proved to be very successful for the trade union¹⁷. The union's influence was very high in the CP during the dictatorship and its membership expanded, especially after Primo resigned. At the eve of the proclamation of the Republic, the UGT was stronger than at the beginning of dictatorship. Largo's strategy enabled the socialist union to reap the benefits of collaboration and, at the same time, avoid many of the potential risks associated to it¹⁸. Therefore, in the last months of the monarchy, UGT was the strongest political organization in Spain. When the Republic was proclaimed, Largo Caballero was appointed Minister of Labor and followed a policy of continuity with respect to the dictatorship. Santos Juliá pointed out that Minister Largo Caballero, changed the name of the CP to *Jurados Mixtos* (JM), but the system remained essentially the same¹⁹.

In Juliá's view, as Labor Minister Largo put into practice the next step of the policy he pursued relying upon the corporatist structure built during the dictatorship: the gradual conquest of the state by the organized working class²⁰. Similarly, the anarchists were also consistent with their old policy: to reject any involvement in state collective bargaining institutions. Largo's step forward eventually caused a reaction by businessmen against socialist participation in the government and, among other factors, broke down the republican-socialist coalition in the last months of 1933. Most of the juridical studies on CP and JM agree with Santos Juliá in emphasizing the continuity of the system. The big break was, instead, in July 1935, when the right-wing government enacted the so-called Salmón Law, trying to modify the system in favor of employers²¹.

¹⁵ Largo (2003)

¹⁶ Juliá (1996), ch. 3 and 4, Juliá (1987) pp. 44-47. See also Gómez-Navarro (1991), pp. 397-399

¹⁷ Juliá (1996), ch. 4 and Juliá (1982)

¹⁸ Ben-Ami (1978), ch. 3

¹⁹ Jordi Domènech supports the view that changes in labor regulation under the Second Republic followed certain continuity from Primo's regulation [Domenech (2011)]

²⁰ Juliá (1996), ch. 5 and Juliá (1987)

²¹ Montero Aroca (1975) and Comes (1937)

To sum up, the collaboration of a Socialist trade union and the fact that this collaboration strengthened this union is the best proof that the system constituted a real improvement for the working class. Had this collaboration been conceived as opportunistic behavior by the UGT, this trade union and the Socialist Party would not have been able to play a prominent role under the democratic political regime of the Second Republic.

Moreover, the reaction by employers' organizations to the CP system is further evidence of its significance. As Ben-Ami has shown, labor policy followed by Primo de Rivera created strong resentment among employers' organizations, especially when joint committees began to work. Cabrera and del Rey also point to this when they evidence a cautious reaction from employers regarding the OCN, as it was felt by some of them that dialoguing with workers' organizations was necessary and advisable, though attitudes differed. This meant that they initially did not play a strong political role and this, to some extent, freed the hands of the Primo de Rivera government. As a matter of fact, the favorable economic environment and the policies put in place by Primo de Rivera had a very positive impact on their activities. As time passed and economic growth weakened, employers and the Catholic and Conservative press led a campaign for the elimination or, at least, the reform of the joint committees. Employers complained of socialist hegemony as well as the fact that the committees usually decided in favor of workers, the government representative usually being on the workers' side. They asked to change the electoral system in order to break UGT's monopoly, but Aunós defended UGT's hegemony as the best way to manage social conflict and avoid revolution. However, employers' opposition to the OCN only became significant at the end of the dictatorship. As pointed out by Cabrera and del Rey, "attacks from businesses on the labor policy of the dictatorship multiplied when the growing influence of the socialists was perceived and when the Comités were given the power to rule on all types of dismissals. Employers' organizations demanded changes in the method of electing members and limiting the power of Comités with regards to dismissals and inspections"²². By then business leaders felt betrayed and given the deterioration in the economic environment, they gradually began to give up their support for Primo²³. Cabrera and del Rey note how "with the dictatorship over, employers nurtured the hope that Comités would disappear. In February 1931, in a public hearing on the corporate organization, their condemnation was unanimous"²⁴.

Industrial Relations in Biscay's Metalworking Sector and Barcelona's Textile Sector

²² Cabrera and del Rey (2007), p.42

²³ Ben-Ami (1983), pp. 215-218; Gómez-Navarro (1991), pp. 469-485

²⁴ Cabrera and del Rey (2007), p. 42

The comparative analysis of Biscay and Barcelona is appropriate since both were early industrializers in comparison to other Spanish regions. However, there are also some significant differences between the two provinces regarding their dominant economic sectors and industrial structure. The Basque Country and in particular the province of Biscay experienced a rapid process of industrialization in the last 25 years of the 19th century. Relying on rich iron deposits, this process consisted in a remarkable expansion of the metalworking industry. Thus by 1929 there were 28,836 persons employed in the metalworking sector in Biscay. Almost 75% were employed in large establishments with more than 1,000 employees and the remaining in small and medium-sized undertakings. The most important company in the metalworking sector was Altos Hornos de Vizcaya, which employed 8,508 workers in several establishments.

[Map 1]

Industrial and economic modernization in the Basque Country followed two different patterns. Whilst industrialization in the province of Biscay relied upon the development of large metalworking undertakings that required a large inflow of workers from other regions, in the neighboring province of Guipuzcoa, industrialization was based on the consolidation of a network of small and medium-sized companies linked to the metalworking sector. What is even more important, this large-scale process added to the small metalworking companies already established in the province of Biscay, which in a context of increasing demand could survive the competition from newly established large companies. Not only were the accompanying processes of social modernization different in the two provinces, but the labor movement also evolved along different paths²⁵. Hence, in the province of Guipuzcoa the dominant trade union was the nationalist SOV (Solidaridad de Obreros Vascos [Solidarity of Basque Workers]), a Catholic trade union with a moderate stance regarding industrial conflict and a well developed welfare system for its members²⁶. In contrast, the dominant union in Biscay was the UGT.

The Catalan case is interesting for two main reasons: Catalonia was the main industrial region in Spain, particularly the province of Barcelona, and it was the main anarcho-syndicalist stronghold. The textile industry was the base of Catalan industrialization. Textiles in Catalonia had their roots in the calico printing manufacture of the second half of the 18th century and became mechanized very rapidly during the second third of the 19th century²⁷. This region concentrated most of Spain's textile industry - in 1931, 94 per cent of cotton spindles²⁸ and 75 per cent of wool spindles.

²⁵ Castells et al. (1990)

²⁶ Velasco (2008)

²⁷ Nadal (1975)

²⁸ Nadal (2003), II.4.1.10 and II.4.1.14 of appendix

Even though Catalonia's industrial structure diversified considerably during the first third of the 20th century, in 1930 half of the region's industrial workers were still employed in textiles. That same year, the textile industry in the province of Barcelona had 160,682 employees (see Table 5). The Catalan cotton sector was dominated by small and medium size firms due to the lack of internal economies of scale in this particular sector. Therefore, the industrial structure was closer to Gipuzcoa than Biscay. However, the trade union landscape was very different from both Basque provinces. Socialists and Catholics were very weak and, although a nationalist movement also existed in Catalonia, only in commerce was a nationalist trade union, the CADCI, relevant. The Anarco-syndicalist CNT was dominant among Catalan workers.

Trade union landscape and the configuration of Comités Paritarios (1926-1930)

In order to understand industrial relations developments it is necessary first of all to compare the trade union landscapes of Biscay and Barcelona. Hence, while moderate and reformist trade unions were strong in Biscay, they were weak in Barcelona, with the CNT the strongest union (see table 1). The UGT had traditionally not been very successful in Catalonia, and it did not increase its presence very much during Primo's regime, being the Sindicatos Libres (Free Unions) which most benefited from the proscription of the CNT during these years. In addition, there was no equivalent to the nationalist SOV trade union in Catalonia. When anarcho-syndicalism became legal again during the Republic, it quickly recovered its strength and conditioned the dynamics of social conflict in Catalonia. These differences were reflected in industrial conflict as will be shown later.

[Table 1]

As pointed out earlier, one of the characteristics of the province of Biscay when it comes to its trade union landscape was the dominance of the socialist trade union UGT since the 1890s in mining and metalworking²⁹. The rapid expansion since the late 1910s of the anarcho-syndicalist CNT in regions like Catalonia or Andalusia did not happen in the Basque Country and more specifically Biscay. Several explanations have been provided in the literature to account for this. First and foremost, the CNT took a long time to establish a formal organization in Biscay, compared to the long tradition enjoyed there by the UGT. Extreme left anarchist and syndicalist factions formed part of the Socialist trade union until 1910. However, the most important attempts to establish the anarchist CNT in the Basque country occurred after the 1917 general strike³⁰ when the anarchists accused the UGT of boycotting the strike as they did not share their willingness to

²⁹ Fusi (1975) and Castells (1993).

³⁰ Velasco (2008)

use violence in order to force the establishment of a republic. This episode gave the definitive momentum for anarchist and syndicalist factions to abandon the UGT and seek alternatives, while asking the national CNT organization to support their efforts to expand in Biscay. Moreover, the Restauración governments preceding Primo's dictatorship also put in place a deliberate policy to hinder the extension and consolidation of the CNT in this region. Finally, aware of the risks of its position in the Basque Country, the UGT also made an effort to incorporate and neutralize sectors of the most revolutionary workers into the trade union. The failure of the CNT to consolidate an alternative to the UGT, left the trade union landscape in the Basque Country generally, and Biscay more specifically, dominated by two moderate trade unions. As a result, the alternative to the dominant position of the UGT came from another moderate trade union rooted in small firms, the SOV.

Both the UGT and the SOV shared a similar view, in which industrial conflict was conceived as a last resort mechanism that should be used only when other alternatives, including social dialogue, had been exhausted in negotiations with employers. A priori, this similar ideological stance seemed to fit well with the principles guiding the OCN and industrial relations from 1926 on. However, in practice a strong rivalry developed between the two trade unions. The SOV criticized the favoritism showed by the dictatorship towards the UGT, which allowed this trade union to strengthen its position in Biscay.

Barcelona provides an interesting contrast to Biscay when it comes to the characteristics, roles and action of trade unions. With anarchist ideology strongly against the state, corporatism was completely unacceptable for the CNT, which could not accept that labor relations be managed through the *Comités Paritarios* or the *Jurados Mixtos*, bodies that were linked to the administrative structure of the state and whose leadership had to be sanctioned by the government.

In contrast, the CNT was in favor of 'direct action', namely, negotiation between workers and employers without any government involvement, and where strikes played a pivotal role. Being illegal and repressed under Primo, the anarcho-syndicalists returned with great strength and took advantage of the restored civil and political rights framework of the Republic. Moreover, although strikes were a tool for improving workers' conditions, for many anarcho-syndicalists they were also a revolutionary mechanism. In addition, they saw the Republican euphoria as the best opportunity for definitively defeating capitalism and the state. However, this radical strategy provoked an internal conflict, a split, and eventually a weakening of the trade union. Finally, it is also worth mentioning that the radical stance adopted by CNT also led very often to engage in

conflicts with other trade unions. This was particularly acute in a period of rising unemployment because each trade union tried to guarantee its members' jobs³¹.

From Comités Paritarios to Jurados Mixtos: Continuities and Changes

In order to shed some light on the impact that institutions operating under very different economic and political conditions had on the regulation of working conditions and conflict resolution, we have collected evidence about the number and terms of comprehensive agreements negotiated in the provinces of Biscay and Barcelona for the metalworking and textiles sectors respectively. These agreements reached in the context of CP (1926-1931) or JM (1932-1935) were published in the Boletín Oficial de la Provincia de Vizcaya and Boletín Oficial de la Provincia de Barcelona after having being agreed on by the CP or JM and approved by the OCN or Ministry of Labor respectively.

Repression under Primo's 'carrot and stick' labor policy targeted revolutionary trade unions like the CNT. Therefore it is not surprising that anarcho-syndicalists became marginalized in the new system, although a CNT leader -Ángel Pestaña - was in favor of participating in the CP. With the advent of the Second Republic, the CNT became legal as democratic and civil rights were recognized and the comités were renamed as *Jurados Mixtos*. The CNT again denied any legitimacy to the system and refused to join it. Here we find an element of continuity between the two periods: Primo's labor policy could be blamed for closing the door to anarchists, but when the Republic opened this door, they still refused to cross it. So the corporatist system of industrial relations in Barcelona suffered from the same weakness during both these periods: the absence of the CNT. In fact, fighting for workers' interests and rights outside or inside the system became the main battlefield between the CNT and the UGT during the first years of the new republic. According to Gómez-Navarro, the CP system was able to work to some extent thanks to the growth of Free Unions –and at times, thanks to former anarchist workers³². But as pointed out by Albert Balcells and Eulàlia Vega, the CNT bypassed the joint committees system through direct action during the Republic³³.

By the end of September 1931, right before the change from the CP towards JM, a UGT report assessed the number of workers covered by comprehensive agreements signed by the CP. This is probably the best indicator of its real impact though we know from other sources that the system did not reach its maximum until 1932-1933. Table 2 provides data on the share of the active

³¹ This was the case of the conflict in Barcelona harbour, where the UGT had some strength [Vega (2004), pp. 185-9]

³² Gómez-Navarro (1991), pp. 426 and 446-449

³³ Balcells (1971), p. 9; Vega (1990), p. 132 and Vega (2004)

population covered by CP agreements in the provinces of Barcelona, Madrid and Biscay. For Spain the average coverage was 15.41 per cent of the active population. Therefore, the data show clearly the relative failure of the system in Barcelona, only slightly above the national average and far below Biscay and Madrid.

[Table 2]

However, a closer look reveals a more complex picture. Pere Gabriel has stressed that under Primo's dictatorship, CP in Barcelona had some presence in hotels, chemicals, entertainment, graphic industries and commerce³⁴, and the system continued to expand under the Second Republic. One way to evaluate the success of the system by sectors in Barcelona province is crossing the Censo electoral social –social electoral census- for the end of 1933 with the data on workers by sector from the 1930 population census. The first source includes those trade unions –and the number of their affiliates- that were involved in the corporatist system. Thus, in table 3 we can see the share of workers that had the right to vote for JM representatives, as only those affiliated with trade unions involved in the system could vote. This is a good proxy for the prevalence of the corporatist system across sectors.

[Table 3]

Data show how the system was almost absent in core industrial sectors where the CNT was particularly strong, while in services the system was more successful. The textile sector was very important in Catalonia (accounting for more than 40% of workers) and the absence of comprehensive agreements signed through the CP and JM was evident. In April 1934, when the system was probably at its zenith, only one comprehensive agreement was in force, for a very small and locally concentrated sector, ribbon making in Manresa, and some regulations for the broader “finishing” sector³⁵. A careful look at the *Boletín Oficial de la Provincia de Barcelona* (1926-1933) and *Butlletí Oficial de la Generalitat de Catalunya* (1933-1934) confirms this view: the most important economic sector in Catalonia was almost completely absent from corporatist industrial relations structures.

However, this does not mean that no negotiations existed between workers and employers in the textile sector. In fact, several comprehensive agreements that embraced a significant number of workers were signed by the CNT and employers during the period 1931-34³⁶. The major difference was that the CNT did not accept the corporatist channel because it was tied to the state. ‘Direct action’ did not only include strikes but also negotiations and agreements outside official

³⁴ Gabriel (1990) p. 58

³⁵ González-Rothvoss (1934), p. 203.

³⁶ Vega (2004), pp. 195-203 and 226-239

structures and institutions. At times the anarcho-sindicalists accepted state intervention – by the civil governor, Catalan ‘minister’ of labor or a mayor - when a conflict was blocked, and they even accepted participation in so-called *Jurados Mixtos Circunstanciales* [circumstantial joint committees], in other words, ad hoc committees set up for resolving a specific conflict. In fact, in 1932, at least 5 circumstantial joint committees in the Catalan textile industry were created for resolving strikes that affected more than 58,000 workers: in the knitwear industry in Mataró (14,000 workers) and Igualada (4,000), and in textiles in Terrassa (20,000), Sabadell (20,000) and Poble de Lillet (500), all workers' representatives involved being members of the CNT³⁷. What the CNT never accepted was legal involvement in permanent structures linked to the state³⁸.

Internal CNT dynamics greatly conditioned social conflict in Catalonia during the Second Republic. At the beginning of the new regime, the Catalan government acted as a CNT ally in conflicts, while the Spanish government supported the UGT. Later on, because of the radicalization of the CNT under the influence of the FAI (Federación Anarquista Ibérica [Iberian Anarchist Federation]), the Catalan government turned against the CNT and supported a faction called the *trentistas* -its more moderate split- and its allies³⁹. Even though the *trentistas* were also critics of the corporatist system, they were more inclined towards dialogue with employers as a mechanism to improve working conditions. This alliance tried to manage labor relations in a non-revolutionary way, making compatible improvements in working conditions with the stability of the democratic political system, but always outside the corporatist structures built by Primo and the socialists. This process was interrupted by the repression that followed the October 1934 Revolution.

The situation in the Basque Country and more specifically Biscay was very different, as the system worked relatively well there. A list of the agreements signed between 1926-1935 for the metalworking industry as well as a short summary of their main contents is provided in table 4. There were two inter-local committees for the metalworking industry of Biscay that were created in November 1928, i.e., two years after the OCN law was enacted. As pointed out by Otaegui⁴⁰ this already shows the administrative difficulties encountered by trade unions and employers in establishing the CP despite the UGT's dominant position. As a matter of fact, employers criticized the institution of the CP and in general the complete institutional edifice of the OCN created under the dictatorship, due to its excessive bureaucratization and slowness. Similar problems can be detected when analyzing the development of the JM. Hence, even though the bases de trabajo - comprehensive agreements- for the metalworking industry were agreed upon among trade unions

³⁷ Archivo del Ministerio de Trabajo, doc. ent. 11/08/1933

³⁸ Balcells (1971), pp. 166-242 and Vega (2004), pp. 183-252

³⁹ Vega (2004), pp. 183-252 and Vega (1980)

⁴⁰ Otaegui (1986)

and employers in the context of the JM in August 1933, the definitive approval by the Ministry of Labor was delayed until July 1936 after the final draft was agreed on in August 1934.

This suggests that the pervasiveness of state intervention in industrial relations through the OCN during the dictatorship persisted during the Republic. As a matter of fact, most authors agree that one of the key principles underlying the OCN, i.e., state interference in the socio-economy, remained a characteristic of the government's approach to industrial relations from 1932 onwards. The way in which the CP and JM worked seems to confirm this view, as agreements reached within these two institutions required approval by the OCN under the former and the Ministry of Labor in the later case. This process could be delayed for months. In other words, the autonomy of workers' representatives and employers in regulating working conditions collectively was very limited, not to say inexistent in both cases. However, while in the case of the CP this was in line with the authoritarian character of the political system, state interventionism in the case of the Republic was less obvious.

[Table 4]

It is also important to note that under the CP system no comprehensive agreement was reached. Instead, the activity of committees consisted in the fragmented and piecemeal regulation of aspects such as minimum wages, compensation for overtime work, holidays, health and safety at work, and later on dismissals. The first comprehensive, systematic and detailed regulation came out in 1933, under the JM. However, when one looks at the terms of this agreement and compares it with regulations issued under the CP, we find no remarkable difference in aspects such as remuneration of employees, working time, etc. It should also be noted that different agreements were negotiated for workers belonging to different skills categories (see table 4). Even though there is no information in this respect, no evidence has been found of terms negotiated under the CP to significantly vary across categories.

After a highly troubled post-First World War period, strikes decreased significantly under Primo's regime. After the dictators' resignation in January 1930, the number of strikes escalated (see Chart 1). This can be explained by a combination of increased political freedom and the worsening of economic conditions. In this context, the effects of the CP and JM on preventing strikes and conflict resolution were quite similar in the provinces of Biscay and Madrid (see table 5). This means that in these two provinces labor conflicts were resolved through the corporatist system, while in Barcelona most of them were managed outside of it. JM and strikes were alternative ways of managing social conflict. Choosing one or the other depended on the trade union landscape in each province; in those areas controlled by the UGT (and the SOV) the corporatist system succeeded, while in those areas under CNT control it did not (Table 5).

[Chart 1]

[Table 5]

Notwithstanding the economic crisis, there were not many strikes during the period 1931-33 in Biscay because of a compromise the socialists made with the left-wing government, as well as the important role played by the CP and JM in managing industrial relations. In contrast, during those same years, the CNT began a large wave of strikes in Catalonia aimed at improving workers' conditions, taking advantage of the mobilization that came with the euphoria over the establishment of the Second Republic. Thus, where the UGT was the dominant trade union, labor relations were managed through joint committees and there were few strikes, whereas in the CNT's realm, the corporatist structure did not work very well and the level of conflict was higher.

Both the UGT and the SOV in metalworking Biscay not only considered conflict as a last resort mechanism, but they also held a view of the crisis in which there was little domestic national or local actors could do in the metalworking sector. However, it was necessary to find public support for mitigating the social and economic effects of the crisis. In this sense, the compromise the UGT and the socialists made with the left-wing government, which they belonged to, is essential for understanding this moderate attitude. Things began to change when the right took over the government at the end of 1933⁴¹.

It is certainly very difficult to disentangle the real effects of OCN policies regarding conflict from the economic context. The worsening of economic conditions in the late 1920s-early 1930s certainly may have played a role in explaining increasing strike rates. However, it is clear from other studies that employers were more critical of the Jurados Mixtos under the Second Republic than the Comités Paritarios under the dictatorship. At first, because they became suspicious of a similar industrial relations institution (JM) under a left-wing government and their attempts to introduce socialism. Moreover, the anarchist CNT radicalized its activity and discourse starting in 1931. As pointed out by Cabrera and del Rey "the policy of transparent favoritism on the part of the Minister of Labor towards the socialist UGT contributed to the victory of the most radical positions in the leadership of the CNT. The result was the repeated call for an uprising"⁴².

The main problem facing the CP as a public institution aimed at promoting consensus in industrial relations was not—as pointed out earlier—employers' opposition to state interference in their right to unilaterally regulate employees' working conditions. Given the high levels of conflict registered in the early 1920s, it is reasonable to think that many employers welcomed a system whose main aim was precisely to tackle conflict and promote negotiated solutions to industrial disputes. As

⁴¹ Díaz Freire (1990) and San Feliciano (1990)

⁴² Cabrera and del Rey (2007), p. 45

the case of Biscay shows, the boycott of the CP system that has been reported in many studies as evidence of employer resistance was not necessarily motivated primarily by their rejection of the principles underlying the CP, but by the difficulties trade unions had in implementing the agreements reached. Inter-union conflict between the UGT and SOV in alliance with communists and anarchists became an insurmountable problem, as it made it virtually impossible for workers' representatives to guarantee compliance with decisions made in the CP. The problem of compliance became, as a consequence, a major obstacle for the effectiveness of the CP. In this vein, the lack of legitimacy that characterized the CP and more generally industrial relations in the metalworking sector of Biscay during Primo's dictatorship for the SOV, transformed into a compliance problem. The 1930 conflict in the metalworking establishments of La Iberia and La Vizcaya, inspired by communist and anarcho-sindicalist workers as well as by communist factions within the UGT, shows very clearly the problems faced by the UGT in order to achieve compliance with the terms of agreements. The conflict was only resolved once the UGT decided to purge the communist elements from the union⁴³.

Summing up, the analysis of labor agreements in two periods characterized by radical changes in the political context, economic conditions and industrial relations institutions, reveals many elements of continuity between the two periods analyzed here. This continuity was to a large extent due to the dominance that was exerted by the Socialist UGT in the trade union landscape since the early 1910s and that was particularly strong in the metalworking sector in Biscay.

[Chart 2]

Finally, we can look at the effects of this new system of labor relations on wages. Unfortunately, the available data for this period does not allow us to analyze this issue comparing sectors and regions. The general evolution of industrial real wages was positive after the creation of the OCN in 1926, with a mild increase under Primo's regime and a strong one under the Second Republic (see Chart 2). Given the negative economic environment beginning at the end of 1929, this is not a negligible fact, although we have to be very cautious in attributing causalities: the change in the political environment brought on by the Second Republic was probably the main factor in real wage improvement.

Concluding Remarks: Institutionalization and Continuity of Industrial Relations Institutions

⁴³ La Vanguardia Wednesday 19 September 1930, p.19

One of the most important legacies of Primo's dictatorship consisted in its attempt to institutionalize an industrial relations system based on a strong state corporatist ideology. Even though many authors have paid little attention to the analysis of industrial relations in this period, as they consider it too short and some kind of interruption in the normal development of industrial relations in Spain, an in-depth analysis of the period 1926-1935 reveals very important continuities and calls for a more careful assessment of its impact

First of all, the 1926 law was a very important step in the history of industrial relations in Spain, establishing formal institutions to channel relationships between workers and their representatives and employers. Despite some differences, the essence of this system remained unchanged during the Second Republic, until 1935.

Secondly, there is strong continuity when one looks at the role played by the state in industrial relations. The state corporatist character of industrial relations under the dictatorship mirrored into a significant involvement as a third actor in the system. This has remained a distinctive trait of industrial relations in Spain until today.

In those regions where the correlation of forces was favourable to the consolidation of the industrial relations system established in 1926, the deterioration in economic conditions as a result of the economic crisis did not trigger an increase in conflict. In this regard, one of the basic aims of the *Comités Paritarios*, also shared by the *Jurados Mixtos*, was accomplished. This was certainly the case in the province of Biscay. In contrast, in those regions where the dominant trade union was against this system, both under the dictatorship and democracy, the system did not develop very much. This was the case in Catalonia.

Industrial Relations policies carried out under Primo de Rivera's dictatorship and continued during the Second Republic did have a long-term impact on the development of trade unionism in Spain. First of all, they contributed to accentuate the trade union divide between a Socialist 'pactist' trade union that endorsed social dialogue as its main instrument, and other trade unions in favor of direct action. UGT's acceptance to be part of the political and economic system under the dictatorship undermined part of its democratic appeal and caused some disenchantment amongst its members (Friedman 2008). During the Second Republic, this division in the Labor Movement became even more accentuated between UGT and the CNT. Later on, when democracy was restored in 1976, this division remained between the UGT and the CCOO. It can accordingly be argued that Primo's industrial relations policies opened the door to a system characterized by strong state involvement and institutionalization of trade unions. Moreover, it

reinforced an entrenched characteristic of the trade union landscape in Spain, i.e., a strong division along ideological lines.

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