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The ACLU and the Wagner Act: An Inquiry into the Depression – Era Crisis of American Liberalism, by Cletus E. Daniel, Cornell Studies in Industrial and Labor Relations Number 20, New York State School of Industrial and Labor Relations, Cornell University, Ithaca, New York, 1980, 142 pp.

Hugh Tuck

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poursuivre une politique nationale visant à assurer l'abolition effective du travail des enfants et à élever progressivement l'âge minimum d'admission à l'emploi ou au travail à un niveau permettant aux adolescents d'atteindre le plus complet développement physique et mental.» Dans le cadre de cette politique nationale, l'État devra spécifier un âge minimum qui ne doit pas être inférieur à 15 ans, ni à l'âge auquel la scolarité obligatoire cesse.

En plus de préciser le sens et la portée des instruments dont il s'agit, l'étude d'ensemble a permis de mettre en lumière de nombreux cas dans lesquels les normes internationales ont influencé des législations nationales en la matière: divers pays ont incorporé directement dans leur législation les dispositions de certaines conventions de l'O.I.T. (aux pages 14 et 178). En dépit de cette constatation encourageante, il n'en demeure pas moins, comme le rappelle avec à propos la Commission, que plus de 55 millions d'enfants âgés de moins de 15 ans étaient au travail dans le monde entier en 1975. Il est incontestable que le travail des enfants, dans de nombreux cas, soit en violation des normes internationales, voire de la législation nationale. La Commission note aussi que des efforts accrus pourraient être entrepris en vue de mettre fin à une pratique universellement reconnue comme inacceptable. Cependant, elle reconnaît que parfois les gouvernements sont simplement incapables d'éliminer le travail des enfants jusqu'à ce que leur pays ait atteint un niveau de développement économique dans lequel le travail des enfants représentera un facteur moins important pour la survie de leurs citoyens (à la page 187).

Alain BARRÉ

Université Laval

Collective Bargaining: Contemporary American Experience, edited by Gerald C. Somers, Madison, WI., Industrial Relations Research Association, 1980, 588 pp.

Cet ouvrage présente l'expérience contemporaine de la négociation collective aux

États-Unis dans dix principaux secteurs: le charbon, la construction, le camionnage, l'acier, les produits électriques, l'agriculture, le transport aérien, les hôpitaux, le service postal et l'éducation.

Commandité par le ministère du Travail des États-Unis, il a été réalisé par l'Industrial Relations Research Association avec la collaboration des spécialistes les plus chevronnés dans chacun des secteurs: Jack Barbash, Robert E. Doherty, Mark L. Kahn, Karen S. Koziara, James Kuhn, Harold M. Levinson, J. Joseph Loewenberg, William H. Miernyk, Richard U. Miller, D. Quinn Mills and Jack Stieber.

C'est Jack Barbash qui s'est chargé de tirer les conclusions. Il y a synthétisé les principales caractéristiques du régime de la négociation collective aux États-Unis selon son évolution tant dans la législation que dans la pratique. Il a ensuite souligné les aspects particuliers à chaque industrie pour enfin les intégrer dans le cadre général.

Chacune des études est accompagnée d'une abondante bibliographie sélective.

On ne saurait sous-estimer la valeur et l'importance d'un pareil ouvrage qui peut être considéré comme «la bible» du régime de la négociation collective dans le pays le plus industrialisé du monde et qui sera extrêmement utile à tous les chercheurs.

Gérard DION

Université Laval

The ACLU and the Wagner Act: An Inquiry into the Depression — Era Crisis of American Liberalism, by Cletus E. Daniel, Cornell Studies in Industrial and Labor Relations Number 20, New York State School of Industrial and Labor Relations, Cornell University, Ithaca, New York, 1980, 142 pp.

It is difficult for those who did not experience it directly to comprehend the impact of the depression of the 1930's upon American society: its violence, the real suffering and even starvation it caused, and above all

the challenge it presented to the hegemony of a traditional value system based upon the efficacy of self-reliance and hard work. Among those most directly affected by these manifestations of the depression were American workers. By 1936, many observers had come to believe that there would be a permanent army of unemployed. It was the depression which brought Franklin D. Roosevelt and his New Dealers to power in 1933. One of the products of Roosevelt's first days as president was the National Industrial Recovery Act which, in Section 7a, provided that employees had the right to organize, accept and bargain collectively. By 1935, however, it had become apparent that this concession to organized labour contained inadequate safeguards in the face of the unwillingness of industry to accept its basic principles. Roosevelt was persuaded to put the prestige and authority of his office behind a new act, proposed by Senator Robert Wagner, which would protect unions and guarantee collective bargaining by means of a powerful National Labor Relations Board.

The Wagner Act was widely supported, not only by organized labour, but also by many middle class Americans who considered themselves to be 'liberals'. Its most bitter opponents were a strange mixture from both ends of the ideological spectrum. On the one side were conservative businessmen, as might be expected. On the other were communists and communist sympathizers whose position was that all New Deal legislation was merely an attempt to prop up a decaying capitalist régime, delaying essential economic and social change.

Amongst the seemingly most unlikely opponents of the Wagner Act, however, were the American Civil Liberties Union (ACLU) and its founder and director Roger Baldwin. Once considered a central institution in American reform liberalism, the ACLU, under Baldwin's influence, had become by the early thirties a strong supporter of Russian communism, and had established close ties with the Communist Party of the United States. This orientation, it should be noted,

did not represent a sudden turning away from the principles of moderate reform, but was the result of a gradual shift in Baldwin's thought towards the left in the previous decade, which was accelerated by the depression of the thirties. By the early thirties, Baldwin had come to the conclusion that the worldwide crisis had narrowed down one's choices to only two, socialism and fascism, and that however unfree and unsympathetic to civil liberties Russia might be now, the economic freedom it represented would lead to other wider freedoms in the future.

Cletus Daniel's book, **The ACLU and the Wagner Act**, is an attempt to analyse the labour policies of the ACLU in the depression, and place its activities within the wider framework of American liberal thought and action. Unfortunately, it is not a very successful attempt. In the first place, Daniel nowhere gives an adequate definition of what he means by 'liberal'. At times, he seems to be talking about the ideological descendants of the middle class Progressives of the pre-world war one period, with their emphasis upon restructuring capitalism in order to remove its abuses and make it function more efficiently. At other times he is clearly talking about reformers in general, of whatever stripe, or left-wing intellectuals, or even socialists like Norman Thomas. This imprecision is unfortunate in a monograph which aims, in the words of the subtitle, to inquire into the "depression era crisis of American liberalism". Frank A. Warren's **Liberals and Communism: The "Red Decade" Revisited** (Indiana University Press, 1966) makes no such error and, moreover, covers much the same ground. It should be referred to on this matter in preference to Daniel.

A second and related problem is Daniel's attempt to use the ACLU's depression experience as a case study in the history of American liberalism in the thirties. It is clear from Daniel's own evidence, however, that the ACLU was not, in any sense, a typical liberal reform institution for much of the decade. Indeed, far from being in the mainstream of progressive liberal thought as it had been in

the early twenties, the ACLU now stood, during the early New Deal years, in opposition to most liberals and democratic socialists, and was firmly in the camp of those who sympathized with the Soviet Union and the American Communist Party. In fact, it was not until almost the end of the thirties, after the Stalin purge trials and the Nazi-Soviet Pact, that the ACLU severed its close connections with the revolutionary left. Here again, on these events, there are better accounts than Daniel's, including Peggy Lamson's biography, **Roger Baldwin** (Houghton Mifflin, 1976), and Charles L. Markman, **The Noblest Cry: A History of the American Civil Liberties Union** (St. Martin's Press, 1965).

Indeed, one wonders why this book was published. There is enough well-researched material in it for an article-length study of the ACLU and the New Deal's labour policies to 1935 (although this would shed little new light on the subject, but mainly fill in a number of details). But there is not enough on American liberals and liberal thought in the thirties in this short book to justify the subtitle, and this subject has in any case already been well analyzed by Warren. Moreover, anyone in research of an analysis of New Deal labour policy and the Wagner Act is better served by Irving Bernstein, **New Deal Collective Bargaining Policy** (University of California Press, 1950), and James A. Gross, **The Making of the National Labor Relations Board** (State University of New York Press, 1974).

Even Daniel's thesis, that it was mainly the shock of the depression which turned some liberals leftwards, away from gradual reform, is suspect. As Warren points out, the twenties too were a time of disillusionment for liberal reformers, as a result of their loss of influence over government policy. Their all-too-apparent impotence in the era of Calvin Coolidge, Ronald Reagan's favorite president, prepared some of them for left-wing or pro-Communist activism in the thirties. In 1928, before the crash, Roger Baldwin had already declared in his book **Liberty under the Soviets** (Vanguard Press, 1928) that individual rights could not exist

until classes based on economic exploitation were destroyed. It was just a short step from here to his pro-Communist position of the thirties.

To sum up, Daniel's book is not an entirely satisfactory guide to any of the subjects which it undertakes to discuss.

Hugh TUCK

Memorial University
of Newfoundland

TUC: The Growth of a Pressure Group 1868-1976, by Ross M. Martin, Oxford, Oxford University Press, 1980, 394 pp.

Ce volume est le fruit d'une longue recherche de Ross Martin, professeur de science politique en Australie, sur l'histoire du Trades Union Congress, la plus ancienne des centrales syndicales nationales. L'étude porte sur le processus par lequel ce regroupement syndical, modeste lors de sa fondation en 1868, est devenu l'un des principaux groupes de pression dans le régime politique britannique.

L'attention porte sur l'évolution de l'autorité du TUC comme intermédiaire entre le gouvernement et les syndicats affiliés. Afin d'établir sa représentativité comme groupe de pression, le TUC doit acquérir une certaine autorité par rapport au Pouvoir politique ("external authority") et, pour ce faire, refléter un courant d'opinion significatif à l'intérieur du mouvement syndical ("internal authority").

Outre le caractère modeste de l'action politique du TUC au cours de ses premières années d'existence, c'est cette difficulté à s'imposer comme le principal porte-parole du mouvement syndical qui soulève d'abord l'intérêt du lecteur. Bien sûr, les tensions qui se manifestent au tournant du siècle entre le courant Lib-Lab (dominant chez les leaders syndicaux) et les Socialistes sont très significatives. Toutefois, l'argument fondamental des chapitres 4 (1890-1905) et 5 (1906-1914) porte sur «l'autorité interne» de la centrale syndicale. Et paradoxalement, le challenge