

and had shown them why he was unable to accede to the demand. In this connection we may refer to the case of the Nanaimo colliery, operated by the New Vancouver Coal Mining and Land Company. For fifteen years this colliery has been worked with union labour, the numbers often reaching 800 men, and owing to the reasonable and conciliatory attitude towards each other of the superintendent, Mr. S. M. Robins, and the officers of the union, there was never any strike during his term of office, which lasted until a few months ago, and on more than one occasion the adjustment involved a reduction of wages.

Rights of Employers and Employees in regard to Strikes.

With respect to the rights of employers and workmen in relation to strikes and lock-outs, we think much would be gained if these could be clearly set forth in a code.

It is generally recognized that the workmen are justified in combining together to secure increased wages or shorter hours, or other legitimate changes in the conditions of their employment, and failing assent by their employer, in quitting simultaneously, or, as it is called, going out on strike. And this even though it may occasion the employer great loss and damage, unless some valid contract is thereby violated; or unless the strike is such as to amount to malicious injury to property; or is liable to cause loss of life; or is in furtherance of a conspiracy to injure or restrain trade, some of which acts involve only civil, others both civil and criminal liability.

On the other hand, we think that public opinion, as well as that of those prominent in labour circles, emphatically condemns the sympathetic strike, the boycott, intimidation, the blacklist, and picketing as it is commonly practiced.

Rights of Union and Non-Union Men.

It is one of the fundamental rights of a free people that every man shall choose for himself whether he shall belong or not to a union, and that whether he belongs or not he may work without being insulted, mo-

lest, intimidated or oppressed by any person or union whatever. It is also clearly one of the fundamental rights of every employer that he may employ any man he chooses, subject, of course, to any laws that may be regulating the particular business. Tried by this test, the sympathetic strike, which is declared on account of the employment of non-union labour to take the places of other strikers, is irrational and wrong. The original strikers may have the legal or moral right to strike on account of some disagreement with their employer, but they have no right by force to make him keep their places open until they see fit to return, or to beset, boycott or intimidate men who may see fit to work on the terms which they reject. Then, if they have no such right *a fortiori*, other union employees who may be working for the same or a different employer, have no right to interfere or to strike because of the employment of such substitute labour. A number of Protestant workmen might just as well claim a right to force the employer to discharge or refuse employment to Roman Catholics as union men claim a right to force the employer to discharge or refuse employment to so-called 'scabs.' Such a claim has no foundation whatever, either in law, reason or morals, and is opposed to the fundamental rights of a free people and amounts to a tyrannical attack on the rights of others; and therefore we think that strikes solely because of the employment of non-union labour ought to be made punishable by law.

Sympathetic Strikes.

Similarly, other kinds of sympathetic strikes ought to be rigidly repressed, as they are opposed to public opinion, and to the great mass of opinion among the labouring classes themselves, as well as to natural justice and reason. For instance, take the case of a strike by a body of coal miners solely for the purpose of preventing coal being supplied to a railway company which has had a disagreement with some of its employees. Upon what principle can this be justified? Why should the employer of

the coal miners be forced to break his contract with the railway company? Why should he be subjected to great loss and damage because of a disagreement between others to which he is not a party, and which arises through no fault of his own, and why should the innocent public and neutral industries be subjected to embarrassment and loss? And yet, it appears that it was actually doubtful as to what course the Nanaimo branch of the Western Federation would have taken, had their employer been supplying any coal to the railway company at the time of the strike by the United Brotherhood of Railway Employees, and one of its officers intimated that it would be well for the coal company to have an agreement with the men which would preclude the possibility of a strike under such circumstances. It may be added on the authority of Carroll D. Wright, Commissioner of Labour at Washington, that the history of the sympathetic strike is practically an uninterrupted story of defeat, and last year the statement was made by John Mitchell, president of the United Mine Workers of America, that he had never known a sympathetic strike to succeed.

The Strike for Recognition.

Whether the strike for recognition should be allowed or prohibited is not so easy to determine. It is true that in theory a body of men should have the right to say that they will deal collectively and not individually with an employer; and if all that was meant by a strike for recognition was that they would merely refrain from work until the employer saw fit to accede to the demand, such a strike could not be regarded as inherently wrong; but the fact is that strikes solely for recognition are frequently accompanied by the coercion by illegal practices of both employers and any non-union men who may be disposed to take up the work which the strikers have left.

At the same time it must be remembered that unionism and the demand for recognition of the union, i.e. of the right to make a collective bargain, are the natural outcome of the present stage of industrial

development. In former times the workman had an immediate interest in the instruments of production, and in the disposal of the finished product, and while all workmen were not masters, the masters were all workmen, and the possibility at least of becoming a master was open to apprentices and journeymen alike. Where the wages contract existed it was a matter of individual bargain between persons who were likely to be associated together in the work of production. Now-a-days the workmen, for the most part, are massed together for the purpose of doing work on material supplied to them by the employer, who is generally a corporation or trust represented by a manager and sub-managers, who are selected for their capacity to drive advantageous bargains and extract as much work out of the men as possible. The corporation or trust represents the collectivism of the employers, and it is natural and logical that the same spirit should animate the employed. If compelled to contract for himself alone the modern workman would generally have to deal with a purely mercenary organization which is in a position to take advantage of his fellow workman's necessities in order to compel him to accept terms which a union, dealing on his behalf, might be justified in refusing, and able successfully to reject. The right view of this matter, then, seems to be that the strike for recognition, that is, for the right to make a collective bargain, should not be declared unlawful, but that it is specially incumbent on the authorities, when such a strike takes place, to see that no illegal or criminal methods are used to reinforce it.

There is, however, one way for unions to get recognition which is obviously the surer and the best way. It is by showing employers by experience that it is to their advantage to deal with unions as such, and that the unions will regard the interests of the employers as well as their own, remembering that the financial burdens and risks of the business fall upon the employers. And here, it may be remarked, lies the essential difference between the legitimate trade unionist and the revolutionary socialist: the former realizes that he has a common