

siderable length, and various statistical data presented. The hardships of the unemployed receive an especially sympathetic treatment.

In connection with the solution of the causes of unemployment there are enumerated the labor unions' approach of restriction of output and of higher wages and shorter hours; of the employers' approach through his production and personnel policies; and of the governmental approach through unemployment insurance and relief payments or make-work plans. No panacea to forever eradicate unemployment is suggested. Indeed, while recognizing that "labor" is composed of individual workers, the author is realistic enough to regard it as a commodity, subject to the same laws of supply and demand as are other commodities.

In the first few chapters of Part Three of the book is a brief but excellent history of the American labor movement from 1792 to 1941. Two points are developed which should be of particular significance to every labor leader in these unsettled times: First, that almost without exception the strength of the labor organizations has rapidly decreased in the periods of economic depressions. And second, that many of the early national labor organizations floundered when they embarked upon the shoal-strewn seas of political activities, particularly when they attempted to form a third party.

While the student is cautioned not to let his thinking become "compartmentalized," it may be fairly said that to some extent the author is guilty of such practice—employed, no doubt, because the book is intended for use as a comprehensive school text in industrial relations and labor problems. The material is well organized and presented, but though in the main treated objectively there are sufficient overtones to make it apparent that the sympathies of the author are on the side of the worker in the "conflict between the employers and employees over the division and control of the product of industry."

RUSSELL DOERNER.†

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GOVERNMENT REGULATION OF INDUSTRIAL RELATIONS. By George W. Taylor. New York: Prentice-Hall, 1948. Pp. xii, 383. \$5.35.

The principal purpose of this book, as stated by its author, is "to take inventory of the shortcomings and inadequacies of collective bargaining practices with a view toward charting a way to better industrial self-government" and "to evaluate the strong trend in our own country toward government regulation of industrial relations in order to discern whether that is either inevitable or socially desirable."

Such an inventory and evaluation is indeed timely, particularly in view of present Congressional efforts once again to overhaul the national labor policy which, as now stated, has had the benefit of less than two years trial. Such an inventory and evaluation if accurately made, might well be expected to contribute mightily to an intelligent formulation of a sound labor policy.

Among those who might have written this book, Professor Taylor is not

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the least qualified. It may be presumed that his wealth of experience as an arbitrator and the performance of his duties as Vice Chairman and Chairman of the National War Labor Board have given him an insight into the processes of collective bargaining, and that his experience as a public member and as the head of the National War Labor Board, and his participation in the National Management-Labor Conference held in 1945 have given him an insight into the effects—both salutary and otherwise, of government regulation of industrial disputes. However, in the opinion of this reviewer, the book leaves much to be desired. The disappointment and dissatisfaction with the book stems largely from Professor Taylor's failure to state accurately and precisely the purposes and effects of the regulatory provisions of the National Labor Relations Act and of the Labor Management Relations Act, 1947. A contributing factor is the author's failure to treat decisively the different aspects of his subject and his habit of repetitious interweaving of ideas which had already been treated and presumably disposed of.

The underlying premise of the book is that collective bargaining is a form of industrial self-government and, as such, must be preserved and strengthened as the bulwark of industrial relations in a democracy.

A contrast is drawn between *free* collective bargaining and *government-regulated* collective bargaining, and the advantages and disadvantages of each are appraised. Economic power, demonstrated by industrial warfare, is recognized by the author as the "ultimate arbitrament" of disputes between employers and representatives of employees, under any system of *free* collective bargaining. The use of economic power in situations affecting the national welfare is mildly regretted. Government regulation of industrial relations is abhorred, except where such regulation is rooted in "voluntarism."

Professor Taylor points out that there have been three occasions on which wide-spread demands have been made for government direction of industrial relations; that on each of those occasions the government has formulated comprehensive policies to insure that labor and management conduct their affairs in the public interest; and that each of those three formulated policy programs represents an endeavor to reconcile the demands for government direction of industrial relations with the necessities of collective bargaining. The three programs to which reference is made are the National Labor Relations Act of 1935, the emergency programs of World War II, and the Labor Management Relations Act of 1947. Professor Taylor explores, evaluates, and contrasts the three programs.

The success of war-time government regulation of industrial relations is attributed by the author to the "voluntarism" which, theoretically at least, characterized those regulations. The author, of course, recognizes that moral suasion, the fear of appearing to be unpatriotic, and reluctance to suffer the brunt of heavy economic sanctions, rather than "voluntarism," accounted for the submission of a great many disputes to the War Labor Board and compliance with a great many of the War Labor Board's Directive Orders; but he emphasizes that even in such cases the application of government regulation was successful because the whole regulatory pro-

gram was grounded upon the voluntary no-strike no-lockout agreement reached by management and labor on December 23, 1941, which provided the foundation for Executive Order No. 9017 establishing the National War Labor Board. The author is not unmindful of the weaknesses of regulation based upon "voluntarism," the most serious of which is the ability of either party to destroy the regulating medium simply by withdrawing voluntary participation in the regulatory program; but he sees in "voluntarism," notwithstanding its weaknesses, the method of regulation which most closely approaches *free* collective bargaining and hence he espouses it as the most acceptable and the least dangerous of regulatory methods.

Professor Taylor's treatment of the National Labor Relations Act of 1935, and the Labor Management Relations Act, 1947, seems to over-emphasize the impingement of those regulatory measures upon free collective bargaining, and he thereby unduly magnifies what he conceives to be a *pro tanto* destruction of free collective bargaining. At times he seems to recognize the true fact that the purpose of the Wagner Act was to create and maintain an atmosphere in which employees, if they so desired, could exercise their right to organize and bargain collectively, without interference, restraint, or coercion, generated by employer unfair labor practices. But his total treatment of the Wagner Act gives the erroneous impression that it concerned itself with the substantive terms of a collectively negotiated agreement and thereby hampered the processes of free collective bargaining.

Similarly, Professor Taylor eventually concedes that the effect of the Taft-Hartley Act upon free collective bargaining by reason of its regulation of the substantive terms of agreements is negligible. In this connection he states:

These areas of regulation over substantive terms do not add up to any wholesale government regulation of the conditions of employment. If the union-security regulation is excepted, not much enforced relinquishment of latitude and judgment by management or by unions is brought about by law. The regulations were directed, moreover, toward the elimination of very real problems over which deep public concern had developed.

But here again, Professor Taylor's total treatment of the Taft-Hartley Act creates the erroneous impression that the Taft-Hartley Act largely concerns itself with the substantive terms of collectively negotiated agreements and thereby hampers free collective bargaining. The false impression of the purposes and effects of the Taft-Hartley Act is created by the author's failure to place proper emphasis upon the fact that *primarily* the Taft-Hartley Act regulates the abusive exercise of economic and political power in order to enlarge the possibility of bona fide collective bargaining, and that its meager regulation of the substantive terms of a collectively negotiated agreement is simply an incidental, though essential, part of its regulation of abusive and excessive wielding of power, contrary to the public interest.

The conclusions which Professor Taylor reaches seem to be that government regulation of industrial relations is not socially desirable, but is inevitable, unless labor and management abandon the concept that collective

bargaining is "a means for handling problems opportunistically without any general policies and without a philosophical base," and through a program of "voluntarism" come to a realization that they must "somehow 'get together' and acquire the 'know-how' for building up collective bargaining as a highly constructive social institution."

Professor Taylor's book must be read with a critical eye, but with that, it is recommended reading for every student of industrial relations.

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MANAGEMENT-UNION ARBITRATION. By Maxwell Copelof. New York: Harper and Brothers, 1948. Pp. xiv, 345. \$5.00 cloth.

Labor-management arbitration has advanced rapidly in importance and scope within the last ten to fifteen years as it has become generally recognized as an alternative to economic warfare. The advance, indeed, has been so rapid that an entirely new profession has been born. If the lawyer's place in society is justified by the lubricating effect he has on the wheels of commerce and business, then, the professional arbitrator may well claim that his is the lubricant that keeps the wheels of labor-management relationships rolling smoothly and in alignment.

Mr. Copelof has endeavored in his book to point out some of the disputes that arise and the methods used to solve them. He has not neglected to point out some of the limitations of arbitration although he is quick to note, and perhaps rightly so, that such limitations are largely imposed by either labor or management or both and are not necessarily the result of the system of arbitration itself.

By its nature, Mr. Copelof's book will have its greatest value for the beginners in this field. One might wish that the author had utilized the opportunity to report more specifically on the techniques of arbitration. Instead he has compiled a vast amount of case material which, by and large, is presented without critical comment. At times, the book resembles a law student's casebook rather than the explanatory textbook it was meant to be. Mr. Copelof has chosen to emphasize the types of disputes that arise for settlement rather than the techniques used in their solution. The reader is likely to experience an uneasy feeling that the methods used for solving those disputes are likely to be harder to find than the problems themselves. One might well wish that the author had seen fit to particularize on the methods of arbitration as fully as he has on the disputes themselves.

However, the book does give the uninitiated a chance to make a preliminary exploration in the field. The first three chapters will be particularly helpful to those individuals who voluntarily or necessarily must school themselves in arbitration procedures.

In the first chapter, the author lists and discusses the categories of disputes that are appropriate questions for arbitration. From that beginning, Mr. Copelof branches out in the next chapter to a discussion of the selection of the arbitrator. The various methods of selecting the arbitrator and the

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