**Title:** Beyond Industrial Pluralism: The United States’ Postwar Industrial Relations Regime in Theory and History, c. 1945-1976

**Abstract:** In the fields of industrial relations and labour law, it is well understood that in both Canada and the United States a specific system of representation, buttressed by a detailed set of legal rules and procedures known as “pluralistic industrialism” or “industrial pluralism”, had evolved by the late 1940s—achieving a hegemonic status that no prior regime of “industrial legality” had ever approached. After the enactment of the Taft-Hartley amendments to the 1935 National Labour Relations (or Wagner) Act in 1947, many scholars, practitioners, and participants in the industrial relations system assumed its perfection, believed it to be based largely on “voluntary”, nonstate actions, and deemed “industrial pluralism” a fitting counterpart to the political pluralism that ensured all citizens equal, equitable, and democratic public rights. Its primary practitioners and theoreticians in the realm of industrial relations—frequently one and the same people who staffed university industrial relations programs and served the American Arbitration Association—embraced form of neo-voluntarism which extolled “free” bargaining between unions and corporations unimpeded by an intrusive state or the demands of political parties. This distinctly North-American system of non-politicised, non-state-regulated collective bargaining was idealised as the model for all other labour movements and for public policy elsewhere, especially for the nations of Western Europe, which had suffered from politicized labour movements and “intrusive” states. The proposed paper, which draws on several generations of published historical and industrial relations scholarship as well as original research in published public records and numerous unpublished public and private archival collections, argues that the celebration of “industrial pluralism” by its exponents in the 1950s and 1960s honoured a system that had reached full maturity and was about to experience senescence.

This was so, first, because of the growing “fragmentation” of the United States’ industrial relations policy and institutional regime. Federal and state labour policies often did not move in harmony, some states modeling their industrial relations approaches after the dominant national model of “industrial pluralism”, while others, both before and after the passage of the Taft-Hartley Act in 1947, rejected industrial pluralism in favor of policies that privileged individualism, nonunion settings, and alternative industrial relations systems. This was especially true of the southern states, the majority of which rejected industrial pluralism, and whose representatives in the federal state after 1937 persistently opposed pro-labour, pro-collective bargaining initiatives. Formal separation of powers enabled Southern Democratic members of Congress and their Republican allies to resist more pro-labour elements in the executive and judicial branches of the national state. Using their power to investigate, to control the purse strings of government, and to endorse or reject presidential appointees, Southerners and their allies

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in Congress influenced the president and the N.L.R.B. to adopt practices more consonant with non-collective approaches to industrial relations.

Second, as the old disputes that had triggered conflict and struggle between workers and employers dissolved during the long postwar boom, new issues emerged to roil industrial relations and to disturb both unions and employers. Thus workers, through their unions, won elements of industrial citizenship, African Americans and women demanded equal treatment at work. Increasingly, questions of race and gender came to dominate industrial relations policy. Just when the “industrial pluralists” relished their greatest triumphs, a new set of divisive issues related to race and gender fractured politics, state agencies, and the labour movement while it contributed to the fragmentation of the US industrial relations regime.

Third, the proposed paper argues that industrial pluralism was undermined by the end of the long post-World War II boom and the profound restructuring of the U.S. political economy which began in the late 1960. A series of economic shocks (including the challenge of competition in the global marketplace from the rising economies of Germany, Japan, and smaller East Asian nations, rapid price inflation, and the responses of both employers and governments to the deepening crisis) delivered savage blows to the United States’ union movement. The mass-production unions created in the aftermath of the Wagner Act and World War II fell on hard times, as corporations struggled to survive intensifying competition from across the international division of labour by economising, substituting cheaper capital for dearer labour, or downsizing altogether and laying off workers by the thousands.

Worse yet, employers and ruling politicians, who since World War II had accepted trade unionism, collective bargaining, and the federal industrial relations regime, now attacked unions and the entire structure of “industrial pluralism”. By the late 1960s, the labour movement could no longer rely on the national state and its agents to promote and protect the union cause. The New Deal—Fair Deal—Great Society coalition, which exemplified the United States’ labour-based modern liberalism, had collapsed beyond repair. The electoral triumph of Richard Nixon and the Republicans in 1968 heralded a new politics distinctly unfavorable to the prospects of labour. Hence it came as no surprise that the N.L.R.B. and the federal courts handed down rulings less supportive of organizing initiatives and employers’ contractual obligations, or that unions lost an increasing proportion of N.L.R.B. representation elections and that employers learned how to use the N.L.R.B. and national labour law to thwart union organizing. The return of the Democrats to national power in 1976 with the election of Jimmy Carter and a Democrat-controlled Congress disclosed labour’s political impotency. A congressional majority composed of Republicans, old-line Southern Democrats, and new-style managerial-class, suburban Democrats defeated labour’s and the administration’s effort to modify the Wagner Act in a manner that would accelerate N.L.R.B. representation elections and curtail employers’ power under the law to thwart unionising drives.

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