34. Regulation of Labor Relations

In the name of the social peace they claimed to establish, both the Italian and German Fascist régimes acted quickly to bring labor-management relations under their control. In Italy, after an initial period of competition between Fascist and independent labor organizations, a period marked by some industrial unrest, a Law on Corporations was enacted on April 3, 1926. This law brought to an end the independent unions and created a new set of organizations for labor and employers. The Law on Corporations constituted one of the major legislative pillars of the corporate system. In Germany the Nazis acted even more quickly to gain control of labor and industrial relations. There, a law of January 20, 1934, established the new system of regulation.

A. Italian Law on Corporations, April, 1926

Chapter 1

Art. 1. Associations of employers and of workers, both intellectual and manual, may obtain legal recognition when they can prove that they comply with the following requirements:

1) in the case of associations of employers, that the employers who have voluntarily registered as members employ not less than one-tenth of the workers in the service of the concerns of the kind for which the association has been formed, existing in the district in which it operates; and in the case of associations of workers that the workers who have voluntarily registered as members number not less than one-tenth of those of the class for which the association has been formed, existing in the district in which it operates;

2) that besides the protection of the economic and moral interests of its members the association proposes to promote, and does actually promote, the assistance, instruction, and moral and patriotic education of its members;

3) that the director of the association affords guarantees of ability, morality, and sound national loyalty.

Art. 6. The associations may be communal, district, provincial, regional, inter-regional, and national.

Source: Benito Mussolini, Fascism: Doctrine and Institutions (Rome: Ardita, [1935]), pp 75-89, with deletions.
Recognition may also be granted, under the provisions of this Act, to federations or unions of several associations, and to confederations of several federations. The recognition of such federations or confederations implies the *ex officio* recognition of the several member associations or federations. The federations or confederations exercise disciplinary powers over their member associations, as well as over the individual members of same, these rights being exercised in accordance with the rules laid down in their respective statutes.

Legal recognition can only be granted to one association for each class of employers, workers, artists, or professional men. Similarly, legal recognition can only be given to one federation or confederation of employers or workers or artists or professional men, referred to in the preceding paragraph, for the class or classes of employers or workers represented within the district assigned to each.

If recognition be granted to a national confederation of all classes of employers or workers in agriculture, industry, or trade, or for all categories of artists or professional men, recognition cannot be granted to federations or associations which are not affiliated to the said Confederation.

In no case can associations be recognised which, without the preliminary consent of the Government, have contracted any ties of discipline or dependance with associations of an international character.

**ART. 10.** Collective labour contracts drawn up by the legally recognised associations of employers, workers, artists, and professional men, are valid in respect of all employers, workers, artists, and professional men belonging to the category to which said contract refers and which the associations represent in accordance with the provisions of Art. 5 of this Act.

Collective labour contracts must be written under pain of nullity. They are also held null and void if they fail to state the period for which they hold good.

A copy of the collective contracts must be deposited with the local prefecture and published in the sheet of announcement of the Province in the case of communal, district, or provincial associations, and must be deposited with the Ministry of National Economy and published in the *Gazzetta Ufficiale* of the Kingdom in the case of the regional, inter-regional or national associations.

Employers and workers who fail to abide by collective contracts