

The Chambers of Labour

*Experiments in representation and
regulation in the Netherlands in the long
nineteenth century*

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nineteenth century**

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Table of contents

Introduction 6

Historiography and theoretical framework 8

International historiography 9

Dutch historiography 10

Theoretical framework 13

The integration of state and society in the last quarter of the nineteenth century 13

Theory and practice of representation 14

Outline 16

Chapter 1. The international debate 18

Germany 19

Romanticism and the organic conception of state and society 19

Wilhelm Emmanuel von Ketteler 21

Social Catholicism: Von Vogelsang, Hitze and Pesch 23

Kathedersozialismus 25

The 'chamberization' of interest representation in Germany 26

France 27

Restoration philosophers and utopian socialists 27

Social reformers 29

Social Catholicism in France 30

The French 'administration consultative' of the late nineteenth century 33

Belgium 33

Ultramontanism 34

The Social Congresses of Luik, the Fribourg Union and the promulgation of Rerum Novarum 35

The Councils of Industry and Labour, conseils de prud'hommes and Conseil supérieur du Travail 37

United Kingdom 39

Christian Socialism 39

State recognition of private organization of labour 40

Boards of arbitration and conciliation 41

Conclusion 42

Chapter 2. The debate in the Netherlands 44

Politics and representation 45

Economic development and industrialization 46

Social legislation 47

Private organization of labour 48

The public debate around 1870 49

Confessional proposals 50

Guild restoration: Groen van Prinsterer's 1848 brochure 50

A Legal Code of Labour: the thought of Kuyper on organic representation of workers 51

Chambers of Labour for workers and employers: Des Amorie van der Hoeven 52

Socialist proposals 53

<i>Worker's democracy: Gerhard's 'Sketch of a Communist Society'</i>	54
<i>The Third Dutch Workingmen's Congress: debates on the representation of labour</i>	54
Progressive liberal proposals	55
<i>The Comité ter bespreking van de Sociale Kwestie: proposals for councils of conciliation</i>	56
<i>'Workers-courts': Quack's appropriation of the British boards of arbitration</i>	57
<i>The Chambers of Labour of the ANVV</i>	58
The debate from the mid-1880s onwards	58
Liberal proposals	60
<i>The institutional experiments of Van Marken</i>	60
<i>'Permanent committees of inquiry': Levy's addition of the statistical function</i>	61
<i>Kerdijk's advocacy of labour councils</i>	63
Socialist proposals	64
<i>The economic and political chambers of Van Kol</i>	65
Antirevolutionary proposals	66
<i>Kuyper: Chambers of Labour as a corporatist reform of state and society</i>	66
<i>The Christian Social Congress: Kuyper's opening speech</i>	69
<i>The discussion on Chambers of Labour</i>	70
Conclusion	71
Chapter 3. The private labour councils	74
Previous attempts at dispute conciliation	75
Foundation	76
<i>Private labour councils in the Netherlands</i>	76
<i>'To show the Government the way': Amsterdam's private labour council</i>	80
Constitution making	82
<i>Experiments in representation and regulation</i>	82
<i>The constitutional congress in Dordrecht</i>	85
Practices	87
National cooperation	92
Transition to Chambers of Labour	95
Conclusion	100
Chapter 4. The legislative route towards Chambers of Labour	102
Parliamentary debate	102
The legislative proposals of Pyttersen and Schimmelpenninck	105
The Act on the Chambers of Labour	109
Conclusion	113
Chapter 5. The Chambers of Labour	115
Polity and representation	115
Task execution	118
Proposed modifications	120
Epilogue: the end of an experiment	122

Conclusion 125

Conclusion 126

Appendix: Regulations and petition of the private labour councils 131

Archival material 135

Periodicals 136

Digital sources 136

Bibliography 137

Introduction

'That representation is today a significant and widely used concept needs hardly be argued. In modern times almost everyone wants to be governed by representatives (although not necessarily by a conventional representative government); every political group or cause wants representation; every government claims to represent. At the same time we are troubled by the difference between sham and real representative institutions, and by the many competing ways in which representation can be institutionalized.'

Hannah Fenichel Pitkin. *The Concept of Representation* (1967)¹

In political discourse, representative democracy is often conceived of as parliamentary democracy. In this form of representative democracy, collective decision making proceeds through the election by an individualistic electorate of a national representative body with the capability to enact law and control government. Since the establishment of parliamentary democracy in the second half of the nineteenth century, however, this form has been contested. Alongside the development of parliamentary democracy, alternative and adjacent forms of political representation and regulation have been proposed and debated throughout Western Europe. In practice, moreover, since at least the last quarter of the nineteenth century regulatory institutions with varying degrees of representativeness have emerged alongside the established parliamentary form. This development can be said to have taken place in a number of waves. Whereas the increasing integration between state and society from the turn of the nineteenth century on was marked by the creation of a number of adjacent advisory and representative institutions, the rise of the welfare state after the Second World War saw a proliferation of advisory and regulatory boards with bodies of interest representation. Examples of these for the Netherlands are the Sociaal Economische Raad ('Social Economic Council') (SER), the Raad voor de Kunst ('Council for the Arts') and the Centrale Raad voor de Gezondheidszorg ('Central Council for Health Care'). Since the 1980s, increasing concern has been voiced about the spread of quasi-autonomous non-governmental bodies or 'quangos', such as independent regulatory bodies, which are said to take away parliamentary control. Behind these concerns are questions of representation: who is to be represented in democratic policy making, and in which way? How

¹ Hannah Fenichel Pitkin. *The Concept of Representation* (Berkeley and Los Angeles: University of California Press 1967) 2

should representation be organized? What is the relationship between several forms of representation, such as the parliamentary, territorial and the adjacent, functional ones, existing at the same time? What is the basis for legitimacy of adjacent regulatory institutions? These questions and concerns may warrant a more systematic historical research into the roots and developments of ideas and proposals for forms of representation and regulation alongside parliamentary democracy. Such an inquiry might reveal how the establishment of alternative or adjacent forms of political representation and regulation was motivated, from which intellectual sources this motivation sprang, how representation was organized in practice and how the relationship with the parliamentary form of democracy was conceived. Yet, while in countries such as Germany and France a historiography about traditions of alternative and adjacent forms of political representation and regulation exists, attention in the Netherlands to this tradition has so far been limited.

Concerning the Netherlands, an interesting institution in this regard presents itself at the closing of the nineteenth century: the 'Kamers van Arbeid' ('Chambers of Labour'). Founded in 1897, Chambers of Labour were local bodies meant to reconcile employers and employees, collect statistical data and provide advice to the multiple levels of state on social and economic affairs. Chambers of Labour could cover one or more municipalities, and one or more branches of industry. To be set up on the initiative of interest groups or municipalities, Chambers of Labour consisted evenly of representatives from both employers and employees, usually ten in total. Elections for the Chambers of Labour were held municipality-wise on an individual basis. From their inception until their abolishment in 1922, about 110 different Chambers were established throughout the Netherlands, presenting the first recognition of the state that cooperation with organized interest groups was necessary to further socioeconomic policy, in the form of an elected representative institution with advisory authority. Although the orthodox Protestant statesman Abraham Kuyper is often credited with conceiving of the Chambers Labour in the late 1880s as an 'organic' solution to the class struggle,² ideas for labour councils, chambers of representation of boards of arbitration are much older, however, going back to at least the early 1870s. Such ideas are to be found not only in orthodox Protestant circles, moreover, but in Catholic, socialist and progressive liberal ones as well. Ideas and proposals in the Dutch context connected, furthermore, with a European-wide debate on alternatives to parliamentary democracy. This entailed ideas and practices with respect to labour councils, boards of reconciliation and similar institutions in Germany, France, Belgium and the United Kingdom that were often conceived within broader corporatist, 'organistic' or state interventionist currents of

² Joop M. Roebroek and Mirjam Hertogh. *'De beschavende invloed des tijds'. Twee eeuwen sociale politiek, verzorgingsstaat en sociale zekerheid in Nederland* (The Hague: VUGA Uitgeverij B.V. 1998) 138-139; Mirjam Hertogh. *"Geene wet, maar de Heer!": de confessionele ordening van het Nederlandse sociaalzekerheidsstelsel 1870-1975* (The Hague: Vuga 1998) 80

thinking that were well present in these countries. Finally, more than a dozen experimental predecessors to Chambers of Labour, so-called 'particuliere arbeidsraden' ('private labour councils') were founded on a private basis before being regulated by the state. Historical research on the Chambers of Labour, however, is fragmented and sparse, while a number of questions can be asked on them: why, for example, was representation in this institution organized in this specific local, functional way? Why did the Chambers have this particular combination of functions? Whose interests were to be represented, and to whom? How was the membership to be organized? What was the relationship to the several levels of state, and the parliamentary form of representation? How was the electoral process conceived of? These questions make the Chambers of Labour an interesting case study within a historical inquiry into the roots and developments of ideas and proposals for forms of political representation and regulation alongside parliamentary democracy. It is my goal in this research paper to conduct this case study. In this, I am guided by the following research question: 'How were the Chambers of Labour conceptualized and institutionalized?' In this way, the roots of ideas for Chambers of Labour in intellectual tenets, their conception in public and parliamentary debate, the institutional experiments preceding them, as well as their actual functioning can be analyzed, which will provide an insight into one aspect of a history of alternative forms of political representation and regulation in the Netherlands.

Historiography and theoretical framework

The historiography of democracy has so far mainly focused on the development of the parliamentary form of democracy. There is, however, a tradition of proposals and experiments with forms of deliberation, decision making and representation outside of the established form of parliamentary democracy. In recent historiography, some aspects of these ideas and practices have been described with respect to Germany, France, the United Kingdom and Belgium. Concerning the first two countries specifically, recent historiography has pointed to a host of advisory chambers with bodies of representation for social and economic interests that emerged from the late nineteenth century onwards. As the Chambers of Labour in the Netherlands are to be located in this emergence of representative advisory bodies as well, I will first discuss a number of international studies, and then turn to Dutch historiography.

International historiography

Concerning France, the political historian Pierre Rosanvallon in *Le peuple introuvable* (1998)³ has pointed to a renewed debate about forms of representation from 1890 onwards. In this work, Rosanvallon presents a history of political representation in France from the Revolution to the present day. While the entire second half of the nineteenth century was a period in which many solutions to the discrepancy between universal suffrage and property-based franchise restrictions were proposed, such as working class representation, proportional representation, and interest representation in parliament, the first decades of the twentieth century featured the consolidation of political parties and the involvement of intermediary bodies such as trade unions in policy making. In between this lies a period of increasing criticism of parliamentary democracy and the vindication of other forms of representation on the one hand, and the development of an 'administration consultative' on the other hand: the establishment of a host of advisory boards to the state, representing social and economic interests.⁴ Not only the Conseil supérieur du travail (1891), but also the Conseil supérieur des beaux-arts (1875), the Conseil supérieur de l'Assistance publique (1888) and the Conseil supérieur du commerce, de l'agriculture et de l'industrie (reorganized in 1873) constituted an entire redefinition of the relationship between state and society. According to Rosanvallon, the political legitimacy of universal suffrage was complemented by specialized forms of representation, which attested to an enlarged view on political representation.⁵

Situated in this host of advisory boards with bodies of representation for social and economic interests, the 1924 Conseil national économique (CNE) forms the subject of the political historian Alain Chatriot's case study *La démocratie sociale à la française* (2002).⁶ Chatriot conceives of the CNE, an advisory body consisting of trade union and employer's organizations' representatives, experts and government officials, as a paradox: while the territorial parliament was supposed to be the sole body of representation of the people, it created a number of more or less autonomous, intermediary institutions of representation which derived legitimacy from their advisory capacity. This presents a puzzle about forms of the state, her relationship with society, and the organization of representation.⁷ According to Chatriot, as an official state organ representative of social and economic interests, and a site of expertise with an advisory function to the

³ Pierre Rosanvallon. *Le peuple introuvable: histoire de la représentation démocratique en France* (Paris: Gallimard 1998)

⁴ Ibid., 261

⁵ Ibid., 261-263

⁶ Alain Chatriot. *La démocratie sociale à la française. L'expérience du Conseil national économique 1924-1940* (Paris: Découverte 2002)

⁷ 'Pour autant, il s'agit, tout en prenant l'institution au sérieux, d'aborder des questions plus larges sur l'organisation de la société dans son rapport à l'État et sur les formes de la démocratie. Ibid., 4

government, the CNE fits in a re-evaluation of the role of a number of institutions that have long been ignored in political historiography.⁸

In German historiography, a similar re-evaluation is the subject of the economic historian Werner Abelshauser in his article 'The First Post-Liberal Nation' (1984)⁹ and his study *The Dynamics of German Industry* (2005).¹⁰ Abelshauser's angle is slightly different than that of the previous authors: his aim is to show that corporatism, conceived of as a system of interest group representation characterized by a political cartel of social groupings involved in national policy making, is useful as a paradigm for analyzing modern German social and economic history.¹¹ To do so, he argues that corporatist forms of organization have their roots in the late nineteenth century. According to Abelshauser, in response to economic cyclical activity, Germany from 1870 onwards experienced a formation of associations, cartelization and the setting up of councils of corporate professional and sectoral representation. Policy making at the state and district level were now discussed by consultative bodies representing social and economic interests. Bismarck's attempt to transform the economic order of the German Empire in the direction of a corporatist system, starting with Prussia, can be seen in the restoration and establishment of a network of guilds, chambers and advisory councils for industry, agriculture and commerce. In this, rather than in failing to establish a liberal society, Germany was the first 'post-liberal nation'.¹²

Dutch historiography

In recent years, nineteenth-century Dutch political history has witnessed a revival. In the NWO research project 'De natiestaat. Politiek in Nederland sinds 1815' ('The nation state. Politics in the Netherlands since 1815'), questions of the entrance to and constitution of the polity, organizational changes in political institutions, political culture and style in the history of democracy in the Netherlands have stood central. Within the confines of this project, historical research into constitutional politics,¹³ the development of proportional representation,¹⁴ styles of political leadership,¹⁵ and the interaction between the expansion of the franchise, party formation

⁸ Ibid., 347

⁹ Werner Abelshauser. 'The First Post-Liberal Nation: Stages in the Development of Modern Corporatism in Germany'. In: *European History Quarterly*, Vol. 14, No. 3 (1984) 285-317

¹⁰ Werner Abelshauser. *The Dynamics of German Industry. Germany's Path toward the New Economy and the American Challenge* (New York: Berghahn Books 2005)

¹¹ Abelshauser, 'The First Post-Liberal Nation', 287-288

¹² Ibid., 288

¹³ Ido de Haan. *Het beginsel van leven en wasdom. De constitutie van de Nederlandse politiek in de negentiende eeuw* (Amsterdam 2003)

¹⁴ Jasper Loots. *Voor het volk, van het volk. Van districtenstelsel naar evenredige vertegenwoordiging* (Amsterdam 2004)

¹⁵ Henk te Velde. *Stijlen van leiderschap. Persoon en politiek van Thorbecke tot Den Uyl* (Amsterdam 2002)

and voter mobilization in the Netherlands¹⁶ has been conducted. These studies have in common, however, that their primary focus is on the development of parliamentary democracy: that is, the dominant form of political representation, which features a territorial parliament based on individual suffrage, and political parties as organizational links between representatives and the represented. A political historiography of alternative and adjacent forms of representation and regulation, however, has not yet emerged. Yet, a tradition of debates, proposals and institutions of such forms of representation, like in other West European countries, does exist in the Netherlands. An investigation into the Chambers of Labour is therefore warranted, as it will shed light on the early history of alternative and adjacent forms of political representation and regulation in the Netherlands.

The Chambers of Labour have not received much attention in Dutch historiography. In most historical studies on the political, social and economic development of the Netherlands, no mention of the Chambers at all is made. In older studies, passing references to them sometimes can be found. The jurist C.W. de Vries discusses the legislative route towards Chambers of Labours in his overview of social legislation enacted in the governing period of the liberal cabinets of the last decade of the nineteenth century.¹⁷ His account is taken over by the parliamentary chronicler W.J. baron van Welderen Rengers in his parliamentary history of the Netherlands.¹⁸ The antirevolutionary journalist R. Hagoort mentions the discussion on Chambers of Labour in antirevolutionary circles in his history of the orthodox Protestant trade union Patrimonium.¹⁹ Similarly, the Protestant historians C. Beekenkamp and P.A.J.M. Steenkamp discuss antirevolutionary ideas on the Chambers of Labour in their studies of nineteenth- and twentieth-century Dutch Protestant thought on corporate organization in public law.²⁰ The jurist A.N. Molenaar, finally, refers to the Chambers of Labour in his overview of the historical development of international and Dutch labour law.²¹ These older studies almost all mention the Chambers of Labour in passage from a different perspective, and all consider them a failed institution. The one exception is the dissertation *Arbeidsraden* (1892) of the jurist and banker

¹⁶ Gert van Klinken. *Actieve burgers. Nederlanders en hun politieke partijen 1870-1918* (Amsterdam 2003)

¹⁷ C.W. de Vries. 'Bijdrage tot de staatkundige geschiedenis der arbeidswetgeving in Nederland (Tien jaar sociale hervormingsarbeid onder leiding van een liberale regeering; 1891-1901)'. In: *Themis. Verzameling van bijdragen tot de kennis van het Publiek- en Privaatrecht* (1924) 209-235; 273-318; 385-429, there: 229-231, 292-297

¹⁸ W.J. Van Welderen baron Rengers. *Schets eener parlementaire geschiedenis van Nederland* (The Hague: Martinus Nijhoff 1948) 132

¹⁹ R. Hagoort. *Het beginsel behouden. Gedenkboek van het Nederlandsch Werkliedenverbond Patrimonium over de jaren 1891-1927* (Amsterdam: Het Nederlandsch Werkliedenverbond Patrimonium 1934) 14-26, 191-192

²⁰ C. Beekenkamp. *Bedrijfsorganisatie van antirevolutionair standpunt beschouwd* (Kampen: Kok 1932); P.A.J.M. Steenkamp. *De gedachte der bedrijfsorganisatie in protestants christelijke kring*. (Kampen: Kok 1951)

²¹ A.N. Molenaar. *Arbeidsrecht* (Zwolle: N.V. Uitgevers-maatschappij W.E.J. Tjeenk Willink 1953)

Hendrik Pieter van Heukelom, who concisely discusses Dutch debates on Chambers of Labour, private initiatives and international legislation, but only before 1892.²²

In the modern literature, the Chambers of Labour are sometimes mentioned as early attempts at regulating socioeconomic life, usually along with the first social legislation implemented in the years before the First World War. Fernhout sees the Chambers as a modest attempt at corporate organization ('bedrijfsorganisatie').²³ In the article collection on Christian social thought in the Netherlands edited by the historian G. Schutte, the debate on the Chambers of Labour in Protestant circles is described.²⁴ The political scientist J. Roebroek and historian M. Hertogh, finally, refer to the debate on and legislative route towards the Chambers of Labour in their history of the welfare state in the Netherlands.²⁵ Here again, the Chambers of Labour are shortly referred to, and mostly in a social-economic historical context.

The Chambers of Labour as such have only been analyzed in one research article: 'De Kamers van Arbeid 1897-1922: een mislukte poging tot bedrijfsorganisatie' (2001), by the historian Coen Helderma.²⁶ This article is based on a master's thesis written by the same author in 1999, which is the first and only historical account of this institution.²⁷ Both position the Chambers of Labour primarily in the history of the Dutch consensual style of social and economic policy making known as the 'polder model' on the one hand, and trade union history on the other hand. In his thesis, Helderma analyzes the Chambers of Labour largely from a social-economic historical perspective with a somewhat Marxist emphasis on industrial relations.²⁸ From this perspective, the Chambers failed what they were set up to do: they did not contribute to conciliation between employers and employees, nor fulfilled their advisory role, mostly because they were ignored by the then fast-growing trade unions and employer's organizations.²⁹ The author concludes that class conflicts could not be 'artificially' resolved by 'conservative' organs such as the Chambers of

²² Hendrik Pieter van Heukelom. *Arbeidsraden* (Amsterdam: De Bussy 1892). On Van Heukelom, see: Chr. P. van Eeghen. 'H.P. van Heukelom'. In: *Economisch-Historisch Jaarboek* Vol. 25 (1952), 257-259

²³ Roel Fernhout. 'Incorporatie van belangengroeperingen in de sociale en economische wetgeving.' In: H.J.G. Verhallen, R. Fernhout and P.E. Visser (eds.). *Corporatisme in Nederland. Belangengroepen en democratie* (Alphen aan den Rijn: Samsom Uitgeverij 1980) 122-123

²⁴ G.J. Schutte (ed.). *Een arbeider is zijn loon waardig. Honderd jaar na Rerum Novarum en Christelijk-Sociaal Congres 1891: De ontwikkeling van het christelijk-sociale denken en handelen in Nederland 1891-1914* (The Hague: Meinema 1991)

²⁵ Roebroek and Hertogh, *Twee eeuwen sociale politiek, verzorgingsstaat en sociale zekerheid in Nederland*, 138-139

²⁶ Coen Helderma. 'De Kamers van Arbeid 1897-1922: een mislukte poging tot bedrijfsorganisatie'. In: *Tijdschrift voor sociale geschiedenis*, Vol. 27, No. 1 (2001), p. 77-98

²⁷ Coen Helderma. *De Kamers van Arbeid 1897-1922: de geschiedenis van een "mislukt stuk wetgeving"*. Afstudeerscriptie Erasmus Universiteit Rotterdam 1999

²⁸ 'Dit neemt overigens niet weg dat ik bij de beschrijving van de geschiedenis van de Kamers de nadruk meer leg op sociaal-economische structuren, dan op politieke en culturele evenementen. Ten eerste omdat ik meen dat de eerste omvattender en fundamenteeler zijn dan de tweede. Ten tweede omdat de eerste ontwikkelingen veelal een langere termijn omvatten en een diepere en duurzamere invloed uitoefenen dan de tweede.' *Ibid.*, 14

²⁹ *Ibid.*, 73-75

Labour.³⁰ In his article, on the other hand, Heldermaan sees the Chambers despite their failure as a modest start of the later corporatist reform program of confessionals and reformist socialist Social Democrats, and a first recognition of the state that cooperation with workers and employers was necessary to further social and economic policy.³¹

While Heldermaan's study is admirable in its comprehensiveness and use of archival material, I would like to propose a different perspective. This entails moving away from trade union and polder model history, and in the vein of international historiography move to a history of political representation and regulation. In that perspective, after a decades-long debate about alternatives to parliamentary democracy, the Chambers of Labour were sites of experimentation with forms of representation and regulation. They stood at the crossroads of state and society, found on the premise that interest representation would not only solve the social problem through negotiation, but also yield expertise employable by the government. As such, they were small extensions of the state with their own bodies of representation. From this perspective, an investigation into the Chambers of Labour will shed light on the development in the Netherlands of different forms of political representation and regulation alongside parliamentary democracy. I would therefore like to analyze the Chambers of Labour in this way, thereby making use of a number of theoretical perspectives to guide my research. These pertain to the integration of state and society from the last quarter of the nineteenth century onwards, and changing conceptions of political representation in the same era.

Theoretical framework

The integration of state and society in the last quarter of the nineteenth century

The Chambers of Labour, as well as other forms of representation and regulation, emerged in the last quarter of the nineteenth century as one aspect of the increasing integration of state and society visible in all Western European countries. In order to analyze the Chambers of Labour as experiments in regulation and representation peculiar to this time period, it is necessary to first place them in the broader perspective of the increasing integration between state and society. This perspective is provided by Charles Maier in *Recasting Bourgeois Europe. Stabilization in France, Germany and Italy in the Decade after World War I* (1975),³² and his article 'Fictitious bonds of wealth

³⁰ 'Zij [de Kamers van Arbeid] vonden daarmee hun wortels in de corporatistische maatschappijopvatting. Een maatschappijopvatting die een statisch maatschappijbeeld behelst en daarmee in wezen conservatief van aard is.' (...) 'Dit onderzoek naar de geschiedenis van de Kamers van Arbeid heeft geleerd dat de maatschappelijke problemen die voortkomen uit de onderschikking van arbeid onder het kapitaal niet opgelost konden worden door een kunstmatige verzoening van de klassentegenstellingen.' Ibid., 77

³¹ Heldermaan, 'De Kamers van Arbeid 1897-1922', 98

³² Charles S. Maier. *Recasting Bourgeois Europe. Stabilization in France, Germany and Italy in the Decade after World War I* (Princeton: Princeton University Press 1975)

and law' (1981).³³ According to Maier, triggered by rising demands to regulate social and economic life as a result of social conflict and economic crises, from the late nineteenth century onwards state sovereignty became increasingly spread out across policy making spheres. A host of developing associations, such as trade unions, employer confederations and other forms of organized interest, became more directly involved in the policy making process. Political parties and the state's executive agencies became sites of brokerage between organized interest groups and the state. According to Maier, as the locus of policy making changed through the bargaining of the state with organized interest groups, parliamentary influence was undermined. This also meant the increased weakening of notions of the common good and the idea of a citizenry of free individuals. Advocates of this 'parceling out of sovereignty' could be found across the political spectrum, differing in ideals but concurring in a zeal for restructuring – as has been described by Rosanvallon, Chatriot and others with respect to a number of European countries. In short, Maier holds, the nature of representative government was altered.³⁴

The conceptualization and institutionalization of the Chambers of Labour in the Netherlands, I will argue, are intrinsically connected to the increasing integration of state and society thus described. How this contributed to an alteration in the nature of representative government, however, can be elucidated by first examining the concept of representation itself.

Theory and practice of representation

The linkage of public institutions with private interests as it emerged in the late nineteenth century constituted a supplement to the established institutions of parliamentary democracy. The increasing regulation of the social and economic spheres was accompanied by demands for representation of affected interests, such as workers and employers. At the same time, it was thought that direct involvement of organized interests would yield more expertise to be employed by the state. The question then became how to adequately structure and organize representation. Here, the institutionalization of alternatives to parliamentary democracy such as the Chambers of Labour touched upon longstanding debates about representation. Whereas the established, nineteenth-century parliamentary form was based on an individualistic electorate choosing a chamber of independent deputies that were to decide upon the common good, stemming from a liberal conception of politics, critics of the right and left long contended that organic, group or functional representation was a morally better as well as a more effective way of translating polity preferences into policy. The history of these thought currents, such as

³³ Charles S. Maier. "Fictitious bonds... of wealth and law": on the theory and practice of interest representation'. In: Suzanne Berger (ed.). *Organizing interests in Western Europe. Pluralism, corporatism and the transformation of politics* (Cambridge: Cambridge University Press 1981)

³⁴ Maier, *Recasting Bourgeois Europe*, 9

socialism, Christian corporatism and social liberalism at the end of the nineteenth century became entangled with the institutionalization of alternatives to parliamentary democracy, of which the Chambers of Labour are an example.

In my research, I would like to treat such thought currents as socialism, corporatism and social liberalism not as ideologies per se, but as *modes of thinking about representation*. Instead of treating criticisms of parliamentary democracy as ideological history, I consider them varying answers on the question how best to represent. In this way, a narrative that encompasses parliamentary democracy as well as its alternatives, and views them as possible forms of representation and regulation, can be acquired. In this regard, Hannah Pitkin's *The Concept of Representation* (1967) provides valuable insights.³⁵ Pitkin seeks to clarify and analyze the different meanings that throughout the centuries have been attached to the word 'representation' in the political sense. Literally taken, 'representation' means 'to re-present': a making present again.³⁶ This entails not a literal bringing into presence, but the considering to be present of something which is not present in fact. As Bernard Manin has shown, at the end of the eighteenth century this concept was placed at the heart of the idea of modern representative government.³⁷ The question then becomes how representation can best be achieved, and it is here that the debate starts. The concept of representation comes in a great manner of varieties and applications, which, as will be demonstrated in the course of my argument and Pitkin herself concedes, are usually dependent on conceptions of political life in the broadest sense.³⁸ Some broad lines of division, however, can be drawn. First of all, there is the question of whom or what to represent. Broadly speaking, representation has been either conceived of as being of persons or of interests. Persons, however, can be thought of as individuals as well as group members. In the liberal and republican traditions, an electorate composed of supposedly autonomous, rational individuals directly elects a territorial body of representation. Representation of persons as group members, on the other hand, has been a longstanding alternative. Group representation, however, is often tied up with the representation of specific interests, and this constitutes the second major point of contention. Being an abstraction, the concept of 'interest' can refer to a general, unattached good, or can be of circumscribed persons or groups.³⁹ While representatives can be supposed to stand for or act in what is known as the general interest, 'the common good', they can equally be thought of as standing for acting on behalf of the specific interests of the represented. In case of the latter, the term 'interest representation' can be applied. From the combination of group and interest

³⁵ Pitkin, *The Concept of Representation*

³⁶ Ibid., 8

³⁷ Bernard Manin. *The principles of representative government* (Cambridge: Cambridge University Press 1997)

³⁸ 'A writer's position in this range of views is correlated with his conception of political life in the broadest sense: his ideas on the nature of political issues, the relative capacities of rulers and ruled, the nature of man and society – in short, what we might call his metapolitics.' Pitkin, *The Concept of Representation*, 146

³⁹ Pitkin, *The Concept of Representation*, 156

representation, then, follows a third issue, which is touched upon by Pitkin in the following manner: 'Once we are dealing with attached interests, the interests of labour, of Jones's interest, it is difficult to avoid the question whether labouring people or Jones do or should not have something to say about what their interests are. It can be maintained that their wishes and opinions are relevant in a special way.'⁴⁰ As will be shown, this opinion underlies many contributions to the debate on the conceptualization and institutionalization of alternatives to parliamentary democracy, such as the Chambers of Labour. Where the representation of group interests is concerned, the idea of constituting some body of representation that deals specifically with these interests is not far off. The question then becomes on which basis to organize this representative body: territorial, for example, functional, or possible hybrid forms. The *demos*, the represented themselves are now to be delineated.

The classic controversy in the theory of representation, finally, applies to all these possibilities: 'Should (must) a representative do what his constituents want, and be bound by mandates or instructions from them; or should (must) he be free to act as seems best to him in pursuit of their welfare?'⁴¹ The mandate-independence controversy, of considering a representative a delegate doing what the represented wants, or a trustee who handles matters in his name, is an unsolved dilemma that nevertheless perpetually comes up where bodies of representation are concerned.⁴² Organizations that form a link between representatives or represented, such as political parties or trade unions, have representative claims of their own which complicate this issue even more.

These theoretical insights clarify the issues at stake in debates on alternative and adjacent forms of political representation, such as the Chambers of Labour. I will therefore employ them in my analysis of the debates that preceded the institutionalization of the Chambers of Labour, the practice of the private labour councils as experimental predecessors to the Chambers, and the actual functioning of the Chambers as sites of representation and regulation.

Outline

In the following, I will present my argument on the conceptualization and institutionalization of the Chambers of Labour in the light of the increasing integration of state and society interrelated to changing conceptions of representation in a number of steps. In Chapter One, pertaining to the conceptualization of these institutions, it is my purpose to analyze the European-wide debate in

⁴⁰ Ibid., 159

⁴¹ Ibid., 145

⁴² In Pitkin's view, the mandate-independence controversy stated this way is unsolvable, since both positions are essentially wrong: on the one hand, a representative who exactly mirrors the represented and obeys his every wish makes himself superfluous, for he is not a representative anymore but a megaphone; on the other hand, a representative who would go against the desires of the represented can not be considered representative either. The concept of representation facilitates both options. Ibid., 150-153

the nineteenth century on alternatives to parliamentary democracy with which proposals in the Dutch context were connected. Organicist, Social Catholic, utopian socialist, state interventionist and other strands of thinking were prominent in Germany, France, Belgium and the United Kingdom, and exerted an influence on the debate in the Netherlands. In all of these countries, furthermore, a host of advisory bodies with a conciliatory function representing social and economic interests was eventually established, which functioned as institutional examples to Dutch observers. I will examine proposals as well as institutions for each of these countries.

In Chapter Two, I will argue that a public debate on alternative or adjacent forms of political representation and regulation existed in the Netherlands from the later nineteenth century onwards as well. The debate on councils of conciliation, chambers of representation or modernized guilds in different societal circles, furthermore, was intimately connected to the formation of new political groupings that each in their own way challenged conceptions of representation that had until then been dominant. I will analyze proposals and ideas in different societal circles, the appropriation of international ideas, and the several stages of the debate: the first in the early 1870s, and the second in the late 1880s.

In Chapter Three, I will discuss the institutional experiments that from the 1890s onwards were conducted on a private basis with social and economic interest representation and regulation in the form of the private labour councils. Evaluating them comparatively in constitutions, membership criteria, functions, scope and setup, I will demonstrate their relationship to previous debates, as well as their relevance both as exemplars of state-society integration through a new institutional form of representation, and to the subsequent legislative route towards Chambers of Labour.

The parliamentary debate and eventual legal institution of the Chambers of Labour in the mid-1890s constitutes the subject of Chapter Four. Discussing the argumentation during the legislative route of the first ideas, the legislative proposals and the final bill in the Second Chamber, I seek to show their relationship to the public debate in the Netherlands, the institutional experiments of the private labour councils, as well as international examples.

In Chapter Five, finally, I will analyze the functioning of the Chambers of Labour as forms of political representation and regulation adjacent to parliamentary democracy in the first decades of the twentieth century. While the Chambers were institutionalized, conceptions of representation remained in a state of flux as the integration of state and society seemed to progress. This led to yet new debates and proposals. I will in conclusion examine how the Chambers of Labour related to these.

The international debate

Alongside the development of parliamentary democracy, in the nineteenth century alternative and adjacent forms of representation and regulation were proposed and debated throughout Western Europe. Moreover, in practice since the last quarter of the century representative institutions with regulatory capacities emerged alongside the established parliamentary form of democracy. In the following, I want to chart these debates and institutions for Germany, France, Belgium and the United Kingdom. This is not to say that similar debates and institutions did not exist in other countries as well: in Austria, Swiss cities, the Scandinavian countries and Italy they were also conceptualized and institutionalized.⁴³ Participants in the Dutch debate on adjacent forms of representation, however, as will be shown looked most to the directly neighbouring countries for inspiration and institutional examples.

Proposals for alternatives to parliamentary democracy in Germany, France, Belgium and the United Kingdom often stemmed from a body of thought that ran opposed to what its advocates perceived as the evils of the French Revolution: political and economic liberalism. Industrialization combined with laissez-faire capitalism and occupational freedom to create dismal social conditions for the working classes; parliamentary democracy on a territorial basis represented the will of an arithmetic majority, not real socioeconomic group interests. Eventually, revolutionary socialism would be the result. Underneath this criticism ran an 'organic' conception of state and society: a political theory that featured the group as its basic unit and, often, a nostalgia for medieval institutions. From this, corporatist reform proposals emerged. Other strands of thought, however, proposed utopian schemes for social and economic interest representation, or deviated from laissez-faire liberalism to allow for a measure of state

⁴³ See for Austria: the chapter '1870-1914: On the Threshold of Organized Capitalism' in Colin Crouch. *Industrial Relations and European State Traditions* (Oxford: Clarendon Press 1993), 70-72. For Denmark, Sweden, Norway, Italy and Swiss cities, a concise account of institutions can be found in: *Rapport betreffende de werking der Wet op de Kamers van Arbeid en de in deze wet wenschelijk gebleken wijzigingen, uitgebracht aan de Vereeniging van Voorzitters en Secretarissen van Kamers van Arbeid in Nederland door de Commissie, daartoe door deze Vereeniging ingesteld* (Delft: Van Markens Drukkerij-Venootschap 1911) 114-129

intervention. In all four countries, at the end of the nineteenth century a host of advisory and conciliatory institutions of social and economic interest representation appeared.

In this chapter, the intellectual roots of these various movements will first be discussed, after which their development, proposals and ideas for social and economic reforms of state and society will be shown. I will argue that a decisive shift in emphasis can be witnessed around the middle of the century, evolving into a specific doctrine in the 1880s. Then, the various representative, advisory and conciliatory institutions emerging at the end of the nineteenth century will be analyzed. My aim is to present the political and social theoretical context in which proposals for forms of representation and regulation alternative or adjacent to parliamentary democracy were made, and to bring to light the cross-fertilization of ideas and proposals between the discussed countries.

Germany

In Germany, from the early nineteenth century on a body of thought developed in opposition to what was perceived as the defining principles of the French Revolution: 'atomistic' individualism, a contractual view on the state, and an economic liberalism that cut through the natural bonds of the old corporative order. In the first decades of the nineteenth century, Romanticism and the Counter-Enlightenment stressed the notion of 'community', developed an organic conception of state and society, and referred with nostalgia to medieval institutions as its theorists perceived it. In the course of the century, however, industrialization resulted in social and economic conditions of sections of the population that invited more specific solutions from thinkers along the lines previously developed. Amongst Catholics especially, Christian morality was worked out in doctrines that were presented as alternatives to both liberalism and socialism, around 1880 resulting in corporatist schemes for the reorganization of state and society with special attention to industry and labour. Within liberalism, on the other hand, some deviated from the prescription of laissez-faire economics, and developed state interventionist ideas for the improvement of the conditions of the working classes as well. At the end of the nineteenth century, a corporatist reform program undertaken by Bismarck resulted in the 'chamberization' of interest representation in the German Empire, including the institution of representative, conciliatory organs for workers and employers.

Romanticism and the organic conception of state and society

One of the first German thinkers to develop a functional conception of groups in relation to state and society was the philosopher Johann Gottlieb Fichte (1762-1814). In 1800, he published a small

work entitled *Der geschlossene Handelsstaat*, in which he advocated a scheme of political and economic organization based on 'natural' estates and a command economy.⁴⁴ It was the responsibility of the state to maintain an economic balance by assigning to each person a 'vocation'.⁴⁵ In this way, social order and personal fulfilment would be achieved as well. Fichte's work received little attention in his day, but later corporatist thinkers such as Georg Hegel, Franz von Baader and Karl Marlo referred to it as an influence, primarily because of its critique on occupational freedom and its stress on groups instead of individuals.⁴⁶

The view of state and society as an organic union was developed further by the political economist Adam Müller (1779-1829) in his idea of the *Ständestaat*. In opposition to the contractual view on the state, Müller posited the state as 'the intimate association of all physical and spiritual needs, of the whole physical and spiritual wealth, of the total internal and external life of a nation into a great, energetic, infinitely active and living whole.'⁴⁷ Just as nature had established inequality and hierarchy in the family, the state, being the 'family of families', should be composed of estates with specific responsibilities, such as the clergy, the nobility and the commoners. Instead of individualism, freedom to Müller meant the expression of individuality through exercising one's appropriate function in the organic whole. In his biological analogy that would become influential in the course of the century, society is conceived of as a body, and the various groups it contains as parts; each part has a function, and therefore is indispensable to the whole, just as it needs the whole to survive itself.

It was Georg Wilhelm Friedrich Hegel (1770-1831) who came up with an intellectual synthesis of the critique on atomistic individualism and the development of an organic view on state and society current amongst the earlier Romanticist thinkers. In *Grundlinien der Philosophie des Rechts* (1821) Hegel gave expression to his political thought, which was rooted in his philosophy of *Geist*: the ongoing actualization of human rationality.⁴⁸ The state was the embodiment of *Geist*, the supreme ethical community in which human potential can be realized to the full. Between the individual and the state there was *bürgerliche Gesellschaft* (civil society), which consisted of progressively widening moral communities such as families, geographical communities, corporations, and three estates. Of these, the members of the commercial and industrial estate were too much preoccupied with selfish interests and concerns. Therefore, they had to be united in a 'Korporation'. Here, 'the particular, self-seeking purpose becomes part of something truly

⁴⁴ Johann Gottlieb Fichte. *Der geschlossene Handelsstaat* (Jena: Fischer (1800) 1920)

⁴⁵ Antony Black. *Guild and State. European Political Thought from the Twelfth Century to the Present* (New Brunswick and London: Transaction Publishers 2003) 200

⁴⁶ Ralph Henry Bowen. *German Theories of the Corporative State. With special reference to the period 1870-1919* (New York and London: Whittlesey House 1947) 31

⁴⁷ Black, *Guild and State*, 200

⁴⁸ G.W.F. Hegel. *Grundlinien der Philosophie des Rechts* (Berlin: Akademie Verlag (1821) 1997)

universal'.⁴⁹ There should be a corporation for every branch of trade and industry, and each corporation should embrace all members of an occupational group. Corporations were to defend the interests of their members, provide training and charity, and exercise legal functions; they would give individuals a just wage, moral socialization and the sense of belonging to a totality. Corporations mediated between individuals and the state, but their ends were to be harmonized with society at large.

The Romanticist theorists of the early nineteenth century had mainly been concerned with defining the abstract nature of state and society, and were less preoccupied with contemporary economic and political problems. In the 1830s and 1840s, however, industrialization made some headway in parts of the German Federation. Drawing on Fichte, Müller and Hegel, some political theorists continued to stress the rights and privileges of the medieval *Stände*. The Catholic philosopher and theologian Franz von Baader (1765-1841), however, was one of the first to point to the new social problems created by industrialization. He aimed to defend the 'Christian-Germanic cultural ideal' against the 'mechanistic' principles that had destroyed the organizational buffer of the 'old corporative constitution'.⁵⁰ The chemist Karl Marlo (pseudonym of Karl Georg Winkelblech) (1810-1865), on the other hand, influenced by later discussed French utopian socialists such as Louis Blanc and Claude-Henri de Saint-Simon, in 1849 called for a *Zunftverfassung* (guild constitution) for all branches of industry. In preparation for this, consultation of all affected interests should take place through the election of a social chamber that would represent all types of vocational activity.⁵¹

The criticism of atomist individualism and laissez-faire capitalism, and the organic conception of state and society that were developed in the first half of the nineteenth century were influential to corporatist thinking in the decades afterwards. The organic conception of state and society became the intellectual foundation for proponents of a corporative order that emanated from Social Catholic circles.

Wilhelm Emmanuel von Ketteler

The current of Social Catholicism that started in the last third of the nineteenth century in Germany and subsequently spread to France, Austria and Belgium, is often said to start with the thought and organizational efforts of Wilhelm Emmanuel Freiherr von Ketteler (1811-1877), Bishop of Mainz.⁵² Von Ketteler drew upon the organic conception of state and society and the criticism of capitalism and liberalism that were developed earlier in the nineteenth century, but

⁴⁹ Bowen, *German Theories of the Corporative State*, 41

⁵⁰ *Ibid.*, 46-53

⁵¹ *Ibid.*, 53-58

⁵² *Ibid.*, 79; A.R. Vidler. *A Century of Social Catholicism 1820-1920* (London: S.P.C.K. 1964) 101

proceeded to extend this criticism to revolutionary socialism, and was influential in sketching a corporative scheme with moral and spiritual dimensions that could function as an intellectual alternative to both. One contribution of Von Ketteler to the development of corporatist thought was his application of Christian moral principles to the social problems created by industrialization. Another contribution was the start of an organized movement devoted to these principles.

Von Ketteler, of noble descent, was a former civil servant turned priest. In 1848 he was elected in the Frankfurt National Assembly, where he cooperated with a small number of Catholic deputies to defend the interests of the church; in the same year, Von Ketteler delivered six Advent sermons in the cathedral of Mainz in which he defended private property, but at the same time condemned those property owners that were responsible for the social condition of the property-less.⁵³ In 1850 he was made bishop of Mainz, and continued to publicly concern himself with the social question. In 1864 Von Ketteler published *Die Arbeiterfrage und das Christentum*.⁵⁴ In this work, he presented an analysis of the social question but rejected the solutions of both liberalism and socialism. According to Von Ketteler, the social condition of the workers was due to the modern principles that underlie capitalism and economic liberalism: materialism and individualism. These forces were responsible for 'the dissolution of all that unites men organically, spiritually, intellectually, morally and socially'.⁵⁵ In economic liberalism, 'the working classes are to be reduced to atoms and then mechanically reassembled'.⁵⁶ Eventually, through universal suffrage and majority voting, this would lead to socialism. Although Von Ketteler at first favored the socialist leader Ferdinand Lasalle's solution of state-sponsored workers' productive associations, he now opted for corporative associations as the remedy to the social question.⁵⁷ These associations would be fundamentally different from those that merely pursued material betterment: likening them to the body, 'the most perfect union of parts bound together by the highest principle of life – the soul'⁵⁸, their members would be bound together by a spirit of Christian brotherhood. The corporation, as the basic unit of a scheme of labour organization, would include all members of a single profession, have compulsory membership, and be furnished by the state through legislation. Their object would not be class conflict, but reconciliation between worker and employer. Eventually, they would enjoy autonomy within their own constitutionally protected sphere. As a starting point for this corporative order, Von

⁵³ Ibid., 103

⁵⁴ Wilhelm Emmanuel von Ketteler. *Die Arbeiterfrage und das Christentum* (Mainz: Kirchheim (1864) 1890)

⁵⁵ Bowen, *German Theories of the Corporative State*, 81

⁵⁶ Ibid.

⁵⁷ Von Ketteler's work appeared in the context of a public dispute between the liberal reformer Hermann Schulze-Delitzsch, who favored cooperative associations based on self-help by workers, and Ferdinand Lasalle, the leader of the *Allgemeiner Deutscher Arbeiterverein* ('General German Worker's Association'), who favored the productive associations mentioned above. See Vidler, *A Century of Social Catholicism*, 106

⁵⁸ Ibid., 84

Ketteler proposed that the existing workers' associations formed federations that would function as courts of appeal for their members, form a connecting link between the associations and the state, and be legally competent bodies.⁵⁹

Von Ketteler's work went through a number of editions in a few months, and received favorable reviews by Catholics as well as Lasalle.⁶⁰ His views were spread throughout seminaries in the west of Germany by a group of Catholic scholars, students and publicists that gathered around him in Mainz; a review entitled *Christlich-Soziale Blätter* was established in 1868, and a movement developed dedicated to social reform along corporative lines.⁶¹ This coincided with the movement for the foundation of a network of moral and religious *Gesellenvereine* ('journeymen's societies'), set up by Von Ketteler's friend Adolph Kolping in the late 1850s, which in 1865 had resulted in about four hundred of these associations.⁶² At the same time, Catholic *Bauernvereine* ('farmer's societies') were set up by conservative noblemen, the goal of this movement the establishment of a single corporation for the entire rural population.⁶³ These associations established their own courts of arbitration and mediated between peasants, banks and insurance companies. Von Ketteler himself progressed in his views later in his life: in a sermon in 1869 he openly commended workers' demands for higher wages, shorter hours and their own organizations, and in 1871 he outlined a program of action for the new Catholic Center Party that included 'a labour constitution'. Point XII of the program was entitled 'The corporative reconstruction of society', and elaborated upon the desired corporate organizations: they should be of natural growth, have an economic purpose, a moral basis, include all individuals of the same vocational estate, and combine self-government and control.⁶⁴ Von Ketteler died in 1877.

Social Catholicism: Von Vogelsang, Hitze and Pesch

The journalist and politician Karl von Vogelsang (1818-1890) played an important role in spreading and popularizing Social Catholic ideas about corporatist reform in Austria as well as abroad. He was acquainted with Von Ketteler and the circle around him, and when he moved to Austria in 1864 he started a wave of journalistic activity propagating corporatist ideas. As chief editor of the conservative Catholic newspaper *Vaterland*, founder of the review *Monatsschrift für christliche Sozialreform* in 1878 and author of *Die materielle Lage des Arbeitersstandes in Österreich* (1883), he stood at the basis of a popular movement along Social Catholic lines that became

⁵⁹ This specific proposal appeared in unpublished notes made by Von Ketteler in 1865 to amplify *Die Arbeiterfrage*, which were published in 1912. Bowen, *German Theories of the Corporative State*, 85

⁶⁰ Vidler, *A Century of Social Catholicism*, 107

⁶¹ Bowen, *German Theories of the Corporative State*, 86-87

⁶² Vidler, *A Century of Social Catholicism*, 104-105

⁶³ Bowen, *German Theories of the Corporative State*, 88

⁶⁴ *Ibid.*, 88-89

influential in Austria during the late nineteenth century. The thought of Von Vogelsang was more radical than that of Von Ketteler in a number of ways. While Von Ketteler eventually gave a great deal of responsibility to the state to settle the social question, Von Vogelsang aimed at a thoroughgoing corporatist reform of society at large. The legislative and regulatory functions of the state in social and economic matters would be transferred to largely autonomous corporations. These would then have their own sphere in public law concerning socioeconomic matters, such as the enactment of social legislation or the restriction of competition.⁶⁵ 'The new social-political organisms'⁶⁶ would replace the territorial parliament based on universal suffrage as the form of popular representation in a 'truly Germanic' democracy.⁶⁷ Von Vogelsang differed from many other Social Catholics in supporting separate organizations for workers and employers. Together they would form corporations, and these would send representatives to higher Chambers for all branches of industry, trade and agriculture. A corporative parliament was to form the top of the pyramid.⁶⁸

Another member of the group around the *Christlich-soziale Blätter* who exercised a considerable influence on Social Catholic thought was the Catholic theologian and theorist Franz Hitze (1851-1921). Influenced by both Von Ketteler and Von Vogelsang, in 1880 he published *Kapital und Arbeit und die Reorganisation der Gesellschaft*, which is sometimes referred to as one of the most comprehensive statements of the Catholic corporatist program for social reconstruction.⁶⁹ Pointing at the social consequences of free competition under industrial capitalism, Hitze argued for the establishment of modern corporative institutions, resembling the old guilds but on 'a broadened economic and democratic foundation'.⁷⁰ The social conflict could be stilled through the institutionalization of interest representation: 'There remains open to us no course but to acknowledge this conflict openly, to organize it, to give it legitimate organs, to assign to it a recognized place where, under the eyes of the central state authority, the battle can be fought out.'⁷¹ For the industrial sector specifically, Hitze assigned the collection of statistics, the regulation of production and the settlement of disputes to the leadership of the 'vocational estate'.⁷² The estates Hitze proposed should not be based on historic rights but on the organization of modern industrial society; a Chamber of Estates chosen by electoral colleges would supplement the territorial parliament in the legislature. This would make for

⁶⁵ Frans van Waarden. 'Corporatisme als probleemoplossing'. In: Verhallen, Fernhout and Visser, *Corporatisme in Nederland. Belangengroepen en democratie*, 17-67, there: 36

⁶⁶ Steenkamp, *De gedachte der bedrijfsorganisatie in protestants-christelijke kring*, 22

⁶⁷ Van Waarden, 'Corporatisme als probleemoplossing', 35

⁶⁸ *Ibid.*, 36

⁶⁹ Franz Hitze. *Kapital und Arbeit und die Reorganisation der Gesellschaft* (Paderborn: Schröder 1880); Bowen, *German Theories of the Corporative State*, 97; Van Waarden, 'Corporatisme als probleemoplossing', 35

⁷⁰ Bowen, *German Theories of the Corporative State*, 99

⁷¹ *Ibid.*, 100

⁷² *Ibid.*, 103-104

representation of the 'real' social and economic interests of functional groups and thus the people, instead of a popular majority 'tyrannized by slogans and "newspapers"'.⁷³

The thought of Hitze marked a shift in emphasis in nineteenth-century Social Catholic thought from re-establishing a 'natural', hierarchical society to a corporatist reform program based on the interest representation of functional socioeconomic groups. At the turn of the century, a final synthesis of the thought of Von Ketteler, Vogelsang and Hitze was prepared by the Catholic theologian and political economist Heinrich Pesch (1854-1926) in *Liberalismus, Sozialismus und christliche Gesellschaftsordnung* (1893-1901).⁷⁴ Developing a doctrine of 'Christian solidarism', Pesch saw the realization of popular well-being as the goal of any scheme of social organization. While atomist liberalism had failed, public regulation of the productive process directed by the state but carried out by corporative organizations with jurisdiction over their industrial spheres could achieve this well-being.⁷⁵

Kathedersozialismus

Around 1870 a number of political economists on German universities started to diverge from the tenets of classical liberal economic theory to form a body of thought that became known as Kathedersozialismus ('Cathedra Socialism').⁷⁶ Adherents of this school, who sometimes dubbed themselves 'state socialists', rejected laissez-faire economic liberalism and instead embraced a measure of state intervention in the social and economic spheres as a means of improving the conditions of the workers. This sometimes resulted in corporative schemes for the reorganization of industry and labour not dissimilar to those of the Social Catholics. The cathedra socialists conceived of the state as a moral guardian that had to protect the weak and turn the workers into good citizens.⁷⁷ Members of the school of cathedra socialism included the political economists Gustave Schmoller (1838-1917), Albert Schäffle (1831-1903) and Adolph Wagner (1835-1917). In 1872, they formed the *Verein für Sozialpolitik* ('Association for Social Politics'), an academic association that would become influential in government circles. Like the Social Catholics, some of them also elaborated corporatist proposals for a reform of state and society. Schäffle, for example, saw of the state as the *Universalkorporation*, meant to ensure the 'unified integration of all social will and action with a view to preserving the social whole and all its essential parts'.⁷⁸

⁷³ Ibid., 102

⁷⁴ Heinrich Pesch. *Liberalismus, Sozialismus und christliche Gesellschaftsordnung* (Freiburg im Breisgau: Herder 1893-1901)

⁷⁵ Bowen, *German Theories of the Corporative State*, 118

⁷⁶ The name Kathedersozialismus was initially pejoratively coined by opponents, but gradually came into general acceptance. Other designations of this school are 'state socialism', or 'monarchical socialism'. Bowen, *German Theories of the Corporative State*, 119

⁷⁷ G. Taal. *Liberalen en Radicaalen in Nederland, 1872-1901* (The Hague: Martinus Nijhoff 1980) 37-40

⁷⁸ Bowen, *German Theories of the Corporative State*, 130

He supported 'positive social reform' by the state, which included the establishment of 'a complete scheme of representative associations for both parties' of workers and employers, consisting of workers committees in enterprises, insurance schemes along corporate lines, courts of arbitration and a national structure of labour chambers.⁷⁹ Schäffle therefore supported the reforms that Bismarck introduced from the 1870s onwards.

The 'chamberization' of interest representation in Germany

The German tradition of corporatist proposals was appropriated and attempted to put into action in the last quarter of the nineteenth century by Prime Minister of Prussia and Chancellor of the German Empire Otto von Bismarck. In 1869, the *Gewerbeordnung* ('Industrial Code') of the North German Confederation, despite protests of artisans, had placed many restrictions on the still-existing guilds and monopolies, in order to foster economic liberalism.⁸⁰ During the economic depression since 1873, however, German states, especially Prussia, proceeded to strengthen or found a number of corporative chambers that were meant to stabilize economic development as well as give workers and employers a means of representation.⁸¹ Prussian ministries created advisory boards, such as railroad councils and waterway boards, in which representatives from industry, agriculture and the state sat together.⁸² Bismarck, moreover, after 1875 embarked on a policy of organizing the representation of economic interests in the German Empire along state corporatist lines.⁸³ In addition to solving the social question, he was motivated in this by his opposition to parliamentary democracy. Bismarck's associate on social policy Theodor Lohmann reported that 'the main thing to him (...) is to arrive at corporate cooperate associations that would have to be set up gradually for all productive national classes so as to secure a basis for future representation of the people. [These cooperative associations] will become an essential contributing factor in legislation instead of or alongside the national parliament'.⁸⁴ In 1880, the Prussian Volkswirtschaftsrat ('Popular Economic Council'), a central organ of representation of commercial, industrial and agricultural interests was created, intended as a first step towards a Reichswirtschaftsrat ('Imperial Economic Council'), a national chamber of economic interest representation.⁸⁵ Members of the board were elected by lower chambers and associations, and a

⁷⁹ Ibid., 133-134

⁸⁰ Abelshauser, 'The First Post-Liberal Nation', 290

⁸¹ According to Abelshauser, this amounted to an attempt at restructuring the economic order of the German Empire in the direction of a corporatist system. Abelshauser, *The Dynamics of German Industry*, 48-49

⁸² Ibid., 49

⁸³ Ibid.,

⁸⁴ Ibid., 52, quoted from: Hans Rothfels. *Theodor Lohmann und die Kampfjahre der staatlichen Sozialpolitik* (Berlin: Mittler 1927), 63-64

⁸⁵ Abelshauser, 'The First Post-Liberal Nation', 293

number of workers and artisans were appointed by the government.⁸⁶ In 1890, *Gewerbegerichte* ('Industrial Courts') with binding authority were established for every municipality with more than 20,000 inhabitants, with judicial, conciliatory and advisory functions.⁸⁷ Corporative associations for accident insurance were established, as well as Chambers of Agriculture in 1893 and *Gewerbekammern* ('Chambers of Industry') as bodies in public law in 1897.⁸⁸ Although according to Abelshauser Bismarck's project of reorganizing the representation of economic and social interests eventually foundered, in the late nineteenth century it did result in a 'chamberization' of interest representation in Germany along corporative lines.⁸⁹

France

In France, from the early nineteenth century on two bodies of thought developed that criticized different aspects of the post-Revolution doctrine of liberalism. Restoration philosophy opposed political liberalism in a way comparable to the German Romanticism: it saw groups like the guild and the family as the natural units of state and society, and believed the man-made, mechanistic principles of the French Revolution to be disruptive of this organic order. Utopian socialism, on the other hand, proposed alternatives to the *laissez-faire* economic liberalism resulting in the contemporary social and economic conditions of the workers, which was equally credited to the Revolution. Both strands of thinking provided a basis for social reformist ideas in the mid-nineteenth century, which entailed proposals for schemes of socioeconomic interest representation and industrial organization. At the same time, demands for special workers' representation were heard. Influenced by Restoration philosophy and the thought of Von Ketteler in Germany, Social Catholicism in France became prominent in the last third of the nineteenth century. In the vein of the German and Austrian theorists of the 1870s and 1880s, in French Catholic circles detailed proposals were done for a corporatist reform of state and society, especially in relation to the social and economic spheres. In the last quarter of the nineteenth century, finally, liberal republican governments established a host of advisory bodies representing social and economic interest, in the emergence of an 'administration consultative'.

Restoration philosophers and utopian socialists

The French guild system was abolished by the Le Chapelier law of 1791, as part of the revolutionary attack on remnants of the old corporative order. In the vein of Rousseau, the

⁸⁶ The *Volkswirtschaft* was not extended to the rest of Germany because of resistance of the Reichstag, however, and in Prussia it did not perform well; in 1886, it was disbanded. *Ibid.*

⁸⁷ *Rapport betreffende de werking der Wet op de Kamers van Arbeid*, 81-97

⁸⁸ Abelshauser, *The Dynamics of German Industry*, 50, 53-54

⁸⁹ *Ibid.*, 54

revolutionaries saw no place for intermediary group-based bodies in the social contract between individuals and the state.⁹⁰ Although this led to protests on the part of artisans and merchants, the only restoration of some functions of the guild system was Napoleon's establishment of the conseils de prud'hommes in 1806. The conseils were committees of workers and employers erected to settle disputes, administer justice and aid the government in labour legislation.⁹¹ During the Restoration era, however, pamphlets circulated advocating the restoration of the old guilds in their proper function. In 1817 a pamphlet entitled *Mémoire* appeared, which contained all the contemporary arguments for a guild system: it deplored economic liberalism, which had caused isolation and strained labour relations, and called for a restoration of the guilds in order to unite interests and regain morality, tradition and family spirit.⁹² Republished in the Social Catholic review *Association catholique* in 1883 and cited at length by the to be discussed corporatist theorist La Tour de Pin, this pamphlet was later credited as an early influence.⁹³

During the Restoration era, similar opposition to the ideas of the French Revolution was voiced by reactionary thinkers such as Louis de Bonald (1754-1840) and Joseph de Maistre (1753-1821).⁹⁴ Against individualism, egalitarianism and a contractual view on the state, they advanced a view of state and society that was hierarchic, divinely ordained and the result of slow organic growth. Both were royalists, supporting the restoration of absolute monarchy. According to De Bonald and De Maistre, the family was the basic unit of society, and communities possessed a soul and moral unity; representative bodies should be consultative and stand for estates instead of individuals. De Bonald extended his thought to corporations: in 1802, he argued for the restoration of the 'natural' guild system, which had embodied *esprit de corps*.⁹⁵ In their organic conception of state and society and glorification of medieval institutions as they conceived of it, the French Restoration thinkers had much in common with the German Romanticist theorists of the same era; and in the same vein as their counterparts, they provided an intellectual foundation for corporatist thought later in the century.

Another influential strand upon later French corporative thought was early nineteenth century utopian socialism. Part of the egalitarian schemes of these theorists was the welding together of the interests of capital and labour through the institutionalization of representative organs. The

⁹⁰ Le Chapelier stated this with his introduction of the law: 'Il n'y a plus de corporations dans l'État; il n'y a plus que l'intérêt particulier de chaque individu et l'intérêt general. Il n'est permis à personne d'inspirer aux citoyens un intérêt intermédiaire, de les séparer de la chose publique par un intérêt de corporation.' Cited in: Steven L. Kaplan and Philippe Minard. 'Introduction. Le corporatisme, idées et pratiques: les enjeux d'un débat incessant'. In: Steven L. Kaplan and Philippe Minard (eds.). *La France, malade du corporatisme? XVIIIe-XXe siècles* (Paris: Belin 2004) 7

⁹¹ Matthew H. Elbow. *French Corporative Theory, 1789-1948. A Chapter in the History of Ideas* (New York: Columbia University Press 1953) 17-19

⁹² *Ibid.*, 20-22

⁹³ Elbow, *French Corporative Theory*, 20

⁹⁴ *Ibid.*, 44

⁹⁵ Van Waarden, 'Corporatisme als probleemoplossing', 29-30

theorist Claude-Henri de Saint-Simon (1760-1825) advocated a hierarchic industrial society based on a distinction between productive and non-productive classes. He improved upon a scheme of professional representation introduced by Napoleon in 1815, which would include a legislative chamber representing commerce, industry and agriculture.⁹⁶ The philosopher Charler Fourier (1772-1837) proposed the *Falanstère*, a consumer-producer cooperative in which the interests of labour and capital would go together.⁹⁷ The historian and politician Louis Blanc (1811-1862) argued for social workshops, and during the 1848 revolution in Paris headed the Luxembourg Commission, a representative organ which consisted of an equal number of worker and employer delegates, and managed to establish the cooperative associations of the National Workshops as well as courts of arbitration.⁹⁸ The anarchist philosopher Pierre-Joseph Proudhon (1809-1865) favoured a thoroughgoing economic state decentralization in a philosophy he labelled 'mutualism'. Industry should be governed by labour associations; Proudhon praised those workers who 'demanded workers' chambers and employers' chambers complementing each other, controlling each other, and balancing each other; executive syndicates and *prud'hommes*, in sum a whole reorganization of industry under the jurisdiction of those who compose it.⁹⁹ Finally, he also supported federalism and the concept of a 'cluster of sovereignties'.

Social reformers

During the July Monarchy and the Second Empire, a number of thinkers drew upon the pre-Revolutionary guild system, utopian socialist proposals and the ideas of Proudhon to advance schemes for socioeconomic interest representation and industrial organization. Philippe Buchez (1796-1866), Eugène Buret (1810-1842) and Félix de la Farelle (1800-1871) all advocated the introduction of some form of guild organization to alleviate the social condition of the workers. The Christian socialist author Buchez in 1831 proposed the creation of syndicates composed in equal number of workers and foremen; these would have the authority to regulate wages, apprenticeship, and conciliate disputes.¹⁰⁰ Buret in 1840 elaborated a comprehensive corporative scheme of industrial organization: 'Instead of making their grievances heard by means of revolutions and violence, workers would have through institutions, of which the present conseils de prud'hommes give an idea, the facility for exposing them legally before arbitrators accepted by the two parties, workers and masters.'¹⁰¹ Both would be represented in a syndical chamber, and then in cantonal councils, departmental councils and up to a supreme council of national

⁹⁶ Elbow, *French Corporative Theory*, 24

⁹⁷ Ibid., 25; Vidler, *A Century of Social Catholicism*, 19

⁹⁸ Black, *Guild and State*, 186; Elbow, *French Corporative Theory*, 25-26

⁹⁹ Ibid., 28

¹⁰⁰ Ibid., 32; Vidler, *A Century of Social Catholicism*, 16

¹⁰¹ Elbow, *French Corporative Theory*, 41

production. De la Farelle, in an essay written for a contest of the Royal Society of Agriculture and Emulation of Ain in 1842, argued for the integration of the conseils de prud'hommes into a guild system.¹⁰² The excesses of economic liberalism would be curbed by trade associations with the same competences as those of Buchez, but which also acted as mutual assistance societies, be subject to the conseils de prud'hommes, and be topped by a national regulatory bureau.

In 1864 the 'Manifeste de Soixante' ('Manifesto of the Sixty') was published in Paris, signed by sixty workers. This manifest proclaimed that the equality under the law since the French Revolution was no equality in practice, and therefore demanded special workers' representation. As part of their demands, the signatories demanded the end of the coalition ban, the establishment of syndical chambers modelled to the Chambers of Commerce, a larger role for mutual societies and social legislation.¹⁰³ This document, emphasizing autonomous organizations for workers as a group, would exert an influence on thinking about political representation within socialism.

Social Catholicism in France

French Catholic theorists of the social question in the 1850s and 1860s were initially more hesitant than their German counterparts to do away with economic liberalism.¹⁰⁴ The liberal Catholic engineer and sociologist Pierre Guillaume Frédéric Le Play (1806-1882), although preoccupied with the social condition of the working class, disapproved of labour organizations as an interruption on occupational freedom. Influenced by De Bonald and De Maistre, Le Play saw the family instead of the individual as the key unit in society.¹⁰⁵ Accordingly, industry and trade had to be run like a family, with the employer exercising paternal authority and responsibility over his workers. The basis of social reform was therefore Christian moral reform, rather than state intervention. Le Play founded Unions de la paix sociale ('Unions of social peace'), mixed organizations for workers and employers, in 1872 and a review in 1881, both of which would dominate Social Catholic thought until the doctrines of the military officer and diplomat Charles-René de la Tour du Pin Chambly (1834-1924) gained prominence.¹⁰⁶

La Tour du Pin was one of the first French theorists to employ the term 'corporative regime', and was subsequently responsible for the popularization of ideas in this vein amongst Social Catholic reformers in France. As an officer, he was captured during the Franco-Prussian War of

¹⁰² The two questions that the Royal Society requested to be answered were, first: 'Has not the abolition of the guilds left workers without organization and would not trade associations help fill the gap by giving guarantees of better work, aid, security, and discipline?', and second, in the case of an affirmative answer, what would be the means of 'achieving this goal without preventing free competition?' *Ibid.*, 36-37

¹⁰³ Kaplan and Minard, 'Introduction', 21

¹⁰⁴ Vidler, *A Century of Social Catholicism*, 70-76; Elbow, *French Corporative Theory*, 47-48

¹⁰⁵ *Ibid.*, 48

¹⁰⁶ *Ibid.*, 81-84

1870. La Tour du Pin became preoccupied with the social question through reading a work of the later discussed Belgian thinker Emile Keller while interned in Aachen along with Albert de Mun (1841-1914).¹⁰⁷ Here, both were also introduced to the German Social Catholic movement founded by Von Ketteler a few years earlier.¹⁰⁸ After having fought in the suppression of the Paris Commune, La Tour and de Mun in 1871 founded the Oeuvre des cercles catholiques d'Ouvriers ('Network of Catholic worker's associations'), a host of Catholic organizations with a paternalistic bent, meant to unite worker and employer members in a Christian spirit.¹⁰⁹ In 1876, the review *Association catholique* was founded as a platform for theoretical elaborations on solving the social question along Christian lines. During the late 1870s, while attached to the French embassy in Vienna, La Tour also came into contact with the Austrian corporatist thinker Von Vogelsang and his circle of followers. The influence of Von Vogelsang on La Tour was marked: from then on, through a large number of books and articles he spread the idea of a corporate reorganization of state and society in France. In articles appearing in 1882 and 1883, La Tour praised Le Play, Von Ketteler, De Maistre and De Bonald for founding 'the school of social peace' and defending 'healthy' traditions.¹¹⁰ In 1884, moreover, La Tour stood at the basis of the Fribourg Union, an international study group of Social Catholic thinkers that was to have an influence on Pope Leo XIII.¹¹¹

The thought of La Tour du Pin was marked by an antipathy towards individualism. 'The nature of man is essentially social',¹¹² he wrote; the French Revolution had destroyed the historic and natural ties between men and society. Individualism had brought forth liberalism and would necessarily result in socialism. In industry, free competition and the dissolution of guilds had brought about the present social condition of the workers. Parliamentary democracy did not represent real group interests, but the will of an arithmetic majority. La Tour shared the organic conception of state and society and like Le Play, he saw the family, communes and professional associations as its constituent elements.

In 1883 La Tour sketched his ideal corporative regime.¹¹³ A corporation should embrace all members of an occupational group, workers as well as employers. This would result in class solidarity and harmony, instead of class struggle. However, like Von Vogelsang, La Tour recognized the existence of unilateral organizations of workers or employers.¹¹⁴ Although mixed associations remained the ideal, in La Tour's scheme trade unions would also be able to send

¹⁰⁷ Vidler, *A Century of Social Catholicism*, 113

¹⁰⁸ Elbow, *French Corporative Theory*, 57

¹⁰⁹ Keller himself was also one of its founding members. Vidler, *A Century of Social Catholicism*, 119-120

¹¹⁰ Elbow, *French Corporative Theory*, 59-60

¹¹¹ *Ibid.*, 60

¹¹² *Ibid.*, 63

¹¹³ *Ibid.*, 52

¹¹⁴ Van Waarden, 'Corporatisme als probleemoplossing', 37

delegates to a higher chamber of interest representation. He therefore hailed the legalization of trade unions in 1884 as a first step towards a corporative order. The functions of corporations would be to manage a collective fund, to represent professional interests, and to exercise jurisdiction in their own spheres, including the regulation of socioeconomic matters and the arbitration of disputes.¹¹⁵ Corporations had a political function: as a legally recognized body, they would send delegates to higher chambers, up to a Chamber of Estates as the second chamber in parliament. This La Tour considered 'a truly representative regime', a 'representation of rights and interests'.¹¹⁶

The recommendations of La Tour du Pin increasingly became part and parcel of the *Association catholique* review. While it was initially also receptive to economically liberal and paternal ideas, from 1895 on its stated goal was 'the corporative reorganization of society'.¹¹⁷ Practical expression of La Tour's ideas came in several agricultural associations and model textile factory of the industrialist Léon Harmel (1829-1915) in Val-de-Bois. Harmel organized his workers in an association, which together with the management was represented in a board. This board advised on the social services that he provided in a paternalistic fashion, such as housing, free medical care and education. Harmel also strongly encouraged Catholic observation among his workers.¹¹⁸ His largely successful experiment drew attention, amongst others from Pope Leo XIII, with whom he stood in contact.¹¹⁹ Finally, the Social Catholics in the French parliament, headed by La Tour du Pin's ally Albert de Mun, pressed for social legislation as well as corporatist reform. In 1881, De Mun had stated that 'it is not difficult to perceive how the guild, when legally existing, might in the future become the basis of a sincere, fair and true representation of interests in the domain of politics.'¹²⁰ In the debates on the trade union law of 1884, he and other Catholic deputies demanded institutions of public law with regulatory capacities representing professional interests towards the state, instead of private organizations.¹²¹ In 1892, their proposal for permanent committees of conciliation and courts of arbitration was rejected, as the Lockroy law provided for purely voluntary arbitration. In 1908, the organization of labour councils that was passed included election on an individualistic basis, instead of election by syndicates and organized groups, as the Social Catholics had wanted.¹²²

¹¹⁵ Elbow, *French Corporative Theory*, 73

¹¹⁶ *Ibid.*, 76. Later in his life, La Tour modified his ideas for political reorganization, however. He came to oppose the idea of a Chamber of Estates and now gave a decentralized state the function of arbiter. Elbow, *French Corporative Theory*, 78

¹¹⁷ *Ibid.*, 84-85

¹¹⁸ Van Waarden, 'Corporatisme als probleemoplossing', 37

¹¹⁹ Vidler, *A Century of Social Catholicism*, 125. In 1882, however, La Tour declared that Val-de-Bois was not genuinely corporative. Elbow, *French Corporative Theory*, 84

¹²⁰ *Ibid.*, 88

¹²¹ *Ibid.*

¹²² *Ibid.*, 91

The French 'administration consultative' of the late nineteenth century

In the last quarter of the nineteenth century, a wave of experimentation with forms of political representation and regulation took place in France. While the private organization of labour in the form of unions sometimes adhering to revolutionary socialism developed, and Social Catholics put forward proposals for a corporatist reform of state and society, liberal republican governments of the Third Republic established a host of advisory organizations with bodies of social and economic interest representation.¹²³ According to Rosanvallon, this marked the emergence of an 'administration consultative', in which the state consulted functional interest groups through special organs of representation.¹²⁴ In the 1870s and 1880s a number of advisory *Conseils supérieur* ('High Councils') were founded, representing the arts, social security, trade, agriculture and industry. In 1891 the *Conseil supérieur du travail* ('High Council of Labour') was established: an advisory institution on a national basis, consisting of between fifty and ninety worker, patron, jurist, parliamentarian and government official members.¹²⁵ In the same year, the already-existing *conseils de prud'hommes* were given the authority to arbitrate in case of collective disputes on labour contracts between workers and employers. In 1895 the *Conseil supérieur du travail* discussed the possible establishment of permanent *conseils du travail* ('labour councils'), conceived as conciliatory and advisory bodies of representation for workers and employers. Although the *Conseil* in this year advised against it, in 1900 the *conseils du travail* were instituted nonetheless.¹²⁶ In the same year, the *Conseil* itself was decentralized to represent 'industrial regions' in regional councils, the membership of which was to be directly elected by trade unions.¹²⁷ This emergence of an 'administration consultative' in France, comparable to the chamberization of interest representation in Germany at the same time, constituted the institutionalization of a new conception of political representation, in which the territorial, parliamentary form was supplemented by adjacent, functional forms.

Belgium

Belgium was the first country on the Continent to fully experience the effects of industrialization. The resulting effects of rural migration, urbanization and the formation of an industrial working class, especially in Wallonia, made the social and economic conditions of the workers a salient question in the public debate. In Belgium, 'ultramontanism' was the counterpart to Social Catholicism in Germany and France, and like the latter movement made proposals for corporatist

¹²³ See: Kaplan and Minard, 'Introduction', 23; Rosanvallon, *Le peuple introuvable*, 257-265; Chatriot, *Le démocratie sociale à la française*, 17

¹²⁴ Rosanvallon, *Le peuple introuvable*,

¹²⁵ Chatriot, *La démocratie sociale à la française*, 18

¹²⁶ *Rapport betreffende de werking der Wet op de Kamers van Arbeid*, 97-107

¹²⁷ Rosanvallon, *Le peuple introuvable*, 261

forms of interest representation. Developed in the last third of the nineteenth century, Belgian ultramontanists thinkers were influential to the development of Social Catholicism in France as well. In the late 1880s and early 1890s, partly on the initiative of Belgian ultramontanists, the city of Luik became the site of a number of international congresses which brought together Social Catholic proponents of a corporatist reform of state and society from a number of European countries. Here, however, a split in Social Catholic doctrine also developed. The Social Congresses included the Fribourg Union, an international study group that formed the organizational expression of Social Catholic thought. Both the Social Congresses and the Fribourg Union exerted an influence on the pope, who with the promulgation of the encyclical *Rerum Novarum* in 1891 gave the Catholic Church's official endorsement to a program of corporatist reform. In Belgium itself, however, the establishment of advisory and conciliatory institutions representing workers and employers at the end of the nineteenth century was the result of cooperation between liberals and Catholics.

Ultramontanism

For the larger part of the nineteenth century, leading members of the Catholic Church in Belgium had favoured laissez-faire economic liberalism. The social conditions of the working class were seen as an aspect of a natural and therefore divine distinction between the rich and the poor; charity and patronage on behalf of the upper classes were called for as the right instruments to ameliorate poverty.¹²⁸ In the last third of the nineteenth century, however, ultramontanism, a movement aimed at the restoration of the Catholic Church's traditional social and political place in society, was on the rise, and attacked not only political liberalism but also the excesses of industrial capitalism. More so than the liberal Catholics, the Belgian ultramontanists opposed the principles of the French Revolution as they perceived it. Like the Social Catholics in Germany and France, they conceived of a corporatist order as an alternative to both liberalism and socialism. The ultramontanists shared an organic conception of state and society, glorified the Middle Ages, and proposed paternalistic corporations as a means to represent the material and religious interests of workers and farmers, and restructure society along corporatist Catholic lines.¹²⁹

The Leuven based professor Charles Périn (1815-1905) was one of the major corporatist thinkers in Belgium, and exercised a considerable influence on the thought of La Tour du Pin in France.¹³⁰ Périn first supported brotherhoods of workers for moral reform, which he saw as the basis for any social reform. In 1869 he opposed the reintroduction of guilds as impingements on economic

¹²⁸ B.S. Chlepner. *Cent ans d'histoire sociale en Belgique* (Brussels: Université Libre de Bruxelles 1956) 168; Dirk Luyten. *Ideologisch debat en politieke strijd over het corporatisme tijdens het interbellum in België* (Wetteren: Universa Press 1996) 19

¹²⁹ *Ibid.*, 20; Witte, Craeybeckx and Meynen, *Politieke geschiedenis van België*, 93

¹³⁰ Elbow, *French Corporative Theory*, 49, 50

liberty, but in 1880 he asserted instead that laissez-faire capitalism had created the proletariat, and that a return to religious and charity-based guilds was necessary to amend wage regulation in a peaceful way.¹³¹ The thought of Périn thus marks the turn towards corporatist reform proposals that can be witnessed in Germany and France as well. Another Belgian thinker of this time period was Emile Keller (1828-1909), whose work *L'Encyclique du 8 décembre 1864 et les principes de 1789* (1865)¹³² was read by La Tour du Pin and De Mun.¹³³ According to Keller, moral and social reform alone was not enough: the economic system itself should be transformed. Keller advocated a guild system in which employers and workers would be placed in a position of collaboration and mutual support.¹³⁴

The Belgian ultramontanists gathered together in the Confrérie de Saint Michel ('Brotherhood of Saint Michel'): a lay brotherhood that functioned as a study centre for the development of corporatist thought, headed by Périn. From this organization came the initiative in the 1880s to establish mixed guilds for workers and employers in several Belgian cities.¹³⁵ The model for this was the religious and paternalistic Gilde van Ambachten en Neringen ('Guild for Crafts and Trades') founded in 1878 by the architect, professor and politician Joris Helleputte (1852-1925), who was also a member of the Confrérie.¹³⁶ These guilds were mostly partly successful amongst artisans in smaller towns; in the industrial centers, they failed to garner a following.¹³⁷ Most importantly, however, in the late 1880s the ultramontanists took the initiative to organize an international congress of Social Catholics in the Belgian city of Luik.

The Social Congresses of Luik, the Fribourg Union and the promulgation of Rerum Novarum

The first of the three Social Congresses in Luik was hosted by the local bishop Victor-Joseph Doutreloux, in September 1886. The topic of discussion was the social question, and in particular the return of workers into the church.¹³⁸ Each event counted about two thousand participants, some of whom from abroad.¹³⁹ Present at the Congresses were members of the Fribourg Union, an international study group of Social Catholic thinkers.¹⁴⁰ The Fribourg Union, named after the Swiss place in which its meetings were hosted by the bishop Caspar Mermillod, was founded in

¹³¹ Ibid., 50

¹³² Emile Keller. *L'Encyclique du 8 décembre 1864 et les principes de 1789, ou l'église, l'état et la liberté* (Paris: Poussielgue 1865)

¹³³ Elbow, *French Corporative Theory*, 50-51

¹³⁴ Ibid., 51

¹³⁵ Luyten, *Ideologisch debat en politieke strijd over het corporatisme tijdens het interbellum in België*, 21

¹³⁶ R. Ernotte. 'Une expérience corporative belge: la Gilde des Métiers et Négoces de Louvain 1878-1925'. In: *Economisch en Sociaal Tijdschrift* Vol. XVIII, No. 4 (August-October 1964), 305-332

¹³⁷ Luyten, *Ideologisch debat en politieke strijd over het corporatisme tijdens het interbellum in België*, 24

¹³⁸ Luyten, *Ideologisch debat en politieke strijd over het corporatisme tijdens het interbellum in België*, 21

¹³⁹ Ibid.; Emmanuel Gerard (ed.). *De christelijke arbeidersbeweging in België. Deel 1* (Leuven: Universitaire Pers 1991) 63;

¹⁴⁰ Van Waarden, 'Corporatisme als probleemoplossing', 38

1884 on the initiative of La Tour du Pin and Gustav Graf von Blöme, a follower of Von Vogelsang.¹⁴¹ Amongst its members it counted De Mun and Von Vogelsang. Meeting annually for a week until 1891, participants would study Catholic tradition and discuss such issues as social legislation, state intervention and especially corporations, in order to develop a unitary doctrine on the social question.¹⁴² This doctrine would then be spread throughout the Catholic Church by sending reports to the pope and organizing public conferences.

The resolutions adopted by the Congresses in Luik dovetailed with the conclusions of the Fribourg Union. At first, the Union had favoured mixed syndicates, in which employers and workers would be united in a spirit of conciliation, and the resolutions of the first Congress did likewise.¹⁴³ Périn and Helleputte championed the restoration of guild-like corporations as a means to reconvert the workers and represent their moral and material interests.¹⁴⁴ The second Congress, held in 1887, adopted about the same resolutions.¹⁴⁵ Meanwhile, however, the Fribourg Union had come to the conclusion that separate organizations for workers and employers, to be reconciled through bodies of negotiation and arbitration, were a more realistic goal.¹⁴⁶ In 1890, during the third and largest Social Congress, a debate developed between the supporters of mixed guilds and the 'Christian Democrats' who favoured union-like associations; eventually, the Congress adopted a resolution expressing a desire for state intervention mediated by corporations as bodies in public law, with their own judicial, executive and legislative powers.¹⁴⁷ The Congress also recognized worker's unions as valid means of interest representation.¹⁴⁸ This was not to the liking of Périn and more economically liberal minded Catholic thinkers, who favoured mixed religious and paternal associations. They separated and a few months later organized their own congress in the French town of Angers, forming the 'school of Angers' as opposed to the 'school of Luik'.¹⁴⁹

The reports of the Fribourg Union and the resolutions of the Social Congresses were of influence to the social thought of Pope Leo XIII.¹⁵⁰ In addition, the pope was well-read in the works of Von Ketteler and stood in contact with the French social entrepreneur Harmel and the English cardinal Henry Manning.¹⁵¹ In 1891, the papal encyclical *Rerum Novarum* was promulgated, entitled 'Rights and Duties of Capital and Labour'. In it, the pope directly

¹⁴¹ Elbow, *French Corporative Theory*, 60

¹⁴² Vidler, *A Century of Social Catholicism*, 125-127; Van Waarden, 'Corporatisme als probleemoplossing', 38-39

¹⁴³ Gerard, *De christelijke arbeidersbeweging in België*, 70

¹⁴⁴ Witte, Craeybeckx and Meynen, *Politieke geschiedenis van België*, 118

¹⁴⁵ Luyten, *Ideologisch debat en politieke strijd over het corporatisme tijdens het interbellum in België*, 21-22

¹⁴⁶ Vidler, *A Century of Social Catholicism*, 126

¹⁴⁷ Van Waarden, 'Corporatisme als probleemoplossing', 39

¹⁴⁸ Gerard, *De christelijke arbeidersbeweging in België*, 70

¹⁴⁹ Van Waarden, 'Corporatisme als probleemoplossing', 39-40

¹⁵⁰ *Ibid.*, 40; Vidler, *A Century of Social Catholicism*, 126; Gerard, *De christelijke arbeidersbeweging in België*, 77

¹⁵¹ Van Waarden, 'Corporatisme als probleemoplossing', 38-39

addressed 'the condition of the working classes'.¹⁵² He condemned the excesses of industrial capitalism as well as revolutionary socialism, and stated that a remedy must be found, 'for the ancient workingmen's guilds were abolished in the last century, and no other protective organization took their place.'¹⁵³ The pope strongly upheld the right to property, and posited the family instead of the state as the primary social unit in an organic society. Calling for class harmony instead of class struggle, Leo XIII hailed those associations through which workers and employers aided those in distress, such as mutual societies and workingmen's unions, but was not clear about the right form of worker's organization: they could be 'consisting either of workmen alone, or of workmen and employers together'.¹⁵⁴ Chief attention, however, should be paid to the duties of religion and morality. The pope directly appealed to the state for the protection, if necessary, of these or 'some other mode of safeguarding the interests of the wage-earners.'¹⁵⁵ Finally, he called for dispute settlement through the appointment of committees.¹⁵⁶

With *Rerum Novarum*, the Catholic Church officially endorsed a corporatist program for the reform of state and society, which had been developed from the middle of the nineteenth century onwards by a host of international thinkers. This included the establishment of associations for workers and employers to replace the abolished guilds, in an attempt to solve the social question. On the question of whether these organizations should be mixed or separate, no clear answer was given; the movement of Social Catholicism, nevertheless, in the early 1890s for the moment reached its apex

The Councils of Industry and Labour, conseils de prud'hommes and Conseil supérieur du Travail

The coalition of liberals and Catholics and the mostly liberal cabinets that ruled Belgium adhered to a laissez-faire economic and social policy until the 1880s. The emergence of private labour organization, for example in the revolutionary socialist First International, and the notably the large mine strikes of 1886 put the question of legislation concerning social and economic matters on the agenda. In this year, the liberal former Prime Minister and current leader of the opposition to the Catholic Beernaert cabinet Walthère Frère-Orban proposed the installation of a parliamentary commission of inquiry, as well as the institution of conseils de l'industrie et du travail or nijverheids- en arbeidsraden ('Councils of Industry and Labour'). These were to represent patrons and workers, provide advice to the state, and conciliate in the case of strikes

¹⁵² Leo XIII. 'Rerum Novarum. Right and Duties of Capital and Labour'. May 15, 1891. On: 'Leo XIII - Rerum Novarum', http://www.vatican.va/holy_father/leo_xiii/encyclicals/documents/hf_l-xiii_enc_15051891_rerum-novarum_en.html. Last visited May 4, 2009

¹⁵³ Ibid., section 3

¹⁵⁴ Ibid., section 49

¹⁵⁵ Ibid., section 45

¹⁵⁶ It is not stated directly of whom these committees should consist. The committees are seen as part of associations, and it is implied that these should preferably be mixed. Ibid., section 58

and disputes.¹⁵⁷ The parliamentary Commission of Labour that was subsequently set up to investigate the possibilities in this regard in 1887 recommended the establishment of conciliatory and representative organs for workers and employers, in the form of Councils of Industry and Labour. On August 16, 1887, the Act on the Councils of Industry and Labour was passed.¹⁵⁸ To a large extent, the law followed the proposal of Frère-Orban. The goal of the councils, set up on a local basis, was to function as organs of expertise and consultation to the state in matters concerning labour and industry, and as bodies of conciliation and arbitration in collective conflicts between workers and employers. The councils were divided into sections for local branches of industry, and set up by the government on request of the municipal council or workers and employers. A Council of Industry and Labour was to consist equally of workers and employers, to be elected locally and company-wise. From 1889 to 1894, 72 Councils were set up throughout Belgium.¹⁵⁹

In 1889 the right to vote for the *conseils prud'hommes*, which had existed in Belgium as well since the early nineteenth century, was expanded to include all workers and employers at least twenty-five years old and working for at least four years.¹⁶⁰ The two organs now differed in the exercise of judicial functions in individual cases of the *conseils de prud'hommes*, and the functioning of organs of conciliation and representation in the case of collective disputes of the Councils of Industry and Labour.¹⁶¹ In 1892 a national advisory organ for social and economic affairs was set up as well: the *Conseil supérieur du travail*. This *Conseil* consisted of experts on social and economic matters, the director of the central labour bureau and the national director of the mines.¹⁶² In 1895, finally, the *Office du Travail* of the Ministry of Industry and Labour was charged with the task of collecting labour statistics.¹⁶³

The Councils of Industry and Labour in Belgium are considered an unsuccessful experiment.¹⁶⁴ According to Chlepner, the government only consulted them a number of times on the drafting of social legislation, and they lost their advisory functions after a few years.¹⁶⁵ The exercise of their conciliatory functions proved unsuccessful as well, and in the years up to 1914, the government would more and more negotiate directly with organized interest groups.¹⁶⁶ Nevertheless, the establishment of these institutions did constitute a venture into forms of political representation and regulation alongside Belgian parliamentary democracy.

¹⁵⁷ Chlepner, *Cent ans d'histoire sociale en Belgique*, 210

¹⁵⁸ *Ibid.*, 222

¹⁵⁹ *Rapport betreffende de werking der Wet op de Kamers van Arbeid*, 71

¹⁶⁰ Chlepner, *Cent ans d'histoire sociale en Belgique*, 223

¹⁶¹ Van Heukelom, *Arbeidsraden*, VII-VIII; Chlepner, *Cent ans d'histoire sociale en Belgique*, 223

¹⁶² *Ibid.*, 231; *Rapport betreffende de werking der Wet op de Kamers van Arbeid*, 79

¹⁶³ *Ibid.*, 79-80

¹⁶⁴ *Ibid.*, Luyten, *Ideologisch debat en politieke strijd*, 44; Chlepner, *Cent ans d'histoire sociale en Belgique*, 222-223

¹⁶⁵ *Ibid.*, 223

¹⁶⁶ On paper, the councils remained in existence until they were abolished with the creation of the *Conseil National du Travail* ('National Labour Council') in 1952. *Ibid.*

United Kingdom

The last country to be discussed in this Chapter is the United Kingdom. I will treat this country more concisely than Germany, France and Belgium, for a number of reasons. First, in the United Kingdom no body of thought on corporatist reform based on an organic conception of state and society comparable to that in Germany, France or Belgium developed. While ideas and proposals in this vein were prominent on the Continent amongst Catholic as well as some liberal thinkers, in the United Kingdom less examples can be found. The influence of British strands of thinking on the debate on alternative or adjacent forms of political representation and regulation in the Netherlands was therefore less marked. Second, in the United Kingdom private forms of labour organization and representation, especially trade and crafts unions, seem to have been more developed during the nineteenth century than in the countries previously discussed. From the 1850s to the 1870s, these organizations grew in membership, and acquired to some extent a status as organized interest groups recognized by the state as representative of workers.¹⁶⁷ This was reflected in the practice of collective bargaining, which by the end of the 1860s became more widespread.¹⁶⁸

Nevertheless, although Christian corporatism was not as widespread in the United Kingdom as in other European countries, during the nineteenth century a number of thinkers employed the term 'Christian Socialism' to criticize economic liberalism and its social consequences for the working class, and proposed alternative organizations. The British state, furthermore, during the nineteenth century engaged in projects of regulating and thereby recognizing forms of private self-governing worker's organizations turning around consumption and production. Finally, in the 1860s and 1870s a 'conciliation and arbitration movement' developed in the United Kingdom in the form of private boards of arbitration and conciliation, at the end of the nineteenth century leading to the legal institutionalization of these forms of conciliation and representation alongside parliamentary democracy.

Christian Socialism

Chief among the Christian Socialists were the theologian Frederick Denison Maurice (1805-1872), the novelist Charles Kingsley (1819-1875) and the lawyer John Ludlow (1821-1911). The basis for their thought was laid down by Maurice in *The Kingdom of Christ* (1838).¹⁶⁹ In this work, Maurice argued that the church should get involved in addressing social questions. Rejecting individualism and economic competition, the Christian Socialists advocated the co-operative

¹⁶⁷ See: Alastair J. Reid. *United We Stand. A History of Britain's Trade Unions* (London: Allen Lane 2004) 149-155

¹⁶⁸ *Ibid.*, xiii

¹⁶⁹ Frederick Denison Maurice. *The Kingdom of Christ: or, Hints to a Quaker respecting the principles, constitution and ordinances of the Catholic Church* (London: Macmillan 1891, 4th ed.)

ideas of the early nineteenth-century industrialist Robert Owen (1771-1858), who had proposed schemes for community-based worker-controlled production and exchange as an alternative to capitalism.¹⁷⁰ Ludlow, moreover, was influenced by his experience in the Paris revolution of 1848 and previously discussed ideas of Buchez.¹⁷¹ According to the Christian Socialists, 'the remedy of the evils of competition lies in the brotherly and Christian principle of co-operation - that is, of joint work with shared or common profits'.¹⁷² From 1848 to 1851, they published two journals: *Politics of the People*, and the *Christian Socialist*. In the latter, Ludlow wrote that the goal of the group was to vindicate for Christianity 'its true authority over the realms of industry and trade'.¹⁷³ Furthermore, a series of pamphlets entitled *Tracts on Christian Socialism* was produced, in one of which Maurice stated that 'Christianity is the only foundation of socialism, and that a true socialism is the necessary result of a sound Christianity'.¹⁷⁴ In practice, the Christian Socialists founded eight co-operative workshops known as 'Working Men's Associations', and a school named the 'Working Men's College'.¹⁷⁵ The co-operative workshops were short-lived, however, and after internal struggles in 1854 the group split up; individual members now supported other forms of private labour organization that were current in Great Britain. In their religiously based criticism of the social effects of economic liberalism and their publications and activities, however, the British Christian Socialists were comparable to Von Ketteler and the Social Catholics on the Continent, and likewise exerted an influence on the thought of Kuyper, among others, later on.

State recognition of private organization of labour

One form of private labour organization that became the object of legal recognition and regulation by the British state was the friendly societies, which acted as local insurance funds and fraternal organizations for its working-class participants. Membership grew in the third quarter of the nineteenth century, while some societies such as the Oddfellows gathered a considerable amount of wealth.¹⁷⁶ Legislation such as the Industrial and Provident Societies Acts of 1852 and 1862 provided these private organizations with a legal framework, while requiring them to report to the state.¹⁷⁷ Another form of private organization was the consumers' co-operatives, which although previously existing gained prominence after a successful initiative in Rochdale in

¹⁷⁰ Charles E. Raven. *Christian Socialism 1848-1854* (New York: Augustus M. Kelley Publishers 1968) 44

¹⁷¹ Pauline Gregg. *A Social and Economic History of Britain, 1760-1972* (London: Harrap 1973, 7th ed.), 325

¹⁷² *Ibid.*, 327

¹⁷³ Raven, *Christian Socialism*, 156

¹⁷⁴ Gregg, *A Social and Economic History of Britain*, 331

¹⁷⁵ Raven, *Christian Socialism*, Chapter VII, IX

¹⁷⁶ *Ibid.*, 315-321

¹⁷⁷ Neville Kirk. *The Growth of Working Class Reformism in mid-Victorian England* (London: Croom Helm 1985) 154

1844.¹⁷⁸ Consumers' co-operatives were local self-governing joint ventures usually run by workers for the purchase and exchange of consumer goods. The objects of the founders of the Rochdale co-operative were, among others, 'the establishment of a store for provisions, clothing, etc.', and 'the manufacture of such articles as the Society may determine upon, for the employment of such members as may be without employment, of who may be suffering in consequence of repeated reductions in their wages'.¹⁷⁹ In the 1850s and 1860s, the number of co-ops grew to a few thousand, and in 1863 the umbrella North of England Wholesale Society was founded to create a single buying agency, and eventually manufacture products itself. Like the friendly societies, state recognition of the private co-operatives, depicted as 'a state within a state' by the liberal Prime Minister Archibald Primrose, came in the form of legislation providing a constitutional framework.¹⁸⁰

Boards of arbitration and conciliation

In the 1860s and 1870s, a 'conciliation and arbitration movement' developed in Great Britain.¹⁸¹ Voluntary boards of arbitration and conciliation, consisting equally of workers and employers and based on local industry, had from the late 1840s onwards already been established on private initiative. One of the first of these was the board of arbitration of the Macclesfield silk trade, founded in 1849 in imitation of the French conseils de prud'hommes. While this board was only effective for four years, in 1860 a more permanent board of arbitration and conciliation for the Nottingham hosiery industry was founded and chaired by the industrialist and later radical liberal M.P. Anthony John Mundella.¹⁸² The Nottingham board was set up to prevent strikes as well as negotiate wages and working hours, and proved a model for similar initiatives in the following decade. Boards of arbitration and conciliation were set up in the Midlands' building, pottery, iron and coal industries by the judge Rupert Kettle, eventually nicknamed the 'Prince of Arbitrators'.¹⁸³ In the 1890s, several boards of arbitration and conciliation covering multiple trades in a locality were founded, the first in London in response to the extensive dock strikes a year earlier. These district-level boards of conciliation consisted of representatives of Chambers of Commerce for employers, and trades councils for workers.¹⁸⁴

In Parliament, meanwhile, several attempts were made to pass legislation to promote conciliation and arbitration as recommended by the Royal Commission on Labour of 1891-1894,

¹⁷⁸ Gregg, *A Social and Economic History of Britain*, 321-325

¹⁷⁹ *Ibid.*, 321

¹⁸⁰ Kirk, *The Growth of Working Class Reformism*, 154

¹⁸¹ Lawrence Goldman. *Science, Reform and Politics in Victorian Britain. The Social Science Association 1857-1886* (Cambridge: Cambridge University Press 2002)

¹⁸² *Ibid.*

¹⁸³ Goldman, *The Social Science Association 1857-1886*, 219

¹⁸⁴ Gregg, *A Social and Economic History of Britain*, 471

while government officials, such as the liberal Home Secretary Herbert Henry Asquith, sometimes mediated in large-scale disputes.¹⁸⁵ In 1896, the Conciliation Act was passed. This law granted the Labour Department of the Board of Trade, an older administrative advisory body on commerce and industry, the authority to conciliate disputes voluntarily or on request.¹⁸⁶ This was done by expert negotiators and arbitrators.¹⁸⁷ In 1886, moreover, the function of collecting statistics had been added to the Board in the form of a Bureau of Labour Statistics.¹⁸⁸ According to Kirk, the conciliation and arbitration movement had marked an attempt at institutionalizing industrial conflicts and collective bargaining.¹⁸⁹ Now, the state had established an official body for dispute conciliation. With this, 'an increasingly formal system of industrial relations, involving employer's associations, government departments and national trade unions'¹⁹⁰ took shape in the United Kingdom.

Conclusion

Throughout the nineteenth century, a European-wide debate on forms of representation alternative or adjacent to parliamentary democracy was conducted. This international debate turned on a critique of the parliamentary form of representation, which is based on an individualistic electorate choosing representatives who represent the common good in a territorial parliament. This critique often stemmed from a body of thought that ran opposed to what its advocates perceived as the evils of the French Revolution: political and economic liberalism. While political liberalism had resulted in the arithmetic majorities of parliamentary democracy, economic liberalism in the shape of laissez-faire capitalism combined with industrialization and the dissolution of guilds and corporations to create social conditions perceived as dismal for the working classes. Underneath this criticism often ran an 'organic' conception of state and society: a political theory opposed to the 'mechanistic' conception of liberalism, which featured the 'natural' group as its basic unit and had a nostalgia for perceived medieval institutions. Early nineteenth-century Romanticism in Germany and Restoration philosophy in France laid the basis for this thought, which was picked up and transformed mid-century into the international movement of Social Catholicism by Von Ketteler. In Great Britain, Christian Socialism similarly criticized economic liberalism. Spread and worked out by a host of

¹⁸⁵ Examples of pieces of legislation that were never put into operation are the Councils of Conciliation Act of 1867 and the Arbitration Acts of 1872 and 1889. 'Arbitration and Conciliation'. In: *Encyclopaedia Britannica* 1911. On: '1911 Encyclopaedia Britannica - Free Online', http://www.1911encyclopedia.org/Main_Page. Last checked August 17, 2009

¹⁸⁶ D.F. MacDonald. *The State and the Trade Unions* (London: MacMillan 1960) 49-50

¹⁸⁷ Reid, *A History of Britain's Trade Unions*, 166

¹⁸⁸ MacDonald, *The State and the Trade Unions*, 49

¹⁸⁹ Kirk, *The Growth of Working Class Reformism*, 288

¹⁹⁰ Reid, *A History of Britain's Trade Unions*, 168

international thinkers such as Von Vogelsang and La Tour du Pin, around 1880 a shift in emphasis can be detected towards specific corporatist doctrines on the reform of state and society. These were further developed during a series of international congresses in Belgium, and endorsed at the end of the nineteenth century by the pope. In the course of the nineteenth century, German Kathedersozialismus and French utopian socialism also proposed their solutions to 'the social question', turning on new schemes of social and economic representation, moral reform and state intervention.

At the end of the century, finally, in Germany, France, Belgium as well as the United Kingdom, a host of advisory bodies representative of social and economic interests with a conciliatory function was established. Similarities and differences can be drawn between them. The German *Gewerbeberichte* (1890) and *Gewerbekammern* (1897) were bodies in public law with representative, conciliatory and judicial functions, that were part of a full-blown corporatist reform program of 'chamberization' pushed through by Bismarck. The French *conseils du travail* (1900) enacted by liberal republican governments had advisory and conciliatory functions, but here, as in Belgium, *conseils de prud'hommes* had existed since the early nineteenth century, which were already charged with adjudicating legal disputes between individual workers and employers. In France, at the end of century the functions of the *conseils de prud'hommes* were expanded with powers of arbitration in the case of collective disputes. The Belgian *Councils of Industry and Labour* (1887), a liberal proposal instituted by a Catholic cabinet, combined representative, advisory as well as conciliatory functions. The British boards of arbitration and conciliation, finally, were privately founded organs of conciliation and regulation for both workers and employers. All chambers, councils or boards had in common that they were local in nature, had specific functions, and were organizations of functional representation. In the first three countries, however, the establishment of a national advisory board at least partly consisting of worker and employer members, supplemented with experts and government officials in bodies of social and economic interest representation, such as the *Volkswirtschaftsrat* or the *Conseils supérieur du travail* preceded the local institutions. In the United Kingdom, the Board of Trade took on negotiating functions in response to the actions of the private boards.

The movements, ideas, proposals and institutions here discussed all exerted an influence on the nineteenth-century public debate on forms of political representation adjacent to parliamentary democracy in the Netherlands, to which I will now turn.

The debate in the Netherlands

As related in the previous chapter, alongside the development of parliamentary democracy in the nineteenth century, alternative and adjacent forms of political representation and regulation were proposed and debated throughout Western Europe. In this chapter, I will argue that a similar debate existed in the Netherlands as well, and stood in close connection to the European-wide debate. The debate in the Netherlands, moreover, had earlier roots than is usually recognized in Dutch historiography.¹⁹¹ Already around 1870 the institution of councils of conciliation, chambers of representation or modernized guild restoration was proposed and debated. One and a half decade later, this debate was revived with the introduction of more specific and elaborate proposals for Chambers of Labour or similar institutions. In both periods, however, the angles from which they were proposed differed considerably, connecting to different strands of thinking in the international debate.

In the following, I will first discuss the constitutional liberal conception of representation that was dominant in the Netherlands since the establishment of parliamentary democracy in 1848, and the emergence of new political formations which challenged this conception. Then, I will go into the context of economic development and the first social legislation enacted, which meant a divergence from the constitutional liberal principle of state abstention in social and economic affairs and put the 'social question' on the agenda. After discussing the private form of worker's organization and representation, I will then present my main argument: the existence of a public debate in the Netherlands since 1870 on alternative and adjacent forms of representation and regulation. I will elaborate the proposals done from confessional, socialist and progressive liberal circles. After that, I will turn to the 1880s, when again a host of proposals came about.

¹⁹¹ The start of the debate on Chambers of Labour in the Netherlands is usually located in 1889, with the publication of Kuyper's *Handenarbeid*, or in 1887, with the publication of Levy's brochure *Arbeidsraden*, both of which will be discussed. Roebroek and Hertogh, *Twee eeuwen sociale politiek, verzorgingsstaat en sociale zekerheid in Nederland*, 138-139; Hertogh, *De confessionele ordening van het Nederlandse socialezekerheidsstelsel 1870-1975*, 80; Van Heukelom, *Arbeidsraden*, 228

Politics and representation

The Constitution of 1848, drawn up by a committee of liberals headed by Johan Rudolph Thorbecke, marked the beginning of parliamentary government in the Netherlands. The power of the king was checked by the rule of ministerial responsibility, executive power was controlled by the First and Second Chamber, and the latter was directly chosen by an electorate that was severely restricted through tax qualifications. In the newly chosen parliament, no clear parties or ideological currents could be discerned. The representatives could, however, broadly be divided into liberals who supported the Constitution, and conservatives who favoured a return to the old situation. Next to that, Guillaume Groen van Prinsterer acted as representative of the orthodox Protestant antirevolutionaries, but lacked a clear following. The political culture was liberal in the constitutionalist sense: according to both liberals and conservatives, parliament was supposed to consist of independent representatives who without 'commission or deliberation', but through rational debate decided upon the common good. The representatives were to be elected by what was considered 'the core of the nation': the small electorate that consisted of the (upper) middle class, adhered to bourgeois values and was economically sufficient enough to be able to make a decision for the common good.¹⁹²

Around 1870, however, conceptions of politics started to change. While local associational life politicized, new groups were heard alongside the present liberal and conservative currents. Orthodox Protestant antirevolutionaries organized themselves around religious education, while Catholics, after papal declarations against liberalism, increasingly manifested their religious identity. Within liberalism, moreover, a new generation emerged that criticized the old, 'dormant' liberalism of Thorbecke and the reformers of the mid-nineteenth century. According to the younger liberals, this type of 'bourgeois' politics had grown 'satisfied' and showed no desire for reform.¹⁹³ The new generation promoted a more active role of the state, in education as well as the social and economic realm. Finally, worker's associations as private organizations of labour were established, some of which identified with socialism. The emergence of these new political and social groupings in the Netherlands went along with a slow transformation of liberal parliamentarianism into party politics: a change in political representation that is well documented. Less documented, however, are the debates and proposals on other forms of representation that emanated from these currents. After discussing the context of economic development, social legislation and the private organization of labour in which these proposals were made, I will turn to this public debate.

¹⁹² De Haan, *Het beginsel van leven en wasdom*, 86

¹⁹³ Siep Stuurman. *Wacht op onze daden. Het liberalisme en de vernieuwing van de Nederlandse staat* (Amsterdam: Bert Bakker 1992) 185-186

Economic development and industrialization

At the start of the nineteenth century, the Netherlands were largely a commercial and agricultural country. The importance of agriculture for the economy had increased since the middle of the previous century, as traditional industries like urban textile manufacturing were in decline.¹⁹⁴ Industry was characterized by small business size and artisanal labour relations, protected and regulated by guilds and urban governments.¹⁹⁵ Economic development proceeded in fluctuations and depressions, until the expansionary policies of King Willem I gave a stimulus in the 1820s through the construction of roads and canals. The first steam engines were introduced as industrial growth slowly took off in the 1830s. Yet, around the middle of the century, small and medium sized industries still dominated in all branches except the textile industry in Twente and Brabant, where large-scale factories were set up between 1855 and 1880. From then on, the construction of the railway system in the 1860s, the abolition of various local taxes and the reduction of import and export tariffs led to increased national and international competition, as a result of which industry grew and was 'rationalized': the depersonalized relations of mechanized production increasingly took the place of traditional labour relations.¹⁹⁶ Around 1870, the wage level was rising, which in combination with an agricultural depression led to a widespread move of people from the countryside to the cities. As a result, the level of urbanization increased as the population grew: from three million in 1850 to five million in 1900.¹⁹⁷ In the second half of the nineteenth century, the share of the Dutch work force that made a living in agriculture declined from 44 to 28 percent, while in the industrial sector it rose from 24 to 32 percent.¹⁹⁸

The processes of industrialization and urbanization had mixed consequences for the Dutch working class. At the start of the century, unemployment and poverty in cities were rising;¹⁹⁹ housing, food and clothing were often in bad conditions, the level of health and education low. Work days were long and wages low, especially in the countryside, and women and children were often compelled to join the work force.²⁰⁰ The introduction of machinery and the concentration of workers in industrial centers in the 1860s and 1870s resulted on the long term in population growth due to declining infant mortality and a rising life expectancy, but on the short

¹⁹⁴ J.L. van Zanden. 'Industrialization in the Netherlands'. In: Teich and Porter, *The Industrial Revolution in national context*, 80

¹⁹⁵ Ibid., 83

¹⁹⁶ Ibid., 87

¹⁹⁷ Henk te Velde. 'Van Grondwet tot Grondwet. Oefenen met parlement, partij en schaalvergroting, 1848-1917'. In: Remieg Aerts, Herman de Liagre Böhl, Piet de Rooy and Henk te Velde. *Land van kleine gebaren. Een politieke geschiedenis van Nederland 1780-1990* (Nijmegen: Uitgeverij SUN 1999), 127

¹⁹⁸ In the services industry it rose from 29 to 38 percent. Hertogh, *De confessionele ordening van het Nederlandse socialezekerheidsstelsel*, 80

¹⁹⁹ G.J. Schutte. 'Arbeid, die geen brood geeft; en de ziel verstikt in smook. Achtergronden en voorgeschiedenis van 1891'. In: Schutte, *De ontwikkeling van het christelijk-sociale denken en handelen in Nederland 1891-1914*, 10

²⁰⁰ Roebroek and Hertogh, *Twee eeuwen sociale politiek, verzorgingsstaat en sociale zekerheid in Nederland*, 67

term in worsening living conditions: an increase in child labour, long working hours, cramped conditions in poor neighbourhoods, mass unemployment, alcoholism, and in particular a complete dependency on wage labour.²⁰¹ The question of poverty had now turned into 'the social question'.

Social legislation

In the constitutional liberal conception of state and society that dominated government and parliament in the Netherlands in the decades after 1848, abstention was the leading principle concerning the role of the state in social and economic life. The goal of government in this view was to create a legal and juridical framework in which society can develop as freely as possible. This was a break with the paternalistic and moral interventionism of the state under Willem I during the first half of the nineteenth century. The constitutional liberals, headed by Thorbecke, were less motivated in this by the tenets of laissez-faire economic liberalism than by their juridical belief in a distinction between the private and the public: they aimed to insulate politics from society, as well as leave society free from government interference. Thus, regarding economic life, the state was to take away restrictions on free competition, and only to invest in infrastructure.²⁰²

Nevertheless, in the period from 1848 to the mid-1870s, legislation on care for the poor and child labour were subjects of debate. Thorbecke did want to make care for the poor a governmental task rather than a societal one, and to this end introduced a legislative proposal in 1851.²⁰³ After the fall of the first Thorbecke cabinet, however, the conservative Van Hall cabinet retained the care of the poor as a task for the churches, aided if necessary by municipal governments, in the Poor Law of 1854.²⁰⁴ Concerning child labour, already in 1841 a government inquiry into the situation of the working class was done, which had made clear that about half of the workers were under the age of eighteen.²⁰⁵ No action was undertaken, however, until in the 1850s child labour increasingly became the subject of public debate.²⁰⁶ In 1863 a government commission was appointed that four years later produced a disappointing report: it did not recommend to limit working hours or set a minimum age.²⁰⁷ While Thorbecke amidst public agitation defended government inaction by stating that 'as long as it is not decided whether the

²⁰¹ John P. Windmuller and C. de Galan. *Arbeidsverhoudingen in Nederland* (Utrecht/Antwerpen: Het Spectrum 1970) 13

²⁰² Taal, *Liberale en Radicalen in Nederland*, 5-14

²⁰³ Roebroek and Hertogh, *Twee eeuwen sociale politiek, verzorgingsstaat en sociale zekerheid*, 58

²⁰⁴ *Ibid.*, 60

²⁰⁵ *Ibid.*, 69-70

²⁰⁶ This was reflected in numerous addresses to the government on behalf of societal organizations, which included industrialists as well. *Ibid.*, 71-73

²⁰⁷ *Ibid.*,

social force is itself capable of providing, the lawgiver is not allowed to stand up for a task, which really is not his'²⁰⁸, the progressive liberal parliamentarian Samuël van Houten in 1873 introduced a legislative proposal for the abolition of child labour. During the parliamentary debate, liberals, antirevolutionaries as well as Catholics now argued less in terms of state abstention than before.²⁰⁹ Finally, in September 1874, the Law on Child Labour was passed, making it the first piece of social legislation in the Netherlands. Although child labour continued to exist, state intervention in social and economic life was now a recognized possibility.

Private organization of labour

As in other countries occupied by the French Revolutionary army around the turn of the nineteenth century, the guilds in the Netherlands were abolished by the Le Chapelier law of 1791.²¹⁰ Not until 1818, nevertheless, the guilds completely ceased to function.²¹¹ The coalition ban officially forbade associations of workers as well as employers, but was maintained more strictly for the first. What remained were local insurance funds that were controlled by the municipal governments. Next to that, fraternal associations of workers remained in existence in some cities.²¹² Worker's organizations for specific trades that aimed to improve working conditions by acting collectively were first formed in the 1850s and 1860s in Amsterdam. A first national crafts union was founded in 1866: the Algemeene Nederlandsche Typografenbond ('General Dutch Typographer's League'). Other schooled workers such as carpenters, painters and masons followed.²¹³ A Dutch department of the International Workingmen's Association was established in 1869 after a series of organized strikes in Amsterdam. Led by the tailor Hendrik Gerhard, it was characterized by a socialist emphasis on class struggle and an international outlook.²¹⁴ Because of the disinterest of local worker's organization in this, however, it was dissolved two years later.²¹⁵ In reaction to the foundation of a department of the International, nevertheless, in 1871 the moderate Algemeene Nederlandsche Werklieden Verbond ('General Dutch Workingmen's League') (ANWV) was founded. The goal of the ANWV, led by the furniture maker Bernardus Heldt, was to strive 'by orderly and legal means' for the 'moral worth,

²⁰⁸ Ibid., 79

²⁰⁹ Ibid., 83

²¹⁰ For an analysis of the political aspects of guild organization in the Netherlands before the nineteenth century, see: Maarten Prak. 'Corporate politics in the Low Countries: guilds as institutions, 14th to 18th centuries'. In: Maarten Prak (ed.). *Craft guilds in the early modern Low Countries: work, power and representation* (Aldershot: Ashgate 2006)

²¹¹ Windmuller and De Galan, *Arbeidsverhoudingen in Nederland*, 14

²¹² Ger Harmsen and Bob Reinalda. *Voor de bevrijding van de arbeid. Beknopte geschiedenis van de Nederlandse vakbeweging* (Nijmegen: SUN 1975), 36

²¹³ Windmuller and De Galan, *Arbeidsverhoudingen in Nederland*, 15

²¹⁴ Harmsen and Reinalda, *Voor de bevrijding van de arbeid*, 44

²¹⁵ Windmuller and De Galan, *Arbeidsverhoudingen in Nederland*, 15

material welfare, formal equality and societal freedom of the labourer'.²¹⁶ It aimed at reconciliation between workers and employers, a shorter work day, and after its identification with progressive liberalism for universal suffrage and improved public education.²¹⁷ In 1872 the coalition ban was ended and for a short time, the ANWV was the single encompassing labour union in the Netherlands. Four years later, however, its orthodox Protestant members broke away and formed their own organization, named Patrimonium.²¹⁸ This moral and religious worker's organization was also open for employers, and rejected strikes and state intervention in social and economic matters.

The 1870s in the Netherlands thus saw a growth in private labour organization, as well as the first social legislation enacted by the state: 'the social question' was put on the agenda. In the same decade, a public debate came into being on means of representation for workers as another possible solution to the social question, in the form of Chambers of Labour and similar institutions. To this I will now turn.

The public debate around 1870

Around 1870 proposals for chambers, boards or councils of representation, conciliation and arbitration for workers and employers were increasingly heard in public debate in the Netherlands, in different societal circles. This coincided with the entrance of new political formations around this time, which each in their own way challenged the Thorbeckean liberal conception of representation: the antirevolutionaries, Catholics, socialists and progressive liberals. While Chambers of Labour or similar institutions were sometimes advocated as a partial or modern restoration of the guild system, they were also proposed as an organization of representation for workers, and a conciliatory instrument towards the gradual improvement of their social and economic conditions. Although overlap can be detected, the argumentation for these organs of representation and conciliation differed among confessionals, socialists and progressive liberals. In the following discussion on proposals done during the 1870s, I will seek to emphasize both. Each strand, moreover, was influenced by the international debate on the subject. I will first treat the confessional proposals on social and economic interest representation. Then, I will then go into socialist and progressive liberal ideas on possible means of worker's and employer's representation.

²¹⁶ Taal, *Liberale en Radicale*, 31

²¹⁷ Te Velde, 'Van Grondwet tot Grondwet', 130

²¹⁸ Windmuller and De Galan, *Arbeidsverhoudingen in Nederland*, 17-18

Confessional proposals

In the late 1860s, the orthodox Protestant antirevolutionary political current was gradually formed out of the divisive national issue of state subsidy for religious public education. The theologian and journalist Abraham Kuyper, with the foundation of newspapers and political organizations, played a leadership role in this movement. In 1874 Kuyper was elected to the Second Chamber himself. While the antirevolutionary opposition to what they conceived of as the principles of the French Revolution played out on many terrains, I will here pay attention mostly to their application to social and economic issues. This again was elaborated in the thought of Kuyper, which found precedence, however, in the ideas of Groen van Prinsterer, which I will first discuss. Although Catholics were not frequently heard in the debate on new forms of interest representation, one proposal that was done in this circle will also be examined.

Guild restoration: Groen van Prinsterer's 1848 brochure

In the Netherlands, the adherents to the early nineteenth-century Protestant Réveil movement in some respects can be considered the counterparts of the Romanticists in Germany and the Restoration philosophers in France. Like them, the Dutch Réveil current resisted the liberal individualism that according to them had come forth from the French Revolution. In *Bezwaren tegen de geest der eeuw* (1823), the poet Isaïc da Costa resisted the notion of the social contract and the ideas of the Enlightenment.²¹⁹ It is the historian and politician Guillaume Groen van Prinsterer, however, who with his development of a specific orthodox Protestant conception of state and society and organizational efforts for state subsidy of orthodox schools is often seen as the intellectual founder of the antirevolutionary movement in the Netherlands.²²⁰ Although for the most part concerned with churchly and political matters, Groen also developed ideas on social and economic issues, which are published in the 1848 brochure *Vrijheid, gelijkheid, broederschap: toelichting van de spreuk der revolutie*.²²¹ According to Groen, the abolition of guilds and corporations and introduction of laissez-faire economic liberalism during the French Revolution had resulted in the development of the two opposing classes of capital and proletariat. As a solution to the latter's social conditions, Groen pointed to the medieval guilds as he perceived them, and pleaded for their restoration in a modified form: 'Is there no way to, modified, revive the Associations, which have been so recklessly demolished in the revolutionary

²¹⁹ Isaïc da Costa. *Bezwaren tegen de geest der eeuw* (Leiden: L. Herdingh en zn. 1823)

²²⁰ Steenkamp, *De gedachte der bedrijfsorganisatie in protestants christelijke kring*, 12-17

²²¹ Guillaume Groen van Prinsterer. *Vrijheid, gelijkheid, broederschap: toelichting van de spreuk der revolutie* (The Hague: J. Roering 1848)

destructions?'²²² Groen was influenced in this by the conservative Prussian ecclesiastical lawyer and politician Friedrich Julius Stahl, who advocated the representation of autonomous estates, including a guild organization, in a Christian state.²²³ Groen's early plea for guild restoration as well as his transmission of international ideas to Kuyper would resonate in the latter's proposals of the 1870s and, later, in the 1880s and 1890s.

A Legal Code of Labour: the thought of Kuyper on organic representation of workers

Kuyper was influenced in his social and economic thought by the writings of Von Ketteler and Von Vogelsang, which he had received from Groen in 1869.²²⁴ In 1871, in a brochure entitled 'De Arbeiderskwesitie en de Kerk' ('The Worker's Question and the Church'), he had in the vein of Von Ketteler and Maurice called for 'an approach to the societal question itself with the holy inspiration of faith'.²²⁵ A year later, he published eleven articles in his daily *De Standaard* ('The Standard') on the social question, which like Groen van Prinsterer he attributed to the French Revolution.²²⁶ In the political arena, then, Kuyper argued for the legal recognition of the interests of the working class in 1874. During the debate on the state budget in the Second Chamber on November 28, Kuyper asked the minister to what extent he would research the possibility of a 'Legal Code of Labour'.²²⁷ In the ensuing speech, he situated his plea for a Legal Code of Labour in what he conceived as the historical development of the law in 'Christian-European society'. In his view, every group that came to power, such as the clergy, the nobility and the bourgeoisie had a peculiar character and therefore a right to its own special laws. Now, according to Kuyper, the time had come to give the underprivileged 'fourth estate' its own legal code, for the workers currently 'only have their bodies' to compete with the forces of capital.²²⁸ Rejecting the individualism of 'Smithian' economic and political liberalism, Kuyper invoked the love and compassion of Christ, and then called upon the Catholic members of the Second Chamber to support him, with a reference to Von Ketteler. Calling the bishop of Mainz 'heroic', he brought in mind the latter's pleas for the interests of the workers.²²⁹ Kuyper then went on to refer to the later discussed article 'Maurice and the workers' by Hendrick Peter Godfried Quack, and the works of

²²² Groen van Prinsterer, *Vrijheid, gelijkheid, broederschap*, cited in: Steenkamp. *De gedachte der bedrijfsorganisatie in protestants christelijke kring*, 14

²²³ *Ibid.*, 15-17; Bowen, *German Theories of the Corporative State*, 19-20

²²⁴ Steenkamp, *De gedachte der bedrijfsorganisatie in protestants-christelijke kring*, 22 (note 24)

²²⁵ *Ibid.*, 18-19

²²⁶ *Ibid.*, 19-20

²²⁷ Abraham Kuyper. 'Rede, gehouden bij de beraadslaging over Hoofdstuk IV der Staatsbegroting, dienstjaar 1875. (Gehouden 28 Nov. 1874. Hand. der Staten-Generaal, pag. 343 v.v.)'. In: Abraham Kuyper. *Eenige Kameradviezen uit de jaren 1874 en 1875* (Amsterdam: J.A. Wormser 1890), 184-197

²²⁸ *Ibid.*, 192-193

²²⁹ Kuyper refers to Von Ketteler himself, his associate Christopher Monfang, and a Catholic weekly in Aachen entitled *Christliche socialen*. *Ibid.*, 195

the Christian Socialist Maurice in Great Britain.²³⁰ In conclusion, Kuyper blamed the French Revolution for the destruction of the old organic order (although this order was indeed 'untenable'), and called for an end to the contemporary 'disorganized state' of society: 'There must and can be new organic life, provided that this organization is not forced by the State, but first forms itself in free life through common law, to be codified by the State afterwards.'²³¹

Kuyper's argument for legal recognition of the fourth estate can be compared to a similar proposal by Von Ketteler in 1866.²³² Although Kuyper was less in favour of state intervention than Von Ketteler, they both saw the organization of labour in the first place as a matter of organic representation. Although Kuyper would not make any proposals for specific organizations or institutions until the 1880s, his plea for a Legal Code of Labour would provide the framework in which his later thought on Chambers of Labour would develop.

Chambers of Labour for workers and employers: Des Amorie van der Hoeven

One of the earliest reports on a proposal to set up an institution like the Chambers of Labour on a private basis stems from 1872. In the article 'On the issue of the workers' published in the Catholic magazine *De Wachter* ('The Guardian'), Herman Agatho des Amorie van der Hoeven referred to a meeting 'a few months ago' in The Hague, where the foundation of an 'Association in the interest of the working class' had been discussed.²³³ Des Amorie van der Hoeven was a lawyer and journalist who a few years later would successfully run for the Second Chamber in the district of Breda, and join the Catholic fraction headed by Schaepman. According to his article, some participants had grand plans for the association: it was to collect as much information as possible on the condition of the workers around the country, and come up with proposals to amend their situation. The majority of those present, however, were in favour of a more traditional, philanthropic organization.²³⁴ Amorie van der Hoeven believed this to be a mistake: he considered the current disposition of the workers very dangerous, their misery due to the free competition on the labour market since the abolition of the guilds. These guilds had had their advantages as well as their disadvantages, but the principle of free association should still be considered the best means of solving the social question. Although the International is a 'baleful, satanic association'²³⁵, labour associations in other countries have led to excellent results: they take care of their members in case of injury or death, or set up credit funds or cooperatives. Therefore, Amorie van der Hoeven argued for the foundation of national labour associations,

²³⁰ Ibid., 196

²³¹ Ibid., 197

²³² See Steenkamp, *De gedachte der bedrijfsorganisatie in protestants-christelijke kring*, 21 (reference 22)

²³³ H.A. des Amorie van der Hoeven. 'Over de arbeiders-kwestie'. In: *De Wachter*, Vol. 2, No.1 (1872), 1-25

²³⁴ Ibid., 2

²³⁵ Ibid., 11

modeled on the old guild system.²³⁶ Referring to a proposal of 'one of our great industrialists' also present at the meeting, he argued for labour associations as well as organizations of employers and notables, who would then cooperate 'for example by instituting Chambers or Councils, in which patrons, labourers and notables would be represented in a fair proportion.'²³⁷ In this way, the principles of liberty and community would be united in a specifically Christian economic science.²³⁸

According to the political scientist Van Waarden, Dutch Catholics only gradually became receptive to the proposals of the Luik congresses and the papal encyclical *Rerum Novarum* of the 1890s. Before that, the Catholic elite emphasized charity as the means of alleviating the worker's conditions.²³⁹ Amorie van der Hoeven's plea for mixed associations modelled to the guilds, however, resonated with Groen van Prinsterer's ideas, as well as international proposals.

Socialist proposals

Although socialism in the 1870s was not a considerable force in the Netherlands, ideas for worker's representation were discussed in those organizations that adhered to this current. In 1869, with the aid of Belgian workers the *Nederlandsch Werklieden Verbond* ('Dutch Workingmen's League') chaired by Gerhard had been established in Amsterdam as a department of the International Workingmen's Association, and a number of associations had joined. Differences persisted, however: while some members wanted a complete revolution of state and society, others preferred to focus on concrete reform measures. In May 1871, the 'Third Dutch Workingmen's Congress' was organized in locality 'De Keizerskroon' in Amsterdam, to discuss the development of the organization.²⁴⁰ It was here that a vigorous debate on worker's representation took place. Before discussing this, however, I will first discuss the thoughts of Gerhard on social and economic interest representation.

²³⁶ *Ibid.*, 16

²³⁷ *Ibid.*

²³⁸ *Ibid.*, 16, 24

²³⁹ Van Waarden, 'Corporatisme als probleemoplossing', 46-49

²⁴⁰ The first two congresses between Dutch and Belgian worker's associations that adhered to the International had been held in Antwerpen and Ghent, in April 1870 and April 1871. Berend Bymholt. *Geschiedenis der arbeidersbeweging in Nederland. Herdruk van de editie van 1894 met een nieuw register en een biografische schets*. 1 (Amsterdam: Van Gennep 1976) 68-79

Worker's democracy: Gerhard's 'Sketch of a Communist Society'

In the same year as the Congress, Gerhard drew up his ideas on social and economic interest representation in his 'Sketch of a Communist Society'.²⁴¹ In strongly utopian socialist fashion, a welfare state society is envisioned in which private property is abolished. Workers' self-government is realized in a system in which members of specific trades in a municipality elect representatives in unions, which in turn elect members to the executive 'national council'. The goal of the system is the regulation of production, while appointed administrators regulate distribution and consumption. Gerhard does not specify the way in which this society is to be achieved. Moreover, in practice he was not opposed to universal suffrage, which meant the entrance of workers into the parliamentary, territorial form of political representation.²⁴² The appropriate organization of worker's representation, however, was an important topic of discussion in socialist circles.

The Third Dutch Workingmen's Congress: debates on the representation of labour

On the Congress, that took place on the Pentecost weekend of May 28 and May 29, 59 representatives of 25 worker's associations in the Netherlands and Belgium were present, as well as interested persons and reporters from a number of national newspapers.²⁴³ In addition to the foundation of a newspaper and the abolition of private property, 'Representation of labour in society' was the main discussion point.²⁴⁴ Karel Deboos, representative of the Ghent department of the International, held the opening speech on this subject. According to him, representation of labour should be organized as 'a chamber of representation in the state, which, elected by workers, has to decide whether legislation proposed by the bourgeois is not in conflict with the interests of workers, and if it is, to reject and substitute it with better, more complete legislation'.²⁴⁵ Referring to the Paris Commune that had just been struck down, he gave examples of such legislation, such as a maximum work day and the foundation of co-operatives. H. Smit of the Amsterdam International and the soon-to-be-chairman of the ANWV Heldt, on the other hand, felt more for universal suffrage than a separate representation.²⁴⁶ This Deboos opposed, claiming that 'you should be represented in the state by and for your equals', in separate

²⁴¹ Hendrik Gerhard. 'Schets van een communistische samenleving'. In: *Verzamelde en nagelaten opstellen van H. Gerhard* (The Hague: Liebers 1887); Ernest Hueting, Frits de Jong and Rob Neij. *Troelstra en het model van de nieuwe staat* (Assen: Van Gorcum 1980) 7-8

²⁴² *Ibid.*, 8

²⁴³ The represented worker's associations included ones that adhered to the International, and ones that did not. Samuel Katz. *Officiëel verslag van het derde Nederlandsche Werklieden-congres, op Zondag 28 en Maandag 29 Mei 1871* (Amsterdam: Geesink 1871), 5-7

²⁴⁴ *Ibid.*, 31

²⁴⁵ *Ibid.*

²⁴⁶ *Ibid.*, 34

chambers of representation.²⁴⁷ It was J. Th. Scheepers of the Arnhem Algemeene Arbeiders-vereening ('General Worker's Association') who brought the guilds into memory: he had read that guild chairmen used to sit in municipal councils, and that in this way labour was represented.²⁴⁸ Still he, like others, favoured universal suffrage rather than a counterpart to the Second Chamber in the form of a working-class parliament. When the next speaker accused the International of preaching violence and said: 'The sudden representation of labour that you demand is foolishness',²⁴⁹ the debate turned into a ruckus, and the subject was dropped. Yet, despite its open-ended character, a division of preferences between delegate and trustee representation, of functional, workers-only or immersion in territorial representation, of the idea of microcosmic representation can be distinguished. A social parliament, as well as the guild model had been invoked. The question of whether to work towards a revolutionary re-establishment of society, or demand universal suffrage and go the parliamentary road would later on in the 1890s be the main point of division between the socialists.

Progressive liberal proposals

Around 1870, a new generation of liberals more open to an increasing integration of state and society emerged. Its leading protagonists in the Second Chamber, such as Samuël van Houten, Isaïc Fransen van de Putte and Johannes Kappeyne van de Coppello, advocated an expansion of the franchise, public education as a means to modernize society and social legislation to improve the conditions of the working class.²⁵⁰ Outside of parliament, the progressive liberals manifested themselves in organizations such as Volksonderwijs, voter's associations such as Burgerplicht in Amsterdam, newspapers, and magazines such as *Vragen des Tijds* ('Questions of this Time').²⁵¹ This magazine founded in 1874 functioned as a platform for progressive liberal ideas for social and economic reform for the decades to come. In their thought on social and economic issues, the Dutch progressive liberals were to a large extent influenced by the German cathedra socialists that gained prominence around the same time.²⁵² The political economist Baltus Pekelharing in particular discussed their ideas on state intervention in *Vragen des Tijds*.²⁵³ Like their German counterparts, the Dutch progressive liberals saw the state as a moral guardian that had to protect the weak, and turn workers into good citizens. Voluntary action, nevertheless, remained

²⁴⁷ According to Deboos, this was the only way to stop capitalist oppression. *Ibid.*, 35

²⁴⁸ *Ibid.*, 35-37

²⁴⁹ This speaker was the journalist of the newspapers *Het Noorden* and *Het Vaderland* S.M.N. Calisch. *Ibid.*, 38

²⁵⁰ Stuurman, *Wacht op onze daden*, 185-186; Taal, *Liberale en Radicalen*, 25-27

²⁵¹ *Ibid.*, 29-42; Stuurman, *Wacht op onze daden*, 304-306

²⁵² Taal, *Liberale en Radicalen*, 35

²⁵³ Stuurman, *Wacht op onze daden*, 304-306

crucial.²⁵⁴ With the Comité ter bespreking van de Sociale Kwestie ('Committee for Discussion of the Social Question'), the progressive liberals founded the first organization in the Netherlands to publicly call attention to the social and economic situation of the workers. In this organization, their first proposals for organs of representation and conciliation for workers and employers were heard.

The Comité ter bespreking van de Sociale Kwestie: proposals for councils of conciliation

The Comité was founded in Utrecht on October 30, 1870 by the state attorney J. de Jong van Beek en Donk and two other members.²⁵⁵ Before its foundation, the controversial question of whether workers themselves were welcome to participate had led to a split in the organization; the three of twelve members in favour had continued on their own. Now, a number of working class representatives were allowed to join, amongst whom Gerhard and Heldt.²⁵⁶ The Comité consisted of 35 members, whose names read like a who's who of progressive liberals of the later nineteenth century: among them were the industrialist Jacques van Marken, the economist Baltus Pekelharing, the journalist and later politician Hendrik Goeman Borgesius, and the school inspector and later politician Arnold Kerdijs.²⁵⁷ Their goal was to discuss specific reforms for a gradual improvement of the social and economical conditions of the workers. In the four years of its existence, the Comité organized seven public meetings, some of which were attended by over a thousand people, including workers.²⁵⁸

The topics that the Comité discussed were, amongst others, the abolition of child labour, the right to strike, housing conditions, the co-operative, the participation system, and finally councils of reconciliation.²⁵⁹ Concerning the latter, on June 30, 1872 the Comité called a meeting in Amsterdam in which to discuss the foundation of 'Councils for Reconciliation at Strikes'. Because of the high attendance, the meeting had to be postponed to July 7. Here, the Comité distributed draft regulations for the proposed institutions. The Councils for Reconciliation were to be founded on company level, 'to settle as an arbitrator all the disputes about wages and relations between patrons and companions which by either side are submitted to its judgment, and to

²⁵⁴ Stefan Dudink. *Deugdzaam liberalisme. Sociaal-liberalisme in Nederland 1870-1901* (Amsterdam: Stichting beheer IISG 1997) 49-52

²⁵⁵ The Comité was meant as a loose forum in which to discuss the social and economical situation of the workers in Dutch society, and to promote awareness of this issue amongst the wider population. B.H. Pekelharing. 'Herinneringen aan een tweetal comité's.' In: *Vragen des Tijds* (1895), Vol. 21, No. 2, 354-381

²⁵⁶ Taal, *Liberalen en Radicalen*, 31

²⁵⁷ *Ibid.*, 30; Bymholt. *Geschiedenis der arbeidersbeweging in Nederland*, 167

²⁵⁸ T.J. Boschloo. *De productiemaatschappij. Liberalisme, economische wetenschap en het vraagstuk der armoede in Nederland 1800-1875* (Hilversum: Verloren 1989) 206

²⁵⁹ Theo van Tijn. 'Den werkman het gevoel van verlaten zijn ontnemen. De progressief-liberalen in Nederland en het sociale vraagstuk (ca. 1870-1896)'. In: Schutte, *De ontwikkeling van het christelijk-sociale denken en handelen in Nederland 1891-1914*, 181-201, there: 186

exercise its influence to settle all points of difference through conciliatory intervention'.²⁶⁰ A Council of Reconciliation was to consist of nine employers and nine workers, to be elected by separate conventions.

Despite these proposals, it appears that the Comité did not come back on them for the remainder of its existence. Representative institutions for workers and employers with a conciliatory function, however, would remain topics for discussion among progressive liberals for the years to come.

'Workers-courts': Quack's appropriation of the British boards of arbitration

A similar plea for councils of arbitration and conciliation was held by the liberal professor in economics Hendrick Peter Godfried Quack. Quack had studied law in Amsterdam, where he was influenced by the Christian conservative professors Jeronimo de Bosch Kemper and Martinus des Amorie van der Hoeven.²⁶¹ Like them, he became critical of the assumptions of laissez-faire liberalism, but moved in a more socially liberal direction. As such, he wrote articles in the liberal literary magazine *De Gids* ('The Guide') on political and social issues, and in the course of twenty years published one of the first Dutch treatises on the international socialist movement.²⁶² In 1874, Quack published an article on English Christian socialist Frederick Maurice.²⁶³ Entitled 'Maurice and the workers', Quack discussed the works of Maurice and the history of the English labour movement. He elaborated on the concept and workings of the trade union, a 'durably organized systematic coalition of workers'²⁶⁴ that replaced the guilds, as well as the co-operative, which he considered the highest form of labour organization because it abolishes the distinction between patrons and workers. Then, Quack discussed the 'workers-courts': the councils of conciliation and arbitration between employers and workers that 'judge on present and future working conditions'.²⁶⁵ Tracing them back to 1860, Quack was very enthusiastic about these institutions, which according to him in Great Britain have in addition to arbitration have paid attention to such matters as housing conditions and social legislation.

Like the proposal of the Comité ter bespreking van de Sociale Kwestie, Quack conceived of the 'workers-courts' as one practical solution to the social question among many, but at the same

²⁶⁰ *De Werkmansvriend* (June 28, July 5 and July 12 1872), cited in: Hagoort, *Het beginsel behouden*, 14

²⁶¹ 'Quack, Hendrick Pieter Godfried'. In: IISG, *Biografisch Woordenboek van het Socialisme en de Arbeidersbeweging in Nederland*. On: 'Hendrick Pieter Godfried Quack', <http://www.iisg.nl/bwsa/bios/quack.html>. Last checked August 19, 2009

²⁶² H.P.G. Quack. *De Socialisten: Personen en Stelsels* (Amsterdam: Van Kampen 1933-1960)

²⁶³ This article was later re-published in an article collection entitled *Studiën op sociaal gebied*, which I have used.

H.P.G. Quack. 'Maurice en de arbeiders'. In: H.P.G. Quack, *Studiën op sociaal gebied* (Haarlem: H.D. Tjeenk Willink 1881) 121-182

²⁶⁴ *Ibid.*, 127

²⁶⁵ *Ibid.*, 131

time as a recognition of worker's interests and organization for self-help. In 1892, Quack would act as supervisor at the University of Amsterdam to the dissertation of Van Heukelom on the subject of labour councils.²⁶⁶

The Chambers of Labour of the ANWV

In 1878 the foundation of Chambers of Labour was made an official point of the program of the ANWV. The leadership of the moderate worker's association ANWV was closely connected to the members of the progressive liberal Comité: Goeman Borgesius, Kerdijk and Pekelharing were present at several of its conventions.²⁶⁷ Like the Comité, the ANWV aimed at reconciliation between workers and employers, and gradual social reform to improve the social and economic conditions of the workers. The most important points of its social program were therefore the expansion of the franchise to the working class, improved public education, and a legal settlement of the ten hour work day.²⁶⁸ This program was adopted in June 1878, during a congress in Utrecht where representatives of more than fifty labour associations were present. Among the points adopted was also a proposal from 'Rotterdam' for Chambers of Labour: 'A motion, in which the desirability of the foundation [of Chambers of Labour] was articulated, was accepted.'²⁶⁹ Although this was not elaborated upon, the idea of Chambers of Labour fits in the outlook of the ANWV: that of piecemeal social alleviation of the conditions of the working class, by means of cooperation with employers.

The progressive liberals that emerged in the 1870s pleaded for organs of representation and conciliation for workers and employers as one solution to the social question. In this, they were influenced by the German cathedra socialists of the same era, but also by the practical examples of the British boards of conciliation and arbitration. With this, a foundation was laid to come up with more specific institutional proposals in the years to come.

The debate from the mid-1880s onwards

The social question had first been put on the agenda in the Netherlands in the 1870s. In the next decade, economic cycles and increasing private organization of labour made it again a salient topic in public debate, resulting among others in parliamentary investigations on possible social legislation. Like at the start of the previous decade, moreover, new forms of representation were

²⁶⁶ Van Eeghen, 'H.P. van Heukelom'

²⁶⁷ Stuurman, *Wacht op onze daden*, 305

²⁶⁸ Windmuller and De Galan, *Arbeidsverhoudingen in Nederland*, 16-17

²⁶⁹ Bymholt, *Geschiedenis der arbeidersbeweging*, 228

also debated. Before I will go into this, to sketch the context of this debate I will first shortly discuss economic developments, private labour organization and social legislation.

Although the Dutch economy largely escaped the Great Depression, because of a new international crisis in the early 1880s agricultural prices fell and the development of industry stagnated.²⁷⁰ During most of the decade, unemployment rose while social and economic conditions of the workers were perceived as worsening. The years between 1887 and 1895 were marked by increasing labour unrest, in which newly found socialist worker's organizations sometimes played a role. Out of these associations in 1881 the Sociaal Democratische Bond ('Social Democratic Union') (SDB) was formed. Under the leadership of Ferdinand Domela Nieuwenhuis, the SDB adopted an antiparliamentary and revolutionary anarchist stance.²⁷¹ In the ensuing decade, the SDB as well as the Protestant Patrimonium grew in membership at the cost of the progressive liberal ANWV.²⁷² Within Patrimonium, in this period a discussion was started about the adoption of a program for social legislation and the recognition of the right to strike.²⁷³ Furthermore, in 1888 the Roomsche Katholieke Volksbond ('Roman Catholic People's Union') was founded as a mixed organization for workers and employers. The antiparliamentary stance of the SDB in 1894 led to a split in the organization, resulting in the foundation of the Sociaal Democratische Arbeiderspartij ('Social Democratic Worker's Party') (SDAP), which did accept parliamentary democracy and strove for incremental social change. The end of the decade witnessed a considerable increase in the number of local and national worker's organizations.²⁷⁴ These years also saw violent strikes in the Twente textile industry, of which especially the 1888 strike at the factory of the Scholten family in Almelo received a considerable amount of public attention.²⁷⁵

Since the Law on Child Labour in 1874, no further social legislation had been enacted. In 1886, however, the Second Chamber initiated a new parliamentary inquiry into 'the situation in factories and workshops'.²⁷⁶ In the commission, amongst others Goeman Borgesius, Heldt, the antirevolutionary Jan van Alphen and the Catholic Bernardus Bahlmann took place. As a result of its recommendations, in 1889 the Labour Law was passed, which further regulated protection for

²⁷⁰ Van Zanden, 'Industrialization in the Netherlands', 88

²⁷¹ Windmuller and De Galan, *Arbeidsverhoudingen in Nederland*, 19

²⁷² Between 1885 and 1894, the first had between 2,000 and 5,000 members, while the second counted 10,000 members in 1892.

²⁷³ H.J. Langeveld. 'Protestantsche Christenen van Nederland, vereenigt u - althans wat de sociale nooden betreft. Achtergronden, organisatie en resultaten van het Christelijk-Sociaal Congres van 1891'. In: Schutte, *De ontwikkeling van het christelijk-sociale denken en handelen in Nederland 1891-1914*, 103-141, there: 106-112

²⁷⁴ Windmuller and De Galan, *Arbeidsverhoudingen in Nederland*, 20

²⁷⁵ Here, despite police and military action but with public support and a national collection organized by the industrialist Jacques van Marken, the strikers eventually managed to get their demands for a wage rise honoured. *Ibid.*, 53

²⁷⁶ Jacques Giele (ed.). *Een kwaad leven. De arbeidsenquête van 1887. Heruitgave van de 'Enquête betreffende werking en uitbreiding der wet van 19 September 1874 (Staatsblad No. 130) en naar de toestand van fabrieken en werkplaatsen (Sneek 1887)* (Nijmegen: Uitgeverij LINK 1981)

woman and children. In 1890, furthermore, a state commission led by the member of the Council of State Willem Rochussen was appointed, which until 1894 would investigate to what extent further social legislation would be necessary.²⁷⁷ The late 1880s thus saw an increasing interest in the regulation of social and economic life by the state.

In his 1892 dissertation on labour councils, Van Heukelom states that the years from 1887 onwards also saw an heightened interest on the subject of labour councils in the public debate.²⁷⁸ The earlier, more scattered proposals of the a decade and a half ago were in this time period more frequently heard and made more concrete along several lines. While in progressive liberal circles a social interventionist approach aimed at conciliation can be said to dominate, in the antirevolutionary thought of Kuyper the Chambers came to be regarded as corporative units for organic representation. Other antirevolutionary leaders, however, favoured more moderate proposals. In socialist circles, the debate on the appropriate form of worker's representation led to a split in organizations. In addition to conciliation between workers and employers and a means of organic interest representation, moreover, in the debate a new function was now regularly attached to Chambers of Labour or similar institutions: that of providing expertise and advice to the state in matters concerning social and economic interests. I will presently discuss these proposals.

Liberal proposals

The institutional experiments of Van Marken

In addition to the various proposals for labour councils by liberal and, as will be shown, antirevolutionary publicists, during the 1870s and 1880s actual institutions were proposed and set up by the progressive liberal, paternalist industrialist Jacques van Marken.²⁷⁹ Van Marken had been a member of the Comité and had there argued for the participation system: a factory system in which the workers shared in the profits of the company. This share could come in the form of social services provided by the employer, while at the same time workers would be granted representation in works' councils.²⁸⁰ In the course of his life, Van Marken proceeded to implement his ideas in the companies he owned. In 1873, together with his brother-in-law Kerdijk, he founded a consumer's cooperative in Delft; in 1882, he founded a cooperative bakery, and in 1892 a printing press that was co-owned by management and workers. Van Marken conducted his best-known experiments in worker's participation in his factory for yeast and

²⁷⁷ Roebroek, *Twee eeuwen sociale politiek, verzorgingsstaat en sociale zekerheid in Nederland*, 84-85

²⁷⁸ Van Heukelom, *Arbeidsraden*, 228

²⁷⁹ Dudink, *Deugdzaam liberalisme*, 112

²⁸⁰ The participation system would thus increase the sense of responsibility of the workers and reduce the tension between capital and labour. Boschloo, *De productiemaatschappij*, 213-219

denatured alcohol production in Delft.²⁸¹ Here, in 1878 the first works' council in the Netherlands was set up: an elected advisory board consisting of workers as well as management, called 'the Core'.²⁸² This board was to advise on the social services that were considered part of the workers' share. Funds for health, old age and accident insurance were set up, and a housing park for workers built which included schools and shops.

Van Marken elaborated his views in *De Fabrieksbode* ('The Factory Courier'), a weekly that was distributed in his factory in Delft. Out of this, a brochure was published in March 1888 which contained his views on Social Democracy, courts of arbitration, and the relationship between capital and labour.²⁸³ The courts of arbitration in Van Marken's view were a practical affair: the modern factory had grown so large that personal relations between the patron and his employees had suffered. Most complaints were about middlemen, but a patron, however willing, had no means to respond to them, and would always be mistrusted. Therefore, Van Marken wished to establish courts of arbitration.²⁸⁴ Referring to Kerdijk's article on the English boards of arbitration, and German examples, these were to consist evenly of workers and employers, elected separately, and presided over by a neutral jurist. According to the draft regulations published next, the board of arbitration of the Nederlandsche Gist- & Spiritusfabriek and the Nederlandsche Oliefabriek ('Dutch Oil Factory') was to consist of two employers and two workers, to be appointed by the board of directors and elected by the personnel.²⁸⁵ However, members of the board of directors or the personnel themselves could not be elected to the board of arbitration, meaning that members would have to be sought outside.²⁸⁶ Proceedings and results of the court were to be published in *De Fabrieksbode*. Van Marken frequently insists upon the justice and fairness that are to rule in his factory, rather than the right of the strongest.²⁸⁷

'Permanent committees of inquiry': Levy's addition of the statistical function

The liberal lawyer Isaac Abraham Levy is credited with publishing the first brochure solely on the subject of labour councils.²⁸⁸ Levy was a well-known figure in the public debate: he was an active member of the Amsterdam voter's association *Burgerpligt*, regularly publicized in newspapers and magazines, and stood at the basis of the first national liberal party: the Liberal

²⁸¹ This is the N.V. Nederlandsche Gist- & en Spiritusfabriek ('Dutch Yeast- & Denatured Alcohol Factory'), which Van Marken had co-founded in 1869.

²⁸² This was named after a similar institution in the Parisian painting company of Edmond Jean Leclair, called 'le noyau'. Boschloo, *De productiemaatschappij*, 217

²⁸³ J.C. van Marken. *Uit "De Fabrieksbode". De sociaal-democratie – scheidsgerechten. Kapitaal en arbeid* (Haarlem: H.D. Tjeenk Willink 1888)

²⁸⁴ *Ibid.*, 43

²⁸⁵ They had to be at least twenty-five years old and living in Delft or Vrijenban for at least 3 years. *Ibid.*, 45-46

²⁸⁶ This differs from the setup of similar institutions elsewhere. *Ibid.*, 46

²⁸⁷ *Ibid.*, 49-50

²⁸⁸ *Ibid.*, 229; Helderman, *Kamers van Arbeid*, 26

Union, founded in 1885.²⁸⁹ He was an advocate of universal suffrage as well as social legislation and labour organization. *Arbeidsraden* ('Labour Councils') was the third in a series of 'Writings about Social Questions', published by the Liberal Union.²⁹⁰ In it, Levy criticized Manchester economic liberalism, which according to him had become a collection of abstract dogmas that saw harmony where in reality there is social misery. He conceded that this has led to class struggle, of which revolutionary socialism has taken advantage. In opposition to both, Levy placed the German 'ethical-historical school', which paid more attention to the historical and societal context of economic laws.²⁹¹ Citing at length the Göttingen economist Gustav Cohn, who argued for the moral need of state intervention in the economy, Levy made the case that factual knowledge of the economic condition of the workers is the first requisite for any social reform. For this purpose, he proposed the foundation of 'Labour Councils'. These, according to him, would be 'bodies of consultation, meant to give the government, after decent consideration, on their own initiative, or on demand, the advice that she requires'.²⁹² The councils should be composed of both employers and workers, and be established by the government throughout the country. Levy stated explicitly, however, that their activities would be of an 'economic, not a political' nature: 'To give birth to labour parliaments would be a regression and a debasement. The Estates-General represent the entire Dutch people, and there is neither right nor reason to allot a part of the people a separate Representation.'²⁹³ To create a state organ would be something different, however; such an institution would be a reliable means of expertise to the government. A 'Central Commission' could process the information in a simple, methodical fashion.²⁹⁴

Levy thus proposed what he called 'permanent committees of inquiry'. The labour councils should be both permanent and stimulate self-help. As examples, he points to the American state-level Bureaus of Labour Statistics founded in the 1870s and the federal Bureau of Labour founded in 1884 (which President Cleveland proposed to expand with powers of arbitration two years later), the Prussian Economic Council founded by Bismarck in 1880, and Frère-Orban's proposal for Councils of Industry and Labour in Belgium in 1886.²⁹⁵ Finally, Levy points to a legislative

²⁸⁹ Te Velde, 'Van Grondwet tot Grondwet', 111

²⁹⁰ J.A. Levy. *Arbeidsraden. Geschriften over sociale vragen, uitgegeven vanwege de Liberale Unie; no. 3* (Nijmegen: H.C.A. Thieme 1887)

²⁹¹ Levy, *Arbeidsraden*, 8-9

²⁹² *Ibid.*, 14

²⁹³ *Ibid.*, 15

²⁹⁴ *Ibid.* Levy also notes that that the information yielded has to be brought to the light of publicity, and be critically approached.

²⁹⁵ *Ibid.*, 17-32

proposal in Austria for *Arbeiterkammern* ('Chambers of Labour') as corporative bodies in public law with representative functions, the latter aspect of which he disapproves.²⁹⁶

Kerdijk's advocacy of labour councils

One of the most active proponents of labour councils, albeit as will be explicated somewhat different in setup than the proposals of Levy, was Arnold Kerdijk. Kerdijk had been a member of the Comité ter bespreking van de Sociale Kwestie and *Vragen des Tijds*, as well as the Vereeniging tot bevordering der Coöperatie ('Association for the promotion of the Co-operative'). Furthermore, as Member of the Second Chamber he took part in the parliamentary inquiry into working conditions of 1887, as well as the Rochussen state commission for the preparation of social legislation.²⁹⁷ Van Heukelom mentions the 'numerous' articles and lectures that Kerdijk gave on labour councils throughout the country.²⁹⁸ One of the first, in the *Sociaal Weekblad* of 1887, contains a historical sketch of the development of boards of conciliation in England.²⁹⁹ Kerdijk presented these boards as a method for improving the relations between capital and labour: they conciliated disputes between workers and employers. Furthermore, 'they give the workers information concerning the state of the labour market and capital. Wages are set while strife is avoided; except for wages, other conditions are settled in the same way, such as the working day, the method of payment, the company's statutes, the fines, the appropriations, etc.'³⁰⁰

In February 1889, Kerdijk gave a lecture at Burgerplicht in Amsterdam. Here, he discussed all contemporary regulations in foreign countries, and argued that labour councils should be founded for legal issues, and boards of conciliation for conflicts of interest. He did not want to attach both functions to the same institution, and 'did not consider labour councils as advisory bodies necessary. If the Chambers of Commerce and Factories were to be separated into Chambers of Commerce and Chambers of Industry with worker's representation, these organs were already found.'³⁰¹

Two years later, however, Kerdijk had changed his opinion. In September 1891, he was invited to present a lecture on the desirability and possibility of the foundation of labour councils in the Netherlands at the three-day general meeting of the Vereeniging ter bevordering van de fabrieks-

²⁹⁶ 'The proposal has a twofold goal. They want to establish an organ of societal self-governance recognized by the state, and furthermore to give the workers the opportunity to be represented in the Legislature. This last point we can leave aside as something of an entirely local nature. (...) The instrument to that would be the establishment of an organization in public law, which like similar bodies would take its place in the life of the State, and feels subordinate to the all-embracing Polity ('staatsgemeenschap').' *Ibid.*, 32-33

²⁹⁷ Taal, *Liberalen en Radicals*, 33-34;

²⁹⁸ Van Heukelom, *Arbeidsraden*, 229-230

²⁹⁹ Arnold Kerdijk (red.). 'Uit alle landen'. In: *Sociaal Weekblad*, Vol. 1, No. 31 (July 30, 1887), 255-257

³⁰⁰ *Ibid.*, 257

³⁰¹ Van Heukelom, *Arbeidsraden*, 230

en handwerksnijverheid ('Association for the advancement of Factory and Manual Labour') in Dordrecht.³⁰² This lecture was published as a front page article in the *Sociaal Weekblad* a few months later.³⁰³ Entitled 'Labour councils and their function', Kerdijk distinguished three functions for the new organizations: first, they should provide advice at all levels of state on the interests of the workers; second, they should further relations between workers and employers by preventing disputes; and third, they should fairly adjudicate disputes once arisen. Kerdijk now wanted to unite the conciliatory and judiciary functions of labour councils. Concerning their advisory function, Kerdijk stated that labour had been deprived of its rightful place in the system of government. Up till now, no attention had been paid to the special interests of the workers, while the opposing interests of industry had been represented by the Chambers of Commerce. This has led to one-sided advice. Therefore, Kerdijk preferred labour councils consisting of workers alone, for this would generate a single advice rather than a compromise, which could then be weighed by the government against that of capital.³⁰⁴ However, in the case of dispute conciliation, he did want a council that is representative of both sides. 'Speaker does not belong to those, who dream and sing of the harmony of interests between patrons and workers,'³⁰⁵ Kerdijk wrote, but he did believe in the possibility of signaling abuses and overcoming grievances through deliberation. If a judicial dispute might break out, for example about breaking labour contracts, Kerdijk hoped that parties would choose not to go to court, but ask the labour council for arbitration. Thus, he did not want to endow labour councils with real judiciary power.³⁰⁶ In conclusion, Kerdijk referred to the 1887 law on Councils of Labour and Industry in Belgium, which he proposed to take over but amend with the appointment of neutral, independent chairmen.

Socialist proposals

In socialist circles, the appropriate form of worker's representation remained a topic of debate. In 1880, both Gerhard and the revolutionary socialist SDB leader Domela Nieuwenhuis were

³⁰² Ibid., 230-23. The Vereeniging tot bevordering van de fabrieks- en handwerksnijverheid was a national organization of small manufacturers and schooled workers founded in 1851, which in 1897 had 8 departments around the country, including in Amsterdam, The Hague, Utrecht and Dordrecht. The goal of the Vereeniging according to its regulations was to 'represent the interests of manufacturers'. The Vereeniging's activities consisted mostly of organizing lectures and discussion nights, but also the establishment of trade schools for workers. See: Archieven.nl. 'Vereeniging ter bevordering van de fabrieks- en handwerksnijverheid in Nederland'. On: http://www.archieven.nl/pls/m/zkstart.ahd?p1=59&p_adt=59&p_code=0245-01. Last checked June 22, 2009

³⁰³ Arnold Kerdijk (red.). 'Arbeidsraden en hun taak'. In: *Sociaal Weekblad*, Vol. 5, No. 51 (December 19, 1891), 457-460

³⁰⁴ Ibid., 457-458

³⁰⁵ Ibid., 458

³⁰⁶ Unlike the *conseils de prud'hommes* in France. A few years earlier, Kerdijk had proposed the foundation of similar councils in the Netherlands, but after consideration of the Constitution withdrew this in favour of his present idea. Ibid., 459

candidates in the elections for the municipal council in Amsterdam and the Second Chamber, thus recognizing the territorial, parliamentary form of political representation. In the first political program of the SDB, moreover, universal suffrage was taken up as a demand, and several socialist organizations took part in the 1880s movement for universal suffrage in the Netherlands.³⁰⁷ In this view, extension of voting rights to workers was seen as a means to employ state power for the enactment of social legislation. Nevertheless, during the voting rights march of 1885, the typographer and SDB speaker C.J. van Raaij publicly demanded the institution of a worker's parliament in addition to the Second Chamber, which he saw as dominated by the propertied classes. Van Raaij stated that 'we represent the Dutch people better than the gentlemen, who presume the right to do so and rule us,' thus presenting the workers as those best resembling the political nation.³⁰⁸ Domela, however, although he saw the institution of a worker's parliament as the real revolution,³⁰⁹ believed that it was too early for this.

Around 1890 the divergence between proponents of the entrance of disenfranchised workers to the territorial parliament, and advocates of specific, functional worker's representation widened. In 1888, Domela was elected to the Second Chamber, where he grew increasingly disaffected with this institution, eventually to adopt an anarchist stance. A few years later, however, the engineer and journalist of the socialist magazine *Recht voor Allen* ('Justice for All') Henri van Kol published a brochure in which he outlined another, more reformist vision of a future socialist state with alternative forms of political representation.

The economic and political chambers of Van Kol

In the brochure *Socialisme en Vrijheid* (1893), Van Kol proposed the establishment of the dual institutions of a 'chambre économique' ('economic chamber') and a 'chambre politique' ('political chamber') in the future socialist state.³¹⁰ The economic chamber should be elected by workers of all major industrial branches, and regulate production and distribution guided by experts: 'Chosen from all trade associations, this 'Household Council' forms a complete picture of all workers, a regulatory body in which more and more political forms will dissolve, and which should govern the 'common heritage''.³¹¹ The political chamber, on the other hand, should represent the people as citizens, and be elected through universal suffrage for both men and women. This chamber should be divided into a number of expert councils, which concern themselves with such issues as foreign policy, education and justice. Ultimately, 'all governing

³⁰⁷ Hueting, De Jong and Neij, *Troelstra en het model van de nieuwe staat*, 8

³⁰⁸ Bymholt, *Geschiedenis der Arbeidersbeweging in Nederland*, 348-349; Hueting, De Jong and Neij, *Troelstra en het model van de nieuwe staat*, 9

³⁰⁹ *Ibid.*

³¹⁰ Rienzi (pseud. Henri van Kol). *Socialisme en vrijheid* (Amsterdam: Fortuijn 1893)

³¹¹ Hueting, De Jong and Neij, *Troelstra en het model van de nieuwe staat*, 10

takes place from the bottom up: the groups form a municipality or department, the municipal groups join together in regional federations, and these form a national, international and (later!) planetary league'.³¹²

The ideas of Van Kol, who in 1897 would become one of the first members of the Second Chamber on behalf of the reformist socialist SDAP, contained a vision of state and society in which both functional and territorial forms of political representation have a place. While the first is elected by groups and forms an instance of microcosmic representation, the second resembles the parliamentary form of democracy representing the common good, supplemented by expert rule. Van Kol's proposal, although rooted in the ideas of the utopian socialist Saint-Simon,³¹³ is in this respect similar to many corporatist proposals. While the reformist strand of socialism in the Netherlands, represented by the SDAP, would increasingly accept parliamentary democracy but propose adjacent forms of political representation, revolutionary socialists represented by the SDB would entirely reject the former.

Antirevolutionary proposals

In antirevolutionary circles, Levy's 1887 brochure advocating the establishment of labour councils was well-received. In the same year, in the magazine *Patrimonium* three articles appeared in support, which stated that the establishment of these institutions should precede the enactment of a Legal Code of Labour.³¹⁴ In several annual meetings, moreover, the foundation of Chambers of Labour was advocated.³¹⁵ It was Kuyper, however, who dominated the debate.

Kuyper: Chambers of Labour as a corporatist reform of state and society

In the historiography, especially that of a Protestant signature, Kuyper is often credited with coming up with the idea for Chambers of Labour.³¹⁶ Although it by now has been established that he did not, he did play a major role in advocating their foundation in the public debate. Kuyper started his campaign in *De Standaard*, in which in a number of articles in February 1887 he worked out his conception of state and society, gave an historical account of the development of the working class, and advocated Chambers of Labour as the solution to the social question. In 1889, a brochure based on these articles entitled *Handenarbeid* ('Manual Labour') was published, which contained Kuyper's complete argument for Chambers of Labour as an organization of

³¹² Ibid., 11

³¹³ Ibid., 10

³¹⁴ Hagoort, *Het beginsel behouden*, 16

³¹⁵ Ibid., 16-17

³¹⁶ Hertogh, *De confessionele ordening van het Nederlandse socialezekerheidsstelsel*, 80

labour that fits into a system of organic representation.³¹⁷ In the brochure, Kuyper concretized his earlier ideas on a legal code of labour and a corporatist reform of society. The latter was set out in *Ons Program* ('Our Program'), the political program that accompanied the foundation of the ARP in 1879. In this work, the organic conception of state and society was made the explicit basis of antirevolutionary politics. On this was based an elaborate program of corporatist reform, that envisaged the foundation of functional corporations to elect municipal councils, provincial councils and up to the Estates-General, which was to consist of interest chambers of corporate estates.³¹⁸

In *Handenarbeid*, Kuyper first confined the scope of his Legal Code of Labour to manual labour, which was the means of subsistence for the majority of the population, thus making its condition necessarily a social question. Second, Kuyper specifically aimed not to speak about moral forces or compassion, but about what the lawgiver can do to solve the abuses in the social and economic condition of the workers. Dismissing not only laissez-faire liberalism but also the 'medical' solutions of progressive liberals such as Levy and Quack, he credited the Social Democrats for wanting to solve the problem by changing the basic architecture of society. Only, their flaw was not to acknowledge the divine nature of this architecture. Kuyper then went on to delimit the scope of state intervention. In his political philosophy of sphere sovereignty, the state is not allowed to intervene directly in the realm of manual labour, for example by raising wages, shortening the working hours, or creating jobs. This is because the government is only one holder of sovereignty amongst others. Society consists of 'spheres', such as the family, the school, the church and various societal organizations, and the autonomy of each sphere is divinely ordained. They are therefore free to regulate themselves as they see fit. Only when there is 'hypertrophy' because of a clash of spheres, in which one sphere dominates over the other, the state is allowed to intervene. This, according to Kuyper, was currently the case with the conflict between capital and labour. However, since 'the Estates-General represent the people considered as one sphere, [and] do not represent the distinctive, clashing spheres of Capital and Labour, each in the right proportion', Kuyper called for the establishment of Chambers of Labour as an official state organ to balance the Chambers of Commerce.³¹⁹ He did not want to restore the guilds, but he did want an organization of labour so that the workers can protect themselves against the effects of industrialization by other means than strikes or socialism.³²⁰

³¹⁷ Abraham Kuyper. *Handenarbeid* (Amsterdam: J.A. Wormser 1889)

³¹⁸ Abraham Kuyper. *Ons Program* (Amsterdam: Höveker en Wormser 1900, 4th ed.)

³¹⁹ Furthermore, since labour is multiform, it should receive 'an organ for each of its forms'.

³²⁰ 'Towards whether one wants to christen this organization with the name of *Guilds*, we are indifferent. Nobody means a restoration of the old Guilds. But we do demand acknowledgement of the Revolution that it made a fatal mistake when it demolished the ancient organization of labour, and failed to build a new one. With a tabula rasa, like we have had since almost a century, life is not served well.' *Ibid.*, 15-16

Kuyper envisaged the Chambers of Labour as the first step in a far larger program of reform.³²¹ However, the government could do no more than provide the scaffold for this reorganization, as the Chambers like the guilds would have to organize themselves autonomously. Nevertheless, he specifically proposed to have the Chambers represent 20,000 workers in a town or city, and be elected by every worker that has earned wages in this place for at least one year.³²² Kuyper preferred Chambers of Labour consisting solely of workers to mixed organizations, because of the difficulty of finding fair arrangements. And even then, an entire suborganization was to be founded to represent the different trades and industries. The task of the Chambers would be to give advice; but if the Chambers of Commerce were also endowed with more representational capacities, two advisory boards would be created to assist the government and each other.³²³ Moreover, boards of conciliation could be formed by both Chambers, and finally, delegates appointed to a General Chamber of Commerce and a General Chamber of Labour.³²⁴

In the later part of the brochure, Kuyper specified the issues about which the Chambers should give advice, comparing them positively to the proposals of Kerdijk. These were the relations between workers and employers, wages, work hours, insurance, care for widows and orphans, strikes, and everything that would be settled through a legal code of labour.³²⁵ He concluded by proposing that the First Chamber be transformed into a 'Chamber of Interests', to be elected by societal organizations such as universities, cities, churches, and the Chambers of Commerce and Labour.³²⁶

In *Handenarbeid*, Kuyper's indebtedness to the corporatist ideas and proposals of Social Catholic thinkers like Von Ketteler, Von Vogelsang and Hitze becomes clear. Like them, Kuyper attributed the social question to the dissolution of the corporative organization of labour by the French Revolution. Neither wanted a return, however, and like Von Ketteler Kuyper called on the state to regulate the organization of labour. However, Kuyper was closer to Von Vogelsang and Hitze in the autonomy of the corporative organizations that were to be instituted: these were themselves to solve those issues relating to the social question. The whole system was eventually to be crowned by a corporative Chamber of Interests.³²⁷

³²¹ In the analogy that Kuyper uses throughout *Handenarbeid*, the Chambers of Labour are the first brick of an entire house that is yet to be constructed. *Ibid.*, 21

³²² *Ibid.*, 21

³²³ *Ibid.*, 22

³²⁴ Oddly, even though he gives detailed prescriptions, Kuyper holds that the new organization has to be fine-tuned by the Chambers themselves instead of by the government, but could be completed in less than a year. *Ibid.*, 23

³²⁵ *Ibid.*, 31

³²⁶ *Ibid.*, 32

³²⁷ Steenkamp, *Het beginsel der bedrijfsorganisatie in protestants-christelijke kring*, 28-30

Kuyper advocated his proposals repeatedly the next few years in *De Standaard* articles.³²⁸ The institution of the Chambers of Labour was made a point in the 1888 political program of the ARP, and as shown was supported in the ranks of Patrimonium.³²⁹ In 1889, moreover, the leading antirevolutionary parliamentarian Alexander Frederik de Savornin Lohman proposed their establishment in the Second Chamber.³³⁰ This was to the dismay of Kuyper, however, as De Savornin Lohman's ideas differed from his, which will be related in Chapter Four. In the Christian Social Congress that was organized in 1891, the issue of the Chambers of Labour would be widely discussed, and reveal opposition against Kuyper's ideas in antirevolutionary circles.

The Christian Social Congress: Kuyper's opening speech

The Christian Social Congress was organized partially as a result of a near-split between Patrimonium and the ARP. The union led by Klaas Kater wanted working class members to take seats in the antirevolutionary fraction in the Second Chamber, as well as a concrete program for social legislation. Kuyper rejected this, sticking to his idea of corporative Chambers of Labour as the right organs for worker's interest representation.³³¹ As a compromise, he proposed the organization of a social congress likely modelled on the Congresses of Luik to discuss solutions to the social question.³³² In November 1891, this congress was held in Amsterdam.

The opening speech was held by Kuyper on the evening of November 9, and attended by about a thousand people.³³³ Entitled 'The social question and the Christian religion', Kuyper's speech was mostly a lineout of a program of principles. It contained no details about specific reform proposals, but aimed to put a possible social program on a Christian footing that shows embeddedness in international thinking. Kuyper frequently insisted upon the importance of the social question, stating that 'the social question is *the* question, has become the burning question of *life* at the end of the nineteenth century.'³³⁴ He opened by referring to foreign examples, such as the Christian Socialists inspired by Maurice in England, and 'what on the Roman Catholic side has been done by able thinkers like Le Play and Von Ketteler, by a whole series of important Congresses in Germany, France and Belgium, and recently by Leo XIII in his encyclical, for the solution to the social question.'³³⁵ Kuyper also referred to the awareness of the social results of

³²⁸ For example, in the issues appearing September 8, 1890 and November 3, 1890. Langeveld, 'Achtergronden, organisatie en resultaten van het Christelijk-Sociaal Congres van 1891', 109-111

³²⁹ Hagoort, *Het beginsel behouden*, 15-18

³³⁰ S. Citters. 'Kamers van Arbeid'. In: *De Economist*, Vol. 39, No. 1 (December 1890), 73-87, there: 81

³³¹ *Ibid.*, 106-112

³³² *Ibid.*, 112, 116

³³³ *Ibid.*, 122

³³⁴ Abraham Kuyper. 'Het sociale vraagstuk en de christelijke religie. Rede ter opening van het Sociaal-Congres op 9 November 1891' (Amsterdam: Wormser 1892) 18

³³⁵ *Ibid.*, 1-2

economic liberalism amongst the early nineteenth-century predecessors of Reformed thought in the Netherlands, and mentioned the religious rhetoric and imagery of many Socialists.³³⁶ There was thus an 'intrinsic connection' between Christianity and the social question, and the question was what is to be done.³³⁷

According to Kuyper, the root cause of the social question was this: 'The Christian religion sought personal human decency in the social cohesion of an organic-holistic society – the French Revolution disrupted this organic fabric, cut those social ties, and in her atomistic handiwork was left with nothing but the solitary, egoistic individual, defending his independence.'³³⁸ Out of the Revolution, social inequalities, a socialist movement, and a social question necessarily had to arise; the process of industrialization only added to it. The socialist movement in Kuyper's view was really about defending community life and the organic society against the individualism of the French Revolution and laissez-faire capitalism.³³⁹ Society is 'a *community* wanted by God, a living human *organism*', 'not a mechanism, made out of parts', but 'a body with limbs, living by the law that we are all each other's members'.³⁴⁰ But although the socialists had the problem right, they were misguided in their solutions; for whereas the Social Democrats wanted to let the state disappear in society, and the state socialists to let society disappear in the state, 'in opposition to that, we, as Christians, have to hold that State and Society each have their own sphere, their own sovereignty, and that the social question cannot be legitimately solved unless this duality is respected.'³⁴¹ Yet, moral reform and philanthropy were not enough, and a fundamental reconstruction of society was necessary. Therefore, Kuyper repeated his call for a legal code of labour to counterbalance commercial legislation. The working class should be given the legal opportunity to organize itself, and defend its interests.³⁴²

The discussion on Chambers of Labour

In addition the right to strike and land nationalization, the Chambers of Labour were the main topic of discussion during the Congress. The first subtopic was the constitution of the Chambers. In preparation for the Social Congress, the law professor Witius Hendrik de Savornin Lohman, whose father had proposed the institution of the Chambers in parliament, had drawn up a report in which he concluded that employers and workers should be equally represented in the

³³⁶ Ibid., 3

³³⁷ Ibid., 4

³³⁸ Ibid., 12-13

³³⁹ Ibid.

³⁴⁰ Ibid., 17

³⁴¹ Ibid., 24

³⁴² Ibid., 28

Chambers of Labour, as their main goal was a harmonization of interests.³⁴³ On behalf of the Amsterdam department of Patrimonium, K.A. van Eyle brought in the amendment that patrons and workers would convene separately and then take decisions in a combined meeting. Kuyper was against all this: he wanted Chambers of Labour solely for workers, as he doubted that opposing interests could be reconciled in mixed chambers. Yet, the majority of the section went with the Van Eyle amendment.³⁴⁴

The second subtopic was the functions and capacities of the desired Chambers. In the view of De Savornin Lohman, these should be to give advice to the government on matters concerning labour, to conciliate opposing interests between employers and workers and to arbitrate in the case of disputes. Moreover, he rejected the idea that the Chambers should have regulatory capacities in public law, as Kuyper desired.³⁴⁵ The mayor of Westbroek, Jan Hendrik de Waal Malefijt, on the other hand proposed to give the Chambers far-reaching capacities, including the control of pension funds and the regulation of labour contracts.³⁴⁶ As a compromise, a resolution was adopted that there would be no fixed limit on the functions of the Chambers, thus opening the way for expansion in the future.³⁴⁷

In the final resolutions, the Congress turned out not to go along completely with Kuyper's vision on the Chambers of Labour. Now, mixed organizations of representation for the conciliation of workers and employers were adopted without much further specification. The Chambers were to have no regulatory authority in public law. At the closing of the Congress, Kater held a speech arguing for immediate state intervention in their establishment, while the teacher A. Wiersinga proposed to let private initiatives take the lead in founding 'free corporations' of patrons and workers.³⁴⁸ Despite his public advocacy for Chambers of Labour as the first step in a program of corporatist reform, Kuyper's antirevolutionary partisans would not go along with him.

Conclusion

In the Netherlands, alternative and adjacent forms of representation and regulation were the subject of public debate from the third quarter of the nineteenth century onwards. The proposals for chambers, boards or councils of representation, conciliation and arbitration for workers and employers emanated from the new political currents that emerged around 1870: confessionals, socialists and progressive liberals all departed from the constitutional liberal conception on

³⁴³ Langeveld, 'Achtergronden, organisatie en resultaten van het Christelijk-Sociaal Congres van 1891', 126

³⁴⁴ Ibid., 126-127

³⁴⁵ W.H. de Savornin Lohman Az. *Kamers van Arbeid. Sociaal Congres; Sectie III. Punt 2* (Amsterdam 1891)

³⁴⁶ Steenkamp, *De gedachte der bedrijfsorganisatie in protestants-christelijke kring*, 35-36

³⁴⁷ Langeveld, 'Achtergronden, organisatie en resultaten van het Christelijk-Sociaal Congres van 1891', 127

³⁴⁸ Steenkamp, *De gedachte der bedrijfsorganisatie in protestants-christelijke kring*, 35

representation that had been dominant since the establishment of parliamentary democracy in 1848. They did this from different angles, however: while confessionals, influenced by Romanticist and organicist ideas that were current in other West European countries, pleaded for a partial, modernized guild restoration and a legal recognition of the interests of the fourth estate, socialists proposed revolutionary utopias of worker's democracy. Progressive liberals, meanwhile, took their cue from the German cathedra socialists and the British boards of arbitration, and proposed representative councils of conciliation as a means towards gradual improvement of the social conditions of the workers. In all currents, however, multiple forms of representation alongside parliamentary democracy were approved of.

From 1887 onwards, the public debate on organs of interest representation and conciliation for workers and employers was revived. Along the lines that were set out one and a half decades earlier, progressive liberals as well as antirevolutionaries now made more specific proposals for Chambers of Labour. Socialists, meanwhile, were split on the issue of the right form of worker's representation: territorial or functional. Among the progressive liberals, while institutional experiments with forms of representation and conciliation were conducted, the function of collecting statistics was introduced in the debate. Kerdijk, finally, advocated the institution of Chambers of Labour with a threefold function: the provision of advice to the state, dispute conciliation between workers and employers, and conflict prevention. While these proposals still fit in the progressive liberal emphasis on gradual social betterment through state intervention, the representative aspect of the Chambers was increasingly stressed. The same can be said for the antirevolutionary proposals, but from a rather different angle: in Kuyper's thought, the Chambers of Labour were the first step in a program of corporatist reform based on the organic conception of state and society. While the functions of his Chambers were quite similar to those of Kerdijk, Kuyper wanted them to have regulatory authority in public law, and function as modernized guilds or corporations. At the same time, a more moderate antirevolutionary approach emerged, which would increasingly be heard in public debate.

A few months after the Christian Social Congress, in May 1892, two separate legislative proposals for the institutionalization of Chambers of Labour were introduced in the Second Chamber: one by the progressive liberal Hendrik Pyttersen Tzn., and the other by the antirevolutionary Alexander Schimmelpenninck van der Oye. Now, their establishment became a parliamentary issue. I will discuss these proposals and their legislative treatment in Chapter Four on the legislative route towards Chambers of Labour.

Around the same time, in various places around the country private labour councils were founded by congregations of workers and employers. In these labour councils, experiments with representation and regulation were conducted on a private basis before their legal immersion in

the institutionalized Chambers of Labour as organs of the state. In the next chapter, I will discuss the private labour councils as they appeared before 1897.

The private labour councils

In the previous chapter, the public debate in the Netherlands on alternative forms of representation and regulation has been examined. Ultimately, concrete proposals for Chambers of Labour were done from different sides in the debate, leading to the parliamentary debate and legislative proposals which will be discussed in the next chapter. In the same period as these debates, however, institutional experiments took place with private forms of social and economic interest representation and regulation: in this chapter, I will examine the 'particuliere arbeidsraden' or private labour councils as they emerged in different places in the Netherlands in the early 1890s, and were in existence until 1899 at its latest. This will be done in the form of a comparative evaluation of the various private labour councils in their different aspects. Attention will be paid to the interaction of these private experiments with the official institution of Chambers of Labour by the state, as this pertains to their conceptualization and institutionalization with which this paper is concerned. While the constitution, setup, goals and functions of the Chambers of Labour instituted by the government would be fixed in the law, the private labour councils had to experiment for themselves. I will show that as the legislative process for the Chambers got under way, the private labour councils already acted as providers of advice and expertise to the state.

In the following, I will first shortly relate attempts to establish means of worker-employer conciliation in the 1870s. Then, the foundation processes of private labour councils in different places will be compared, after which the constitutional debates on the organization of representation, functions, scope and membership that followed on the decision to found a private labour council will be examined. Subsequently, I will look into the practices of the private labour councils in the course of their existence, which turned on the actualization of the representative, conciliatory and advisory functions they had given themselves. After more labour councils were founded, mutual cooperation between them increased, the form of which will be explored. Finally, I will go into the transition from private labour councils to official Chambers of Labour.

How did the labour councils position themselves in relation to the state organs to be founded around the country, and what role did they place in their institution?

The only private labour councils that have left substantial archives are those in Amsterdam and Dordrecht. Fortunately, several other private labour councils have left regulations and annual reports, on which an account can be based.

Previous attempts at dispute conciliation

Before the foundation of private labour councils in the 1890s, some attempts at dispute conciliation in the Netherlands had been made. In an article published in February 1887 in *Sociaal Weekblad*, the The Hague chemist and industrialist Johannes Mouton relates of these attempts in reaction to Levy's brochure *Arbeidsraden*.³⁴⁹ According to Mouton's report, in May 1873 the Chamber of Commerce and Factories in The Hague appointed a commission to try to clear disputes between cigar manufacturers and their workers. The attempts at reconciliation failed, however, because of the refusal of employers to admit members of the Dutch Cigar Makers Union to their factories. In Rotterdam, a similar attempt of the local Chamber of Commerce also failed, even while the commission came to an opposite decision., while in Utrecht dispute conciliation succeeded even though the commission now adopted the same conclusion as the Chamber in The Hague. An attempt of three industrialists of the Vereeniging ter bevordering van de fabrieks- en handwerksnijverheid in Leiden to conciliate in a dispute between patrons and workers in the De Heyder & Co. cotton factory failed, Mouton reports, because of the refusal of employers to cooperate. The same three industrialists later stated that they would be willing to try to conciliate once more if the need would arise. Mouton calls these attempts 'weak imitation' of the successful work done in other countries.

In 1890, finally, the Enschede section of Patrimonium established a Protestant 'Verzoeningsbond' ('Conciliation League'), which was meant to prevent strikes by prohibiting its members to take part in it. In its regulations, the election of a Chamber of Labour from its midst was taken up as well.³⁵⁰

³⁴⁹ J. Th. Mouton. 'Ten minste beproefd'. In: *Sociaal Weekblad*, Vol. 1, No. 6 (February 5, 1887), 53. In 1871, Mouton had co-founded the General The Hague Workingmen's Association ('Algemeene 's-Gravenhaagsche Werklieden-Vereeniging'). See: International Institute for Social History. 'Archief Algemeene 's-Gravenhaagsche Werklieden-vereeniging'. On: <http://www.iisg.nl/archives/nl/files/a/10738578.php>. Last checked June 7, 2009

³⁵⁰ Hagoort, *Het beginsel behouden*, 17

Foundation

Private labour councils in the Netherlands

The private labour councils are virtually ignored in Dutch historiography. According to Hagoort, 'Patrimonium played a big part in most of these bodies and took the initiative to their foundation in several places'.³⁵¹ This narrative is rather uncritically taken over by Helderma.³⁵² While it is true that Patrimonium stood at the basis of a number of councils in smaller places, in the cities it were mostly moderate worker's associations like the ANWV and larger patron's associations for manufacturing and construction that, often in collaboration, were initiators of their foundation. In these places, moreover, a host of local worker's and patron's associations for specific trades frequently joined in the process of foundation.

The first private labour council in the Netherlands to style itself as such was founded in The Hague in May 1891. This council for the construction industry was the result of collaboration between a number of associations: the The Hague department of the *Maatschappij tot bevordering der Bouwkunst*, the architect's association 'Architectura', the contractor's association 'De Nijverheid' ('The Industry'), the *Algemeene 's-Gravenhaagsche Werkliedenvereniging*, the *Nationale Werkliedenvereniging* ('National Working Men's Association') and three carpenter's associations.³⁵³ While the first three were organizations of architects and employers in the construction industry, the latter were worker's associations aiming at a gradual improvement of the situation of the workers.³⁵⁴ The setup of a labour council in The Hague was to a large extent the work of the contractor and industrialist F.H. van Malsen. In 1871, he had founded the 's-Gravenhaagsche Werkliedenvereniging along with Mouton; now, he was chairman of the local department and along with Muysken a member of the national board of the *Maatschappij tot bevordering der Bouwkunst*.³⁵⁵ The labour council in The Hague would prove a model for other councils soon to be founded around the country. Not only would aspiring founders in other places look at the practices in The Hague for example; the pattern of the establishment of a labour

³⁵¹ Hagoort, *Het beginsel behouden*, 19

³⁵² Helderma, *De Kamers van Arbeid 1897-1922*, 31

³⁵³ See: *Sociaal Weekblad*, Vol. 5 (January 30, 1892), 43-44. See also Van Heukelom, *Arbeidsraden*, 241-243

³⁵⁴ The goal of the first association, which has been mentioned in relation to Mouton, was 'to represent the material interests of the working man'. See: IISH. 'Archief Algemeene 's-Gravenhaagsche Werkliedenvereniging'. On: <http://www.iisg.nl/archives/nl/files/a/10738578.php>. Last checked June 29, 2009. The second association was founded in 1871 and meant as a national association for Dutch workers, to compete with the International that was founded two years earlier. Its basic principle was that 'association of capital and labour, combined with order and religion, are the means to the betterment of the working man'. Bymholt, *Geschiedenis der arbeidersbeweging I*, 77-78, 88-89

³⁵⁵ Later, he would also become member of the municipal council in The Hague. 'Officieel gedeelte. F.H. van Malsen. †'. In: *Bouwkundig Weekblad. Organ van de Maatschappij tot bevordering der Bouwkunst* Vol. 34 No. 4 (January 24, 1914) 48

council by a congregation of associations of workers and employers in the construction industry, often headed by a key figure, would also be repeated.³⁵⁶

The next two private labour councils appeared in the province of Friesland. Hailed as ‘another welcome experiment’ by the *Sociaal Weekblad*, the first of these was founded in Bolsward. Here, in early 1892, the initiative was taken by the local department of Patrimonium. In cooperation with the mayor of Bolsward, the Chamber of Commerce and a member of the municipal council, the foundation meeting was held with the ANWV, the Roomsche Katholieke Werkliedenvereniging and the employer’s association the Vereeniging voor Handel en Nijverheid (‘Association of Trade and Industry’).³⁵⁷ In Franeker, the initiative to found a labour council also originated at Patrimonium.³⁵⁸ In a departure from the practice in other places, the council here was christened ‘Chamber of Labour’.³⁵⁹

The next labour council to appear was the one in Amsterdam, which will be discussed in more detail later. The foundation of a labour council in the small city of Zutphen was again the initiative of Patrimonium, this time in combination with its counterpart, the antirevolutionary employer’s association Boaz.³⁶⁰ In July 1893, the council’s regulations were approved in a combined meeting. The next year, at least five non-denominational worker’s and patron’s associations had joined.³⁶¹

The year 1894 saw the establishment of private labour councils in the larger places of Haarlem, Leiden and Dordrecht, as well as in Kampen. In Utrecht, an attempt to found a labour council failed. Here, the Maatschappij tot Bevordering der Nijverheid took the initiative. On a meeting in November with a number of worker’s and patron’s associations, including Patrimonium, Boaz, the Vereeniging ter bevordering van de fabrieks- en handwerksnijverheid and the local Chamber of Commerce, it was decided to found a labour council or Chamber of Labour ‘in the example of Dordrecht’ rather than just a ‘commission for arbitration’, until such an institution would be

³⁵⁶ This analysis is based on my own comparative evaluation of the foundation process of the different labour councils in the Netherlands, and reinforced by a similar analysis made by Van Heukelom in the article ‘Arbeidsraden in Nederland’, published in 1895. Hendrik Pieter van Heukelom. ‘Arbeidsraden in Nederland’. In: *Vragen des Tijds II* (Haarlem: H.D. Tjeenk Willink 1895) 277-292

³⁵⁷ ‘Weder een goed bericht.’ In: *Sociaal Weekblad*, Vol. 6, No. 7 (February 13, 1892) 59; ‘Weder een welkome proefneming.’ In: *Sociaal Weekblad*, Vol. 6, No. 18 (April 30, 1892) 166

³⁵⁸ It is not clear which other associations joined. Van Heukelom, *Arbeidsraden*, 245

³⁵⁹ As will become clear, the labour council in Franeker also differed markedly from other councils in several respects.

³⁶⁰ Hagoort, *Het beginsel behouden*, 20

³⁶¹ These included the Algemeene Arbeidersvereniging (‘General Worker’s Association’); the furniture maker’s and paperhanger’s association; the lime and stone worker’s association; the Bouwkundige Vereeniging (‘Architectural Association’) and the architect’s association. ‘Tweede Jaarverslag van den Arbeidsraad voor Bouw- en aanverwante vakken te Zutphen’. March 1895. In: Archief Particuliere arbeidsraad. 197. Jaarverslagen van verschillende arbeidsraden, 1894-1896. 39. Zutphen, 1894-1895. Erfgoedcentrum DiEP Dordrecht. According to the *Utrechts Nieuwsblad* of February 23, 1895, the Maatschappij tot Nut van ’t Algemeen was also a member association.

officially instituted.³⁶² The commission for the regulations in the meantime functioned as arbitration commission in a dispute involving a local worker's associations.³⁶³ After comparing the rules and regulations in other cities,³⁶⁴ in March 1895 the regulations were accepted.³⁶⁵ After his, however, the foundation process seems to have broken off: a Utrecht council does not appear in newspapers, and is not mentioned in the records of other labour councils. From the labour council in Kampen too, no records survive. The initiative for the labour councils in Leiden and Haarlem came from the progressive liberal ANWV. In Leiden, at a meeting with representatives of several associations at the house of the local chairman of the ANWV, the board of the future labour council was elected. Chairman was the progressive liberal law professor Hendrik Lodewijk Drucker, who a few months later would be elected Member of the Second Chamber.³⁶⁶ In Haarlem, the ANWV worked together with the Maatschappij tot Bevordering der Nijverheid ('Society for the Advancement of Industry') in initiating a labour council. Nine other mostly worker's associations joined,³⁶⁷ and in April 1894 the council was constituted with two architects as its chairmen. In Dordrecht, the initiative to found a private labour council came from the Vereeniging ter bevordering van de fabrieks- en handwerksnijverheid. Already in September 1891, Arnold Kerdijk had given an important lecture on the subject at the general meeting of the association in Dordrecht. His effort was continued by the jurist and cooperative banker Folkertinus Nicolaas Sickenga, who on April 13, 1894 at a meeting of the Vereeniging in the local pub 'Zahn' gave a lecture on the history of labour councils at home and abroad.³⁶⁸ His motion to

³⁶² The associations to which draft regulations were sent were: the Utrecht department of the Maatschappij tot Nut van 't Algemeen, the Utrecht department of the Vereeniging ter bevordering van de fabrieks- en handwerksnijverheid, the Handels Sociëteit ('Trade Society'), Boaz, Patrimonium, St. Jozef, the old-Catholic worker's association and the Utrecht Christian worker's associations. *Utrechtsch Nieuwsblad*, November 21, 1895; Archief van het departement Utrecht der Nederlandsche Maatschappij voor Handel en Nijverheid, 1778-1929. 712-8. 48. Stukken betreffende een op te richten Kamer van Arbeid (Arbeidsraad), 1894, 1895. Het Utrechts Archief (UA)

³⁶³ Archief van het departement Utrecht der Nederlandsche Maatschappij voor Handel en Nijverheid, 1778-1929. 712-8. 49. Stukken betreffende een beweging van de schildersgezellenvereniging 'Door Eendracht Sterk' tot loonsverhoging. UA

³⁶⁴ *Utrechtsch Nieuwsblad*, February 23, 1895

³⁶⁵ *Utrechtsch Nieuwsblad*, March 19, 1895

³⁶⁶ It is not clear which associations were present, but the next year, the labour council in Leiden had seven contributing member associations. '1e Jaarverslag van den Arbeidsraad voor de Bouw- en Aanverwante Vakken te Leiden'. January 24, 1896. In: Archief Particuliere arbeidsraad. 197. Jaarverslagen van verschillende arbeidsraden, 1894-1896. 38. Leiden, 1895-1896. DiEP

³⁶⁷ In majority, these were local worker's associations for a specific trade. Apart from the ANWV and the Maatschappij tot Bevordering der Nijverheid, they were: the Vereeniging Industriëelen en Koopliden ('Association for Industrialists and Merchants'); the painter's and paperhanger's association 'Hulp lenigt den nood' ('Aid relieves want'); the carpenter's association 'Door Eendracht Verbetering' ('Improvement through Unity'); the painter's association 'Vooruitgang zij ons streven' ('Progress is our goal'); the Haarlem department of the Dutch Furniture Maker's League; and the carpenter's, iron and metal worker's and lime and stone worker's associations of the Roomsche Katholieke Volksbond. 'Jaarverslag 1894 van den Particulieren Arbeidsraad, voor en door de bouw- en aanverwante vakken, Opgericht te Haarlem, den 6den april 1894'. In: Archief Particuliere arbeidsraad. 197. Jaarverslagen van verschillende arbeidsraden, 1894-1896. 37. Haarlem, 1894-1896. DiEP

³⁶⁸ Sickenga also published in the *Sociaal Weekblad*, for example in November 1892. F.N. Sickenga. 'Een "nieuwe broederschap".' In: *Sociaal Weekblad*, Vol. 6, No. 47 (November 19, 1892) 398-399

found one in Dordrecht was accepted,³⁶⁹ and after a series of meetings with representatives of twelve associations, including Patrimonium, the Maatschappij tot Nut van 't Algemeen, the labour council was constituted in November with Sickenga as its chairman.³⁷⁰

In 1895, private labour councils were established in Baflo, Enschede, Middelburg, Den Helder and Arnhem. In Rotterdam, an attempt to found one was undertaken by Patrimonium as well, but this apparently failed.³⁷¹ This shows that Patrimonium also tried to establish labour councils in larger cities. In Apeldoorn, an attempt to found a labour council was made, but was never heard from again.³⁷² In Middelburg, the foundation process broke off after two patron's associations withdrew their support because of disagreement on the method of electing a chairman.³⁷³ The councils in Den Helder and Arnhem have left no archives, and next to nothing is known about them. The 'Chamber of Labour and Agriculture' in the Groningen hamlet of Baflo was found in March 1895, with the local chairman of Patrimonium J. van der Molen Tzn. as its secretary. The Genootschap van Nijverheid ('Society of Industry') also had the right to choose members of the Chamber.³⁷⁴ In the labour council in Enschede, representatives of the Fabrikantenvereniging ('Industrialist's Association') sat alongside those of Patrimonium, the R.K. Werkliedenvereniging and the Verzoeningsbond, which had been established five years earlier.³⁷⁵ Its secretary was A.H.J. Engels, later to be the first Catholic worker in the Second Chamber.³⁷⁶ The regulations read that 'the Labour Council ceases to exist once a Chamber of Labour is established on behalf of the government.'³⁷⁷ The last private labour council to be found

³⁶⁹ Sickenga's motion was accepted with fifteen against three votes. Two attendants abstained. 'Uittreksel uit de notulen der Afdelingsvergadering op 13 april 1894 in het bovenlokaal van café "Zahn"' In: Archief Particuliere arbeidsraad. 197. 1. Notulen van vergaderingen van de Vereniging ter bevordering van fabrieks- en handwerksnijverheid te Dordrecht betreffende de oprichting van een Particuliere arbeidsraad, 13 april 1894-20 november 1894. DiEP

³⁷⁰ 'Bestuursvergadering op 20 November 1894, des avonds 8 uur, in het bovenlokaal van het café 'Zahn' ter installering van den Arbeidsraad'. In: Archief Particuliere arbeidsraad. 197. 1. Notulen van vergaderingen van de Vereniging ter bevordering van fabrieks- en handwerksnijverheid te Dordrecht betreffende de oprichting van een Particuliere arbeidsraad, 13 april 1894-20 november 1894. DiEP

³⁷¹ *Utrechtsch Nieuwsblad*, March 1, 1895

³⁷² The only reference to the foundation process of an Apeldoorn labour council can be found in the records of the Amsterdam labour council. '17 januari 1895'. In: Archief van de Particuliere Arbeidsraad. 357. 1. Notulen 4 mei 1893-21 januari 1897; 19 januari 1899. GAS

³⁷³ The private labour council in Middelburg was to be found by three patron's associations and virtually all worker's associations. The initiative came from a Mr. E. Fokker. Before the council was officially founded, the municipal council in Middelburg already asked its advice on wages and working hours in public works. Yet, even though the regulations were approved by a majority of associations, the labour council could not be salvaged after the withdrawal of the two associations. 'Arbeidsraad te Middelburg'. In: *Sociaal Weekblad*, Vol. 10, No. 4 (January 25, 1896) 31

³⁷⁴ Hagoort, *Het beginsel behouden*, 23

³⁷⁵ Ibid., 23. 'Statuten voor den Arbeidsraad voor de Katoenindustrie te Enschede.' On: 'Textielindustrie'. In: *Het geheugen van Nederland*. <http://www.geheugenvannederland.nl/?/en/items/IISG01:ADV10574428>

³⁷⁶ 'Engels, Arnoldus Hendrikus Johannes'. On: IISG, Biografisch Woordenboek van het Socialisme en de Arbeidersbeweging in Nederland, <http://www.iisg.nl/bwsa/bios/engels.html>. Last checked July 2, 2009

³⁷⁷ 'Statuten voor den Arbeidsraad voor de Katoenindustrie te Enschede'

was the one in Nijmegen, in May 1896. Formed by the patron's association 'Nijmeeg's Ambachtsbloei', worker's associations were invited to take part in it.³⁷⁸

The labour councils that appeared as a private initiative in the first half of the 1890s were always the result of collaboration between a number of associations. These were usually convened by national associations with local departments such as the Maatschappij tot bevordering der Bouwkunst, the Maatschappij tot bevordering der Nijverheid, the Vereeniging ter bevordering van de fabrieks- en handwerksnijverheid, Patrimonium or the ANWV, with a prominent local person acting as chairman or secretary. The foundation of a private labour council was to some extent an inclusive affair: worker's as well as patron's associations joined, often on an interconfessional basis. As will become clear from the ensuing account, at least in Amsterdam socialist crafts organizations also joined. The biggest distinction among the councils was between the small-town, Patrimonium-instigated labour councils with a claim on general representation, and the large-city private labour councils found mostly by associations for the construction industry and the ANWV. The motivation for establishment was, at least in Amsterdam, Utrecht, Dordrecht and Enschede, to act as experimental predecessor to the Chambers of Labour.

How a council's establishment came about, and what the motivations of the founders were, can be shown by means of a case study of the foundation process of the Amsterdam private labour council, of which the only extensive records survive.

'To show the Government the way': Amsterdam's private labour council

In Amsterdam around the end of 1891 and the early months of 1892, ideas were floating around for the establishment of a body of conciliation and representation for workers and employers on a private basis; an initiative that had already been undertaken elsewhere. The first to publicly posit this idea was the 'Amstels Bouwkring', an association of private builders that managed an insurance fund for employees in the construction industry.³⁷⁹ In September 1891, the Amstels Bouwkring wrote out a public competition on the question of whether the establishment of a private labour council in Amsterdam would be desirable. A few months later, in January 1892, the Vereeniging tot bevordering van de fabrieks- en handwerksnijverheid followed with the formation of a commission of three to investigate the same question. The commission at first decided to wait for the result of the competition, but when an adequate answer stayed off, set out to work themselves. In May, the Amsterdam carpenter's association 'Concordia inter nos'

³⁷⁸ 'Ingezonden stukken'. In: *De Gelderlander*, May 10, 1896. On: De Gelderlander Online. <http://www.nijmegen.nl/hetarchie>. Regionaal Archief Nijmegen (RAN)

³⁷⁹ Joost van Genabeek. *Met vereende kracht risico's verzacht. De plaats van onderlinge hulp binnen de negentiende-eeuwse particuliere regelingen van sociale zekerheid* (Amsterdam: Stichting beheer IISG 1999) 227-228

discussed the desirability of founding private labour councils. Finally, it were the Vereeniging ter bevordering van de fabrieks- en handwerksnijverheid and the Amsterdam department of the Maatschappij tot bevordering der Bouwkunst ('Society for the advancement of Architecture') that got together to convene a meeting of patrons and workers to discuss the foundation of a labour council.³⁸⁰

The first meeting of the 'Commissie ter bevordering der oprichting van Particuliere Arbeidsraden' ('Commission for the promotion of the foundation of Private Labour Councils') was held in the evening of October 27, 1892, in the building of the Maatschappij tot bevordering der Bouwkunst on the Marnixstraat, and attended by more than forty people. Chairman was L. Ketjen, secretary the lawyer C.A. Elias. Elias was well-versed in the matter: in November 1891, he had published three articles in the *Algemeen Handelsblad* in which he discussed the German, Belgian and French legislation on labour councils.³⁸¹ The purpose of the present meeting was the formation of a commission that would formulate the regulations for a labour council. Some attendants, however, questioned the usefulness of this initiative: they recalled failed attempts at reconciliation in the past, as well as pending legislation for official Chambers of Labour. In response, Elias explicated the motivations of the aspiring founders for the establishment of a private labour council: 'One has to show the Government (...) the way; if she makes a misstep, everything will fail, while in private labour councils regulations can be adjusted and modified in such a way as to finally make them work well, of which the Government can benefit.'³⁸² Chambers of Labour abroad as well as the private labour council in The Hague, Elias continued, functioned well. His last argument was that the current bill, which envisaged the Chambers just as advisory bodies and not as conciliatory ones, would not solve any problems. After this, votes were cast: 24 attendants were in favour, while eighteen opposed. Those in favour formed a commission for the formulation of regulations, consisting of two patrons and three workers, and Ketjen and Elias themselves.

The foundation process had now commenced. At the next meeting of the regulations commission the scope of the proposed labour council was narrowed down to the construction industry.³⁸³ Chaired by Ketjen and Elias, draft regulations were discussed and accepted en bloc in

³⁸⁰ This account is based on chairman L. Ketjen's speech at the first meeting on October 27, 1892. '27 Oktober 1892'. In: Archief van de Particuliere Arbeidsraad. 357. 7. Ingekomen notulen van de Commissie ter bevordering der oprichting van Particuliere Arbeidsraden 1892-1893. GAS

³⁸¹ In these articles, Elias paid special attention to the function and constitution of these labour councils. C.A. Elias. 'Arbeidsraden'. In: *Algemeen Handelsblad*, November 25, 26 and 27, 1891

³⁸² Ibid.

³⁸³ The minutes of this meeting are from the 'Statutencommissie voor de oprichting Particuliere Arbeidsraad Bouwvakken Amsterdam' ('Regulations Commission for the foundation of a Private Labour Council for the Construction Trades in Amsterdam'). In: Archief van de Particuliere Arbeidsraad. 357. 7. Ingekomen notulen van de Commissie ter bevordering der oprichting van Particuliere Arbeidsraden 1892-1893. GAS

It is not clear from the previous minutes whether the founders at first aimed for a general labour council, but the title 'Commissie ter bevordering der oprichting van Particuliere Arbeidsraden' suggests so. Moreover, in *Sociaal*

the meeting after that, where representatives of nine Amsterdam worker's and patron's associations were present.³⁸⁴ In the subsequent meetings, the method of electing candidates was elaborated: every participating association would nominate three candidates for the labour council of twelve, on which the general meeting (consisting of one representative for each association) would then cast votes. Patrons were to vote on patron members, and workers on worker members.³⁸⁵ Finally, in a combined meeting of the newly elected labour council and the commission on the regulations, chairman and secretary were elected. Constantijn Muysken, the national chairman of the *Maatschappij tot bevordering der Bouwkunst*, and Elias were chosen for the former and latter positions.³⁸⁶ The stage was set for Amsterdam's private labour council to start operating.

Constitution making

Experiments in representation and regulation

Between initial meeting and actual foundation, in all conventions debates on rules and regulations for the labour councils took place. They were about the form representation would take, the conditions for membership, the scope of the council, and its goals and functions. No minutes of these constitutional debates have been preserved save for those in Amsterdam and Dordrecht. For the other private labour councils, however, official regulations and annual reports give insight into the choices founders made regarding constitution and setup of their institutions.

The first issue usually to be solved was the scope of the desired labour council. The main question here was whether the council would represent all workers and patrons in a municipality, or those of a single industry. The labour councils in The Hague, Haarlem and

Weekblad an article was published in 1892 by Kerdijk in which he disapproved of the formation of a general labour council in Amsterdam; instead, he wanted labour councils in which the directly affected would be represented. Van Heukelom, *Arbeidsraden*, 243

³⁸⁴ In addition to the *Maatschappij tot Bevordering der Bouwkunst* and the *Vereeniging ter bevordering van de fabrieks- en handwerksnijverheid*, these were the Amsterdam department of the Dutch Painters' League; the furniture maker's association 'Amstels Eendracht'; the mason's association 'St. Marinus'; the carpenter's associations 'St. Joseph' and 'Concordia inter nos'; the metal worker's associations 'St. Eloy' and 'Verbetering zij ons streven' ('Improvement is our goal'), and the Amsterdam Plasterer's Association. According to the *Sociaal Weekblad*, many patron's associations had refrained from cooperation. 'Bespreking statuten door de daartoe benoemde Commissie samengesteld'. January 12, 1893. In: *Archief van de Particuliere Arbeidsraad*. 357. 7. Ingekomen notulen van de Commissie ter bevordering der oprichting van Particuliere Arbeidsraden 1892-1893. GAS; 'Arbeidsraad voor de bouwvakken te Amsterdam'. In: *Sociaal Weekblad*, Vol. 7, No. 4 (January 28, 1893) 29; 'Particuliere arbeidsraad voor de bouwvakken te Amsterdam'. In: *Sociaal Weekblad*, Vol. 7, No. 29 (July 22, 1893) 243

³⁸⁵ Because there were first nine, then eight and then seven participating worker's associations, and two participating patron's associations, a similar number of votes was cast on the 24 and six candidates for the six patron and six worker members of the final council at the meeting of March 30, 1893. 'De Commissie voor de statuten van de Particuliere Arbeidsraad'. In: *Archief van de Particuliere Arbeidsraad*. 357. 7. Ingekomen notulen van de Commissie ter bevordering der oprichting van Particuliere Arbeidsraden 1892-1893. GAS

³⁸⁶ This, as well as the fact that the meetings of the council were always held in the building of the *Maatschappij*, shows the significance of this association in the foundation and workings of Amsterdam's private labour council.

Leiden were from the start on specifically meant for the construction industry. In the first two instances, only associations for patrons and workers in trades related to this industry were present at foundation meetings, and all three were named 'labour council for the construction and related industries'. The regulations of the council in The Hague, moreover, state as its goal 'to contribute to the good mutual relationship of all those active in this city's construction industry'.³⁸⁷ The scope, however, could also change: the labour councils in Zutphen, Amsterdam and Dordrecht were all initially intended to be general ones, but in the course of their existence were narrowed down to the construction industry. In Utrecht, on the other hand, in the foundation process the labour council went from construction-only to a general one. The Utrecht council would also have been the only one to have departments for different trades.³⁸⁸ Other labour councils that were known as general were those in Bolsward, Franeker and Baflo. Enschede was an outlier in being the only labour council to specifically represent the cotton industry.

The most common setup of a private labour council was that of a body of representatives of member associations which after the foundation process convened annually, and a board (which was sometimes just called the labour council itself) elected by them which met monthly. The only aberration to this was the Chamber of Labour in Franeker, from which every male worker aged at least 20 could become a member.³⁸⁹ The board here was called 'Council of Labour' and elected by the Chamber. In all instances, labour council boards consisted equally of workers and patrons.³⁹⁰ The method of electing the board, however, varied considerably. In some councils, member associations directly appointed their own representatives. This was the case in The Hague, Bolsward, Baflo and Enschede. In other councils, however, elections were held in the assembly of representatives. These were either split in separate elections for workers and patrons, as was the case in Franeker and Amsterdam, or a general election, as in Zutphen.³⁹¹ Dordrecht was peculiar in utilizing a mixed method: while patron members were elected by a meeting of patron's associations, worker's associations directly appointed members to the board. In the large-city labour councils for the construction industry, some membership seats were usually reserved for architects. They also reserved the right to add juridical expert advisors to its membership: this

³⁸⁷ *Sociaal Weekblad*, Vol. 6, No. 50 (January 30, 1892) 43-44

³⁸⁸ *Utrechtsch Nieuwsblad*, March 19, 1895

³⁸⁹ 'Reglement voor de Arbeidsraad te Franeker'. In: *Archief Particuliere arbeidsraad*. 197. 34. Reglement voor de Arbeidsraad te Franeker, 1892. DiEP

In 1892, about 20 patrons and 30 workers had joined. Because of this structure, *Sociaal Weekblad* called the Chamber of Labour in Franeker 'not a representation, but an association of patrons and workers'. 'Een proefneming op ietwat andere wijze'. In: *Sociaal Weekblad*, Vol. 6, No. 22 (May 28, 1892) 199

³⁹⁰ Membership ranged from sixteen in Leiden and Dordrecht to fifteen in The Hague, twelve in Bolsward, Amsterdam, Haarlem and Nijmegen, and nine in Franeker and Baflo. For Utrecht and Enschede, figures are not known.

³⁹¹ In Haarlem and Leiden council members were also elected, but it is not clear which election method was employed.

was the case in The Hague, Haarlem and Leiden, although also in Bolsward.³⁹² In general, patrons and workers sat together in a common body. The only exception was the labour council for the cotton industry in Enschede, where patrons and workers convened in two separate sections.³⁹³ Women were explicitly not allowed to join in Bolsward and Franeker, while in Zutphen the phrase that 'patrons' and 'workers' included both men and women was taken up in the first article.³⁹⁴ The other councils were silent on this, but there are no indications that at some point women took seats in any of them.

'To further the good relationship between employers and workers', as the opening article of the regulations in both Bolsward and Franeker read, was a primary goal of all labour councils.³⁹⁵ In Dordrecht and The Hague, this goal constituted the slightly amended first article of the regulations as well.³⁹⁶ In the other labour councils, the regulations often feature the goal of improving relations as instrumental to what here usually constituted the primary goal: 'To represent the interests of all those active in (...) the construction industry through cooperation of patrons and workers' in Amsterdam,³⁹⁷ or 'to represent through cooperation of patrons and workers the moral and material interests of all those involved in the Cotton Industry' in Enschede.³⁹⁸ The labour council in Zutphen had 'the Word of God as its foundation', and aimed to advance and bring into accordance the interests of patrons and workers.³⁹⁹ The Chamber of Labour in Baflo had a divergent primary goal: 'To prevent unemployment.'⁴⁰⁰

Instrumental to improving relationships and interest representation were dispute conciliation and providing advice to the state. 'To take away grievances of a common nature and solve questions that might occur between patrons and workers, on the basis of justice and fairness and unity of interests'⁴⁰¹ in Enschede was the elaborate formulation of 'to act conciliatory in disputes' or 'to settle disputes between the various categories of persons practicing the construction trade' in Zutphen and Amsterdam.⁴⁰² 'To collect information and give advice to the government in matters concerning labour' or 'to collect and write down data (...) to be capable of providing the necessary information and advice' were included as goals in the regulations in Amsterdam,

³⁹² 'Weder een welkome proefneming', 166

³⁹³ The first section was reserved for board members of the Fabrikantenvereniging, while representatives of several worker's associations made up the second section.

³⁹⁴ Van Heukelom, *Arbeidsraden*, 245-246; Hagoort, *Het beginsel behouden*, 20

³⁹⁵ Van Heukelom, *Arbeidsraden*, 245-246

³⁹⁶ 'Reglement voor den Arbeidsraad te Dordrecht'. In: Archief Particuliere arbeidsraad. 197. 6. Reglement, 1894. DiEP; *Sociaal Weekblad*, Vol. 6, No. 50 (January 30, 1892) 43-44

³⁹⁷ 'Statuten'. In: Archief van de Particuliere Arbeidsraad. 357. 3. Register houdende de statuten en het huishoudelijk reglement. 1893. GAS

³⁹⁸ 'Statuten voor den Arbeidsraad voor de Katoenindustrie te Enschede'

³⁹⁹ Hagoort, *Het beginsel behouden*, 20

⁴⁰⁰ 'To regulate labour in line with the material and moral interests of employers and employees', however, and 'to further the good relationship between employers and employees' constituted the third and fourth points of its opening article. Van Heukelom, *Arbeidsraden*, 22

⁴⁰¹ 'Statuten voor den Arbeidsraad voor de Katoenindustrie te Enschede'

⁴⁰² Hagoort, *Het beginsel behouden*, 20; 'Statuten', GAS

Dordrecht and Zutphen.⁴⁰³ Some labour councils, finally, had specific goals such as combating the abuse of strong liquor in Franeker or opposing unnecessary labour on Sunday in Zutphen, while others specifically ruled out touching 'religious or political questions'.⁴⁰⁴

Scope, constitution, membership criteria and functions were all hotly debated, however, as can be demonstrated by means of a case study of these discussions in Dordrecht's private labour council, from which more extensive records survive as well.

The constitutional congress in Dordrecht

Every two weeks from September to November 1894, a gathering of representatives from about twelve interested associations vehemently discussed the setup of Dordrecht's private labour council.⁴⁰⁵ Earlier on in May, they had come together on the invitation of the Vereeniging ter bevordering van de fabrieks- en handwerksnijverheid to listen to the proposal of Sickenga.⁴⁰⁶ He had argued that with the help of public opinion, a labour council could be useful for conflict prevention and the representation of common interests of patrons and workers. In the ensuing debate, questions had been raised on the success of the labour council in The Hague, and whether the new organ should not have real judicial powers. It had been decided that the Dordrecht labour council should represent not only construction but the entire industry, as in Bolsward and Franeker.⁴⁰⁷ Finally, the chairman A.J.A. de Bosson had conveyed his belief that the establishment of a private labour council would give the government the strength and experience to make a law.⁴⁰⁸ With most participants in agreement, it was decided to let a gathering of representatives of all interested associations determine the regulations in the coming months.

⁴⁰³ 'Statuten', GAS; 'Reglement voor den Arbeidsraad te Dordrecht', DiEP; Hagoort, *Het beginsel behouden*, 20

⁴⁰⁴ This goes for the labour councils in Bolsward and Franeker, which had the same regulations. Van Heukelom, *Arbeidsraden*, 245-246

⁴⁰⁵ The total list of associations included the four patron's organizations the Vereeniging ter bevordering van de fabrieks- en handwerksnijverheid; the Dordrecht department of the Maatschappij tot Nut van 't Algemeen; the Vereeniging voor Vak en Kunst ('Association for Trade and Craft'); the Vereeniging voor Algemeene Belangen ('Association for the Common Interest'); the two mixed organizations Roomsche Katholieke Volksbond and Patrimonium; and the six worker's organizations the Typografenbond; the Vereeniging 'Vooruitgang door Beschaving' ('Association 'Progress through Civilization'); the Kalk- en Steenbewerdersbond ('Lime and Stone Worker's League'); the Dordrechtse Schildersbond ('Dordrecht Painter's League'); the Steenhouwersvereniging ('Stonecutter's Association') and the Metaalbewerdersvereniging 'Vooruit' ('Metal Worker's Association 'Onward'). 'Bestuursvergadering Vereeniging ter bevordering van de fabrieks- en handwerksnijverheid Afd. Dordrecht'. May 7, 1894. In: Archief Particuliere arbeidsraad. 197. 1. Notulen van vergaderingen van de Vereeniging ter bevordering van fabrieks- en handwerksnijverheid te Dordrecht betreffende de oprichting van een Particuliere arbeidsraad, 13 april 1894-20 november 1894. DiEP

⁴⁰⁶ Ibid.

⁴⁰⁷ This issue was raised by Mr. Verhoeven, who found it 'curious' that only construction was mentioned. If the labour council would merely represent this, his association would not join. To this, the chairman replied that it was the intention of the board of the Vereeniging to found a general labour council. Ibid.

⁴⁰⁸ Mr. Slegt also welcomed the labour council as the beginning of all that which Chambers of Labour could settle, such as work contracts and pensions. Ibid.

The constitutional debate revolved around, first, the organization of representation. Rather than a general election, the worker's associations claimed the right for each of them to directly appoint one representative to the council.⁴⁰⁹ This elicited a discussion about the nature of the participating associations, since no patron's associations in the strict sense were adjoined, while some organizations were mixed. In the end, it was decided that mixed organizations should declare whom to represent, and the proposal of the worker's associations was accepted.⁴¹⁰ The discussion was re-opened, however, when the question was raised how to handle absentee or rogue council members. Sickenga argued against forced removal because in his view the members were elected independents, who represented the common interest rather than that of an association.⁴¹¹ To this, several worker representatives replied that amongst the worker's associations the view was held that elections implied a mandate. This showed opposing conceptions of representation: whereas the secretary held the constitutional liberal view that representatives were trustees working for an unattached interest, the workers held that they were delegates authorized to work for a specific interest. Finally, a compromise was reached in restricting the term limits of members, so that an association would never be stuck for long with an unsatisfying representative.⁴¹²

Related to this was the question of the nature of the interests the council would represent, and the demarcation of its *demos*. The phrase 'to represent material and other interests' provoked debate because some feared that the council would start operating on religious and political terrain. With the reassurance that the term 'other interests' only covered such issues as Sunday's rest and voting rights, it was kept in the regulations.⁴¹³ Another objection was raised to the phrase that only those 'in full possession of their civil rights' were eligible for election, as women and some workers were still deprived of several civil rights. It was pointed out, however, that the phrase only applied to bankrupt or penalized persons, and was changed as such.⁴¹⁴ The last issue

⁴⁰⁹ The initial proposal was that the members of the council would be elected by the general meeting of representatives. Mr. te Veldhuis argued that this would create tensions between workers and patrons. Slegt argued that the counterproposal would ensure a more direct interest representation, and keep a closer connection between the associations and the labour council. 'Notulen van de Vergadering van Afgevaardigden der Patroons- en Werkliedenverenigingen op Vrijdag 7 September 1894'. In: Archief Particuliere arbeidsraad. 197. 1. Notulen van vergaderingen van de Vereeniging ter bevordering van fabrieks- en handwerksnijverheid te Dordrecht betreffende de oprichting van een Particuliere arbeidsraad, 13 april 1894-20 november 1894. DiEP

⁴¹⁰ The vote margin was twenty to eight. Ibid.

⁴¹¹ Sickenga explicitly compared this with the practice of the Second Chamber and the municipal council. 'Notulen van de Vergadering van Afgevaardigden der Patroons- en Werkliedenverenigingen op Vrijdag 9 November 1894'. In: Archief Particuliere arbeidsraad. 197. 1. Notulen van vergaderingen van de Vereeniging ter bevordering van fabrieks- en handwerksnijverheid te Dordrecht betreffende de oprichting van een Particuliere arbeidsraad, 13 april 1894-20 november 1894. DiEP

⁴¹² Ibid.

⁴¹³ It was the representative of Patrimonium who had voiced this fear. The chairman, unwilling to restrict the council too much, reassured him that this was unfounded, as the addition 'other' 'concerned such issues as Sunday's rest, the opening of the opportunity to exercise the right to vote and the like'. Ibid.

⁴¹⁴ It was changed to: 'Somebody who is deposed from one or more of his civil rights will stop being a member of the Labour Council and neither is he eligible for election'. 'Notulen van de Vergadering van Afgevaardigden der Patroons- en Werkliedenverenigingen op Vrijdag 21 September 1894'. In: Archief Particuliere arbeidsraad. 197. 1.

then to solve was the form of representation the council should take: territorial or functional. While some wanted the council to represent all those who *lived* in Dordrecht, others wanted the council to represent all those who *worked* there.⁴¹⁵ After a vote, the first take was accepted.

The task and function of the labour council was the other main point of debate. At the first meeting, a new function was added to it: to collect data and provide advice to the government on labour legislation.⁴¹⁶ Later, this would be replaced by advice 'in the interest of Labour'.⁴¹⁷ After some discussion, it was also determined that the council would be granted the authority to independently track down abuses, and involve itself unsolicited in a labour dispute.⁴¹⁸ The final regulations were approved on November 9. Dordrecht's labour council was to further a good relationship between patrons and workers, to prevent or solve disputes between them, to represent their interests, and to collect information and give advice to the government in matters concerning labour.⁴¹⁹ On November 13, eight worker members were appointed while the patron representatives voted on eight patron members of the council, and a week later, with Sickenga elected chairman and A.J. Angelino secretary, Dordrecht's labour council was officially constituted.

Practices

At the first meeting of Amsterdam's labour council, chairman Muysken impressed upon the other members that the task at hand would not be a thankful one. A private labour council was 'a new affair and still far from popular'.⁴²⁰ Therefore, Muysken held, it was necessary for the council to be convinced that it would only reach its goals through mutual goodwill: 'She shall have to reach out with modesty and caution, so as to slowly receive the required trust.'⁴²¹ With these words, the labour council set to work; the discourse of caution and modesty, of 'the conviction that only through cooperation and deliberation improvements can be made'⁴²² would be repeated in the years to come, as the labour councils embarked on their experiment.

Notulen van vergaderingen van de Vereeniging ter bevordering van fabrieks- en handwerksnijverheid te Dordrecht betreffende de oprichting van een Particuliere arbeidsraad, 13 april 1894-20 november 1894. DiEP

⁴¹⁵ Mr. Van Bruggen defended the first position, arguing that hundreds of workers who lived in Dordrecht worked somewhere else. Mr. De Vries, defending the second position, pointed out that a lot of workers in Dordrecht were from outside the municipal borders. 'Notulen 9 November'. DiEP

⁴¹⁶ 'Notulen 7 September'. DiEP

⁴¹⁷ 'Notulen 21 September'. DiEP

⁴¹⁸ 'Notulen 7 September'. DiEP

⁴¹⁹ 'Reglement voor den Arbeidsraad te Dordrecht', DiEP

⁴²⁰ '4 mei 1893'. In: Archief van de Particuliere Arbeidsraad. 357. 1. Notulen 4 mei 1893-21 januari 1897; 19 januari 1899. GAS

⁴²¹ Ibid.

⁴²² '1e jaarverslag, over 1893'. In: Archief van de Particuliere Arbeidsraad. Toegangsnummer 357. 4. Jaarverslagen 1893-1895, 1897-1898. GAS

During the period of constitution making, the founders of the private labour councils had attached representative, conciliatory and advisory functions to the bodies instituted by them. Now, they had to shape the exercise of these functions. According to Helderma, 'because of continuous internal disagreements and a lack of confidence of the involved employers and workers, most private labour councils have not been able to achieve much'.⁴²³ While this may to some extent be true, I would like to show that a more nuanced view would be appropriate. It was the labour council in The Hague that pioneered an exemplar of cooperation between employers and workers: the drawing up of a wage table covering all employees in the local construction trades. The drawing up of a wage table was an attempt to dampen the social and economic effects of labour market competition: rather than setting a minimum wage, it was meant to standardize wages between companies in the same trade.⁴²⁴ Drawing up a wage table was by necessity a deliberative affair: no employer could be legally bound to its regulations. The council in The Hague therefore proceeded to invite worker's and patron's associations in a series of meetings. Here, wages were compared and negotiations conducted, with as result 'no ideal settlement but definitely a general improvement'.⁴²⁵ In September 1893, 3500 prints of the final wage table were distributed. In the following years, the council would continue to press employers for compliance with the wage table.⁴²⁶ The results, moreover, did not stay unnoticed: in its annual meeting of February 1894, Muysken announced that the labour council in Amsterdam would start drawing up a wage table 'in the spirit of the labour council in The Hague'.⁴²⁷ In the archives, numerous letters to worker's associations can be found inquiring into current and desired wages, as well as a letter to the newspapers in which the initiative was defended against criticism.⁴²⁸

In Dordrecht, a commission was appointed to draw up a wage table. After inquiring what in other places had been achieved, the commission contacted worker's associations and patrons in the construction industry, and after 'serious deliberation in the Council' a wage table was set for masons, carpenters, stone cutters and paper hangers. It was then sent to patrons, architects, worker's associations and the municipal council in Dordrecht, with January 1, 1896 set as date of application.⁴²⁹ The next year, it was reported that the wage table was fairly generally applied.⁴³⁰

⁴²³ Helderma, *De Kamers van Arbeid 1897-1922*, 32

⁴²⁴ This is the motivation given in a letter of Muysken to a local newspaper. Letter of C. Muysken, chairman of the labour council in Amsterdam, of June 22, 1894. In: Archief van de Particuliere Arbeidsraad. Toegangsnummer 357. 5. Ingekomen stukken en minuten uitgegane stukken 1893-1896. GAS

⁴²⁵ 'Jaarverslag van den (...) en de werkzaamheden van den arbeidsraad gedurende het jaar 1893'. In: Archief van de Particuliere Arbeidsraad. Toegangsnummer 357. 4. Jaarverslagen 1893-1895, 1897-1898. GAS

⁴²⁶ *Ibid.*

⁴²⁷ 'Notulen der 1e Algemeene Jaarlijksche Vergadering van den Particulieren Arbeidsraad door de Bouwvakken te Amsterdam opgericht'. February 1, 1894. In: Archief van de Particuliere Arbeidsraad. Toegangsnummer 357. 2. Notulen van de Algemeene Jaarvergadering op 1 februari 1894. GAS

⁴²⁸ Letter of C. Muysken, GAS

⁴²⁹ 'Verslag van den Arbeidsraad te Dordrecht, over 1894/1895'. February 20, 1896. In: Archief Particuliere arbeidsraad. 197. 32. Jaarverslagen 1894-1897. DiEP

In Zutphen, Leiden and Nijmegen wage tables were drawn up as well. In many labour councils, the completion of the local wage table was considered a modest success. After this, some labour councils embarked on other projects, such as designing teaching contracts in Dordrecht and Haarlem, or pressing employers to insure their employees in Zutphen.

By offering the possibility of dispute arbitration, furthermore, the private labour councils had publicly presented themselves as forums for patron-worker conciliation. The execution of this task, however, proved more difficult than expected. The labour council in The Hague, for example, was by 1894 unequivocally negative about the execution of this function. Many complaints by workers were deemed insignificant or too personal, and it 'more and more appeared to the council that, if workers and patrons would not show more interest in the Council, she will not be able act on its mission to arbitrate between patrons and workers'.⁴³¹ The council in Leiden likewise reported on 1895 that, apart from some minor grievances, no serious complaints had come in. Some members considered this proof that all was generally well, while others thought that fear of the patrons kept many workers from filing complaints.⁴³² The next year, the former interpretation seemed to have gained credence amongst the members: 'If it were true that, as is being claimed, the small appeal to the Council is caused by the satisfactory situation of the construction industry in this city, then the Labour Council would be happily consoled with its forced unemployment.'⁴³³ In Haarlem, reports are made on four complaints being filed in two years; of these, only one was solved.⁴³⁴

In Amsterdam, complaints on bad construction of houses and long waiting times for payment were investigated and discussed, while letters were written to patrons in response to complaints on low wages.⁴³⁵ Disagreement on the effectiveness of the labour council rose to a head, however, when on the general meeting of 1894 worker member F. Steger announced his resignation. The reason he cited was the frequent absence of patron members at meetings, as a result of which workers' issues could not be treated. He also considered the council too cautious and modest. Steger's announcement was followed by a secession of his entire association, 'because of a

⁴³⁰ 'Verslag van den Arbeidsraad te Dordrecht, over 1896'. In: Archief Particuliere arbeidsraad. 197. 32. Jaarverslagen 1894-1897. DiEP

⁴³¹ 'Verslag van de werkzaamheden van den Arbeidsraad op de Algemeene Vergadering, 27 december 1894'. In: Archief Particuliere Arbeidsraad. 197. Jaarverslagen van verschillende arbeidsraden, 1894-1896. 36. 's-Gravenhage, 1894-1896. DiEP

⁴³² '1e Jaarverslag van den Arbeidsraad voor de Bouw- en Aanverwante Vakken te Leiden', DiEP

⁴³³ 'Tweede Jaarverslag van den Arbeidsraad voor de Bouw- en Aanverwante Vakken, te Leiden'. January 15, 1897. In: Archief Particuliere arbeidsraad. 197. Jaarverslagen van verschillende arbeidsraden, 1894-1896. 38. Leiden, 1895-1896. DiEP

⁴³⁴ 'Jaarverslag over 1895 van den Arbeidsraad voor Bouw- en aanverwante vakken, te Haarlem en aangrenzende gemeenten'; 'Jaarverslag over 1896 van den Arbeidsraad voor Bouw- en aanverwante vakken, te Haarlem en aangrenzende gemeenten'. In: Archief Particuliere arbeidsraad. 197. Jaarverslagen van verschillende arbeidsraden, 1894-1896. 37. Haarlem, 1894-1896. DiEP

⁴³⁵ '1e jaarverslag, over 1893'; '2e jaarverslag, over 1894'. In: Archief van de Particuliere Arbeidsraad. Toegangsnummer 357. 4. Jaarverslagen 1893-1895, 1897-1898. GAS

decision at the socialists' congress in The Hague'.⁴³⁶ To this, Muysken could only reply that he regretted the decision. By the end of the year, five worker's associations had left. A similar incident occurred in Dordrecht, when two worker's associations publicly announced their resignation, because 'the Labour Council did not conform to the demands of publicity, of impartiality, of any success in its aspirations'.⁴³⁷ The reaction of the council was that 'she constantly tried to impartially represent the mutual interests (...) of workers and patrons', and that she 'kept believing in cooperation between patron and worker'.⁴³⁸ In all labour councils, in later years no complaints seemed to come in anymore.

As institutions of interest representation, the labour councils claimed expertise in matters on which the state might legislate. To give advice on matters concerning labour, therefore, they considered a primary function of the council. State recognition of this advisory function can be considered a sign of the extent to which these private organs were endowed with a public function. In Bolsward, for example, connections between the labour council and the municipality were close. As related before, the mayor had been instrumental in founding the private labour council; subsequently, he became its chairman.⁴³⁹ In Baflo, this was the case as well.⁴⁴⁰ In several places, moreover, the meetings of the labour council were held in a room in the town hall provided by the municipal council. In Dordrecht, in the first official case of dispute conciliation, both parties and the plenary labour council proceeded to the town hall the same evening, where the council would reach its verdict.⁴⁴¹

Requests between the labour council and the municipality went to-and-fro. Where the municipal council and college of mayor and aldermen sometimes relied on the labour council in its advisory capacity, the labour council often petitioned the latter for regulations in the interest of the workers. In The Hague, for example, from the municipality came a request for information concerning the range and nature of unemployment, which led the labour council to start an investigation.⁴⁴² In Dordrecht, the college of mayor and aldermen asked the labour council for advice on the construction of a waiting room for dockworkers.⁴⁴³ The college of mayor and aldermen in Utrecht also passed through to Dordrecht a request for information by the minister of Water Management, Trade and Industry on local public and private institutions of social security.⁴⁴⁴ The other way around, in Franeker the labour council successfully issued a request at

⁴³⁶ 'Notulen 1^e Algemeene Jaarlijksche Vergadering van den Particulieren Arbeidsraad', GAS

⁴³⁷ 'Verslag van den Arbeidsraad te Dordrecht, over 1896'. DiEP

⁴³⁸ Ibid.

⁴³⁹ Hagoort, *Het beginsel behouden*, 23

⁴⁴⁰ 'Oprichtingsvergadering'. March 29, 1895. In: Archief J. van der Molen Tzn. Collectienummer 179. VU Historisch Documentatiecentrum voor het Nederlands Protestantisme (1800-heden) (HDC)

⁴⁴¹ 'Verslag van den Arbeidsraad te Dordrecht, over 1894/1895'. DiEP

⁴⁴² 'Jaarverslag (...) van den arbeidsraad gedurende het jaar 1893'. GAS

⁴⁴³ 'Verslag van den Arbeidsraad te Dordrecht, over 1896'. DiEP

⁴⁴⁴ Ibid.

the municipal council for health and accident insurance for municipal employees. An experiment was undertaken, furthermore, with minimum wages and maximum working hours for the same employees.⁴⁴⁵ In Amsterdam, a request of the labour council to act as court of arbitration in a dispute between the municipality and its employees was turned down, but a measure of official recognition came when Muysken in his function as chairman was asked to take a seat in the municipal council commission on unemployment, which consisted of patrons, workers and municipal council members.⁴⁴⁶ This led to an exchange of information between the municipality and the labour council, as Muysken kept the latter up to date and often asked them for feedback.⁴⁴⁷ Following up on the final report of the commission, the labour council sent an address to all patrons in the construction industry requesting a maximum work day of nine hours in the winter, to prevent unemployment.⁴⁴⁸ The council also advised the municipal council to add the task of collecting and publishing data on the working class and labour affairs to the Municipal Bureau of Statistics, which was set up in 1894.⁴⁴⁹

In their reports, the labour councils themselves displayed mixed feelings about their performance. It was the feeling of the council in Amsterdam in 1893 that its actions were, overall, greeted with sympathy. Nevertheless, since this institution was new and not very well known, the trust of the public as well as the various trade associations remained crucial.⁴⁵⁰ In their report on 1894, chairman B. Cuperus and secretary J. Das in Zutphen reflected that it had been a calm year, but that 'our pursuits were not infertile. Without making noise, in silence, we continued to work on our task of graciously solving a grievance here, removing a prejudice there, creating a better relationship elsewhere'.⁴⁵¹ The annual report on 1895 in Haarlem acknowledged 'reluctantly' that the performance of the labour council had not yet bore the fruits one would wish, but hoped for improvement when the council would become more well-known.⁴⁵² In Dordrecht, the sentiment on 1896 was: 'Immediate results were mostly small, but we also believe in a positive influence, even though this is not always visible in facts and figures.'⁴⁵³ It can be said

⁴⁴⁵ Van Heukelom, 'Arbeidsraden in Nederland', 277-292. In Dordrecht, the maximum length of the work day for employees of the municipal cleaning service was also restricted after an address of the labour council. 'Verslag van den Arbeidsraad te Dordrecht, over 1894/1895'. DiEP

⁴⁴⁶ '3 augustus 1896'. In: Archief van de Particuliere Arbeidsraad. 357. 1. Notulen 4 mei 1893-21 januari 1897; 19 januari 1899. GAS

⁴⁴⁷ '31 augustus 1896', '5 oktober 1896' and '2 november 1896'. In: Archief van de Particuliere Arbeidsraad. 357. 1. Notulen 4 mei 1893-21 januari 1897; 19 januari 1899. GAS

⁴⁴⁸ '1e jaarverslag, over 1893'. GAS; 'Verkorting van den arbeidsdag.' In: *Sociaal Weekblad*, Vol. 7, No. 50 (December 16, 1893) 421

⁴⁴⁹ Letter to the municipal council concerning the establishment of a Municipal Bureau of Statistics, July 23, 1894. In: Archief van de Particuliere Arbeidsraad. 357. 5. Ingekomen stukken en minuten uitgaande stukken 1893-1896. GAS

⁴⁵⁰ '1e jaarverslag, over 1893'. GAS

⁴⁵¹ 'Tweede Jaarverslag van den Arbeidsraad voor Bouw- en aanverwante vakken te Zutphen'. DiEP

⁴⁵² 'Jaarverslag over 1895 van den Arbeidsraad voor Bouw- en aanverwante vakken, te Haarlem en aangrenzende gemeenten'. DiEP

⁴⁵³ 'Verslag van den Arbeidsraad te Dordrecht, over 1896'. DiEP

that in terms of 'results', the private labour councils were more successful in their representative and advisory functions than in their conciliatory one. Wage tables were drawn up almost everywhere and generally adhered to, but dispute arbitration failed. Perhaps most markedly, the private labour councils became involved in at least some aspects of social and economic policy making on the municipal level: they provided advice on labour affairs, which was sometimes heeded, while occasionally successfully requesting regulations in the interest of the workers. As experiments in representation and regulation predating the Chambers of Labour themselves, their own assessment notwithstanding the councils formed an aspect of the increasing integration of society and state exemplified by the linkage of public institutions with 'private' interests. The next level was to take it to the national stage.

National cooperation

When the commission on the wage table of the private labour council in Dordrecht set to work, one of their first actions was to launch an inquiry into the practices in other places. Several labour councils were contacted, and soon, reports came in from the councils in Leiden, The Hague and Amsterdam.⁴⁵⁴ In Amsterdam as well, work on this issue started after a wage table and accompanying letter were sent by the labour council in The Hague.⁴⁵⁵ As this procedure shows, when 'more labour councils appeared every year',⁴⁵⁶ mutual cooperation between them increased. This took the form of an exchange of ideas and practices, as well as an aggregation of forces in their relationship with the state. Eventually, an attempt was made to organize a national organ of interest representation: the Commission of Chairmen of the Labour Councils.

National cooperation is first indicated by the joint petitions the private labour councils sent to the multiple levels of government. The council in The Hague in 1893 sent a request for support to the council in Amsterdam regarding a petition to the War Ministry for the regulation of minimum wages and maximum working hours in the building plans of military engineering works.⁴⁵⁷ The council in Amsterdam reacted favourably to this. Other labour councils also initiated joint petitions. The council in Dordrecht in 1894 sent a petition to the college of mayor and alderman and local architects concerning longer delivery times in building plans. This petition was then sent to the other labour councils, with the request to send it to the ministries,

⁴⁵⁴ 'Vergadering gehouden 21 Maart 1895'. In: Archief Particuliere arbeidsraad. 197. 4. Notulen vergaderingen particuliere arbeidsraad, 15 december 1894-23 februari 1899. DiEP

⁴⁵⁵ '2 november 1893'. In: Archief van de Particuliere Arbeidsraad. Toegangsnummer 357. 1. Notulen 4 mei 1893-19 januari 1899. GAS

⁴⁵⁶ 'Tweede Jaarverslag van den Arbeidsraad voor Bouw- en aanverwante vakken te Zutphen'. DiEP

⁴⁵⁷ '6 juli 1893'. In: Archief van de Particuliere Arbeidsraad. Toegangsnummer 357. 1. Notulen 4 mei 1893-19 januari 1899. GAS; 'Arbeidsraad voor de bouwvakken te 's-Gravenhage'. In: *Sociaal Weekblad*, Vol. 7, No. 24 (June 17, 1893) 197

provincial governments, municipal councils and water authorities.⁴⁵⁸ The labour council in Haarlem sent a petition the Second Chamber for regulations on arbitration in the building plans of public works of the Ministry of Justice, followed by a request for support to the other councils.⁴⁵⁹ The task of organizing these joint petitions, however, would soon be transferred to the newly found national organ.

The records show, furthermore, an exchange of regulations and annual reports between the different labour councils. On request, the labour council in Amsterdam sent its regulations 'with pleasure' to the Haarlem department of the *Maatschappij tot Bevordering der Bouwkunst*, to aid in the process of founding a private labour council here.⁴⁶⁰ Similarly, the council in Dordrecht sent its regulations to Utrecht.⁴⁶¹ In addition to this, annual reports of other labour councils were read in meetings. In Dordrecht, the annual reports of Amsterdam, The Hague, Haarlem and Zutphen, as well as the regulations of the Chamber in Franeker, were read and discussed.⁴⁶² Hendrik Pieter van Heukelom, moreover, who had published a dissertation on Chambers of Labour in 1892 and became juridical advisor for the labour council in The Hague a few years later, was a central figure in collecting and putting together regulations and reports of labour councils in the Netherlands. This resulted in a comparative article in *Vragen des Tijds* on the setup and performance of the then-existing councils.⁴⁶³

Out of this cooperation of the private labour councils grew a more coherent national linkage in early 1894. While it was known under several names, 'Commission of Chairmen of the Labour Councils' was the most used one. The Commission was an initiative of Elias. Starting in March 1894, he sent letters to labour councils around the country in an attempt to organize a meeting of chairmen and secretaries to discuss 'mutual interests'.⁴⁶⁴ On April 22, this meeting took place in Amsterdam. Present were Muysken and Elias from Amsterdam, Van Malsen from The Hague, Drucker from Leiden, F.A. Etteger from Zutphen, and representatives from Haarlem and Bolsward.⁴⁶⁵ The commission for the regulations of the labour council in Leiden had, with an eye

⁴⁵⁸ 'Verslag van den Arbeidsraad te Dordrecht, over 1894/1895', DiEP. Mentions of this request at other labour councils can be found in the 1895 annual report of Haarlem, which took it up, and the annual report on the same year of Zutphen, which turned it down and forwarded it to the Commission of Chairmen. 'Jaarverslag over 1895 van den Arbeidsraad voor Bouw- en aanverwante vakken, te Haarlem en aangrenzende gemeenten', DiEP; 'Derde Jaarverslag (over 1895) van de Kamer van Arbeid voor Bouw- en Aanverwante Vakken te Zutphen', DiEP

⁴⁵⁹ 'Jaarverslag over 1895 van den Arbeidsraad voor Bouw- en aanverwante vakken, te Haarlem en aangrenzende gemeenten', DiEP

⁴⁶⁰ '2 november 1893'. GAS

⁴⁶¹ 'Vergadering gehouden 18 December 1894'. In: Archief Particuliere arbeidsraad. 197. 4. Notulen vergaderingen particuliere arbeidsraad, 15 december 1894-23 februari 1899. DiEP

⁴⁶² 'Vergadering gehouden 21 Februari 1895'; 'Vergadering gehouden 21 Maart 1895'. In: Archief Particuliere arbeidsraad. 197. 4. Notulen vergaderingen particuliere arbeidsraad, 15 december 1894-23 februari 1899. DiEP

⁴⁶³ Van Heukelom, 'Arbeidsraden in Nederland'

⁴⁶⁴ '8 maart 1894'; '29 maart 1894'. In: Archief van de Particuliere Arbeidsraad. Toegangsnummer 357. 1. Notulen 4 mei 1893-19 januari 1899. GAS

⁴⁶⁵ It is possible that more representatives from these councils were present, but their names are not listed. The name(s) of the Haarlem and Bolsward representative(s) are not known.

on the instructive value of the meeting, decided to shore up the foundation process until afterwards.⁴⁶⁶ The minutes of this first national meeting of representatives of private labour councils in the Netherlands, however, are unfortunately lost. It is certain, nonetheless, that a commission was appointed consisting of Muysken, Elias, Drucker and Van Malsen that was to 'lead on and execute matters of common interest to the various labour councils and matters they consider viable for common treatment, on behalf of those councils.'⁴⁶⁷ Furthermore, on the initiative of The Hague a joint petition for the regulation of minimum wages and maximum working hours was sent to the Ministries of War and Water Management, Trade and Industry.⁴⁶⁸ In the magazine *De Liberaal*, this was called a 'remarkable piece of political agitation'.⁴⁶⁹

At the end of the year, the Commission, on behalf of the combined labour councils, sent another petition for the regulation of minimum wages and maximum working hours in public works, this time to all municipal councils, provincial governments and water authorities.⁴⁷⁰ In Amsterdam, the municipal council led by the radical liberal fraction of the council member Marie Willem Frederik Treub responded favourably to this, enacting the proposed regulations.⁴⁷¹ In the course of 1895, however, the Commission of Chairmen would start to exclusively concern itself with the legislative proposal for the Chambers of Labour. I will treat its actions in this matter in the next subchapter. Meanwhile, the annual reports of the different labour councils showed disagreement on the constitution and goals of the Commission. According to Amsterdam, its function was to simultaneously introduce subjects of common interest at the different labour councils.⁴⁷² According to The Hague, it was to consider collective efforts.⁴⁷³ According to Zutphen, however, it was to prepare a future national League of Labour Councils.⁴⁷⁴ This disagreement came to a head when in May 1896 a letter of complaint to the Commission was sent by the labour council in Haarlem.⁴⁷⁵ It was the opinion of the council that the 'Central Commission for the Labour

⁴⁶⁶ '1e Jaarverslag van den Arbeidsraad voor de Bouw- en Aanverwante Vakken te Leiden'. DiEP

⁴⁶⁷ Letter from the private labour council for the construction and related industries in Haarlem to the labour council in Amsterdam of May 12, 1896. In: Archief van de Particuliere Arbeidsraad. Toegangsnummer 357. 5. Ingekomen stukken en minuten uitgaande stukken 1893-1896. GAS

⁴⁶⁸ 'Verslag van de werkzaamheden van den Arbeidsraad op de Algemeene Vergadering, 27 december 1894'; 'Jaarverslag 1894 van den Particulieren Arbeidsraad, voor en door de bouw- en aanverwante vakken, Opgericht te Haarlem, den 6den April 1894', DiEP

⁴⁶⁹ Van Heukelom, 'Arbeidsraden in Nederland', 291-292. According to Van Heukelom, the Commission sent one petition to the ministries, municipal councils, provincial governments and water authorities at the same time. The annual reports on 1894 of Zutphen, Dordrecht, The Hague and Haarlem, however, indicate that a first petition was sent to the ministries, and a second one to the other levels of government. I am not sure which version of the events is correct, but there is more evidence for the latter.

⁴⁷⁰ 'Verslag van den Arbeidsraad te Dordrecht, over 1894/1895'. DiEP

⁴⁷¹ Dirk Damsma and Piet de Rooy. "'Morele politiek". De Radicalen in de Amsterdamse gemeentepolitiek 1888-1897'. In: *Tijdschrift voor sociale geschiedenis*, Vol. 19 (1993) 115-128

⁴⁷² '2e jaarverslag, over 1894'. GAS

⁴⁷³ 'Verslag van de werkzaamheden van den Arbeidsraad op de Algemeene Vergadering, 27 december 1894'. DiEP

⁴⁷⁴ 'Tweede Jaarverslag van den Arbeidsraad voor Bouw- en aanverwante vakken te Zutphen'. DiEP

⁴⁷⁵ Letter from the private labour council for the construction and related industries in Haarlem to the labour council in Amsterdam of May 12, 1896. GAS

Councils' had up till now not lived up to its task. The commission lacked a proper constitution, which caused its faltering leadership. Apart from a few petitions, of which the effectiveness was uncertain, nothing had been achieved. The national organ, furthermore, was constantly referred to under a different name: either the Central Commission for the Labour Councils, or the Commission of Chairmen of the Labour Councils.⁴⁷⁶ It seemed to the council in Haarlem that the chairmen of the councils in Amsterdam, The Hague and Leiden were acting on their own. Therefore, Haarlem proposed to give the Commission statutory regulations, 'and it could be considered to apply for legal personality'.⁴⁷⁷

The proposal of the labour council in Haarlem was supported by the councils in Dordrecht, Franeker and Bolsward. The councils in Amsterdam, The Hague, Leiden and Zutphen, on the other hand, were reluctant to form a more definite Central Council.⁴⁷⁸ Elias replied in June that a restructuring would be pointless, 'as we are in the period of transition to the official Chambers of Labour'.⁴⁷⁹ To take up the organization of a Central Commission now would require general meetings, commissions and the like, and before all was done the private labour councils would have disappeared. Indeed, by this time, preparation for the institution of the Chambers was well under way. Although the Commission in the course of its existence perhaps relied on the tandem of befriended chairmen of the large-city councils for the construction industry and could not come to full maturation, it did function to some extent as a national organ of interest representation that exerted extraparliamentary pressure on lawmakers. In acquitting themselves through the joint petitions of their advisory function, the labour councils conveyed that they were not exclusively concerning themselves with matters pertaining directly to the local interested parties of which they were composed. Here, a rather liberal conception of unattached interest representation is displayed. In the transition to Chambers of Labour, then, they still had a role to play.

Transition to Chambers of Labour

In the years since the legislative proposals of Pyttersen and Schimmelpenninck in May 1892, momentum for a law on Chambers of Labour had appeared to slow down. Although the government had promised to come with its own proposal soon, and several political parties

⁴⁷⁶ In the annual reports of Dordrecht and Zutphen, the names 'Bureau of Labour Councils' and 'League of Labour Councils' can also be found.

⁴⁷⁷ Letter from the private labour council for the construction and related industries in Haarlem to the labour council in Amsterdam of May 12, 1896. GAS

⁴⁷⁸ 'Jaarverslag over 1896 van den Arbeidsraad voor de Bouw- en aanverwante vakken, te Haarlem en aangrenzende gemeenten', DiEP

⁴⁷⁹ Letter of secretary Elias of the private labour council in Amsterdam to the labour council in Haarlem of June 4, 1896. In: Archief van de Particuliere Arbeidsraad. Toegangsnummer 357. 5. Ingekomen stukken en minuten uitgaande stukken 1893-1896. GAS

subscribed to the idea, inaction seemed to reign. As demonstrated by the discussions in Amsterdam and Dordrecht, the relationship of the private labour councils to the future Chambers of Labour was already an issue during the foundation process. Here, one motivation for the foundation of a private labour council was to provide an example for the government to build on. In the course of their existence, the labour councils never let go of the assumed mantle of predecessors to official Chambers. In a meeting of the labour council in Amsterdam in June 1894, Muysken promised that at the next convention of the Commission of Chairmen, he would propose to send a joint petition to the government on behalf of the private labour councils to accept the Pyttersen proposal with or without modifications.⁴⁸⁰ This petition never came off the ground. In June of the next year, however, at a Commission meeting it was decided to request a private audience of Muysken and Van Malsen with the minister of Justice to lobby for the institution of Chambers of Labour.⁴⁸¹ A month later, the idea was abandoned: word had come that a government proposal was under way.

On October 10, 1895, the Roëll cabinet finally introduced its legislative proposal for Chambers of Labour in the Second Chamber. Elias reacted immediately: five days later, he sent a letter to all private labour councils in which he announced that before long he would send them a copy of the proposal. Elias invited all to discuss it internally, and send remarks back to him. The goal was to file an official report with the Second Chamber or the government on desired revisions to the law.⁴⁸²

Elias' letter sparked discussion in all labour councils. In The Hague, the legislative proposal was 'the subject of elaborate discussion in several meetings', and remarks were sent back to the Commission.⁴⁸³ In Zutphen, 'wide-ranging discussions took place'.⁴⁸⁴ The members of the council agreed with the system of mixed Chambers, but wanted the new institutions to have a broader scope than proposed. In Haarlem, judicial advisor and member of the Second Chamber Hubert de Kanter briefed the council on the proposal, and a memorandum was sent to the Commission. On December 12, moreover, the labour council organized a public meeting on the subject in society 'De Kroon', of which a report was published in a number of newspapers.⁴⁸⁵ In Dordrecht,

⁴⁸⁰ '21 juni 1894'. In: Archief van de Particuliere Arbeidsraad. 357. 1. Notulen 4 mei 1893-21 januari 1897; 19 januari 1899. GAS

⁴⁸¹ '11 juni 1895'. In: Archief van de Particuliere Arbeidsraad. 357. 1. Notulen 4 mei 1893-21 januari 1897; 19 januari 1899. GAS

⁴⁸² Letter of C.A. Elias, secretary of the labour council in Amsterdam, to the labour council in Dordrecht, of October 15, 1895. In: Archief Particuliere arbeidsraad. 197. Stukken betreffende de behandeling van het ontwerp van de Wet op de Kamers van Arbeid 1895-1897. 30. Ingekomen brieven en minuten van uitgegane brieven, 1895-1897.

⁴⁸³ 'Verslag van den Arbeidsraad voor de Bouwvakken te 's-Gravenhage over 1895'. In: Archief Particuliere Arbeidsraad. 197. Jaarverslagen van verschillende arbeidsraden, 1894-1896. 36. 's-Gravenhage, 1894-1896. DiEP

⁴⁸⁴ 'Derde Jaarverslag (over 1895) van de Kamer van Arbeid voor Bouw- en Aanverwante Vakken te Zutphen', DiEP

⁴⁸⁵ 'Jaarverslag over 1895 van den Arbeidsraad voor de Bouw- en aanverwante vakken, te Haarlem en aangrenzende gemeenten', DiEP

a special meeting of the labour council was held to discuss the legislative proposal. Here, some council members thought the scope of the Chambers of Labour was too small, as it would not include the regulation of employment and teaching contracts. Others disagreed with the form representation would take: instead of several Chambers for different trades, they wanted one Chamber representing all industry.⁴⁸⁶

The petition to the Second Chamber on behalf of the private labour councils was sent on February 17, 1896.⁴⁸⁷ Signed by Muysken, Van Malsen and Elias,⁴⁸⁸ the letter communicated the 'general desire' for a quick establishment of Chambers of Labour by the government: 'Although private initiative has tried to fill the commonly acknowledged void, precisely this pursuit has made clear the necessity of a legal basis for getting the required influence and trust to let the Chambers of Labour or Labour Councils live up to their task.'⁴⁸⁹ Regulation in public law allowed for the settlement of voting rights and legitimacy in meddling in what some considered 'private affairs'. The signatories continued with modifications to the proposal: instead of letting the government determine where to establish Chambers of Labour, they proposed to let local interested parties take initiative as well. The task description of the Chambers was considered too limited: the prevention of disputes as well as the regulation of contracts and wage tables should also be included. Finally, the definitions of 'patron' and 'worker' had to be modified, so as to not let master journeymen and foremen represent workers.⁴⁹⁰

In the next months, in parliament the Provisional Report was drawn up that led to a number of modifications in the legislative proposal. From this period survives a letter from the college of mayor and aldermen to the labour council in Dordrecht with a request from the minister of Justice for information regarding 'the way in which in the private labour council for the construction industry in this Municipality representation of patrons and workers takes place'.⁴⁹¹ The minister was also interested in the constitution of the labour council. In the revised proposal, an extra function was added to the Chambers of Labour: to give advice on and design contracts

⁴⁸⁶ 'Buitengewone Vergadering Donderdag 7 November 1895'. In: Archief Particuliere arbeidsraad. 197. 4. Notulen vergaderingen particuliere arbeidsraad, 15 december 1894-23 februari 1899. DiEP

⁴⁸⁷ This included the labour councils in Amsterdam, Bolsward, Dordrecht, Franeker, The Hague, Haarlem, Leiden and Zutphen, but excluded the labour councils in Utrecht and Enschede. Some remarks from the councils in Haarlem and Dordrecht were directly adopted. Petition from the private labour councils to the Second Chamber of the Estates-General of February 17, 1896. In: Archief Particuliere arbeidsraad. 197. Stukken betreffende de behandeling van het ontwerp van de Wet op de Kamers van Arbeid 1895-1897. 30. Ingekomen brieven en minuten van uitgegane brieven 1895-1897. DiEP

⁴⁸⁸ Drucker withheld from signing, as he was a member of the Second Chamber himself.

⁴⁸⁹ Ibid.

⁴⁹⁰ The signatories also proposed minor modifications to a number of other articles in the proposed law, such a more clear statement that patrons and workers convened in a common meeting, and regulations on age, tenure and attendance fees. It was proposed to make the chairman a royal appointee, on recommendation by the Chamber of Labour. Ibid.

⁴⁹¹ Letter from the college of mayor and aldermen in Dordrecht to chairman of the labour council in Dordrecht F.N. Sickenga, of May 19, 1896. In: Archief Particuliere arbeidsraad. 197. 30. Ingekomen stukken en uitgegane brieven, 1895-1897. DiEP

on request of interested parties. As the parliamentary treatment of the proposal shows, this was a direct result of the councils' petition.⁴⁹²

The Commission responded to the modified proposal with a second petition on December 23, 1896.⁴⁹³ In this letter, Muysken, Van Malsen and Elias greeted the modifications with approval. Again, however, urgency was stressed: 'In circles of interested parties the legal establishment of Chambers of Labour has for years been looked forward to.'⁴⁹⁴ It was added that the slow progress of the bill had a negative effect on the private labour councils. The broader scope of the Chambers of Labour was lauded, but again another definition of patrons and workers was strongly advised, to the exclusion of such categories as foremen and members of supervisory boards.⁴⁹⁵ Finally, a clearer regulation of the electoral process and attendance fees for members were recommended.⁴⁹⁶

After this last petition, the initiative was entirely in the hand of parliamentarians. The last reports of most private labour councils are from 1896, and list a decline in activity. In many councils, the final passage of a law on the Chambers of Labour was hoped for and expected. The report on 1895 of the council in Zutphen, for example, ended with an appeal to heaven: 'In the new year, bless our deliberations in the interest of both patrons and workers and possibly... finally a law on the Chambers of Labour!'⁴⁹⁷ The report on the same year in Amsterdam reflected that 'the hope that by this year we would already have transferred our task to a Chamber of Labour instituted by the government has not materialized'.⁴⁹⁸ The labour council in Leiden hoped that in its next general meeting the existence of a local Chamber of Labour could be confirmed.⁴⁹⁹

⁴⁹² Handelingen der Staten-Generaal. Bijlagen 1895-1896. 2. No. 88. Oprichting van Kamers van arbeid. 15; Handelingen der Staten-Generaal. Bijlagen 1896-1897. 1. No. 19. Oprichting van Kamers van arbeid. 2; 'Tweede Jaarverslag van den Arbeidsraad voor de Bouw- en Aanverwante Vakken, te Leiden'. DiEP

⁴⁹³ Petition from the private labour councils to the Second Chamber of the Estates-General of December 23, 1896. In: Archief van de Particuliere Arbeidsraad. 357. 10. Rekening en verantwoording over de jaren 1896 en 1897. GAS

⁴⁹⁴ Ibid.

⁴⁹⁵ The signatories argued that members of supervisory boards of 'naamloze vennootschappen' (public limited liability corporations) on the one hand, and master journeymen and foremen on the other hand, could not adequately represent patrons and workers. The first category was deemed lacking in practical knowledge, and the second according to the signatories usually stood in sharper opposition to workers than patrons themselves. Therefore, it was recommended to entirely exclude these categories from participation in the Chambers of Labour. This was not seen as a problem, as small patrons without employees were also excluded.

⁴⁹⁶ The signatories wanted to make sure that patrons would elect patron members, and workers would elect worker members. Furthermore, they thought that without attendance fees the motivation to take a seat in a Chamber of Labour would decrease.

⁴⁹⁷ 'Derde Jaarverslag (over 1895) van de Kamer van Arbeid voor Bouw- en Aanverwante Vakken te Zutphen', DiEP

⁴⁹⁸ The wish was added that the bill might soon become a law, after undergoing the modifications desired by the private labour councils. '3e jaarverslag, over 1895'. In: Archief van de Particuliere Arbeidsraad. Toegangsnummer 357. 4. Jaarverslagen 1893-1895, 1897-1898. GAS

⁴⁹⁹ 'Tweede Jaarverslag van den Arbeidsraad voor de Bouw- en aanverwante vakken, te Leiden'. DiEP

In Dordrecht, the report on 1897 was deemed 'probably the last of our Labour Council, predecessor of a Chamber of Labour, which we expect to soon act in our city as well'.⁵⁰⁰

After a parliamentary debate that ran from February to March 1897, the law on the Chambers of Labour was finally passed. On May 2, 1897, it was published in the *Staatsblad*. The execution of the law, however, required more time. On October 15, the Ministry of Water Management, Trade and Industry sent a survey to all private labour councils for advice on possible Chambers of Labour in their municipalities. 'In places where private persons have already founded a labour council or Chamber of Labour', it read, 'the establishment of such a board can already be prepared.'⁵⁰¹ It then inquired whether a demand for a Chamber of Labour existed in the municipality, and whether a reasonable composition would be possible; which companies should be represented; whether a Chamber should stretch out to neighbouring municipalities; of how many members it should be composed; and which persons could be equated with patrons and workers. The labour councils in Amsterdam and Dordrecht responded to this in different ways: while the former advised to establish multiple Chambers of Labour for different sections of industry, the latter recommended to found just one Chamber representing the entire industry. This modelled the setup of their own private labour councils.

The law on the Chambers of Labour became effective on February 1, 1898. The only labour councils that report on 1897 and 1898 are Amsterdam and Dordrecht. In the first, no complaints were filed, a few letters were sent, and a questionnaire of the government commission for the World's Fair in Paris of 1900 on the history of the labour council was answered. No meetings were held and no contribution was raised.⁵⁰² In the second, a summary of the Safety Law was made and sent to patrons, workers and the other councils, and a model work contract was designed.⁵⁰³ The government questionnaire for the World's Fair can be found in the archives here too;⁵⁰⁴ this shows once more that the state took an active interest in the private labour councils, and was willing to exhibit them to the outside world, likely as one solution to the social question in the Netherlands, on an international venue. The last regular meeting of the private labour

⁵⁰⁰ 'Verslag van den Arbeidsraad te Dordrecht, over 1897'. February 1898. In: *Archief Particuliere arbeidsraad*. 197. 32. Jaarverslagen 1894-1897. DiEP

⁵⁰¹ This letter was also sent to the colleges of mayor and aldermen of these municipalities. Although the letters do not survive for any labour council except those in Amsterdam and Dordrecht, these two are exactly the same, which leads to the assumption that they were also sent to other councils. Letter of the minister of Water Management, Trade and Industry to the private labour council in Dordrecht on the desirability of founding a Chamber of Labour in this municipality, of October 15, 1897. In: *Archief Particuliere arbeidsraad*. 197. 30. Ingekomen brieven en minuten van uitgegane brieven, 1895-1897. DiEP; Letter of the minister of Water Management, Trade and Industry to the private labour council in Amsterdam, of October 15, 1897. In: *Archief van de Particuliere Arbeidsraad*. Toegangsnummer 357. 5. Ingekomen stukken en minuten uitgaande stukken 1893-1896. GAS

⁵⁰² 'Jaarverslag over de jaren 1897 en 1898'. In: *Archief van de Particuliere Arbeidsraad*. Toegangsnummer 357. 4. Jaarverslagen 1893-1895, 1897-1898. GAS

⁵⁰³ 'Verslag van den Arbeidsraad te Dordrecht, over 1897'. DiEP

⁵⁰⁴ *Archief Particuliere arbeidsraad*. 197. 10. Enquêteformulieren ten behoeve van de wereldtentoonstelling in 1900 te Parijs te houden met een opgave van de samenstelling, taak, e.d., 1898. DiEP

council in Dordrecht was held in May 1898.⁵⁰⁵ In this year and the next, Chambers of Labour were established in both cities, after the first ones that were established in The Hague. As will be related in Chapter Five, in some places private labour council members took seats in a Chamber of Labour.

On its fifth general meeting, on January 19, 1899, the private labour council in Amsterdam was officially disbanded. Muysken brought into memory the five-and-a-half years of its existence, and thanked everyone for his cooperation. On the proposal of one council member, special thanks went out to secretary Elias. Then, with general approval, the meeting was closed.⁵⁰⁶

The private labour council in Dordrecht was dissolved a month later, on February 23, 1899. In this first meeting in nine months, Sickenga said that with the decision to found a Chamber of Labour in the city the task of the labour council had come to an end. It was then agreed upon that the latter would be considered to stop existing the moment the former would be constituted.⁵⁰⁷

During the run-up to the government proposal for the Chambers of Labour, an interplay can be witnessed between private initiatives on the one hand, and the legislative power on the other hand, in the drafting of legislation. The private labour councils were conceived as experiments from which official Chambers could take advantage, but they also lobbied for the institution of the latter. The labour councils actively tried to influence the makeup of the Chambers, while government agencies asked them for advice. Eventually, the existence of a private labour council in a municipality partly determined whether or when a Chamber of Labour was established. In this sense, the private labour councils from their point of view were a successful experiment.

Conclusion

After previous attempts at dispute conciliation, with the private labour councils more permanent institutions of representation and regulation on a private basis were established. To some extent intended as experimental predecessors to Chambers of Labour, they had to debate constitution, membership criteria and setup, explore functions and practices and acquire a place in the process of legally institutionalizing their successor institutions. In all these steps, conceptions of representation were discussed and put into a form of organization. In providing advice to the state, most notably and with some result on the municipal level on the one hand, and in the legislative route to Chambers of Labour on the other hand, the private labour councils formed an aspect of the increasing integration of society and state exemplified by the linkage of public

⁵⁰⁵ 'Vergadering 26 Mei 1898'. In: Archief Particuliere arbeidsraad. 197. 4. Notulen vergaderingen particuliere arbeidsraad, 15 december 1894-23 februari 1899. DiEP

⁵⁰⁶ '19 januari 1899 (5e Algemeene Vergadering)'. In: Archief van de Particuliere Arbeidsraad. 357. 1. Notulen 4 mei 1893-21 januari 1897; 19 januari 1899. GAS

⁵⁰⁷ 'Vergadering 23 Februari 1899'. In: Archief Particuliere arbeidsraad. 197. 4. Notulen vergaderingen particuliere arbeidsraad, 15 december 1894-23 februari 1899. DiEP

institutions with private interests. This was taken to the national stage in the form of an embryonic national organ of interest representation. As will be shown in the next chapter, the actions of the private labour councils had not gone unnoticed: in the parliamentary debates on the final institutionalization of the Chambers of Labour, they were frequently taken account of.

The legislative route towards Chambers of Labour

As related in the previous chapters, the late 1880s in the Netherlands witnessed heightened societal unrest and a spur in private labour organization going along with an increasing interest in the regulation of social and economic life by the state. The renewed public debate on Chambers of Labour as one solution to the social question in progressive liberal and antirevolutionary circles from 1887 on can be located in these processes, and opened up new avenues for political representation. Institutional examples were provided by the experimental boards of arbitration and private labour councils. Parliamentary debate responded to this in several ways, ultimately leading to the legal institutionalization of the Chambers of Labour. In this chapter, I will first explore the suggestions for the institution of Chambers of Labour that were heard during parliamentary debates around the turn of the 1890s. Then, I will compare the first concrete legislative proposals for Chambers of Labour, introduced in 1892. Finally, I will probe the legislative route of the government's proposal for Chambers of Labour of 1895, paying attention to the interplay with the private labour councils along the way.

Parliamentary debate

In March 1889, the parliamentary debate on the legislative proposal for the Labour Act was opened. This proposal was a result of the report of the parliamentary commission of inquiry of two years before, that recommended to prohibit child labour, restrict working hours for women and young persons and set up a labour inspection.⁵⁰⁸ The proposal for the Labour Act, introduced by the minister of Justice Gustave Ruijs van Beerenbroek of the antirevolutionary-Catholic Mackay cabinet, entailed just that.⁵⁰⁹ At the start of the debate, however, the liberal member of the Second Chamber and former chairman of the inquiry commission Herman Verniers van der Loeff raised the issue of Chambers of Labour. Stating that 'for several years, especially by

⁵⁰⁸ See: Johanna Maria Welcker. *Heren en arbeiders in de vroege Nederlandse arbeidersbeweging 1870-1914* (Amsterdam: Van Gennep 1978)

⁵⁰⁹ Roebroek and Hertogh, *Twee eeuwen sociale politiek, verzorgingsstaat en sociale zekerheid in Nederland*, 84-85

members of the other side (...) the idea of what they call chambers of labour has been raised and recommended in the Chamber, in public and in section meetings,⁵¹⁰ he asked the government to what extent the institution of an organization for the working class was in the making, as he himself favoured the idea. Van der Loeff specifically referred to the 1888 Program of Action of the ARP, written by Kuyper, that called for Chambers of Labour as 'a constitutional organization for the working classes'.⁵¹¹ He did not receive an answer, but it was the leading antirevolutionary member of the Second Chamber Alexander Frederik de Savornin Lohman who returned to the subject. In his speech on the debated proposal, Lohman proposed the establishment of 'chambers of labour', which he saw as 'corporations' in which workers and employers could convene to discuss mutual interests and give advice to the state.⁵¹² Although he presented them as a modern restoration of the guilds rather than as 'working class parliaments', he did propose to attach a proportional voting system to them. In this way, individuals as well as different trades would be represented in the chambers.⁵¹³ The state would then have an organ with which she could negotiate about labour affairs, and with this, according to Lohman the workers would be much better served than with universal franchise.

De Savornin Lohman spoke in the vein of Kuyper's proposals in *Handenarbeid*. Yet, he was supported by the Catholic parliamentary leader Hermanus Schaepman as well as the progressive liberal Heldt. Like Lohman, Schaepman referred to the old guilds and corporations that gave the worker organizational power, as opposed to the economic isolation that reigned today. He conceived of Chambers of Labour as state recognition of worker's organizations.⁵¹⁴ Heldt, then-chairman of the ANWV, 'felt much' for the Chambers as a means of reconciling workers and employers 'better than seems possible through free associations'.⁵¹⁵ The revolutionary socialist leader Ferdinand Domela Nieuwenhuis, on the other hand, rejected the proposal. According to him, 'in circles of workers people laugh or shrug their shoulders' about the idea of giving workers organs of representation.⁵¹⁶ This made clear that at least for the anarchist Domela, the idea of workers' chambers had ceased to be an option; rather, private organization of labour was conceived of as the best way of representing the interests of the workers. The response from Minister Ruijs van Beerenbroek, finally, was that the matter appeared 'nebulous' to him, and that

⁵¹⁰ Van der Loeff's question invalidates the statement of Helderman that it was De Savornin Lohman who raised the issue during this debate. Unfortunately, I have not been able to trace the earlier Chamber sessions to which Van der Loeff refers. Helderman, *Kamers van Arbeid*, 28; *Handelingen der Tweede Kamer. 1888-1889*. 843

⁵¹¹ Rienk Janssens. *De opbouw van de Antirevolutionaire Partij 1850-1888* (Hilversum: Uitgeverij Verloren 2001) 289; *Handelingen der Tweede Kamer. 1888-1889*. 843

⁵¹² *Ibid.*, 850-851

⁵¹³ *Ibid.*, 880

⁵¹⁴ Schaepman does not go into more detail than this. *Ibid.*, 857

⁵¹⁵ *Ibid.*, 853

⁵¹⁶ *Ibid.*, 871

he considered it too early for legislation.⁵¹⁷ With this, the debate returned to the treatment of the Labour Act again, but the subject of Chambers of Labour had entered the parliamentary debate. While confessional and progressive liberal politicians converged on the idea of representational chambers with the goal of conciliation, socialists disapproved.

The subject of the institutionalization of Chambers of Labour would be raised several times more during parliamentary debates on social and economic issues. In November 1889, De Savornin Lohman again touched upon it, this time during the debate on the appointment of the Rochussen state commission of inquiry into possible social legislation. Lohman opposed both, but instead pleaded for an 'organ through which [the workers] are connected with the government'.⁵¹⁸ In this way, the workers would be permanently heard, rather than once. In response, Goeman Borgesius remarked that Lohman's speech promoted 'his hobbyhorse: the chambers of labour', to which he himself was not opposed.⁵¹⁹ The antirevolutionary member Allard Philip baron van der Borch van Verwolde replied to this that 'many in and outside of this Chamber would like to ride this hobbyhorse along with mister Lohman' as the solution to the social question.⁵²⁰ Minister Ruijs de Beerenbroek, however, in his explanation to the budget of 1890 again remarked on the 'vague' character of the debate, but said he would 'continue to give attention to the matter'.⁵²¹

The next plea for the institution of Chambers of Labour in the Second Chamber was held in 1891 by the then-leader of the antirevolutionary fraction, Alexander baron Van Dedem.⁵²² De Savornin Lohman himself had become Minister of the Interior, and the government now responded more favourably to the proposal. It did not introduce a legislative proposal, however, before the cabinet fell in July 1891. In the past several years, it had been the moderate antirevolutionary leadership that championed the idea in the Second Chamber, supported by progressive liberals. Concrete proposals stayed off, however, while the government remained mostly aloof.

⁵¹⁷ Ibid., 896

⁵¹⁸ De Savornin Lohman resisted the idea that the workers were the only disadvantaged class in society, and did not believe in the effectiveness of social legislation. Rather, he wanted the private organization of labourers to be taken up in the state the way he proposed. This would also thwart their ability to strike. *Handelingen der Tweede Kamer. 1889-1890.* 176

⁵¹⁹ Goeman Borgesius wanted a state inquiry as well as Chambers of Labour. Ibid., 178

⁵²⁰ Verwolde believed that a state inquiry would reveal the desire for chambers of representation amongst the workers. Ibid.

⁵²¹ *Handelingen der Staten-Generaal. Bijlagen 1889-1890. A. Staatsbegroting voor 1890. Hoofdstuk IV. No. 15.* 7

⁵²² Hagoort, *Het beginsel behouden*, 18

The legislative proposals of Pyttersen and Schimmelpenninck

In the elections of June 1891, the confessional coalition lost its majority in parliament. After that, a liberal cabinet led by Gijsbert van Tienhoven and Johannes Tak van Poortvliet was formed, which at the start of its governing period announced that additional social legislation was forthcoming.⁵²³ Meanwhile, as witnessed by the public lecture tours of Kerdijk and the discussions at the Christian Social Congress, the institution of Chambers of Labour in the Netherlands increasingly became the subject of public debate. In the early months of 1892, moreover, in addition to The Hague, private labour councils were established in Bolsward and Franeker. But although the new government had stated that she would take the establishment of Chambers of Labour into serious consideration, and had appointed A.F. van Leijden to conduct an inquiry into social legislation in other countries,⁵²⁴ according to some parliamentarians she did not act expediently enough. One of these was the progressive liberal member of the Second Chamber Hendrik Pyttersen Tzn. Pyttersen was a publisher from Friesland who had been a member of the Comité voor Algemeen Stemrecht ('Committee for Universal Suffrage'), the successor organization of the Comité ter bespreking van de Sociale Kwestie. Later, he would become chief editor of the progressive liberal newspaper *Nieuwe Arnhemsche Courant*.⁵²⁵ He was thus likely acquainted with the progressive liberal circle around Kerdijk, Drucker and Goeman Borgesius, from which calls for the institution of Chambers of Labour had frequently been heard.

On April 27, 1892, it was Pyttersen who introduced the first legislative proposal for the establishment of 'Chambers of Labour and Industry' into the Second Chamber.⁵²⁶ He defended his unusual move of introducing a proposal before the government did by stressing the importance of an institution 'which gives the working class the opportunity to legally voice its justified grievances, and seems called to further a better relationship between capital and labour.'⁵²⁷ He supported his proposal by pointing to the boards of conciliation and arbitration in Great Britain, the councils of industry and labour in Belgium, and the Bureaus of Labour Statistics in the United States, which had in common the 'recognition of the claims of the working class on representation in departments of government.'⁵²⁸ He then drew on the debate in the

⁵²³ Molenaar, *Arbeidsrecht*, 297

⁵²⁴ De Vries, 'De voorbereiding der sociale wetgeving onder het Ministerie Van Tienhoven-Tak van Poortvliet', 198-220

⁵²⁵ He had got elected in the Second Chamber on behalf of the district formerly held by Domela Nieuwenhuis. Van Klinken, *Actieve burgers*, 182, 260; 'H. Pyttersen Tzn.' On: Parlement & Politiek. <http://www.parlement.com/> Last checked August 1, 2009

⁵²⁶ The name 'Chambers of Labour and Industry' ('Kamers van Arbeid en Nijverheid') was meant to signify their relationship to the Chambers of Commerce and Factories. 'Voorstel van wet van den heer Pyttersen, tot instelling van Kamers van arbeid en nijverheid'. No. 151. Handelingen der Staten-Generaal. Bijlagen 1891-1892.

⁵²⁷ Ibid., 'Memorie van Toelichting', 6

⁵²⁸ Pyttersen also mentioned the American federal Bureau of Labour, which he compares to the Conseil supérieur de travail in France and the Volkswirtschaft in Prussia. He did not propose, however, to establish a national organ in the Netherlands as well.

Netherlands, referring to Levy's brochure *Arbeidsraden* and the various proposals of Kerdijk on the one hand, and the antirevolutionary proposals for Chambers of Labour on the Social Congress of 1891 on the other hand.⁵²⁹ Finally, he mentioned the 'praiseworthy' private initiatives in the Netherlands, such as the labour councils in The Hague and Bolsward, which nevertheless required legislative settlement.

The proposal itself was to a large extent based on the Belgian law on the Councils of Industry and Labour, enacted five years earlier. Like these institutions, the Chambers of Labour and Industry were to 'further a good relationship between employers and employees' by discussing mutual interests, collecting data, providing advice to the multiple levels of state and conciliate disputes. Pyttersen also pointed at the boards of conciliation and arbitration in Great Britain as an example of organs that equally featured patrons and workers.⁵³⁰ The Chambers of Labour and Industry were to have departments for different branches of industry that would consist of six to twelve members equally divided into workers and employers, who would meet together. Women were allowed. In the commentary to the articles, the author made clear that whereas foreign institutions were primarily designed for large industry, the current design was also meant to cover small industry and agriculture.⁵³¹ He concluded his proposal musing that 'in some way, the departments bring the ancient guilds into memory. Composed of representatives of patrons and workers active in the same company or industry, they are an autonomous whole, with its own elected board and regulations, and should be considered the organ of the company or industry that they represent'.⁵³²

In the proposal of Pyttersen, several strands came together: the international examples, the debate amongst progressive liberals and antirevolutionaries in the Netherlands, and the private initiatives of the last few months. Cast in the discourse of claims on functional representation, stressing conciliation, like the antirevolutionaries he nevertheless invoked the guilds. The antirevolutionaries in parliament, however, who had advocated the foundation of Chambers of Labour in the Second Chamber in the past several years, responded with a legislative proposal of their own, showing the increasingly politicized character of the debate. Five days later, the former military officer Jan Elias Nicolaas baron Schimmelpenninck van der Oye filed a second legislative proposal for the establishment of Chambers of Labour.⁵³³ In line with the ideas of both the older and the younger De Savornin Lohman, the author conceived of the Chambers in the

⁵²⁹ Ibid., 7-8

⁵³⁰ According to him, the Belgian councils of industry and labour improved on this by letting the workers and patrons elect their representatives in the boards, which stood in regular connection to the government. The American examples, finally, were instructive for their function of gathering statistics.

⁵³¹ Ibid., 7-8

⁵³² Ibid., 9

⁵³³ Less detailed than Pyttersen's proposal, it counted 28 articles, whereas the former had counted 76. 'Voorstel van wet van den heer Schimmelpenninck van der Oye, betreffende de oprichting van Kamers van Arbeid'. No. 151. Handelingen der Staten-Generaal. Bijlagen 1891-1892.

first place as advisory bodies to the multiple levels of the state, which in addition were to conciliate disputes between workers and employers. They were to have different departments, but in contrast with Pyttersen's proposal patrons and workers were allowed to convene separately.⁵³⁴ Salesmen of strong liquor, brothel owners and women were excluded from membership. The primary goal of the Chambers was conciliation. Rather than on the boards of arbitration, the proposal was grounded on the legal recognition of trade unions in Great Britain. If such private organizations with a 'public or semi-public' character were absent, the reasoning went, the legislature should attempt to bring patrons and workers together by similar means, in the form of Chambers of Labour.⁵³⁵

After years of public and parliamentary debate, the Second Chamber suddenly had two proposals to discuss. Momentum was added, furthermore, when on May 7 the report of Van Leijden appeared, which also recommended to establish Chambers of Labour.⁵³⁶ Within Patrimonium, the legislative initiatives were well-appreciated, but support went out to Schimmelpenninck in a petition to the Second Chamber which stressed the organization's preference for the possibility of separate meetings of workers and employers. Kuyper, however, criticized both proposals for including employers.⁵³⁷ It took several months for the parliamentary Provisional Report discussing both proposals to appear. In it, however, the majority of involved members expressed their support.⁵³⁸ A minority considered the institution of Chambers of Labour unnecessary, because it considered workers already free enough to represent their interests. Others feared that the Chambers would only treat small matters, while leaving the big issues alone. Levy, who in 1887 had famously argued for labour councils in *Arbeidsraden*, filed a separate note in which he argued that the establishment of Chambers of Labour was against constitutional law, would create guild-like states in the state, and was too early because the idea had not yet matured. He was especially worried about the antirevolutionary desire for a corporatist reform of state and society, beginning with the 'seemingly innocent' institution of Chambers of Labour.⁵³⁹ Most members, however, saw the Chambers of Labour as giving constitutional sanction to an institution generally desired by workers. Taking into account the

⁵³⁴ The motivation for separate conventions was that otherwise workers would feel intimidated by the patrons. Internal deliberation beforehand was also considered beneficial.

⁵³⁵ Like in Pyttersen's proposal, the Belgian law on councils of industry and labour is also frequently referred to.

⁵³⁶ Roebroek and Hertogh, *Twee eeuwen sociale politiek, verzorgingsstaat en sociale zekerheid*, 153

⁵³⁷ Hagoort, *Het beginsel behouden*, 24-25

⁵³⁸ 'Voorlopig Verslag'. No. 28 en 29. Handelingen der Staten-Generaal. Bijlagen 1892-1893. The Commission of Reporters consisted of the liberals Goeman Borgesius, Heldt, Jacob Veegens and Meinard Tydeman, and the antirevolutionary Mackay.

⁵³⁹ To create awareness of the antirevolutionary intentions, Levy quoted from the report on the Social Congress of November 1891, articles from Kuyper in *De Standaard*, and 'Ons Program', in which the desire for organic representation based on corporate chambers was expressed. Against this, 'undersigned warns with all strength he has in him. In his view the Representation should consider ten times before she creates a body in public law, which not only lends itself for all kinds of internal abuses, but can also become an instrument for constitutional disorder.' *Ibid.*, 13-18

example of neighbouring countries, the debate of the past several years and the establishment of private labour councils, they presented the Chambers of Labour as 'an experiment' worth taking.⁵⁴⁰ Especially since private initiatives appeared insufficient, they wanted to make it a state affair. Agreement could not be reached, however, on whether patrons and workers were to meet separately or in combination. Finally, it was recommended that both proposals should be merged into one.

Responding to the report, on the turn of 1893 Pyttersen and Schimmelpenninck presented a modified proposal that was a merger of their earlier proposals, but which explicitly stated that on crucial points it reflected the opinion of neither of them.⁵⁴¹ In this proposal, the Chambers' four functions of the discussion of mutual interests, collection data, provision of advice to the state and dispute conciliation, as well as the departments for different branches of Pyttersen's proposal were retained, but as in Schimmelpenninck's proposal, patrons and workers were to convene in separate sections. Women were allowed to become member.⁵⁴² The Chambers were to cover the entire field of labour, including agriculture. In his Explanatory Memorandum Pyttersen resisted the notion that his proposal fitted in the antirevolutionary scheme for corporatist reform, as his Chambers were mixed rather than separate, which he considered a deal breaker.⁵⁴³

In the second Provisional Report, of June 1893, the majority of the involved members was of the opinion that if the two initiators could not agree on such crucial issues as the mixed or separate character of the Chambers or membership criteria, one of them would have to withdraw.⁵⁴⁴ After Pyttersen and Schimmelpenninck could not resolve their differences, the joint proposal was withdrawn. Two months later, Schimmelpenninck filed his original proposal again, but it expired when the Second Chamber was dissolved in September. Pyttersen filed his original proposal again in June 1894, but retracted it on September 18 when 'after consultation with the Government' it was clear that a legislative proposal was forthcoming.⁵⁴⁵

Between April 1892 and June 1893, it had seemed a law on the Chambers of Labour would come to pass. Outside the Second Chamber, the legislative proposals had given impetus to the foundation of more private labour councils, while organizations like Patrimonium had sent

⁵⁴⁰ The report refers to the private labour councils in The Hague, Bolsward and Franeker that were founded around this time. Moreover, it was claimed that 'said experiment is not of a nature that in case of partial or complete failure the damage would be bad. (...) An experiment is sufficiently justified by the proven wishes of the workers.' Ibid.

⁵⁴¹ Ibid., 33-36

⁵⁴² Schimmelpenninck, however, openly disagreed with this.

⁵⁴³ According to Pyttersen, Pope Leo XIII in *Rerum Novarum* and the participants of the antirevolutionary Social Congress supported organizations in which patrons and workers convened separately. As his goal was deliberation rather than a sharpening of tensions Pyttersen opposed this, but like them he did express a desire to fill the organizational void created by the abolition of the guilds with Chambers of Labour, in which individuals could feel connected to each other as part of a greater whole. Ibid., 24-25

⁵⁴⁴ 'Voorlopig Verslag'. *Handelingen der Staten-Generaal. Bijlagen 1892-1893.*

⁵⁴⁵ H.J.A. Mulder. *Wet van 2 Mei 1897 (Staatsblad no. 141) tot oprichting van Kamers van Arbeid* (The Hague: Gebr. Belinfante 1897) V-VI

petitions expressing their support. The antirevolutionary leader and long-time advocate of workers-only Chambers of Labour Kuyper, however, had voiced his disagreement. The eventual failure to pass the proposal reflected the differences between the progressive liberal and the moderate antirevolutionary conceptions of the Chambers of Labour. The proposal of Pyttersen came forth from the progressive liberal side of the debate, shown in his insistence on combined meetings that reflected the importance attached to social peace. More than the antirevolutionaries, the progressive liberals also stressed the representational character of the new organs: workers, including women, were to be given a means to represent their interests in the state. The proposal of Schimmelpenninck, on the other hand, reflected the moderate antirevolutionary approach to the Chambers of Labour. The imperative here was conciliation. In contrast to the views of Kuyper, any attempt to create an organization of labour in public law was resisted.

The Act on the Chambers of Labour

In April 1894, the Van Tienhoven-Tak van Poortvliet cabinet resigned after its proposal for an expansion of the franchise was modified in the Second Chamber. After the elections a new liberal cabinet was formed, headed by Joan Roëll. In its first throne speech, the government announced that in addition to other pieces of social legislation it intended to introduce a proposal for Chambers of Labour. In October 1893, the Rochussen state commission had also recommended their institution.⁵⁴⁶ Outside the Second Chamber, furthermore, the call for their establishment had grown as well: next to the ARP, the Liberal Union had made it a point of its political program.⁵⁴⁷ Several women's organizations, moreover, had called for passive voting rights of women in Chambers of Labour; in this vein, the Vereeniging voor Vrouwenkiesrecht ('Association for Women's Suffrage') had sent a petition to the government.⁵⁴⁸

On October 10, 1895, the minister of Justice Willem van der Kaay and the minister of Water Management, Trade and Industry Philippe van der Sleyden presented the government's legislative proposal for Chambers of Labour to the Second Chamber.⁵⁴⁹ In the Explanatory Memorandum, the authors first referred to the attempt to pass a law on the Chambers a few years ago, when a majority of the Second Chamber had been in favour. They then pointed to the 1891 meeting of the Vereeniging ter bevordering van fabrieks- en handwerksnijverheid, the Christian Social Congress and the petitions of Patrimonium and the R.K. Volksbond urging the establishment of Chambers of Labour. Private initiatives, such as the courts of arbitration in the

⁵⁴⁶ Roebroek and Hertogh, *Twee eeuwen sociale politiek, verzorgingsstaat en sociale zekerheid in Nederland*, 85

⁵⁴⁷ *Ibid.*, 112, 138-139

⁵⁴⁸ Helderman, *De Kamers van Arbeid 1897-1922*, 32

⁵⁴⁹ 'Oprichting van Kamers van arbeid.' *Handelingen der Staten-Generaal. Bijlagen 1895-1896. II. No. 88*

factories of Van Marken and Stork, and the private labour councils in The Hague, Bolsward, Franeker, Dordrecht, Leiden, Utrecht and Amsterdam, were subsequently mentioned and at last, the report of the Rochussen state commission was cited as evidence that amongst workers the institution of Chambers of Labour was generally desired. The government saw their establishment as 'an important step into the until now little trodden terrain of societal relations',⁵⁵⁰

The government proposal mostly followed the Pyttersen proposal. The goal of the Chambers of Labour was to 'advance the interests of patrons and workers in mutual cooperation', by collecting data on labour affairs, giving advice to the multiple levels of state voluntarily or on request, and preventing and conciliating disputes.⁵⁵¹ They were to cover industry as well as agriculture.⁵⁵² The Chambers were to have departments for different branches of industry, but the authors 'could not unite themselves with the idea of dividing the Chamber into separate sections of patrons and workers'.⁵⁵³ The number of members was to be decided per Royal Decision for each Chamber individually. The authors could furthermore see 'no reason to exclude' women.⁵⁵⁴ In the government's insistence on combined meetings and representation of women, this clearly showed a liberal proposal.

The parliamentary Commission of Reporters, consisting of De Savornin Lohman, Pyttersen, Heldt, Tydeman and the liberal Cornelis Lely, presented the Provisional Report on the government proposal in April 1896.⁵⁵⁵ The SDAP, although not represented in the Second Chamber at this time, had voiced its disapproval of the bill. On its congress, a motion rejecting the bill on the grounds that it was based on the idea of conciliation, lacked binding force, and included employers who were already represented in the Chambers of Commerce, was unanimously accepted.⁵⁵⁶ A majority in the Second Chamber, however, again supported the proposal. Kuyper, however, had wanted to see Chambers of Labour for workers that would have the power to regulate wages and working hours, 'to undo the disorganization since the abolition

⁵⁵⁰ Ibid., 'Memorie van Toelichting', 6

⁵⁵¹ Ibid., 1

⁵⁵² The fifth article gave the definition of 'company': it included every branch of factory or handicraft labour, commerce, agriculture, mining, polder labour, peat labour, fishery and transport companies. This article was removed in the final bill.

⁵⁵³ The reasons cited for this were the same as in the Pyttersen proposal: it was feared that separate meetings of patrons and workers would lead to increased differences, which would harm the goal of conciliation. Separate meetings on a private basis outside the Chamber could naturally not be prevented, but the idea was not to give official sanction to this in the constitution of the Chambers of Labour.

⁵⁵⁴ Aliens, however, were to be excluded, since the Chambers were to be 'official bodies which the Government would recognize as authorized organs in the area of our labour'. Ibid., 8

⁵⁵⁵ Ibid., 'Voorlopig Verslag', 13-23

⁵⁵⁶ The SDAP instead called on workers to support it in its efforts to bring about universal suffrage, which would help to establish government that could to better proposals in this matter. See: 'Het congres der sociaal-democratische arbeiderspartij'. In: *Sociaal Weekblad*, Vol. 10, No. 16 (April 18, 1896) 123-124

of the guilds'.⁵⁵⁷ Some members opposed the eligibility of women as 'the introduction of a virtually unknown principle in our legal system'.⁵⁵⁸ It was suggested, furthermore, to form a central organization like the Conseil supérieur du travail in France or the High Council of Labour in Belgium.⁵⁵⁹ In response to the petition on behalf of the private labour councils, the majority proposed to expand the task of the Chambers with regulating contracts on request of interested parties.⁵⁶⁰ Finally, it was unanimously recommended that the departments rather than the Chamber be elected directly, and be called 'labour chambers', representatives of which could then form a 'General Chamber of Labour'.⁵⁶¹

The government responded to the report by introducing a modified proposal in September.⁵⁶² In this proposal, a major change in the setup was made. Instead of having Chambers of Labour with departments for the various trades, multiple Chambers covering just one branch of industry were now to be erected. This alteration came forth from the parliamentary recommendation to establish 'labour chambers' which could form a 'General Chamber of Labour'. After a meeting with the Commission of Reporters, it was decided to do away with the departments all together and form one-trade Chambers.⁵⁶³ The extra function of regulating contracts was added, and the ministers returned to the question of combined meetings with the argument that while the private labour council for the cotton industry in Enschede functioned well with separate conventions, the older councils in Amsterdam and Dordrecht, where patrons and workers convened together, had also achieved important results.⁵⁶⁴ The eligibility of women, finally, was retained. The government defended its proposal by arguing that married women were able to independently exercise their rights, as evidenced by the fact that they had the right to keep shop, in which case the husband was not the head of the relationship. Since women had the right to vote for water authorities, but no passive voting rights, if passed the Chambers of Labour would

⁵⁵⁷ Ibid., 13, 14; Van Welderen Rengers, *Schets eener parlementaire geschiedenis van Nederland*, 129

⁵⁵⁸ 'Voorlopig Verslag', 18

⁵⁵⁹ Ibid., 14

⁵⁶⁰ A majority of the members was also responsive to the recommendations in this petition to let interested parties take initiative in the foundation of a Chamber of Labour, and to exclude master journeymen and foremen from representing workers. It was suggested, furthermore, that in places where not enough patrons were available, a settlement could be made 'similar to the existing private labour councils in Amsterdam, The Hague and Dordrecht', wherein architects were member because of their expertise. This further proves the significance of the private labour councils in providing an example and influencing the drafting of legislation on the Chambers of Labour.

⁵⁶¹ The idea had always been that the Chambers of Labour were to be elected directly, after which departments for different trades could be formed if so desired. Ibid., 15

⁵⁶² 'Oprichting van Kamers van arbeid. Memorie van Antwoord'. *Handelingen der Staten-Generaal. Bijlagen 1896-1897. I. No. 19*

⁵⁶³ The ministers considered it too early, however, for a coordinating organization.

⁵⁶⁴ Ibid., 1

become the first state organ in the Netherlands to which women had the right to stand for election – a completely overlooked fact in Dutch historiography.⁵⁶⁵

The parliamentary debate on the government's legislative proposal for Chambers of Labour ran from February 23 to March 4, 1897.⁵⁶⁶ With socialists not represented in the Second Chamber and liberals mostly aloof, it was dominated by the opposition between Kuyper and De Savornin Lohman, who currently belonged to different antirevolutionary parliamentary fractions. Split three years earlier on the issue of Tak's proposal for expansion of the franchise after long-time simmering disagreements, the two antirevolutionary leaders now rather bitterly opposed each other.⁵⁶⁷ This made the final legislative treatment of the proposal for Chambers of Labour to some extent a politicized affair. The first to address the Chamber was Kuyper. Although he knew that the government's legislative proposal would be adopted, he defended his vision of the institution of the Chambers of Labour as the first step in a program of corporatist reform based on the organic conception of state and society one last time. Instead of the current proposal, he had wanted 'an organization that finds its strength in the mighty idea of representation. (...) Just as the representation of the people, emerged from individual voters, now groups itself around ideas and movements, so would there be another representation, which groups itself not around political ideas, but around interests'.⁵⁶⁸ The current proposal, moreover, since it would let the establishment of Chambers of Labour free, would lead to fragmentary statistics and badly functioning implementing bodies.⁵⁶⁹ In conclusion, he expressed his support anyway, and filed a number of minor amendments.⁵⁷⁰

Next to take the stage was Lohman. According to him 'political representation of the workers was never the idea'.⁵⁷¹ Organization of labour in public law might fit countries with estate representation, like Austria since 1848, but not the Netherlands, where instead the freedom of private organization was wide-ranging. He envisaged the Chambers of Labour instead as public

⁵⁶⁵ The only account that I have come across that mentions this is Marianne Braun's *De prijs van de liefde. De eerste feministische golf, het huwelijksrecht en de vaderlandse geschiedenis* (Amsterdam: Het Spinhuis 1992), in the chapter on pleas for restricted women's suffrage.

⁵⁶⁶ *Handelingen der Tweede Kamer. 1896-1897. 749-774, 783-802, 805-868*

⁵⁶⁷ Jeroen Koch. *Abraham Kuyper. Een biografie* (Amsterdam: Boom 2006) 325-347, 375-390

⁵⁶⁸ In his speech, Kuyper referred to the ideas on interest representation of the German economist Albert Schäffle, recent French and Belgian reform proposals along the same line, and the Austrian Chambers of Labour, which were represented in the Reichrat. He saw these as attempts to undo the atomization caused by the Le Chapelier law of 1791, for which he himself had 'pleaded for more than twenty years'. *Ibid.*, 751

⁵⁶⁹ He compared the Chambers' of Labour incomplete coverage of the nation to a Second Chamber that would miss several districts. He also presented the Chambers in a new take as 'implementing bodies' to aid the government in the execution of future regulations, such as the work contract, the pension system and the teaching system. This would prevent 'centralism in the implementation of social legislation'. This discussion would dominate parliamentary debates on social legislation in the early twentieth century. *Ibid.*, 752

⁵⁷⁰ Kuyper expressed his support because the current proposal according to him had nothing to do with his ideas at all, and therefore he might as well support it. The comments of other parliamentarians, as well as Van Welden Rengers, was that Kuyper had held a rather defeatist speech. Van Welden Rengers, *Schets eener parlementaire geschiedenis van Nederland*, 130

⁵⁷¹ *Ibid.*, 762

bodies meant to bring together the private organizations of workers and employers with the goal of class harmony and social peace: 'The Chambers of Labour are no party representation, but they do assume party organization. (...) The members of the Chambers are independent.'⁵⁷² Lohman at last also favoured combined meetings of workers and patrons. Like Kuyper, he traced his ideas back to the thought of Groen van Prinsterer.

In the final debate, an amendment of Kerdijk and Drucker to exclude master journeymen and foremen from the Chambers was modified so that local interested parties could now indicate whom to consider patrons and workers, and an amendment of Kuyper to appoint a coordinating bureau to collect, process and publish statistical data was rejected.⁵⁷³ On March 11, the legislative proposal was adopted without a roll call vote. On April 29, it was adopted in the First Chamber, and on May 2, it was published in the *Staatsblad*.⁵⁷⁴

Conclusion

The Netherlands now knew Chambers of Labour as official organs of interest representation, directed towards conciliation while providing expertise on social and economic matters to the state. Their final institutionalization relied on the political cooperation of liberals and moderate antirevolutionaries in the national parliament. As Welderen Rengers notes, Lohman came out in full support of the liberal conception of the Chambers of Labour,⁵⁷⁵ even invoking Thorbeckean notions of representation that the progressive liberals themselves had already left behind. This removed him further from Kuyper's ideas on a corporatist reform of state and society than from them. Like Kuyper, furthermore, the Social Democrats had rather instituted workers' chambers of representation with regulatory authority. While the first two proposals still reflected the progressive liberal and moderate antirevolutionary sides of the debate, the final bill was a clear appropriation of the former take on Chambers of Labour: meetings were to be held combined for the cause of social peace, the institutions were to be representative, and women were to be included – for the first time in the development of representative democracy in the Netherlands. These characteristics refute the notion that the final Chambers of Labour were corporatist institutions conceived of solely by antirevolutionaries.

⁵⁷² Lohman did assume that worker's and employer's organizations would play a role in the election process for the Chambers of Labour comparable to that of political parties to the Second Chamber. However, he resented the idea that workers and employers would sit as different parties in the Chambers. Lohman envisaged the Chambers in the first place as councils of conciliation, which next to that could also occupy themselves with 'the interests of labour in a general sense', like the Chambers of Commerce. *Ibid.*, 762-763

⁵⁷³ *Ibid.*, 797, 818; 'Oprichting van Kamers van arbeid. Voorlopig Verslag.' *Handelingen der Staten-Generaal. Bijlagen 1896-1897. I. No. 19*

⁵⁷⁴ Wet van 2 mei 1897 tot oprichting van Kamers van Arbeid. *Staatsblad* no. 141

⁵⁷⁵ Van Welderen Rengers, *Schets eener parlementaire geschiedenis van Nederland*, 130

The institutionalization of the Chambers of Labour, then, constituted the first recognition of the state that cooperation with social and economic interest groups was necessary to further socioeconomic policy: an example of the increasing integration between state and society. At the end of the nineteenth century, however, this cooperation was not conceived as one directly between private organizations and the state, but through individually elected institutions of functional representation adjacent to parliamentary democracy. This bore witness to changing conceptions of representation at the time. In the final chapter, it will be shown how this experiment in representation and regulation worked out.

The Chambers of Labour

Having discussed the conceptualization and institutionalization of the Chambers of Labour against the background of changing conceptions of representation related to the increasing integration of state and society at the end of the nineteenth century, I will now analyze their functioning as forms of representation and regulation adjacent to parliamentary democracy at the start of the twentieth century. In many ways, the debate on the representative qualities, functions and place of the Chambers of Labour continued after their institution. The Chambers themselves, moreover, had to shape the exercise of their representative, conciliatory and advisory functions. Around them, meanwhile, the debate on possible forms of representation continued as the state became increasingly involved with social and economic policy making while private organizations developed, leading to yet new forms of interaction between them. I will base my analysis of these developments not on original research, but rather rely on the comprehensive work done by Helderma and the report of the Association of Chairmen and Secretaries of the Chambers of Labour of 1911, which contains useful information. I will first examine how the constitutionally settled characteristics of the Chambers as state organs worked out in practice, paying attention to the form of representation, the membership and the electoral process. Then, the Chambers' perceived performance will be assessed. After going into proposed modifications to their setup and functioning, in conclusion the fate of the Chambers of Labour after the First World War will be discussed.

Polity and representation

The function and constitution of the Chambers of Labour were regulated by the law. The municipalities in which they were to be erected, the branch of industry that they would represent, the companies that would join, and the number of members they would have,

however, was dependent on local circumstances.⁵⁷⁶ These specifics were to be fixed by Royal Decree after consultation with the municipality and local interested parties. As related in Chapter Three, in some places this also involved the private labour councils. The organization of elections for the Chambers of Labour was in the hands of the municipality, which drew up the voters' lists of employers and workers.⁵⁷⁷ Eligible were Dutch men and women aged at least 30, and active in the adjoined company in the area of the Chamber as employer or worker for at least a year. Entitled to vote were Dutch men and women aged at least 25, also active as employer or worker in an adjoined company in the area of the Chamber for at least a year. Definitions of employers and workers were fixed in the law.⁵⁷⁸

In 1898, the first year of their existence, thirty Chambers of Labour were established throughout the country. The majority of them were founded in the larger cities. The first Chambers of Labour were established in The Hague.⁵⁷⁹ The Chamber of Labour for the construction industry in The Hague was likely a continuation of the city's private labour council: it was chaired by Van Malsen, and its secretary was J.B. Peyrot.⁵⁸⁰ After that, Chambers of Labour in Enschede, Amsterdam and Dordrecht were erected. In Enschede, the chairman of the private labour council for the cotton industry G.J. van Heek now chaired the Chamber of Labour for the same trade, and in Amsterdam, the patron member H. Kikke, the worker member J.G.N. Hendrix and the secretary J.H. van Zanten remained members of the Chamber for the construction industry.⁵⁸¹ This shows that at least in the early phase of establishment, there was some continuation in membership between the Chambers of Labour and the earlier private labour councils. Van Heukelom, moreover, from 1897 onwards took place as patron member in the Chamber of Labour for the commercial, credit and insurance business in Amsterdam.⁵⁸² In 1899, another thirty Chambers were founded, while in the years after that nineteen, seven and ten Chambers were established. From 1903 on, every year either one, two or three new Chambers were founded, while about the same number disappeared. In the course of their existence, the total

⁵⁷⁶ It was also possible that a Chamber would cover multiple municipalities, that a company would be represented in multiple Chambers, or that a Chamber would be established for just one company. Hendrik Pyttersen Tzn. *Beknopte handleiding bij de Wet op de Kamers van Arbeid* (Sneek: J.P. van Druten 1897) 12-13

⁵⁷⁷ The municipality also had to provide a free meeting room for the Chamber. The state paid annually for expenses on attendance fees, travel costs and printing costs.

⁵⁷⁸ 'Employers' were defined as: 1. heads or administrators of a company that employed at least one person aged twenty or above. 2. all those who supervised the management of the heads or administrators. 3. all those who because of the nature of their activity were equated with employers by Royal Decree.

'Workers' were defined as all those who were active in a company on a paid base, except those who because of their authority over other persons or the nature of their activities were by Royal Decree not counted among the workers. Mulder, *Wet van 2 Mei 1897*, 10-22

⁵⁷⁹ These Chambers represented companies in the construction, clothing, food and drug and printing industry Helderman, *De Kamers van Arbeid 1897-1922*, 41

⁵⁸⁰ *Verslagen der Kamers van Arbeid over 1899* (The Hague: De Gebroeders van Cleef 1900) 22, 35

⁵⁸¹ *Ibid.*, 25

⁵⁸² Van Eeghen, 'H.P. van Heukelom'

number of Chambers of Labour in the Netherlands was stable around eighty – a number that exceeded the expectations of lawmakers.⁵⁸³

The Chambers of Labour were a predominantly urban institution. In 1915, about a third was located in the four large cities of Amsterdam, Rotterdam, The Hague and Utrecht.⁵⁸⁴ Some cities, such as Zwolle, Deventer and Middelburg, however, lacked any Chambers.⁵⁸⁵ In municipalities with less than 20.000 inhabitants, about twenty Chambers were founded. The branch of industry most represented was the construction industry, which counted about a quarter of all Chambers, followed by the food and drug industry and the clothing business.⁵⁸⁶ The majority of the Chambers represented small to medium sized industries. Large companies were represented in the Chambers for the commercial, credit and insurance business, and in a number of Chambers for the brilliant, flower bulbs, printing, tobacco, and food and drug industry.⁵⁸⁷

The number of Chamber members became usually ten, consisting of five employers and five workers. The chairmanship rotated each six months between an employer and a worker member elected by the other members. The board consisted of the chairman and two other members. Terms lasted five years. Unfortunately, it is not clear how the election process functioned. According to Van Zanten, especially business people and union members, as well as younger jurists and economists took place.⁵⁸⁸ Revolutionary workers seemed to have boycotted the institution, while Social Democrats sometimes took place.⁵⁸⁹ From the mid-1910s on in some Chambers representatives of trade unions and employer's organizations took place to negotiate collective work contracts. In others, Chamber members stood in close contact with leaders of these private organizations.⁵⁹⁰ In the first elections for Chambers of Labour in 1898, 39 percent of enfranchised employers and 37 percent of enfranchised workers took part. After that, however,

⁵⁸³ Kuyper, at least, expected that about thirty Chambers would be established. The average number of eighty is based on the table of the number of Chambers of Labour each year given by Helderman. In total, there have been 112 different Chambers of Labour. Helderman, *De Kamers van Arbeid 1897-1922*, 50, 86

⁵⁸⁴ The number of Chambers of Labour per city was: twelve in Amsterdam, eleven in Rotterdam, eight in Haarlem, seven in The Hague, six in Utrecht, five in Leiden, four in Groningen, three in Delft, Den Bosch, Arnhem and Schiedam, two in Breda, Dongen, Tilburg, Waalwijk, Nijmegen, Alphen, Dordrecht, Gouda, Hilversum, Vlissingen, Enschede, Hengelo, Kampen and Maastricht. There were nineteen places that had one Chamber of Labour. 'Lijst der tot 1 Januari 1915 opgerichte Kamers van Arbeid'. In: *Overzicht van de Verslagen der Kamers van Arbeid over 1914* (The Hague 1915), 1-5

⁵⁸⁵ *Rapport betreffende de werking der Wet op de Kamers van Arbeid en de in deze wet wenschelijk gebleken wijzigingen, uitgebracht aan de Vereeniging van Voorzitters en Secretarissen van Kamers van Arbeid in Nederland door de Commissie, daartoe door deze Vereeniging ingesteld* (Delft: Van Markens Drukkerij-Venootschap 1911), 13

⁵⁸⁶ There were 26 Chambers of Labour for the construction industry, fifteen for the food and drug industry, ten for the clothing business, seven for the printing industry, five for the tobacco industry, four for the textile industry, metal and woodworking industry and coffee and lodging house business, and three, two or one for other branches of industry. *Overzicht van de Verslagen der Kamers van Arbeid over 1914*, 1-5

⁵⁸⁷ Several Chambers for the large industry, especially in Noord-Brabant and Limburg, were disbanded after a few years. *Ibid.*, 14-15

⁵⁸⁸ Little is known, however, about the exact composition of the membership. J.H. van Zanten. 'Vijf-en-twintig jaren Kamers van Arbeid'. In: *Sociale Voorzorg* Vol. 4 (1922) 311-324, there: 312

⁵⁸⁹ According to Van Zanten, this was sometimes done to keep others out of membership seats. *Ibid.*, 320

⁵⁹⁰ *Ibid.*, 321

voter turnout dropped. The next year, 25 percent of the employers and 33 percent of the workers voted, and after that 16 and 29 percent. The voter turnout declined each year, until in 1909, seven percent of enfranchised employers and thirteen percent of the workers made use of their right to vote for the Chambers of Labour.⁵⁹¹ According to the 1911 report on the practice of the Chambers, reasons cited for this lackluster involvement on a quantitative scale were the powerlessness of the institution, the inability to reach its goal of conciliation, and its bad image among some workers and employers.⁵⁹²

Task execution

Like the private labour councils before them, the Chambers of Labour had difficulty executing the task of dispute conciliation. As this matter is treated extensively by Helderman, I will only address it shortly. In the first ten years after their institution, the number of disputes treated by the Chambers rose steadily. The vast majority of these disputes, however, concerned the firing of single employees.⁵⁹³ Disputes that concerned an entire company or branch of industry, such as strikes and lockouts, were treated less.⁵⁹⁴ If they were, in a majority of the cases the intervention of a Chamber of Labour was not desired by both workers and patrons, and if it was, conciliation was not reached.⁵⁹⁵ Disputes were almost always taken to the Chambers of Labour by workers.⁵⁹⁶ Patrons and workers often refused to cooperate.⁵⁹⁷ The 1911 report cites 'the unpopularity of the Chambers' as cause of these results. 'Government and private persons', furthermore, 'repeatedly fulfill the role meant for the Chamber of Labour'.⁵⁹⁸ This was also related to the 'principled aversion to organs in public law in some groups of workers'.⁵⁹⁹ The lack of binding force in the verdicts of the Chamber, however, was perceived as the most pressing deficit.

Another function of the Chambers of Labour was the regulation of contracts on the request of interested parties. This article had been taken up in the legislative proposal on the instigation of the joint private labour councils, who had achieved good results with the drawing up of wage tables. The report states that for the Chambers of Labour, however, 'results have been very

⁵⁹¹ *Rapport betreffende de werking der Wet op de Kamers van Arbeid*, 16-17

⁵⁹² *Ibid.*, 17-18

⁵⁹³ From 28 disputes treated in 27 Chambers in 1899, this number rose to 611 disputes by 81 Chambers in 1908. In 1909, 93 percent of treated disputes concerned single employees, and 79 percent concerned discharges. The average Chamber of Labour treated about three disputes a year. *Ibid.*, 22; Helderman, *De Kamers van Arbeid 1897-1922*, 43

⁵⁹⁴ Of the 1056 labour conflicts involving more than 50 employees in the period 1903-1909, 57 involved Chambers of Labour in some way. *Rapport betreffende de werking der Wet op de Kamers van Arbeid*, 25

⁵⁹⁵ *Ibid.*, 25-42

⁵⁹⁶ In 1901, of 172 treated disputes, only three were brought in by employers. In 1909, of 503 disputes, 31 were brought in by employers. The instrument most used was intervention of the chairman or secretary of the Chamber; a board of conciliation was seldom instituted. *Ibid.*, 43-45

⁵⁹⁷ *Ibid.*, 43-44, 47

⁵⁹⁸ *Ibid.*, 42

⁵⁹⁹ *Ibid.*

poor'.⁶⁰⁰ Contracts for salary increases were drawn up, usually on the request of workers or worker's organizations, but employers or their organizations frequently refused to cooperate.⁶⁰¹ After the enactment of the Act on the Work Contract in 1907, some Chambers became forums of negotiation for trade unions and employer's organizations.⁶⁰² In the regulation of other work conditions, such as Sunday's rest, the Chambers were perceived as somewhat more successful.⁶⁰³

The function of collecting data on social and economic conditions had from their earliest inception on been attached to the Chambers of Labour as organs of expertise and representation. The authors of the 1911 report considered the exercise of this function 'useful'.⁶⁰⁴ The Chambers conducted inquiries to acquire data on wages and working hours, and sometimes cooperated.⁶⁰⁵ Chambers were hampered, however, by their lack of the right of inquiry. Therefore, 'the data provided by the Chambers of Labour have no statistical value in general, but are only fit to give a general impression.'⁶⁰⁶

Some of the Chambers' inquiries were conducted in cooperation with municipal inquiry committees. Municipalities, moreover, frequently sought the advice of Chambers of Labour on maximum working hours and minimum wages in the building plans of public works.⁶⁰⁷ Here, the practice of the Chambers stands in direct continuation to that of the private labour councils: involvement in social and economic policy making on the municipal level. Municipal councils often heeded the advice of the Chambers.⁶⁰⁸ Municipal councils also requested advice on the organization of labour exchanges, and board members of these exchanges were frequently appointed on recommendation of the Chambers. Finally, Chambers of Labour voluntarily provided municipalities and provincial governments with advice, and sometimes contributed to local projects, such as the foundation of schools.⁶⁰⁹ As such, they became advisory bodies to the local government before local authorities incorporated such tasks in municipal officialdom from 1914 onwards.⁶¹⁰

⁶⁰⁰ Ibid., 52

⁶⁰¹ From 1903 to 1909, of the 78 attempts of Chambers to regulate wages and work conditions in contracts, fourteen succeeded. In 48 instances employers refused to cooperate. Ibid.

⁶⁰² *Overzicht van de verslagen der Kamers van Arbeid over 1916* (The Hague: Gebr. Belinfante 1918) xxiix-xxxi

⁶⁰³ *Rapport betreffende de werking der Wet op de Kamers van Arbeid*, 54

⁶⁰⁴ Ibid., 56

⁶⁰⁵ In 1909, 52 inquiries were conducted. In 1906, twenty Chambers conducted a joint inquiry into home industries, and in 1909 later a number of Chambers worked together on an inquiry into Sunday's labour. Ibid.

⁶⁰⁶ Ibid., 59

⁶⁰⁷ In Amsterdam, a commission consisting of patron and worker members of the Chamber for the metal and woodworking industry for some years regulated wages and working hours in public works on behalf of the college of mayor and aldermen. Ibid., 55, 62

⁶⁰⁸ Ibid., 55

⁶⁰⁹ This was the case in Schiedam, Utrecht and Arnhem, where the Chambers aided in setting up an association responsible for the construction. Ibid., 67-68

⁶¹⁰ Stefan Couperus. *De machinerie van de stad. Stadsbestuur als idee en praktijk, Nederland en Amsterdam 1900-1940* (Amsterdam: Aksant 2009)

In the provision of advice to the national government, however, the Chambers were logically hampered by their local nature. A request for advice on legislation led to a flow of eighty to ninety advices from the different Chambers of Labour.⁶¹¹ Until 1910, the government consulted the Chambers on seven different legislative proposals: these included the proposals on regulation of working hours in factories and workshops, handicapped and old age insurance, for the Labour Act and Health Insurance Act, and the ban on Sunday's labour.⁶¹² On other pieces of social legislation, such as the Act on the Work Contract or the Councils' Act, they were not asked for advice. As on the municipal level, the Chambers were often consulted by the government on wages and working hours in public works.⁶¹³ Again, moreover, the Chambers frequently voluntarily provided advice on social legislation.

Proposed modifications

Already in the first years after their institutionalization, proposals to allocate more financial means to the Chambers or institute the obligation for employers and workers to appear before a council of conciliation were repeatedly made in the Second Chamber.⁶¹⁴ The Chambers of Labour themselves, moreover, frequently sent petitions to the government asking for a broadening of their authority. In 1901, an obligation for the Chambers to collect data on labour affairs on a monthly basis was added to the law.⁶¹⁵ Consecutive cabinets, however, were reluctant to further modify the law, although deficiencies were recognized. In 1902, Prime Minister Kuyper called the Chambers institutions 'that suffer from the English disease with a skeleton that reminds one of a weak nature, which are best treated as weak children; if one just leaves them alone, they mature the best'.⁶¹⁶ Pursuing the bodily comparison further, he remarked a year later that the Chambers 'suffer from weakness of blood and muscles'.⁶¹⁷

During the parliamentary debate on the legal institution of the Chambers, it had been deemed too early to found a national organization. In June 1902, however, a congress of Chambers of Labour took place at which representatives of 52 Chambers were present.⁶¹⁸ Here, a commission was formed to write regulations for a national organ of interest representation: the 'League of Chambers of Labour'.⁶¹⁹ Kuyper, however, wrote in a circular that the Chambers were not

⁶¹¹ Van Zanten, 'Vijf-en-twintig jaren Kamers van Arbeid', 314

⁶¹² This is not mentioned by Helderman. Helderman, *De Kamers van Arbeid 1897-1922*, 49

⁶¹³ *Rapport betreffende de werking der Wet op de Kamers van Arbeid*, 61-62

⁶¹⁴ Helderman, *De Kamers van Arbeid 1897-1922*, 52

⁶¹⁵ *Ibid.*, 42

⁶¹⁶ Van Zanten, 'Vijf-en-twintig jaren Kamers van Arbeid', 314-315

⁶¹⁷ Helderman, *De Kamers van Arbeid 1897-1922*, 52

⁶¹⁸ This congress was preceded by the foundation of the magazine *De Kamer van Arbeid* in January 1901, and a meeting of secretaries of Chambers of Labour in April 1902, where a commission was appointed to prepare the congress.

⁶¹⁹ Van Zanten, 'Vijf-en-twintig jaren Kamers van Arbeid', 313-314

authorized 'to perform actions (...) not legally assigned to them by law', and forbade them to form a national organization.⁶²⁰ Four years later, nevertheless, the 'Association of Chairmen and Secretaries of Chambers of Labour' was formed. The goal of this association was to advance the mutual cooperation between the Chambers of Labour, and to improve the position of the institution.⁶²¹ The board of the Association consisted of two employer chairmen, two worker chairmen and two secretaries. The first major act of the board was to appoint a commission to investigate possible modifications to the Act on the Chambers of Labour. This Reorganization Commission was chaired by Drucker, who was now the parliamentary leader of the progressive liberal Vrijzinnig-Democratische Bond ('Freethinking Democratic League') (VDB), and also included Van Zanten, Van Heek, the jurist E.M. Meijers, the antirevolutionary member of the Second Chamber A.S. Talma, the social democrat member J.H. Schaper and the Catholic member O.F.A.M. van Nispen tot Sevenaer.⁶²²

The report of the Reorganization Commission appeared in 1911. After an examination of the current performance of the Chambers and legislation in other countries, it discussed proposals for modification to the Act on the Chambers of Labour. While the commission warned that the solution to the social question should not be expected from the Chambers, it did consider them 'useful' institutions for the collection of data, the provision of advice to the state, the regulation of contracts and the conciliation of disputes. To improve their standing, the Commission proposed to enhance their authority by giving them a right to inquiry, and instituting an obligation for involved parties to appear before a council of conciliation in case of a dispute. It proposed furthermore that the Chambers of Labour in several municipalities come under a newly found 'Labour Council', in order to solve the problem of scattered advice and inquiries. Labour Councils would be established throughout the country, thus representing every branch of industry in every municipality.⁶²³ A majority of the Commission advocated a system of proportional representation, while a minority wanted the worker's and employer's organizations to have an official say in the composition of these Councils.⁶²⁴ A 'Supreme Labour Council',

⁶²⁰ Van Zanten notes that around the same time health commission were allowed to join the Health Congress, a similar league. The private labour councils had had a national organization, moreover, and Kuyper himself had advocated a national organization during the parliamentary debates. *Ibid.*, 314; Helderma, *De Kamers van Arbeid 1897-1922*, 53

⁶²¹ *Ibid.*, 54; Van Zanten, 'Vijf-en-twintig jaren Kamers van Arbeid', 315

⁶²² Other members of the Reorganization Commission were Ph. Falkenburg, W. Havers, D. de Klerk, J.C. Sikkel, J. van Waardhuizen and Jos. de Sterke, who was chairman of the Association. *Rapport betreffende de werking der Wet op de Kamers van Arbeid*, 3

⁶²³ Mirroring them to the cantonal courts, the Commission imagined that a province on average would count two Labour Councils, which would each represent ten to fifteen Chambers of Labour. *Ibid.*, 155

⁶²⁴ A system of proportional representation would make sure that 'the representation of labour would as much as possible be a reflection of the currents found amongst the represented'. *Ibid.*, 156

finally, consisting of employers, workers, scientists and government officials was to function as a coordinating organ on the national level and give advice to the government.⁶²⁵

In the Second Chamber, the progressive liberal party VDB repeatedly insisted on heeding the recommendations of the Reorganization Commission to the Chambers of Labour.⁶²⁶ The government remained reluctant, however, as legislation for new organs of representation was in the works.⁶²⁷

Epilogue: the end of an experiment

In the first decade of the twentieth century, private organization of labour increasingly developed into branch of industry-wise, and after that into national unions. In 1906, several national worker's organizations formed the Nederlands Verbond van Vakverenigingen ('Dutch League of Trade Associations') (NVV), aligned politically with the reformist socialist SDAP. Three years later, the Protestant Christelijk Nationaal Vakverbond ('Christian National Trade League') (CNV) and the Bureau for Roman Catholic Trade Organization were formed. In the Law on the Work Contract of 1907, the state for the first time legally recognized the private organizations of trade unions as representatives of the workers. As a result, national employer's organizations were also formed.⁶²⁸ Work contracts were now increasingly negotiated between trade unions and employer's organizations, rather than by way of a Chamber of Labour. Many collective work contracts, moreover, also contained agreements on dispute arbitration.⁶²⁹ Especially after the First World War, in branches of industry where trade unions were strong, Chambers of Labour started to disappear.⁶³⁰

While private organizations of labour became more and more regarded as the means of representation for workers and employers, in the late 1900s public debate on corporate organization in public law was also initiated. Proposed by Kuyper and supported in both antirevolutionary and Catholic circles, this entailed the delegation of regulatory authority in social and economic matters to companies themselves, adjacent to legislation enacted by the state. Like the earlier proposals for Chambers of Labour in these circles, this was rooted in an organic conception of state and society. In this vein, the minister of Agriculture, Industry and Trade Talma in 1910 introduced a legislative proposal for 'Councils of Labour'. These councils were

⁶²⁵ Van Zanten, 'Vijf-en-twintig jaren Kamers van Arbeid', 319

⁶²⁶ Helderman, *De Kamers van Arbeid 1897-1922*, 65

⁶²⁷ The minister of Water Management, Cornelis Lely, for example, wanted to wait with modifications to the Chambers of Labour until the setup of the new organs of Councils of Labour was more clear. *Ibid.*, 65-66

⁶²⁸ Paul Erik de Hen. *Actieve en re-actieve industrialisatiepolitiek in Nederland: de overheid en de ontwikkeling van de Nederlandse industrie in de jaren dertig en tussen 1945 en 1950* (Amsterdam: De Arbeiderspers 1980) 23-26

⁶²⁹ In 1919, 33 percent of the Chambers of Labour did not treat any disputes at all. Helderman, *De Kamers van Arbeid 1897-1922*, 63

⁶³⁰ *Ibid.*

designed as implementing organs in public law for social security legislation, consisting of workers and employers. As the Chambers of Labour by some had been before them, Talma, Kuyper and the parliamentary Catholics conceived of the Councils as a public organization of labour that eventually would have regulatory authority.⁶³¹ A stripped-down proposal was accepted by the Second Chamber in 1913, going partly into effect in 1919. Now, two organs of functional interest representation and expertise sharing the same polity of workers and employers co-existed. This led to concern among the Chambers of Labour. The proposal of the Association of Chairmen and Secretaries to merge the Councils of Labour and the Chambers of Labour in the new institution of the Labour Councils, however, done in a petition to Talma and his successor, the progressive liberal M.F.W. Treub, was not followed.⁶³²

The economic effects of the First World War in the Netherlands as in other industrialized countries triggered closer cooperation between trade unions, employer's organizations and the state, resulting in a more direct involvement of organized interests in policy making.⁶³³ The Chambers of Labour, however, did not participate in this development. Unlike trade unions, employer's organizations, agricultural organizations and several socioeconomic advisory boards and councils, they were not represented in the Royal National Aid Committee.⁶³⁴ From the mid-1910s on, moreover, several functions of the Chambers of Labour were additionally exercised by other institutions. Inquiries into social and economic conditions were increasingly conducted by the labour inspection,⁶³⁵ while bureaus for legal assistance provided help with labour disputes, and collective works contracts sometimes included courts of arbitration. The CBS from 1915 on relied on the Rijksverzekeringsbank for statistics on wages and working hours.⁶³⁶ During the war, in 1917 a 'Commissie voor de Economische Politiek' ('Commission for Economic Politics') was formed, which was the first consultative organ on social and economic policy making on a national level founded in the Netherlands.⁶³⁷ After the war, furthermore, on the initiative of the Catholic minister of Labour Petrus Aalberse the High Council of Labour was founded. Modelled on the Conseil supérieur du travail in Belgium and France, this was a more permanent body of representation and consultation between trade unions, employer's organizations and the government in the Netherlands on a national level.⁶³⁸ The Council had a membership of 45,

⁶³¹ Ibid., 55

⁶³² Treub did seem to favour the idea, but the outbreak of the First World War stalled legislation. Ibid., 58

⁶³³ Maier, 'Fictitious bonds of wealth and law'

⁶³⁴ The government did allow the terms of sitting Chamber members to be prolonged, in cases where mobilization and unemployment would reduce the number of voters and eligible persons for Chambers of Labour. *Handelingen der Staten-Generaal. Bijlagen 1914-15*. No. 196

⁶³⁵ J.H. van Zanten, 'Vijf-en-twintig jaren Kamers van Arbeid', 318

⁶³⁶ Helderman, *De Kamers van Arbeid 1897-1922*, 65

⁶³⁷ J.A. Nekkers en W.H. Salzman. 'Een "heilzaam orgaan in ons staatsleven"? De Economische Raad als deskundigencollege 1932-1938'. In: *Economisch- en sociaal-historisch jaarboek*, Vol. 53 (1990), 191-224

⁶³⁸ Coen Helderman. 'De Hoge Raad van Arbeid, 1919-1940 (-1950)'. In: *Tijdschrift voor Sociale Geschiedenis*, Vol. 1, No. 2 (2004) 45-70

consisting of representatives from trade unions and employer's organizations, experts, and government officials. It shared its core function with the Chambers of Labour: to provide government departments with advice on matters concerning labour. Unlike the former, a state organ of interest representation with an individual electorate, it instead recognized private organizations as representative of functional groups and functioned as a site of brokerage between them and the state.

Now that the advisory function of the Chambers of Labour had been taken over, their abolishment became a subject of debate. In February 1914, the municipal official and secretary of the Amsterdam Chamber for the metal and woodworking industry Jan van Hettinga Tromp had already written an article in *Vragen des Tijds*, arguing that no demand existed for Chambers of Labour in their present form.⁶³⁹ A few months later, the social democrat senator Henri Polak said in the First Chamber: 'If there exists one piece of failed legislation, it is the Act on the Chambers of Labour and I believe that nobody would feel any regret if those institutions would disappear.'⁶⁴⁰ In 1918, the Ruys de Beerenbrouck cabinet announced that it was considering the modification or annulment of the Act on the Chambers of Labour. To that effect, in 1920 Minister Aalberse requested the advice of High Council of Labour Commission XII, which was concerned with social and economic structuring, on the issue of whether for the Chambers of Labour a role could be conceived in future legislation.⁶⁴¹ On February 15, 1922, the Commission sent a letter to Aalberse in answer to this question. According to her, even if reorganized the Chambers of Labour would not have a place in a system of corporate organization in public law, as 'the regulation of work conditions (...) is more and more settled industry-wise for the entire country. (...) It is therefore completely understandable that the Chambers of Labour, whose authority is limited to a municipality, have become less and less important.'⁶⁴² The Commission advised to dissolve the Chambers of Labour.

On July 1, 1922, the government introduced a legislative proposal for the annulment of the Act on the Chambers of Labour.⁶⁴³ In the Explanatory Memorandum, regret was expressed that the institution had not conformed to some of the initial expectations, although the treatment of individual disputes and the practices of the Chambers aside from dispute conciliation were deemed useful. According to Aalberse, the Chambers had not been able to adapt to the changing industrial relations.⁶⁴⁴ The government proposal was accepted without parliamentary debate,

⁶³⁹ Couperus, *De machinerie van de stad*, 75-76; J. van Hettinga Tromp. 'Een nieuwe wet op de Kamers van Arbeid'. In: *Vragen des Tijds* (1914) 299-328

⁶⁴⁰ *Handelingen der Eerste Kamer*. 1913-1914. 319

⁶⁴¹ Helderman, *De Kamers van Arbeid 1897-1922*,

⁶⁴² Letter of the High Council of Labour to Minister Aalberse concerning questions 3c and 3d of February 15, 1922, cited in: Helderman, *De Kamers van Arbeid 1897-1922*, 70-71

⁶⁴³ *Handelingen der Staten-Generaal*. Bijlagen 1922-1923. No. 200

⁶⁴⁴ Cited in Helderman, *De Kamers van Arbeid 1897-1922*, 71

and in November 1922 it was published in the *Staatsblad*.⁶⁴⁵ On January 1, 1923, the 78 existing Chambers of Labour were officially dissolved.

Conclusion

The choice of lawmakers to mix territorial, functional and group representation in the constitution of one state organ, in addition to its voluntary nature so played out that in practice, the Chambers of Labour were a predominantly urban, medium-sized industry-based institution often representing the construction, food and drug or clothing industry. What is known from the elected membership indicates that some highly educated non-workers perceived the Chambers as a career start. Revolutionary workers boycotted the institution, while Social Democrats remained ambiguous. The locally organized electoral process fell in disregard relatively quickly, however: voter turnout dropped considerably after the first few years. Reasons cited for this were the powerlessness of the institution and its inability to establish conciliation: in short, its lack of legitimacy among those whom it was supposed to represent. As advisory organs, however, the Chambers did play a role in municipal government. To some extent, they became involved in social and economic policy making on the municipal level, which corresponded to their polity. Their local nature, however, at the same time resulted in an incapability to consult the national state in a consistent manner. Modifications were proposed to solve the Chambers' deficits and organize representation in a way considered more effective, but were not executed. As trade unions and employer's organizations developed, the form of representation and regulation in which private organizations in negotiation with the state were the primary actors took precedence over the form of the Chambers of Labour, in which the state erected public bodies in which elected workers and employers discussed their interests. Proposals for corporate organization in public law, and the establishment of new institutions which took over the Chambers' functions added to their demise. Changing conceptions of representation had led to their institutionalization, but they similarly led to their eclipse.

⁶⁴⁵ Wet van 24 november 1922 op de opheffing van het instituut der Kamers van Arbeid. Staatsblad no. 626

Conclusion

As the last part of this investigation, I would like to present my answer to the main research question: 'How were the Chambers of Labour conceptualized and institutionalized?' In my answer, I will take into account the theoretical perspectives on the increasing integration of state and society on the one hand, and changing conceptions of representation on the other hand. The first part of my conclusion will be devoted to the conceptualization of the Chambers of Labour, after which I will discuss their institutionalization.

Proposals for bodies of social and economic interest representation with conciliatory and advisory functions in the Netherlands were connected to a European-wide debate on forms of representation alternative or adjacent to parliamentary democracy, which was conducted throughout the nineteenth century. This international debate turned on a critique of the parliamentary form of representation, which is based on an individualistic electorate choosing representatives who represent the common good in a territorial parliament. This critique often stemmed from a body of thought that ran opposed to what its advocates perceived as the evils of the French Revolution: political and economic liberalism. While political liberalism had resulted in the arithmetic majorities of parliamentary democracy, economic liberalism in the shape of laissez-faire capitalism combined with industrialization and the dissolution of guilds and corporations to create social conditions perceived as dismal for the working classes. Underneath this criticism often ran an 'organic' conception of state and society: a political theory opposed to the 'mechanistic' conception of liberalism, which featured the 'natural' group as its basic unit and had a nostalgia for perceived medieval institutions. Romanticism in Germany and Restoration philosophy in France in the early nineteenth century laid the basis for this thought, which was picked up and transformed mid-century into the international movement of Social Catholicism by Von Ketteler. British Christian Socialism voiced similar criticism of economic liberalism. Spread and worked out by a host of international thinkers such as Von Vogelsang and La Tour du Pin, around 1880 a shift in emphasis can be detected towards corporatist doctrines on specific reforms of state and society entailing functional, group forms of representation and regulation, partly to be endorsed by the Pope at the end of the nineteenth century. Additionally, German cathedra socialism and French utopian socialism proposed their solutions to 'the social question', turning on new schemes of social and economic representation, moral reform and state intervention, which featured functional, group representation as well. At the end of the

nineteenth century, in Germany, France, Belgium and the United Kingdom, a host of advisory bodies representative of social and economic interests with a conciliatory function was established. All chambers, councils or boards in these countries had in common that they were local in nature, had specific functions, and were organizations of functional representation. Only in the United Kingdom, they were private organizations at first. In Germany, France and Belgium, the foundation of these institutions was preceded by the establishment of a national advisory board of social and economic interest representation.

This international debate was appropriated in the Netherlands, where alternative and adjacent forms of representation and regulation were subject of public debate from the third quarter of the nineteenth century onwards. The proposals for chambers, boards or councils of representation, conciliation and arbitration for workers and employers emanated from the new political currents that emerged around 1870. Confessionals, socialists and progressive liberals all departed from the constitutional liberal conception on representation that had been dominant since the establishment of parliamentary democracy in 1848. They did this from different angles, however: while confessionals like Groen van Prinsterer and Kuyper, influenced by German and French Romanticist and organicist ideas, pleaded for a partial, modernized guild restoration and a legal recognition of the interests of 'the fourth estate', socialists like Gerhard proposed revolutionary utopias of worker's democracy. Progressive liberals like Quack, meanwhile, in magazines such as *Vragen des Tijds* and organizations like the Comité ter bespreking van de Sociale Kwestie took their cue from the German cathedra socialists and the British boards of arbitration, and proposed representative councils of conciliation as a means towards gradual improvement of the social conditions of the workers.

From 1887 onwards, in the context of social unrest, increasing private organization of labour and a gradual acceptance of state intervention in social and economic affairs, this public debate was revived. Now, more specific proposals for Chambers of Labour were made. Among the progressive liberals, institutional experiments with forms of representation and conciliation were conducted by Van Marken, while Levy introduced the function of collecting statistics into the debate. It was Kerdijk who advocated the institution of Chambers of Labour with a threefold function: the provision of advice to the state, dispute conciliation between workers and employers, and conflict prevention. The representative aspect of the Chambers was increasingly stressed, while social peace remained their primary goal. Socialists became increasingly split, meanwhile, in the debate on the appropriate form of worker's representation. In the thought of Kuyper, heavily influenced by international corporatist and Social Catholic currents, the Chambers of Labour were the first step in a program of corporatist reform based on the organic conception of state and society. Kuyper wanted them to have regulatory authority in public law, and function as modernized guilds or corporations. At the same time, a more moderate

antirevolutionary approach emerged, which manifested itself in parliament. It was here, and in the experiments of the private labour councils, that institutionalization started, which forms the second part of my conclusion.

In the early 1890s, with the private labour councils more permanent institutions of representation and regulation on a private basis were established. To some extent intended as experimental predecessors to Chambers of Labour, they had to debate constitution, membership criteria, scope and setup, explore functions and practices and acquire a place in the process of legally institutionalizing their successor institutions. In all these steps, conceptions of representation were discussed and put into a form of organization. Among the private labour councils, a distinction can be made between the small-town, Patrimonium-instigated labour councils with a claim on general representation, such as in Bolsward, Franeker and Zutphen, and the large-city private labour councils found mostly by associations for the construction industry and the progressive liberal ANWV, such as in The Hague, Amsterdam, Haarlem and Leiden. Socialist associations sometimes joined, but could also secede. In providing advice to the state, most notably and with some result on the municipal level on the one hand, and in the legislative route to Chambers of Labour on the other hand, the private labour councils formed an aspect of the increasing integration of society and state exemplified by the linkage of public institutions with private interests. This was taken to the national stage in the form of an embryonic national organ of interest representation, which had some influence in the drafting of legislation on the Chambers of Labour.

In the Second Chamber, the idea of Chambers of Labour was first suggested by moderate antirevolutionaries at the end of the 1880s. The first legislative proposal, however, was introduced in 1892 by the progressive liberal Pyttersen, after which the antirevolutionary Schimmelpenninck van der Oye followed. Their bills reflected their respective sides in the debate, and conciliation could not be reached on crucial issues such as the Chambers' mixed character and women's inclusion. The government's proposal was decidedly progressive liberal: meetings were to be held combined for the cause of social peace, the institutions were to be representative, and women were to be included. Both Kuyper and the Social Democrats disapproved, preferring different types of representative organization. All proposals, moreover, referred to the international debate, the domestic debate, as well as the institutional experiments of the private labour councils. The Belgian Act on the Council of Industry and Labour in particular provided a model for Dutch legislators to follow. The subsequent institutionalization of the Chambers of Labour constituted the first recognition of the state that cooperation with social and economic interest groups was necessary to further socioeconomic policy. This cooperation was conceived as organized through individually elected advisory institutions of functional representation

adjacent to parliamentary democracy, attesting to changed conceptions of representation related to the integration of state and society.

After the institutionalization of the Chambers of Labour, however, these developments did not come to a halt. The Chambers themselves because of the specifics of their representative organization developed into a predominantly urban, medium-sized industry-based institution, of which voter turnout soon dropped because of a perceived lack of power and conciliatory capacities, resulting in a deficit of legitimacy. The opposition of Kuyper to a national organization was in this regard not helpful. As advisory organs, the Chambers to some extent fulfilled a role in municipal government, where they became involved in social and economic policy making. The increasing development of the private form of organization of labour, however, led to an organization of representation in which the state, trade unions and employer's organizations more directly negotiated with each other. Proposals for a corporate organization in public law and the foundation of new institutions which took over the Chambers' functions finally resulted in their abolishment in 1922, only a quarter of a century after their inception.

In conclusion, the increasing integration of state and society interrelated to changing conceptions of representation from the later nineteenth century onwards, internationally as well as domestically, were key to the conceptualization and institutionalization of the Chambers of Labour, which at the same time exemplified these processes. Ironically, they also explain their demise. The functional but local nature of these institutions, from their earliest inception in the international debate to their intellectual and institutional appropriation in the Netherlands, privately as well as in parliament, seems to have been axiomatic, but once established, it proved the main reason for their downfall. In this respect, Maier's insight that 'issues deemed vital at one moment often lose the symbolic importance with which they were originally charged'⁶⁴⁶ seems to apply: the Chambers were once on the forefront of debates involving the contested concept of political representation, but after their institutionalization, they seemed to lose their significance. Yet, although the Chambers of Labour can be thought of as a failure, a case can be made that they give insight into a vivid debate on alternatives to parliamentary democracy in the Netherlands that has its roots earlier than generally acknowledged. Their predecessors, the private labour councils, although largely neglected in historiography of any kind, functioned as interesting institutional experiments with representation and regulation with an early involvement in municipal policy making. Rather than being exclusively corporatist proposals conceived of by antirevolutionaries, furthermore, progressive liberals, viewing them as representative institutions for the cause of social peace, contributed about as much to the Chambers' conception, advocacy and institution. Finally, the Chambers were to some extent involved in municipal governance,

⁶⁴⁶ Maier, *Recasting Bourgeois Europe*, 5

and the first state organ in the Netherlands to which women had the right to stand for election. A re-evaluation of their significance in the history of political representation in the Netherlands is therefore, I believe, called for.

Appendix: Regulations and petition of the private labour councils

REGLEMENT

VOOR DEN

ARBEIDSRAAD

TE DORDRECHT.

ART. 1.

De werkring van den Arbeidsraad te Dordrecht omvat:

- 1°. Het bevorderen der goede verstandhouding tusschen patroons en werklieden in de gemeente Dordrecht.
- 2°. Het zooveel mogelijk voorkomen van geschillen van patroons met werklieden, of het op vreedzame wijze oplossen of vereffenen daarvan.
- 3°. Het naar billijkheid door gepaste middelen behartigen der stoffelijke en andere belangen zoowel van patroons als van werklieden.
- 4°. Het verzamelen van inlichtingen en gegevens omtrent arbeidsaangelegenheden en het voorlichten der overheid omtrent het al of niet wenschelijke en doelmatige van maatregelen in het belang van den Arbeid.

ART. 2.

Alle personen, die in deze gemeente wonen en een bedrijf uitoefenen, of daarin werkzaam zijn, al of niet door een vakgenoot vertegenwoordigd, zoo ook vereenigingen, kunnen zich schriftelijk tot den Arbeidsraad wenden omtrent zaken, die vallen binnen den werkring van den Arbeidsraad in Art. 1 omschreven.

Image 1. Regulations of the private labour council in Dordrecht, 1894. DiEP

REGLEMENT
VAN DEN
ARBEIDS-RAAD
TE
FRANEKER.
Opgericht 10 Mei 1892.

—••••—
ART. 1.

De Arbeids-Raad te Franeker heeft ten doel :

1. De goede verstandhouding tusschen werkgevers en werklieden in de gemeente Franeker te bevorderen.
2. Zooveel mogelijk geschillen tusschen deze personen te voorkomen, of op vreedzame wijze te vereffenen.
3. Door gepaste middelen voor hunne belangen te waken.
4. Het misbruik van sterken drank te bestrijden.

Image 2: Regulations of the private labour council in Franeker, 1892. DiEP

S T A T U T E N

VAN DEN

ARBEIDSRAAD VOOR DE KATOENINDUSTRIE

te Enschede.

Artikel 1.

De Arbeidsraad heeft ten doel, door samenwerking van patroons en arbeiders, de zedelijke en stoffelijke belangen van al degenen, die bij de Katoenindustrie betrokken zijn, te behartigen.

Artikel 2.

Dit doel tracht hij te bereiken, door:

- a. Het bevorderen der goede verstandhouding tusschen patroons en arbeiders.
- b. Het bespreken van gemeenschappelijke belangen.
- c. Het wegnemen van grieven van algemeenen aard en het oplossen van kwesties, die tusschen patroons en arbeiders mochten voorkomen, op den grondslag van recht en billijkheid en eenheid hunner belangen.
- d. Door alle andere geoorloofde en hem geschikt voorkomende middelen.

Artikel 3.

De raad bestaat uit twee secties:

- a. Van patroons.
- b. Van fabrieksarbeiders.

In de eerste hebben zitting bestuursleden der Fabrikantenvereniging; in de tweede afgevaardigden van den Roomsche Katholieke Arbeidersbond, van Patrimonium, van den Verzoeningsbond en van andere te Enschede gevestigde Werkliedenverenigingen.

Deze Werkliedenverenigingen moeten bij de wet erkend zijn, minstens vijftig fabrieksarbeiders onder hare leden tellen en zich met doel en strekking van den Arbeidsraad kunnen vereenigen.

Leden van Werkliedenverenigingen, die niet minstens twee jaar in één en dezelfde fabriek alhier gewerkt hebben of niet meer in eene fabriek alhier werkzaam zijn, kunnen geen zitting nemen in den Arbeidsraad.

Artikel 4.

De Raad vergadert minstens twee maal per jaar, in de eerste helft van de maand April en in de eerste helft van October. Buitengewone vergaderingen worden gehouden, wanneer de besturen der gezamenlijke Arbeidersverenigingen of het bestuur der Fabrikantenvereniging dit noodig achten.

Artikel 5.

De vergaderingen worden bij beurten geleid, het eerste jaar door den voorzitter van sectie A, het tweede jaar door dien van sectie B. Op gelijken voet wordt het secretariaat waargenomen, nimmer mogen beide bestuursleden van één sectie zijn.

Artikel 6.

De oproeping ter vergadering geschiedt door of van wege den voorzitter, minstens 14 dagen te voren, met opgave der punten, die behandeld zullen worden. In spoed eischende gevallen kan hiervan worden afgeweken.

Artikel 7.

Iedere sectie is verplicht de punten, die zij wenscht te doen behandelen, minstens één en twintig dagen te voren schriftelijk aan den voorzitter op te geven. Deze is verplicht ze op de agenda te plaatsen.

Artikel 8.

De Arbeidsraad houdt op te bestaan, zoodra er van regeeringswege eene kamer van arbeid is of wordt ingevoerd.

Aldus vastgesteld op de vergadering van 3 Januari 1895.

Voor de Fabrikantenvereniging:

G. J. VAN HEEK, *Pres.*
W. J. BLIJDENSTEIN.
H. A. VAN HEEK.
H. TER KUILE *Pzn.*
B. W. TER KUILE, *Secr.*

Voor Patrimonium:

W. SCHREURS.
G. J. TEN HEUW.

Voor de Roomsche Katholieke

Arbeidersvereniging:

J. WINKELS.
H. ENGELS.

Voor den Verzoeningsbond:

H. VERVELD.
J. H. HAGELS.

SNELPESDRUK VAN M. J. VAN DER LOEFF.

Image 3: Regulations of the private labour council in Enschede, 1895. Het geheugen van Nederland

Afdruk.

AMSTERDAM,
's-GRAVENHAGE, } 17 Februari 1896.

Aan
de Tweede Kamer der Staten-Generaal.

De ondergeteekenden C. MUIJSKEN en F. H. VAN MALSEN, Voorzitters van de Particuliere Arbeidsraden te Amsterdam en 's-Gravenhage, met den mede-ondergeteekende Mr. C. A. ELIAS als Secretaris, door de Particuliere Arbeidsraden en Kamers van Arbeid te Amsterdam, Bolsward, Dordrecht, Franeker, 's-Gravenhage, Haarlem, Leiden en Zutphen uitgenoodigd ¹⁾ om zaken voor deze colleges van algemeen belang te behandelen, hebben naar aanleiding der bemerkingen van hen ontvangen betreffende het wetsontwerp tot de oprichting van Kamers van Arbeid te vorigen jare door H. M. de Koningin-Weduwe, Regentesse van het Koninkrijk der Nederlanden, bij Uwe Vergadering ingediend, de eer het volgende te uwer kennis te brengen. Zij spreken daarbij den wensch uit, dat door u hiervan kennis zal worden genomen en dat dit moge medewerken tot het verkrijgen van een wet op de Kamers van Arbeid, die de van die lichamen gekoesterde verwachtingen, zal kunnen verwezenlijken.

Algemeen werd het verlangen te kennen gegeven, dat spoedig tot de oprichting van Kamers van Arbeid van regeeringswege mocht worden overgegaan. Het particuliere initiatief heeft weliswaar getracht in de algemeen erkende leemte te voorzien, maar juist door dit streven is duidelijk geworden hoezeer een wettelijke grondslag in deze noodzakelijk is, om inderdaad dien invloed en dat vertrouwen te verkrijgen, dat onmisbaar is om de Kamers van Arbeid of Arbeidsraden aan hunne taak te doen beantwoorden. Een goede regeling toch van een algemeen actief en passief kiesrecht zonder de wet is voor deze instellingen niet wel mogelijk, terwijl haar ook maar al te vaak het recht van optreden door partijen ontzegd wordt, op grond dat men aan eenige particulieren maar niet kan toelaten zich in particuliere verhoudingen te mengen.

¹⁾ De heer Prof. Mr. H. L. DRUCKER, die mede werd uitgenoodigd, meende zich als lid der Tweede Kamer van onderteekening te moeten onthouden.

Image 4: Petition of the Commission of Chairmen of the Labour Councils to the Second Chamber, February 17, 1896. DiEP

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6. Reglement, 1894
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32. Jaarverslagen 1894-1897
34. Reglement voor de Arbeidsraad te Franeker, 1892

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