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Despite the American Federation of Government Employees membership recent rejection of a proposal that its organizing activity extend to military personnel, the unionization debate persists. The European experience is cited in argument by both sides but in this article the assumed analogical link between that experience and the U.S. case is shown to be nonexistent.

MILITARY UNIONS FOR THE U.S. :

THE IRRELEVANCE OF

THE EUROPEAN EXPERIENCE

by

Colonel William J. Taylor, Jr., U.S. Army

The purpose of this brief paper is not to analyze the development of military unions in specific countries of continental Western Europe and Scandinavia. That has been done more or less well already in a number of studies available in several languages. Rather, the purpose here is to examine a fundamental, implicit assumption behind the arguments by both proponents and critics of the fledgling movement to establish unions in the Armed Forces of the United States. Although one major public union, The American Federation of Government Employees, has seriously considered and rejected the idea of unionizing U.S. active-duty military personnel and although federal legislation to prohibit unionization of the U.S. Armed Forces may be passed, analysts on both sides of the debate would be well advised to continue their research into the short-term future.

The Nature of the Debate. Both sides insist on using analogies to the Western European experience with military unions. Proponents generally argue that military unions for U.S. active-duty military personnel would be good for the following reasons:¹

1. Pay, benefits, and prestige of the U.S. All-Volunteer Force (AVF) are being eroded.

2. Grievance procedures and due process in the AVF are inadequate.

3. No one in the executive branch, the Congress or the courts has been able or willing to do anything significant about 1. and 2. above.

4. Public sector unions have been successful in addressing these kinds of problems for rank and file public employees at the federal, state and local levels in the United States—and could do so in representing military personnel.

80 NAVAL WAR COLLEGE REVIEW

5. Union representation of military personnel would not be unique to the United States. Military unions have been successful in these endeavors in Western Europe.

6. Military unions in Western Europe are not only effective in representing the interests of military people, but also have not detracted from military effectiveness.

7. The right of U.S. active-duty military personnel to join a union of public employees is protected by the first amendment "freedom of association."

Thus,

8. Military unions for the United States are desirable and legal, and, as the European experience shows, practical and feasible.

Most critics of the movement to unionize the U.S. Armed Forces rely on lines of argument that almost always include analogies to European military unions:²

1. To the extent that military pay and benefits are being eroded (some argue that such erosion does not exist); and to the extent that grievance procedures and due process are inadequate (again, some argue that the Uniform Code of Military Justice, the chain of command, the Inspector General System and the individual right of petition are adequate protections), the appropriate remedies reside in the constitutional mandate to Congress, i.e. (Sec. 8, cls. 12, 13, 14):

Congress shall have the power . . . to raise and support armies, but no appropriation of money to that use shall be for a longer term than two years; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces.

2. Military unions in the U.S. Armed Forces would be divisive of the chain of command, would erode military esprit de corps, could strike and would be

security interests of the United States.

3. Although the unionized military establishments of Western Europe have missions different from U.S. Armed Forces, and although none of them have been tested in combat since World War II, the results of the experience in some European military establishments are instructive:

a. They lack discipline and high military standards. The personal appearance of their service personnel is low. They have long hair, unshined brass and unpressed uniforms. They do not salute.

b. Military standards are indicative of military preparedness. The combat readiness of some unionized military establishments is questionable.

4. The advent of military unions in the United States would be unnecessary at best. More important, they would be impractical, infeasible, and dangerous for the deterrent and war-fighting missions of American military forces.

5. Military unions should be prohibited by Department of Defense directive or by congressional legislation.

A Fundamental Assumption. The lines of argument drawn above generally are not overdrawn on either side. Shades of gray are not common in the ongoing debates concerning military unions in America. Proponents and critics are far apart in their positions and most argue viscerally.

Other elements of the arguments notwithstanding, the central issue to be addressed in this paper is the relevance of the European analogy which is taken as an assumption by both sides. This is an assumption not to be taken lightly. One might test the assumption here by identifying, at a very high level of generalization, the political *milieux* within which these military unions had their inceptions and by examining briefly the relationships between the various military establishments, trade unions and governments under which they have developed.

The West European Experience. Military unions exist in Austria, the Federal Republic of Germany, Denmark, Norway, Sweden and Belgium. (See Figure 1.) Frequent references are made nowadays to military unions in the Netherlands. In fact, Dutch military personnel are not "unionized." The VVDM and BVD that have pushed so hard for "soldiers' rights" are many things, but they are not military unions, are not formally affiliated with trade unions and do not have the same formal relationships with government agencies outside the Ministry of Defense found in

the countries discussed in this paper. For these reasons, one must conclude with Ezra S. Krendel that "There is no trade union movement in the Netherlands armed forces."³

Austria. Austria's first experience with military unions was during the period 1920-1934. In fact, this 14-year period constitutes the world's only experience with a unionized *volunteer* force. All subsequent military unions have developed in conscripted military establishments. The basic authority for this first Austrian experience was

Country (Armed Forces)	Year Estab.	Percent Membership of Armed Forces	Unions (Number or Name)	Government Relationship
Federal Republic of Germany (495,000)	1954	80	DBV OTV	Vocational Lobby
Netherlands (112,500)	1897	75-80	35	Consultation
Belgium (87,000)	1973	50 officers (assoc.) 75 enlisted (assoc.) 10 (union)	SYNDIC CGSM	Consultation Negotiation
Austria (52,000)	1967	66 officers 75 NCO	Govt. Employee Union	Negotiation
Denmark (34,400)	1922	98 officers 92 enlisted	52	Negotiation
Norway (35,000)	1835	90 officers 70 enlisted	BFO	Negotiation
Sweden (750,000)	1965	98 enlisted	Officers Warrant Officers NCO	Negotiation

From Colben K. Sime, Jr., "The Issue of U.S. Military Unionization: Genesis Current Status and Resolution," Student Research Report No. 110, The Industrial College of the Armed Forces, Washington, D.C., 1977, p. 7.

84 NAVAL WAR COLLEGE REVIEW

the Norwegian Federation of Labor (LO) and the Joint Organization of Officers and Sergeants (BFO). The LO represents the vast majority of labor unions in their national negotiations and serves effectively as a participant in government. The issues addressed by the LO in negotiations with the government are generally the same for the military as for other career, public servants in a society with a strong Socialist tradition.

The legitimacy of military unions has seldom been an issue. Almost all regular officers and noncommissioned officers (the rank distinction has been officially removed) are members. Conscripts, who serve for only 12 to 15 months, are not represented by the military unions, but they do have a voice through conscript associations. The conscripts do, of course, maintain their civilian union memberships for the occupations to which they will return.

Sweden. As in the case of Norway, Swedish trade unions have a long history. Also like Norway, the Social Democrats have been predominant as the governing party. Social Democrats, either alone or in coalition, controlled the government from 1932 to 1976, with the exception of a few months in 1934. The Swedish Trade Union Confederation (LO) provides the major financial support and membership of the Social Democratic Party. Trade unions have been and remain more than contenders for political power; they constitute an important element of the government.¹² Traditionally, at least since the 1930s, the views and positions taken by the trade unions toward employee rights and security and toward management responsibilities have permeated the Swedish culture. Much as in the case in Norway, there is little distinction between the social rights and responsibilities of the military and the rest of society.

Although conscripts are not members of formal military unions, almost 99

percent of the personnel in the regular military belong to one or more of the three major military unions—the Commissioned Officers' Union (SOF), the Warrant Officers' Union (KOF), or the Noncommissioned Officers' Union (POF). Each of these has a long tradition dating to their organization as social or professional activities in the early 1900s. The SOF belongs to and is represented by the Central Organization of Swedish Professional Workers (SACO). The KOF and POF are represented by the Central Organization of Salaried Employees (TCO).¹³ As in the case of the FRG and Norway, labor unions negotiate with the government under the auspices of umbrella unions, the largest of which is the LO. Although there was some early resistance from the LO against military unions, especially officers' unions, the LO represents their interests regularly.

Belgium. Belgium was the first continental European country to undergo thorough industrialization.¹⁴ After several false starts, the unionization process and mobilization of the working class took place in the late 1800s. Since World War II the growth and success of Belgium trade unions have been spectacular. Government, especially with the push of the Socialist, has encouraged unions and has intervened often to achieve labor satisfaction. "Labor leaders possessed a power with which ministers were forced to reckon,"¹⁵ and, in fact, a large number of government officials have labor backgrounds.

Military professionals were slow to organize. It was only in 1960 that military associations were formed. However, in a social climate of trade union activism and increasing civilian pay and benefits in which the military did not share generally, military professionals became frustrated. After a running battle with the newspapers in a period of severely strained civil-military relations in the late 1950s, the officer corps

established the *Association des Officiers en Service Actif* (AOSA), the legal status of which was disputed. In 1972, the AOSA gave birth to several military syndicates which formed under a central military syndicate (CGSM), the common trade union for all Belgian military personnel. In January 1975 a new law gave active-duty military personnel the right to join trade unions which are recognized as representing personnel in the civil service. They were also permitted by the same law to align themselves with a political party. The future of Belgian military syndicates in a society plagued by economic crisis, unemployment, political fragmentation and linguistic quarrels is uncertain. But one suspects that their success in union bargaining activities will vary with the political power of the Belgian Socialists.

The European Experience and the United States. Some advocates argue that, with some differences, the societal trend of industrial democracy now occurring in the United States is part of the broader movement originating in Western Europe; that the growth of military unions in Western Europe is instructive for the present American conditions, that military unions have been "successful" in Western Europe and, *ipso facto*, can be so in the United States.¹⁶ It is true that most of the evidence available indicates that these unions have been more or less effective in achieving improvements in military prestige, working conditions and compensation, comparable with similar improvements for Western European employees in general. It is correct, too, that none of these unions have struck, despite the confusion in the minds of some concerning the temporary "lock-out" of the Swedish military by striking government officials in 1971.¹⁷

On the other hand, one can argue that there are fundamental differences between the Western European case and the situation of the United States

differences which render analogies irrelevant at best. First, there may not be a valid "European model" for military unions. Such unions developed differently for different reasons in different Western European countries.¹⁸ Second, most Western European countries with military unions also have conscription systems; the United States does not. Third, the trade union movements in Western Europe and in the United States are not at all analogous. The governing Social Democratic Parties in most Western European countries came to power largely because of the strength marshalled by trade unions. To the contrary, American unions have grown not only as adversaries to private management, but as political adversaries of federal, state, and local governments over those issues related to the rights of American labor. In the continental European case, where strikes by military unions are prohibited (excepting Austria and Sweden), the government "bargains" with or consults with elements of its own power base in the trade unions with which its interests are closely identified. In the American case, military unions would bargain in an adversary relationship with government management whose political power base rests upon a span of interests of which organized labor is only one.

The major "rights" enjoyed by unionized armed forces personnel in Western European countries are *not* rights secured by military unions through collective bargaining. In the main, they are rights secured by social legislation under social democratic governments in countries with strong Socialist traditions and strong trade unions. As examples, in Sweden, the 40-hour work week was legislated by the Social Democrats for *all* Swedish citizens, not simply as a collective bargaining agreement with one or more trade unions representing one or more of the Swedish military unions. The right of married couples in the Swedish

86 NAVAL WAR COLLEGE REVIEW

military to decide whether the civilian working wife or the military husband will stay home to care for a newborn for the first 6 months is the legislated right of all Swedish couples. Although it may appear ludicrous to many Americans that a soldier could simply inform his commanding officer, "my wife just had a baby; see you around in six months," the right to do so was important and "just" to the Swedish Parliament which passed the legislation.

This line of argument does not suggest that European military unions do not serve well both their constituencies and their societies. The point is that the societal context of such unions is simply different from that of the United States.

Other opponents argue or imply that unionized military establishments are undisciplined, referring to long hair, unkept uniforms, lack of saluting, 40-hour work weeks, etc.—"rights" secured by military unions. Still others argue that "unions strike," an intolerable situation for the Armed Forces of the United States. Of course, these latter arguments (based on European analogies) are full of logical traps; one cannot have it both ways. For example, one cannot argue that unionized American military personnel would strike when the European analogies show that the unionized military do not strike. One cannot argue that where European military personnel have unionized, standards of appearance related to discipline have degenerated for one might be forced in debate to extend the argument to prove conclusively (and causally) that mission capability has degenerated. This would be a difficult and probably counterproductive undertaking. Foreign analogies should be rejected.

Would unions involving active-duty U.S. military personnel strike? There are no precise precedents to which one may turn, but there are sound analogies in the United States. Unions of public employees in the United States generally are prohibited from striking at both

the federal and state levels. But the postal unions struck in 1970 and were successful in their demands.¹⁹ Police and firemen's unions are prohibited from striking in all 50 states, but many have done so in effect, through work stoppages such as "sick outs" lasting as long as 5 days.²⁰ Clearly, strike prohibitions in executive orders or statutes do not serve as ironclad deterrents to strikes by strong unions of public employees. Can a union prevent its membership or part thereof from striking? The late Clyde M. Webber, former President of the American Federation of Government Employees stated:

There isn't any way to stop those things. They don't ask me to go on strike. They don't ask their national vice president to go on strike. . . . But the thing about it is that you cannot control individual elements of an organization whether it happens to be the United States Army as has been demonstrated a couple of times in the last three or four years, or the Navy or the Air Force or The AFGE. People take into their own hands what they think they have to.²¹

There remains one additional consideration concerning analogies from the European experience. Professor Ezra Krendel, whose research on military unions was among the earliest, and who will now grant me the highly fragile nature of European analogies, still maintains that there are lessons in due process and management to be learned from the European experience. That connection, too, should be severed. The nature of civil-military relations in Western Europe is far different from the American setting. Americans are unwilling to consider the active-duty Armed Forces of the United States as just another part of the labor force.²² Several major court decisions have spelled out the ways in which the military establishment is considered

"different," and the reasons why certain first amendment rights of military personnel are limited.²³ Too, one might suggest that most Americans continue to expect standards of conduct, discipline, dedication and self-sacrifice from their military which they are not prepared to have bargained away at the behest of any labor union.

Thus what is acceptable to various European publics is not acceptable to Americans. The analogical link is not only highly tenuous; it does not, in fact, exist.

Conclusions. The ongoing debate concerning the desirability and feasibility of unions of active-duty U.S. military personnel is important. There are many real issues to be debated. The relevance of the European experience to the U.S. case should not be considered one of them. Our brief survey of Western European military unions indicates

that the sociopolitical context of the European experience is different from the American case. European analogies should be dropped from this debate once and for all, and analytical focus should be directed to more productive endeavors.

BIOGRAPHIC SUMMARY



Colonel William J. Taylor, Jr., Ph.D. is on the tenured faculty of the Department of Social Sciences, U.S. Military Academy where he teaches courses on national security and American foreign policy. A member of the Council on Foreign Relations and frequent contributor to various books and journals, his most recent articles appear in *American Defense Policy* and in *Public Administration Review*. He is currently co-authoring a text, *The Elements of National Security*.

NOTES

1. See, for example, David Cortright, "Unions and Democracy," *AEI Defense Review*, February 1977, *passim*, and "The Union Wants to Join You," *The Nation*, 21 February 1976, pp. 206-09.

2. See Strom Thurmond, "Military Unions: No," in *AEI Defense Review*, February 1977, *passim*.

3. See Ezra S. Krendel and Bernard L. Samoff, eds., *Unionizing the Armed Forces* (Philadelphia: University of Pennsylvania Press, 1977), p. 152.

4. See Raymond E. Bell, Jr., "Military Unions and Military Effectiveness: Austria as a Case Study, 1920-1934," in William J. Taylor, Jr., et al., eds., *Military Unions: U.S. Trends, Issues and Alternatives* (Beverly Hills, Calif.: Sage, 1977). This 18-chapter interdisciplinary work, including contributions from both military and civilian scholars, provides detailed analysis of many of the points made in this brief paper.

5. See Joseph P. Mockaitis and Donald E. Johnson, "An Analysis of Military Unionization in Austria, Denmark and Sweden." Unpublished manuscript at the Air Force Institute of Technology, Wright-Patterson Air Force Base, Ohio, 20 September 1972, p. 17.

6. *Ibid.*, p. 19.

7. See Bernhard Fleckenstein, "The Military and Labor Union Organizations in Germany," *Armed Forces in Society*, Summer 1976, p. 499.

8. *Ibid.*, pp. 504-05. See also Ezra S. Krendel, et al., "The Implications of Industrial Democracy for the United States Navy," Technical Report No. NKG-10, prepared under the Navy Manpower R&D Program of the Office of Naval Research, January 1975, pp. 177-85.

9. See Mockaitis and Johnson, p. 41.

10. *Ibid.*, p. 43.

11. See Ezra S. Krendel, et al., p. 186.

12. See Ezra S. Krendel and Bernard L. Samoff, eds., p. 148.

13. See Annika Brickman, "Military Trade Unionism in Sweden," *Armed Forces in Society*,

88 NAVAL WAR COLLEGE REVIEW

14. See Martin O. Heisler, "Institutionalizing Societal Cleavages in a Cooptive Polity: The Growing Importance of the Output Side in Belgium," in Martin O. Heisler, ed., *Politics in Europe* (New York: McKay, 1974), p. 190.

15. Victor Werner, "Syndicalism in the Belgian Armed Forces," *Armed Forces and Society*, Summer 1976, p. 490.

16. See, for example, David Cortright, pp. 30-42.

17. For a brief and accurate explanation, see Adam Roberts, *Nations in Arms: The Theory and Practice of Territorial Defense* (New York: Praeger, 1976), p. 68.

18. See Gwyn Harries-Jenkins, "Trade Unions in Armed Forces." A Working Paper presented to the 1976 Conference of the British Inter-University Seminar on Armed Forces, Holly Royd College, University of Manchester, 16-20 April 1976, pp. 1, 4-14.

19. The postal strike of March 1970 resulted in an 8 percent pay raise for postal employees (PL 91-375). It should be recalled that the U.S. Army was called in to operate some post offices during this strike. One wonders what the result might have been had the Army personnel been members of a union of federal employees.

20. See Ezra S. Krendel, et al., pp. 147, 152.

21. "Unionizing: An interview with Clyde M. Webber, National President of the American Federation of Government Employees," *The Times Magazine*, 24 September 1975, p. 43.

22. See George Gallup, "Unions in Military Not a Popular Idea," *The Newburgh, New York Times Herald*, 7 July 1977, p. 64.

23. See William J. Taylor, Jr., "Military Unions for the United States: Trends, Issues and Alternatives," in Alan N. Sabrosky, ed., *Blue Collar Soldiers? Unionization and the U.S. Military* (Philadelphia: Foreign Policy Research Institute, 1977), pp. 11-54.

