



Regulating the Activity of a Business Community: Employers' Organizations in the Lyon Silk Industry, 1860s-1939

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The Lyon silk industry depended on the existence of institutions and organizations aiming to regulate competition among firms, to reduce transaction costs, and to secure trust. Among those institutions, employers' associations adapted local rules, norms, or practices during the second half of the nineteenth century when the Lyon silk industry faced important structural changes. Moreover, they supplied their members with commercial information allowing them to reduce information asymmetries, provided legal and fiscal advice, and contributed to collective promotion of Lyon silkwares. As pressure groups, they tried to influence the shifts in the national legal framework within which the enterprises worked. Lastly, the diversification of the supply of raw materials, the increasing amount of trade, and the alteration of the consumption markets led to the construction of international trade networks and employers' associations whose aim was to influence customs regulations and to elaborate international norms and practices.

Characterized by a large number of small, medium-size, and specialized family firms, the Lyon silk industries, which included all activities from the trade of raw silk to the sale of silk clothes, are an instance of what Philip Scranton properly named "proprietary capitalism." Until the 1930s depression, Lyon products remained one of the most important French exports. They may be analyzed as a meso-system of production, that is, an organized complex of relationships, characterized by autonomous dynamics but interacting with other subsystems.¹ Trying to understand the dynamics of the silk industries meso-system raises two main problems:

¹ Concerning the notion of meso-system, see Jacques de Bandt, "La filière comme méso-système," in *Traité d'économie industrielle*, ed. Richard Arena, et al. (Paris, 1991), 232-238.

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first, how is the set of commercial or non-commercial relationships between the actors organized? Second, how did the actors' strategies challenge or interact with one another?

The silk industries subsystem was principally structured by the processing of silk and, later, of artificial textiles, and by trade flows from upstream to downstream, from suppliers to customers. However, the subsystem cannot be summed up only by these flows: it formed a coherent and dynamic set of individual or collective actors, rules, practices, or customs. The agents who made it up were heterogeneous with respect to their nature, their activities, or their status, and might participate in several meso-systems, but they were dependent on some common data such as material, techniques, or markets, and of macroeconomic constraints dependent on the regulation of the global productive system in which they were embedded.

As a matter of fact, the working of such a system needed institutions and organizations that regulated competition among firms, reduced transaction costs (particularly those resulting from fraud regarding silk, a very expensive raw material), and secured trust. Among those institutions, in this paper I focus on employers' and/or trade associations that emerged beginning in the 1860s.² These bosses' unions (*syndicats patronaux*) formed a network because, at least the major ones, maintained intense collaboration, cooperation, or conflict. They argued amongst themselves about different problems and exchanged information. Some, such as the merchants-manufacturers' unions (*fabricants*) were more central. However, these positions changed along with the evolution of each activity of the silk industry system. These working relationships contributed greatly to the norms, practices, and general conventions (some codified) that regulated trade between suppliers and consumers or relationships between principals and subcontractors.

Researchers have recently underlined how useful the diverse forms of coordination and/or cooperation used in production or trade can be for historians in understanding the conceptual framework elaborated from the 1980s on by the economics of conventions.³ A convention is a historical construction that raises questions regarding its nature, evolution, the reasons and the conditions of its emergence, and of its working stably and

² There is no satisfactory translation of the French expression "*syndicats patronaux*," which legally belongs to the same category as workers' trade unions even if they have obviously different aims. The phrase "employers' association" is misleading because these structures did not deal only with industrial relations. For want of a better term, I will use the expression "bosses' unions."

³ Among others Alain Dewerpe, "L'exercice des conventions. Le cas de l'industrie navale française" in *Les formes de l'expérience: Une autre histoire sociale*, ed. Bernard Lepetit (Paris, 1995), 99-126. See also, Robert Salais and Michael Storper, *Les monde de production* (Paris, 1993).

efficiently, points of contention, and the dynamics of its alteration, or its being replaced with another convention. Given that dealing with all these points is beyond the scope of this paper, I focus on silk trade and manufacturing conventions rather than conventions concerning relations between capital and labor.

Bosses' Unions: New Actors in the Institutional System of the Lyon Fabrique

A Dense Framework of Institutions. In the mid 1860s, a dense framework of institutions ensured the collective management of the Lyon silk industry, the defense of its interests, promotion of technical innovations, prevention of fraud, arbitration of disputes, and implementation of customs or practices. At first, post-revolutionary reorganization generated institutions that sometimes renewed institutions of the Old Regime, such as the commercial Court (Tribunal de Commerce), heir of the ancient *Conservation des privilèges et des foires de Lyon* created in 1463, or the Chamber of Commerce which was ruled by the *fabricants*, silk merchants, and bankers, and activities linked with the manufacturing of silk goods such as dyeing. The Chamber of Commerce controlled the *Condition publique des soies*, which was created to check the weight and the quality of bales of silk.⁴ The *Conseil des prud'hommes*, was created in 1806 after numerous petitions to deal not only with labor conflicts but also with industrial property, regulation of competition, and normalization of certain technological innovations.⁵ Some institutions were specific to the Fabrique such as the Fund for Loans to master weavers (*Caisse de prêt au chefs d'atelier*), established by government ordinance in 1832, after the silk weavers' uprising in November 1831. It provided masters weavers confronted with work suspension or other difficulties with loans so that they were not obliged to sell their equipment. The community of merchant-manufacturers who gave work to the weavers guaranteed repayment of the debts. Such a fund was a means of preventing skilled weavers' migration to foreign silk industry centers.

⁴ Audrey Soria "La chambre de commerce de Lyon au XIXe siècle: 1832-1908" (Ph.D. diss., Université Lyon 2, 1997).

⁵ See Alain Cottureau, "The Fate of Collective Manufactures in the Industrial World: The Silk Industries of Lyon and London, 1800-1850," in *World of Possibilities: Flexibilities and Mass Production in Western Industrialization*, ed. Charles F. Sabel and Jonathan Zeitlin (Cambridge, U.K., 1997), 5-152; Alain Cottureau, "Justice et injustice ordinaire sur le lieu de travail d'après les audiences prudhomales (1806-1866)," *Le Mouvement Social* 141 (Oct.-Dec. 1987): 25-59; Édouard Pariset, *Histoire de la Fabrique lyonnaise. Étude sur le régime social et économique de l'industrie de la soie à Lyon depuis le XVIe siècle* (Lyon, 1901), 259-275; Justin Godart, *La juridiction consulaire à Lyon: La conservation des privilèges royaux des foires, 1463-1791, Le tribunal de commerce, 1791-1905* (Lyon, 1905).

Other institutions were voluntary such as the *Société de lutte contre le piquage d'onces*, created by merchant-manufacturers and authorized by the French Government in 1843. Its main aim was prevention of robbery and traffic in silk (called *piquage d'onces*). Initially, its purpose was also to improve industry competitiveness by reducing overhead and reestablishing order and loyalty.⁶

The Emergence of "Bosses' Unions" and Its Causes. During the first half of the nineteenth century, although some voluntary associations seem to have anticipated bosses' unions, little is known about them. For instance, in 1825, some major merchant-manufacturers formed a committee, the Merchants manufacturers meeting (*Réunion des fabricants*), which attracted almost one hundred members. It wanted to prevent fraud, transfer of workers or expertise from Lyon to foreign countries, and to favor technological improvements. However, authorities outlawed this organization by the end of 1827 for unknown reasons.⁷ Another association, the Dyers' club (*Cercle des teinturiers*) was more enduring. Already active in 1855, it became the Dyers' and Finishers' Union (*Chambre syndicale des teinturiers et apprêteurs de Lyon*) in 1889.⁸ In spite of these early initiatives, the creation of bosses' organizations in the silk industries did not make great strides before the second half of the 1860s.

The birth of the *fabricants'* union, the *Association de la Fabrique lyonnaise* (AFL), in 1867 is a turning point because it paved the way for numerous other unions. There are 78 *syndicats patronaux* related to silk industries in departments that are now part of the Rhone Alpes region for which we know the founding date.⁹ Of these, 45 were created before 1914, and 33 after. By the middle of the 1880s, there was at least one union for each major activity representing the different stages of silk manufacturing: following the *Cercle des teinturiers* and the AFL (the Silk merchants union), the *Union des marchands de soie* (UMS) was founded in 1869; the French reelers' and throwsters' unions of the Valence and Aubenas¹⁰ areas

⁶ See Pierre Cayez, *Métiers jacquard et hauts-fourneaux: Aux origines de l'industrie lyonnaise* (Lyon, 1978), 168.

⁷ Archives municipales de Lyon (AM Lyon), 784 Wp 084, folder "Société de la réunion des fabricants, 1825-1845."

⁸ Archives départementales (AD) du Rhône, records of the Syndicat de l'ennoblissement textile Lyon et région (not yet filed), Cercles des teinturiers, livre de caisse, 1855-1887 and minutes of the meetings, 1885-1899.

⁹ They are numbered from a database built from the registration of bosses' unions by the administration from the 1860s to 1939. For the sources used in creating this database, see François Robert and Pierre Vernus, "Esquisse d'un tableau général du syndicalisme patronal en Rhône-Alpes (années 1860-années 1930), in *Les organisations patronales. Une approche locale (XIXe-XXe siècles): Cahier du Centre Pierre Léon no. 1*, ed. Pierre Vernus (Lyon, 2002), 21-50.

¹⁰ These two unions might have been local sections of a common organization.

were created in 1874 and 1875; and the bosses' union of mechanical silk weaving, the *Association des patrons tisseurs de soieries*, was founded in 1884, and was renamed the *Chambre syndicale des patrons tisseurs de soieries* the following year.¹¹ The same process occurred in Saint-Étienne, where silk ribbons were manufactured.

What encouraged the emergence of this type of collective organization? Of course, changes in the legal framework, from the acceptance of liberty of coalition beginning in 1864 to the law establishing a legal status for unions in 1884, probably favored this evolution. However, these new structures first had to face problems that were not, or only poorly, dealt with by older institutions. The aims defined in the union statutes and the services created by them illuminate some of these problems. Once a union was created, new needs and functions might appear and, depending on the moment, the nature of changes in external pressures could compel bosses to act collectively.

Shifting trade networks for silk and silk clothes seem to have been a major impulse for the genesis of the AFL and of the UMS. First, pebrine, a silkworm disease that struck the Mediterranean basin especially from the 1850s onwards, reduced the predictability of output and prices. Expanding importation of Chinese or Japanese silks made silk trade and prices increasingly dependent on the Asian output and modified the trade networks.¹² With respect to silk clothes, reorganization of the trade networks and practices increased the uncertainty of the market for merchant-manufacturers. From the beginning of the nineteenth century, sales to Great Britain and to the United States had grown steadily while the share of the European continental markets receded. At first, this evolution encouraged the specialization of economic agents: Lyon merchants and commission men made business deals with foreign countries, whereas *fabricants* concentrated on production. This trade relied on a credit system based on interpersonal trust. Up to the end of the 1860s, the Lyon merchants and commission men maintained numerous sales outlets around the world. However, improvement in transportation and communication encouraged buyers from foreign countries, especially from the United Kingdom or the United States, to deal directly with the French *fabricants*, without the commission merchants' agency.¹³ Whereas commission merchants and their networks of correspondents provided a guarantee against dishonorable trade behaviors, which was not always

¹¹ AM Lyon, 1101 WP 100, folder *Syndicat du tissage mécanique des soieries (1884-1913)*.

¹² Giovanni Federico, *Il filo d'oro. L'industria mondiale della seta dalla restaurazione alla grande crisi* (Venezia, 1994), 58-67.

¹³ Pierre Cayez, *Crises et croissance de l'industrie lyonnaise 1850-1900* (Paris, 1980), 46-47 and Pierre Cayez, "Le commerce des soies et soieries (XVIIIe-XXe siècles)," in *La seta in Europa secc. XIII-XX*, ed. Simonetta Cavaciocchi (Prato, 1993), 609-610.

sufficient, dealing with new and unknown buyers increased the degree of uncertainty, and therefore the transaction costs for *fabricants*. As a matter of fact, the AFL was founded after a foreign firm's representative improper dealings caused serious injustice to local companies.¹⁴ Therefore, from the outset, collecting trade information was one of the major activities of the AFL and the UMS. Each of these unions created a file of buyers with thousands of index cards. Moreover, as soon as it was founded, the UMS established a network of informants to gather data about silk output to publish in a statistical yearbook (*Statistique de la production de la soie en France et à l'étranger*).

For the reelers and throwsters, the consequences of pebrine and the mutations of the geography of silk imports were an impetus to collective action. The collapse of French silkworm breeding wiped out the economic basis of French reeling: imported silks were reeled; reeling factories using European methods were set up in China and Japan beginning in the 1870s. Most of the reelers and throwsters also lost their economic independence; Lyon silk merchants or *fabricants* who imported silks dominated them and they became subcontractors.¹⁵ From the mid 1870s, they began to ask for protection against silk importation. Later on, as the effects of the depression of the 1880s unfolded, protectionist ideas progressed and inspired the creation of unions such as the General Union of French Throwing (*Syndicat général du moulinage français*) in 1890, and the Lyons Silk industry Association (*Association de la Soierie lyonnaise*), which seceded from the AFL at the end of 1892.¹⁶

The depression urged some corporations to attempt to reduce competition among their members. For instance, a union of clothes dyers (*Chambre des teinturiers en tissus*) was set up in Lyon in February 1883 to unify prices, discount, value, and methods of payment.

In the late 1880s, the growth of the workers' movement explains the transformation of the *Cercle des teinturiers* into a union, a decision that meant acceptance of negotiation with workers' organizations. As time passed, new services were created for members. For instance, the AFL and the UMS offered management of contentious matters and arbitration in addition to trade information, almost from their beginnings. They were used when prevention by information failed. The AFL widened its informative services to include customs tariffs or industrial property.

¹⁴ "Le Syndicat des fabricants de soieries de Lyon," *soierie de Lyon*, e année, 9 (1 Jan. 1927): 306-323.

¹⁵ Cayez, "Le commerce des soies," 611.

¹⁶ This union was created in order to obtain a 3 F tax on imported thrown silks, especially Italians ones. Its articles forbade silk merchants' and merchants manufacturers' membership because they favored free admission of foreign silk in France.

Bosses' Unions: Very Different Realities. However, a “bosses’ union” is a notion that covers very different realities. First, the status and the nature of these unions were diverse. Some of them were very frail structures, engaging in very limited activity or disappearing very quickly. The union of employers’ manufacturing velvet and plush in L’Arbresle (a little weaving town northwest of Lyon), *la Chambre syndicale des patrons traitant l’article “velours et peluches” de L’Arbresle*, formed in 1887, ceased its activities in 1888. The UMS, in contrast, remained one of the major bosses’ unions throughout the period.

There were multiple inequalities between unions; one of the major parameters was the nature of their members. The AFL or the UMS gathered members with some of the greatest fortunes in the city while other unions such as the *Syndicat patronal des liseurs de dessin de Lyon* attracted only a handful of artisans. Some unions were only for artisans, whereas others were only for industrialists, contractors, or subcontractors. In fact, the AFL and the UMS occupied a central position in the network of unions, echoing the central position of silk merchants and *fabricants* in the silk industry meso-system. These unions concentrated social and economic capital, at least with respect to the most important firms, and retained more economic power than their subcontractors who were mainly small and medium-size firms. The leaders of these unions had strong institutional power, first because they often became members of the Commerce Chamber with which the UMS and AFL maintained strong links. However, their positions might evolve, as shown by the concentration trend experienced by the dyeing industry, which induced a readjustment of the relationships between dyers and *fabricants*.

Resources and means were unequal too. The major unions had their own offices, sometimes a library, and retained several employees. They published papers or statistics or, at the very least, reports of their annual meetings.

Finally, among the network of the bosses’ unions in the silk industry, positions were unequal. In 1914, the silk industry was structured by a set of major organizations with established connections, whereas others were marginal. The core of this network was the UMS, the AFL, and to a lesser degree the ASL, the *Cercle des teinturiers*, then the *Chambre des teinturiers en tissus*, and the reelers’ and throwsters’ unions. For them, the rules regulating the workings of the silk industry system became a major focus.

Adapting and Creating Customs

The “Usages.” Regarding the regulation of work, the decisions of the *Conseil des prud’hommes*, codified in 1871, generated local quasi-legislation. These customs (usages) were aimed at regulating the relationships between *fabricants* and masters weavers, on one hand and master weavers and journeymen, on the other. They dealt with various disputes such as the silk wastes rates, the price to be paid for the setting of

looms, the rights and duties of interested parties, apprenticeship, unwinding, and warping.¹⁷ Beginning in the last third of the nineteenth century, these customs were negotiated between employers' and workers' unions.

However, the *usages* of the *Conseil des prud'hommes* were not the only customs. Others existed to regulate trade and production operations, that is, the economic relationships between merchants and *fabricants* or between them and their sub-contractors, industrialists, or artisans, such as throwsters, dyers, or printers. More generally, they were to reduce uncertainty about the quantity and quality of the silks or clothes traded, about transport, delivery, or terms of payment.

Given that silk is an expensive raw material, trickery about quality and quantity or the loss of bales during transportation could have important financial consequences. Moreover, the success of the processing of silk threads into silk clothes depends on an exact knowledge of the quality of the silks used. Silk is not an homogeneous material: its quality is determined by the species of the worms (for example some cocoons are white, others yellow, the thread may be more or less slender), the way they were bred, the techniques used to reel the cocoons, the kind of throwing process and so on. In Lyon, the usual classification indicated the country or region the cocoons, threads, or yarns came from. Each of these locations reflected a quality (for instance French and Italian silks were more renowned). Different levels of quality were also distinguished inside each geographical group. China had the greatest variety. For example, the names of the silks from the Canton province derived from the name of the village they came from, because the quality of silk depended on the working habits of each locality.¹⁸ Therefore, each village was associated with a quality of silk, at least to some extent. This was true of silk of every origin.

Despite these classifications a rather high degree of uncertainty remained; given the technical level of reeling and throwing at the time, the characteristics of each category of silks were far from regular. Economic agents were well aware of this problem and provided for some degree of uncertainty when they established the technical characteristics of bales of silks. For example, the size of threads or yarns in a bale varied, and two numbers that indicated an average deviation were generally used to characterize this size. Therefore, a silk 20/22 meant that the number of silk threads could vary from 20 to 22 deniers (one denier = 0.531 grams per 450 meters). In this way, some degree of irregularity was accepted. The problem was to define an acceptable range of irregularity and an agreed-upon measurement technique.

¹⁷ They have been published as *Usages du Conseil des prud'hommes de la ville de Lyon pour les industries de la soierie* (Lyon, 1872).

¹⁸ Natalis Rondot, *L'art de la soie. Les soies*, vol. 1 (Paris, 1885), 241-242.

Silk is also very absorbent so it may not seem wet even if water constitutes up to 30 percent of its weight. So one can understand why the humidifying of silk became a method of trickery, expensive for the victim. This characteristic of silk, allowed weighting, an operation consisting of adding extraneous substance to silk during dyeing. Such chemical weighting began in the 1850s; by the 1890s it was possible to make a cloth weigh two, three, or even four times more than the quantity of silk used to produce it. Thus it became increasingly important to be able to determinate the real quantity of pure silk.

More broadly, the alteration of the origin of silk imports, and the structural and technical modifications of the silk industry led to modifications in the set of rules regulating the transactions between the agents and, sometimes, to elaborate new rules. In this process, bosses' unions could play a double role: first, by defining customs and codifying them (or at least trying to do so); and second, by interpreting these rules when there was any doubt. Studying the ways the bosses' organizations dealt with these problems contributes to a better understanding of the genesis or the evolution of these rules, norms, or conventions.

Defining and Controlling Quality. If one considers quality as a social construction, a question arises: how can a buyer assess whether or not a purchase is of the expected quality? In other words, what is the benchmark for determining if an item is consistent with what was expected and how is this benchmark established?¹⁹ With respect to silk, UMS board arbitration shows how such a criterion might be defined. In August 1870, the UMS had to settle a dispute between a silk merchant and a client who refused a bale of Japanese silk he judged of insufficient quality. By an agreement under private seal, the two parties had promised to abide by the final arbitration. After a thorough examination of the silk, the UMS arbitrators blamed the buyer and said that he had to accept the bale because they judged that it was of sufficient quality for the type of silk and he could not expect better work from the Moulin de Portes (the mill where the seller had had the silk thrown), which had a first-rate reputation for throwing Japanese silks. The imperfections the buyer pointed out were due to the nature of the Japanese silk.²⁰ Here, far from being an absolute

¹⁹ Regarding this argument see Pierre Yves Gomez, *Qualité et théorie des conventions* (Paris, 1994), especially the third part.

²⁰ "Elle [the silk] présente autant de perfection que l'on peut en attendre de ce genre de soie et exiger du Moulin de Portes [the mill where the seller had made the silk to be thrown] qui jouit d'une première réputation pour les ouvraisons en Japon: Si MM. C.M. Teillard et Cie [the buyer] ont pu signaler quelques passages qui n'étaient pas irréprochables, cela ne doit être attribué qu'à la nature de la soie du Japon," Records of the Society Morel-Journal, in Lyon, minutes of the meetings of the *chambre syndicale* [i.e., the managing council] of the UMS, 9 et 11 Aug. 1870. I thank Mr. Morel Journal for allowing me to consult these records.

standard, quality appears as a contingent notion dependent on several parameters such as the technical level at the time, or the nature of the raw material, and with the union establishing the quality benchmark.

Bosses' unions played a large role in determining the method for checking the quality and weight of the silk sold in Lyon, of which there were three components: checking the quantity of water absorbed by silk (*conditionnement*), the number of the threads or yarns (*titrage*), and the percentage of gum or of others substances (degumming).²¹ From 1805 on, the *Condition des soies* had a monopoly on the *conditionnement*. Moreover, methods to measure the degree of humidity of the silk had been improved and stabilized, so that a "normal" level of humidity (10 percent of the absolute weight determined by the *Condition*) had been defined, with any excess removed for the benefit of the buyer, and a lower level to the benefit of the seller.

Titration and degumming were more difficult to assess. With respect to *titration*, while improvements in the techniques and methods of the European reeling and throwing mills had produced greater regularity in their threads and yarns, this was not the case for the Asiatic silks that were imported in increasing quantities. Indeed, the raw silks produced by the reeling mills in Asia showed a large deviation in number of threads and yarns. There was no standard test. In the beginning, only private testers existed, but a public board for tests, associated with the *Condition*, was created in 1858. The issue of the tests generated keen debates among the UMS, the AFL, and the throwsters' unions. As soon as it was created, the UMS denounced some deficiencies in the process and studied ways to better the system. First, the tradition of paying in kind the private testers, who kept the silk sample used for testing, was said to favor illegal traffic in silk. Second, they complained about the excessive number of tests required by buyers (especially the merchant-manufacturers), which the sellers had to pay for. Silk merchants and *fabricants* agreed rather readily to favor using funds already implemented by the public board for tests. The instituting of a monopoly was finally given up because this did not seem fitting in the ideological context of the moment, which praised liberty and free competition.²² In addition, the public testing board was criticized for its slow operations and lack of organization. The silk merchants and *fabricants* made plans to establish an exemplary test board. It was put into effect in the middle of 1885, and worked until after World War I. In fact, the tests by the public board with its better

²¹ See Adrien Perret, *Monographie de la condition des soies de Lyon* (Lyon, 1878) and Léo Vignon and Isidore Bay, *La soie au point de vue scientifique et industriel* (Paris, 1914).

²² "Dans un temps où la liberté est dans toutes les aspirations ou du moins sur toutes les lèvres, ne faisons rien qui ressemble au privilège," Records of the society Morel-Journal, minutes of the meetings of the *chambre syndicale* of the UMS, 24 May 1870.

equipment became the *de facto* reference, so that in the Customs of the UMS published in 1912, only its tests were judged reliable. Negotiations between the UMS and the AFL led to an agreement concerning the number of tests that could be made and their prices.²³

Degumming attempts to determine the proportion of gum in the silk to predict the weight lost by silk after dyeing.²⁴ In addition, it eliminates extraneous substances. From 1856 on, the *Condition publique* provided for silk to be systematically degummed by the methods defined in 1855. In 1882, the UMS and the AFL came to an agreement on a list, based on past results published by the *Condition*, which indicated the losses of weight after degumming for each kind of thrown silk by geographical provenance. It was initially established as a reference for transactions without special specifications. However, by 1886 the UMS was ready to renounce to this list. Its members complained that the increasing diversity of silkworm species due to crossbreeding and the modification of reeling methods had made the list unreliable. After several years of discussions and negotiations, the UMS, AFL, ASL, and the reelers' and throwsters' unions remained unable to reach any general agreement.²⁵

Regulating the Relations with Subcontractors. The *Usages des prud'hommes* dealt essentially with the relationships between *fabricants* and master weavers. When the number of urban weavers decreased and silk weaving in Lyon became more industrialized and mechanized, weaver sub-contractors (who were increasingly industrialists) formed a union in 1884. Silkworm diseases forced many reelers and throwsters to lose their autonomy and they increasingly become silk merchants' or *fabricants'* subcontractors. As a consequence, monitoring the quantity of thrown silks, before and after their manufacture became a major question for both contractors and subcontractors.

With respect to throwing, the technical improvements and alterations in manufactured products dictated adaptations. Indeed, the development of the manufacturing of crepes, which require high twisting and moistening with water or other substances, raised the question of moisture tolerance. Usually, the acceptable tolerance between the

²³ Association de la Fabrique lyonnaise (AFL), *Rapport présenté devant l'assemblée générale du 30 décembre 1873*, (Lyon, 1874), from now on quoted AFL, *Rapport...*

²⁴ Silk is made of two substances: fibroïne and gum, the proportion of each of them depends on the species of the silkworm. Given that gum is soluble in boiling water with soap, degumming, which makes silks more brilliant, was generally done along with dyeing.

²⁵ AFL, *Rapport... du 8 février 1887* (Lyon, 1888); AFL, *Rapport... du 8 février 1892* (Lyon, 1892); AFL, *Rapport... du 1er février 1893* (Lyon, 1893); AFL, *Rapport... du 27 février 1894* (Lyon, 1894); see also *Bulletin des soies et soieries* (BSS) 84 (24 June 1893): 3-4; 845 (1 July 1893): 3-4; 846, (8 July 1893): 3-4; 847 (22 July 1893): 3-4, and 848 (29 July 1893): 2-3.

degumming of the raw silk and that of the yarn was .5 to 1 percent. In 1892, the throwsters wanted the tolerance increased to 2 percent. However, their claim received no support from the *fabricants'* unions.

Changes in the material used in the manufacturing process, provided another source of questioning old customs. In 1886, the lower quality of silks, due in large part to the increasing use of Asiatic silks, which were of poorer quality and regularity than European silks, induced the mechanical weaving union to request an alteration in the traditional waste rate. Despite several meetings with delegates of the AFL, no agreement could be reached, the *fabricants* arguing that silk quality was so diverse that no unique rate could be established. If in the 1880s and 1890s, the transformations in the geography of silk imports, the clothes produced, technical improvements, and changes in the nature of relationships among agents upset some old customs or generated the need for new rules, it was not yet time for stabilization. This occurred during the 1900s when different parties endeavored to codify customs. In 1908, a group of producers of clothes dyed in pieces was created inside the AFL to negotiate customs with subcontractors and clients. In 1909, the Union of the importers of Asiatic clothes (*Chambre syndicale des importeurs de tissus asiatiques*) had codified its own customs.²⁶ The UMS, which had published its customs in 1892, modified them in 1912.²⁷ The process of codification continued after the end of World War I.

From International Cooperation to the Battle of the Two Silks

The 1920s: The Birth of the Silk Federations. During the 1920s, organizations dealing with the production or processing of silk banded together. This occurred at the local, national, and international level. The impulse came from the *fabricants* whose unions, the AFL and the ASL, merged in 1916 to create a new union, the *Syndicat des fabricants de soieries* (SFS).²⁸ One of the major protagonists of this unification was Étienne Fougère. Fougère not only became chair of the SFS, but was also an actor in a larger movement to assemble the bosses' organizations in France, and chaired the National Association for Economic Expansion, *Association nationale d'expansion économique* (ANd'EE).²⁹

²⁶ This union was founded in Lyon in June 1907. See *Chambre syndicale des importateurs de tissus asiatiques, Codification des usages de la place de Lyon pour la vente des tissus asiatiques en vigueur au 1er janvier 1910* (Lyon, 1909).

²⁷ *Union des marchands de soie de Lyon, Codification des usages de la place de Lyon pour la vente des soies. Adoptée par l'Assemblée générale extraordinaire du 26 décembre 1912* (Lyon, 1913).

²⁸ *Syndicat des Fabricants de soieries, Comptes-rendus des travaux pour 1917, 1918 et 1919* (Lyon, 1920).

²⁹ Guillaume Kerouredan, *Un aspect de l'organisation patronale au XXe siècle: l'Association nationale d'expansion économique, décembre 1915-mars 1951* (thèse de 3e cycle in history, University Paris I, 1986), especially Part III, chapter 3.

In March 1923, a French Silk Federation (*Fédération de la soie*) was established at Fougère's initiative. In October, it gathered 47 unions or associations concerned with production, transformation, and trade of silk and rayon goods. It must be emphasized that the rayon manufacturers were also members of the Federation. The Federation aimed to reactivate silkworm breeding in France and the French colonies in order to rebalance national trade. It also favored stable and long-lasting trade agreements. Echoing the birth of the Federation, an inter-parliamentary silk group was set up, whose chair was Jean Coignet, senator of the Rhône and first president of the ANd'EE. In July 1923, it had one hundred twenty members.³⁰ However, the internal differences among the organizations within the Federation, especially between silk producers and importers, did not disappear.

Despite these shortcomings, the amalgamation movement continued at the European level. June 12 and 13 1925, a European silk congress met in Paris, during the Arts décoratifs Exhibition. It gathered producers and merchants of yarns and clothes from eight countries (Austria, Hungary, Spain, United Kingdom, Italy, Switzerland, Czechoslovakia, and Germany), as well as U.S. and Japanese diplomats. At this juncture the idea of an international organization emerged; it was implemented two years later in June 1927, during a congress in Milan, with the establishment of an International Silk Federation (ISF; which was, in fact, a European Federation). The ISF office was in Paris where an annual general meeting was held, but its secretariat was in Lyon. Its rules were the same as the French Federation. Étienne Fougère was its chairperson until 1933, but each country was represented on the board.³¹ When required committees or sessions of specialized activities met. Moreover, the ISF took a large role in the working session of the League of Nations concerning unification and simplification of customs tariffs. The connections established among the different professional organizations that were ISF members eased trade negotiations.

In addition to connections established through the ISF, the French bosses' unions maintained relationships with extra-European associations. For instance, the UMS was connected with the Shanghai raw silk exporters Association, the Association of raw silk and waste silks exporters in

³⁰ BSS, 2406 (7 July 1923): 4; 2407 (14 July 1923): 2-3; 2411 (11 Aug. 1923): 5 and 2420 (13 Oct. 1923): 4. Union des marchands de soie (UMS), *Assemblée générale ordinaire: Rapport sur les travaux du syndicat pendant l'année 1923* (Lyon, 1924) 45, [UMS, *Rapport...*].

³¹ Records of the International Silk Association in Lyon, typewritten document titled: "Union des intérêts de la soie. Sur le plan international: COMITE INTERNATIONAL DE LA SOIE. Sur le plan français: COMITE CENTRAL DE LA SOIE" filed in box "Création de l'AIS 1947-48, projet de statuts," folder "éléments de documentation pour l'élaboration des statuts..."; UMS, *rapport... pour l'année 1928* (Lyon, 1929), 23-24.

Canton, the Silk Association in London, and the Silk Association in Yokohama.

Maintaining, Adapting, Codifying. After World War I, the unions continued to watch over the customs. If they could be modified with the agreement of all the interested parties, any one of these parties could try to make the customs evolve in a way more favorable to its own interests by maintaining that its practices were customary. In others words, the point was to create a precedent.³² Consequently, it was very important for the unions to quickly stop members' practices that contradicted the customs. For instance, in 1926 a fabricant wanted to dictate to his suppliers silk checking conditions contrary to the usages. Immediately, the UMS committee warned the members of the union. This was a major problem during the post-war years, when the economics perturbations incited some economic actors not to follow the customs. Sincere collaboration between unions was particularly useful in putting an end to bad practices. Thus, in 1929, when the UMS pointed out a departure from customs regarding the payment of silk tests, it got the SFS to send a circular to remind the *fabricants* that both unions wanted the customs respected. This was crucial to the UMS because the credibility of the Lyon silk market was at stake. As it wrote to its members: "In business as in games, competition must work sheltered by a common rule: it might have neither business nor games if the transgression of this rule was permitted."³³

At the same time, there were ongoing endeavors to codify local customs. Those regarding throwing succeeded after several years. It was important because during the 1920s, crepes (clothes manufactured with highly twisted yarns) were in vogue and several conflicts occurred between throwsters and their principals. In 1921, a special committee proposed a draft that was rejected because the interested parties could not agree. Negotiations resumed in 1923 and ended at an agreement between the UMS and the *Syndicat général du moulinage français*.³⁴

Towards an International Codification. During the 1920s, the process of codification was not limited to the Lyon customs; it advanced at the international level, as well. International meetings aiming at harmonizing standards had already occurred before the First World War. For example, in 1874 a Brussels congress met in order to unify the number of textiles threads and yarns.³⁵ Another was held in Turin in 1905 about weighting.³⁶

³² Alain Cottureau studied this kind of process in "Justice ordinaire...", 29 sq.

³³ "Dans les affaires comme dans les jeux, c'est à l'abri d'une règle commune que doit s'exercer la compétition; il n'y aurait plus d'affaires ni de jeux s'il était permis de la transgresser," UMS, *Rapport... pour l'année 1926*, pp. 23-24.

³⁴ UMS, *Rapport... pour l'année 1923* (Lyon, 1924), 38-40.

³⁵ AFL, *Rapport... du 14 janvier 1875* (Lyon, 1875), 5-15.

Although bosses' unions might send delegates to these meetings, they were not the prime movers they became following the constitution of the ISF.

After the Congress of Milan in June 1927, the unions dealing with silk, silk clothes, and twisting studied the rules regarding contracts for the trade of crepes and highly twisted yarns. In December, a codification of customs for twisted silk trade was adopted, essentially based on the UMS proposals. The unions were responsible for its enforcement beginning in 1928.³⁷

Soon after, the UMS elaborated a preliminary plan of codification of customs for raw silk and thrown silks in the yarns. A special committee of the ISF and then a second level committee of French, German, Swiss, Italian, and Spanish silk merchants or merchants-manufacturers studied it. Finally, it was adopted by a congress held in Zurich in September 1929 and it was enforced in 1930.³⁸ A safeguarding committee was established to follow the enforcement of the codification and to study scientific methods that might improve the inspection of silks.

In 1929, in collaboration with the International Chamber of Commerce, there was study of another plan concerning international arbitration to encourage participants to insert a special clause about it in their contracts. It must be emphasized that the codifications adopted in 1927 and 1929 anticipated by encouraging appealing to such an arbitration.

From 1930 on, the process of codification also concerned the silk clothes trade. Harmonization was not limited to Europe; it was expanded by relationships between European organizations and Asian associations. For example, in 1932 the Silk Association of Shanghai sent the UMS the codification of customs in Shanghai and asked it to make its remarks known.³⁹

The 1930s: War of the Two Silks. The 1930s depression caused great damage to the silk industries. The drop of prices favored a renewal of weighting and, more importantly, the increasing use of artificial silk as natural silk consumption receded.⁴⁰ This exacerbated conflicting interests and divided the French Silk Federation and the ISF. A major point of contention concerned the designation of artificial silk.

³⁶ *Conférence internationale pour le contrôle des tissus de soie pure tenue à Turin le 4, 5 et 6 septembre 1905 sous l'initiative de l'Associazione serica et bacologia del Piemonte, Actes de la conférence* (Turin, ca. 1905).

³⁷ UMS, *Rapport... pour l'année 1927* (Lyon, 1928), 23-24 and *Rapport... pour l'année 1928* (Lyon, 1929), 31-32.

³⁸ UMS, *Rapport... pour l'année 1929* (Lyon, 1930), 25-28.

³⁹ UMS, *Rapport... pour l'année 1932* (Lyon, 1933), 35.

⁴⁰ About the beginnings of artificial textiles, see Donald C. Coleman, *Courtaulds: an Economic and Social History*, 3 vols. (Oxford, U.K., 1969) 2: especially chapters 1 and 5.

In 1925, this question arose during the Paris congress when artificial silk was still called "rayon" in the United Kingdom and the United States. From 1927 on, resolutions were regularly passed that aimed to reserve the word "silk" as a designation for those products made from silk of silkworms and to find a new name for artificial silk. In France in 1929, the SFS decided to use the word "*chardonne*" to celebrate Count Chardonnnet, the French pioneer of rayon, but this attempt was unsuccessful and the artificial silk reelers' union decided to keep the term "artificial silk."⁴¹

The following year, the ISF and the French Silk Federation tackled the question. In France, the UMS asked the national federation for a decision. However, its members disagreed about how to protect natural silk and to take a stand against fraud. The unions representing artificial silk left the Federation in December 1930, but the remaining members failed to reach a general agreement. Finally, given the dissension, a decision to dissolve the organization was made in September 1934.⁴²

While the French Silk Federation was agonizing, the UMS stimulated the founding of a Central Comity for Silk (*Comité central de la Soie*) in Lyon in July 1932. To start, it regrouped silk unions or associations whose members' activities included trading silkworm eggs, silkworm breeding, reeling, throwing, and silk trade to silk clothes manufacturing, selling, or buying. It contacted the Central department for fraud prevention (*Service central de la répression des fraudes*) of the ministry of Agriculture in Paris and asked it to recall the law of August 1, 1905 against fraud to the retailers of silk clothes and to notify them of control. At the same time, it provided the members of the Parliament, the Chambers of Commerce, and the unions with documents.

It also became international. With the ISF divided by dissension about the designation of artificial silk, an International Committee for Silk (*Comité international de la soie*) was founded in November 1933, and was joined by organizations from France, Italy, Switzerland, United States, Japan, Germany, Spain, Belgium, and Hungary. The United Kingdom remained apart. The Central Committee's activities were twofold: fraud prevention and promotion of natural silk. Regarding the first, the Committee endeavored to obtain a bill that would reserve the word "silk" to designate natural silk. Finally, in July 1934 these efforts succeeded in France.⁴³ In collaboration with the Department for fraud prevention,

⁴¹ UMS, *Rapport... pour l'année 1928* (Lyon, 1929), 32-34 and UMS, *Rapport... pour l'année 1929* (Lyon, 1930), 31-34.

⁴² The discussions can be followed in UMS, *rapport... pour l'année 1929* (Lyon, 1930) 31-34; UMS, *Rapport... pour l'année 1930* (Lyon, 1931), 29-31; UMS, *Rapport... pour l'année 1931* (Lyon, 1932) 26-30; UMS, *Rapport... pour l'année 1932* (Lyon, 1933) 27 and 75-76; UMS, *Rapport... pour l'année 1933* (Lyon, 1934), 22; UMS, *Rapport... pour l'année 1934* (Lyon, 1935), 23-24.

⁴³ UMS, *Rapport... pour l'année 1934* (Lyon, 1935), 34-35.

inspections were implemented and the Committee took civil action against retailers selling clothes made with other materials as silk.⁴⁴

To favor silk consumption, the Committee created a certification mark for clothes made entirely of natural silk with limited weighting.⁴⁵ At first, it was used only in France, but it quickly became an international mark owned by the ISF and registered by the international board in Bern. It was used in Switzerland, Belgium, Spain, and the United-States.

The Committee was able to obtain financing for several advertising campaigns. A publicity fund was established through a tax of 0.05 F per kilogram of raw silk sent to the *Condition publique des soies* or weighted in Lyon. The Italian and Japanese governments also gave subsidies. Advertising was published in newspapers in France, Italy, United Kingdom, Switzerland, and United States. In 1938, the Central Committee settled a Silk Center (*Centre de la soie*) in Paris to keep in touch with the French Couture, the *grands magasins*, and the fashion newspapers. It published a bulletin, *Soie informations*, and a monthly periodical, *la Soie*, and it also took part in fashionable events.⁴⁶ However, we must note that these promotional efforts did not produce major results. They were not able to really boost silk consumption, and the beginning of World War II quickly reduced them to nothing.

Conclusion

Between State and firms, there are many meso-level institutions. Some researchers have underlined how important these institutions were during the first half of the nineteenth century.⁴⁷ Their role during the second half of the nineteenth century must not be neglected, especially given that professional unions asserted themselves as major agents.

In silk-related industries, bosses' unions, at least the more important and long lasting among them, shaped a network of organizations. From their interrelationships emerged a whole of rules that constituted a large part of the regulation of this economic subsystem. The *usages* covered many fields including standards of quality, classification, production of goods, trade of raw materials, trade of finished goods, and industrial relations. This kind of autonomous regulation was not limited to the local industry. Thanks to the establishment of international

⁴⁴ UMS, *Rapport... pour l'année 1938* (Lyon, 1939), 30-31.

⁴⁵ UMS, *Rapport... pour l'année 1933* (Lyon, 1934), 23-25.

⁴⁶ UMS, *Rapport... pour l'année 1938* (Lyon, 1939), 29-30.

⁴⁷ Jean-Pierre Hirsch, *Les deux rêves du commerce: Entreprise et institution dans la région lilloise (1780-1860)* (Paris, 1991); Jean-Pierre Hirsch and Philippe Minard, "Laissez-nous faire et protégez-nous beaucoup: pour une histoire des pratiques institutionnelles dans l'industrie française (XVIIIe-XIXe siècle)," in *La France n'est-elle pas douée pour l'industrie?*, ed. Louis Bergeron and Patrice Bourdelais (Paris, 1998); Claire Lemerrier, *Un si discret pouvoir: Aux origines de la Chambre de commerce de Paris, 1803-1853* (Paris, 2003).

networks of organizations, it could apply beyond national borders and contribute to the unifying of international trade practices.

This type of regulation complemented State legislation and free contracting. As a matter of fact, these customs applied when no special clauses were specified in business relations between the economic actors. When the great majority of these actors followed these customs, the courts might use them as a basis for jurisprudence. Bosses' unions argued for State legislation as an ultimate solution when there was no agreement among them or when agreement had disappeared. However, additional research is needed concerning how these three kinds of regulation were combined and how their relationships evolved.