



2<sup>d</sup>

# THE LABOUR CHARTER FOR FRANCO'S SPAIN

THE FOLLOWING DECREE,  
ESTABLISHING THE RIGHTS  
AND DUTIES OF LABOUR,  
WAS ENACTED ON  
MARCH 9th, 1938



# THE LABOUR CHARTER

---

## PREAMBLE.

**R**EVIVING the Catholic tradition of social justice and the lofty sense of humanity that inspired the laws of the Empire, The State—which is national by reason of being an instrument wholly at the service of the entire Nation, and syndical in so far as it represents a reaction against nineteenth century capitalism and communistic materialism—embarks upon the task of carrying out, with a disciplined constructive and soberly religious demeanour, the revolution that Spain is achieving to ensure that Spaniards may once more possess, for good and all, their Country, Bread and Justice.

To attain this end and at the same time put into practice the motto of the unity, greatness and freedom of Spain, it enters the social field with the determination that the common wealth shall be at the service of the Spanish people and that the country's economy shall be subordinated to that policy.

Basing itself on the postulate that Spain is one and indivisible as regards her destiny, it hereby declares its aim to make Spanish industry—in the fellowship of all its components—one and indivisible, so that it may minister to the needs of the country and uphold the instruments of its power.

The recently established Spanish State, in these declarations of what is to be the inspiration of its social and political economy, is putting faithfully into a concrete form the desires and demands of all who are fighting in the trenches and who compose, through their honour, valour and labour, the most progressive aristocracy of this era in the nation's history.

Be it known, therefore, to all Spaniards, who are united in sacrifice and in hope, that **WE DECLARE :**

## I. WORK FOR ALL.

**Firstly.** Work is man's participation in production by means of the willingly given exercise of his mental and manual abilities, according to his personal vocation, that he may live a more seemly and comfortable life whilst assisting in the development of the national economy.

**Secondly.** Work, being essentially personal and human, cannot be lowered to the merely material idea of a merchandise, nor be made the subject of any transaction incompatible with the self-respect of him who lends it.

**Thirdly.** The right to work is a consequence of the duty to do so that God demands of man for the fulfilment of his individual ends and the prosperity and greatness of his country.

**Fourthly.** The State values and exalts work—the fertile expression of man's creative spirit ; and, as such, will protect it with all the force of the law, showing it the greatest consideration and making it compatible with other individual, family and social ends.

**Fifthly.** Work, being a social duty, will be universally demanded in some form or other of all Spaniards who are not cripples as it is deemed a tribute all must pay to the wealth of the country.

**Sixthly.** Work is one of the noblest attributes of rank and honour and is sufficient justification for demanding the assistance and guardianship of the State.

**Seventhly.** Service is that work which is given with heroism, disinterestedness and abnegation with the object of helping towards the supreme good which Spain represents.

**Eighthly.** All Spaniards have the right to work. The satisfaction of this right is one of the main concerns of the State.

## II. HOURS AND CONDITIONS OF WORK.

**Firstly.** The State undertakes to exercise constant and effective action in defence of the worker, his living and his work. It will set proper limits to the working hours to prevent them being excessive and will grant labour every safeguard of a

defensive and humanitarian order. It will specially prohibit night work for women and children, regulate home-work and free married women from the workshop and the factory.

**Secondly.** The State will keep Sunday as a day of rest, as a sacred condition for the lending of labour.

**Thirdly.** Without loss of pay, and taking into account the technical requirements of the industry, the law will enforce the recognition of the religious holidays tradition demands, civil holidays which have been so declared and attendance at such ceremonies as the national leaders of the movement may ordain.

**Fourthly.** July 18th, the date of the beginning of the Glorious Rising, having been proclaimed a national holiday, will be celebrated as the Feast of Homage to Labour.

**Fifthly.** Every worker will have a right to paid yearly holidays in order to enjoy a deserved rest, and the necessary machinery to ensure the better fulfilment of this order will be prepared.

**Sixthly.** The requisite institutions will be created so that, in their leisure hours, the workers may have access to all means of culture, happiness, health, sport and volunteer training.

### III. REMUNERATION & SECURITY.

**Firstly.** The minimum basis of payment for work shall be sufficient to provide the worker and his family with a worthy, moral living.

**Secondly.** Family subsidies will be established through suitable bodies.

**Thirdly.** The standard of living of the workers will be raised gradually and inflexibly in proportion as the higher interests of the nation permit.

**Fourthly.** The State will fix rules for regulating work, in accordance with which relations between workers and employers will be arranged. The principal contents of the said relations will be both the giving of labour and its remuneration and the reciprocal duty of loyalty, assistance and protection in the employers and faithfulness and obedience on the part of the workers.

**Fifthly.** Through the Guild the State will be at pains to learn whether economic and all kinds of conditions in which work is being done are fair to the workers.

**Sixthly.** The State will see to the security and continuity of work.

**Seventhly.** The employer shall inform his personnel of the progress of production sufficiently to strengthen their sense of responsibility in the same, and in the terms to be laid down by law.

#### IV. THE ARTISAN.

The artisan, who is a living heritage of a glorious guild past, will be fostered and efficiently protected, as being a complete embodiment of the human person in his work and representing a form of production equally distant from capitalist concentration and gregarious Marxism.

#### V. AGRICULTURAL WORK.

**Firstly.** Regulations for agricultural labour will be adapted to its special characteristics and the seasonal variations which Nature ordains.

**Secondly.** The State will pay special attention to the technical education of the agricultural producer thus enabling him to perform all the work demanded by each unit of development.

**Thirdly.** The prices of the chief products will be regulated and fixed in such a way as to ensure a minimum profit in normal conditions to the agricultural employer, and consequently such as to make him pay his labourers wages that will enable them to improve their living conditions.

**Fourthly.** The aim will be pursued of giving every peasant family a small holding of family land sufficient for its own elementary needs and to provide work during periods of unemployment.

**Fifthly.** Rural life will be enhanced by the improvement of peasants' dwellings and of the sanitary condition of the villages and hamlets of Spain.

**Sixthly.** The State will guarantee to tenants continuity in cultivating their land by means of long term contracts to safeguard them against unjustified eviction and to ensure for them the extinction of debt for any improvements they may have made in the period. The State aspires to find ways and means to cause the land to pass, on fair terms, into the hands of those who work it directly.

## **VI. TOILERS OF THE SEA.**

The State will look after the toilers of the sea with the utmost solicitude, giving them proper institutions to prevent depreciation of their wares and helping them to acquire the necessary equipment for carrying on their profession.

## **VII. LABOUR MAGISTRACY.**

A new Labour Magistracy will be created based on the principle that this function of justice is a matter for the State.

## **VIII. CAPITAL AND ITS ROLE.**

**Firstly.** Capital is an instrument of production.

**Secondly.** The Enterprise (employer or Firm), as a producing unit, will arrange the members composing it in such a way that those of an instrumental nature shall be subordinate to those of a human category, and all alike to the common good.

**Thirdly.** The head of the Firm will take on himself its management, and be responsible to the State for the same.

**Fourthly.** After allotting a fair interest to capital, the profits of the Firm will be firstly applied to the reserves necessary for its sound position, the improvement of production and the betterment of working conditions and the living of the workers.

## **IX. CREDIT FOR DEVELOPMENT.**

**Firstly.** Credit will be so ordered that, besides attending to its task of developing the country's resources, it may assist in creating and supporting the small farmer, fisherman, industrialist and business man.



**Secondly.** Honourable conduct and confidence, based on skill in work, will comprise effective security for the granting of credit. The State will implacably suppress all forms of usury.

## **X. SOCIAL INSURANCE.**

**Firstly.** Savings will give the worker the certitude of being protected when in misfortune.

**Secondly.** There will be an increase in the social insurances against old age, disablement, maternity, work accidents, professional sicknesses, consumption and unemployment, the ultimate aim being the establishment of total insurance. A primary aim will be to devise means for providing a sufficient pension for superannuated workers.

## **XI. PROTECTION AND PRODUCTION.**

**Firstly.** National production constitutes an economic unit at the service of the Country. It is the duty of every Spaniard to defend, improve and increase it. All factors combining in production are subordinate to the supreme interest of the Nation.

**Secondly.** Individual collective acts that in any way disturb normal production or attempt to do so, will be considered as crimes of treason against the Country.

**Thirdly.** Unjustifiable slackening in output will be the subject of appropriate punishment.

**Fourthly.** In general the State will not be a business concern, except to compensate for the absence of private initiative or when the higher interests of the nation so require it.

**Fifthly.** The State itself, or through the Guilds, will prevent all unfair competition in the field of production as well as such activities as obstruct the normal establishment or development of the national economy, but will encourage, on the other hand, all initiative that tends to its betterment.

**Sixthly.** The State recognises private initiative as being a copious source for the economic life of the Nation.



## **XII. PROPERTY AND THE FAMILY.**

**Firstly.** The State recognises and protects private property as a natural means for fulfilling individual, family and social functions. All forms of property are subordinate to the supreme interests of the nation, whose interpreter is the State.

**Secondly.** The State assumes the task of multiplying and putting within the reach of all Spaniards those forms of property vitally bound up with the person, the family health, the ownership of land and the instruments or goods of labour for daily use.

**Thirdly.** It looks on the family as the prime natural unit and foundation of society and, at the same time, as a moral institution endowed with an inalienable right superior to any positive law. As a greater safeguard to its preservation and continuance, the immunity of family patrimony from attachment will be recognised.

## **XIII. PRINCIPLES OF THE ORGANISATION.**

**Firstly.** The National Guild organisation of the State finds its inspiration in the principles of Unity, Totality and Hierarchy.

**Secondly.** All factors of economy will be incorporated, by branches of production or services, in vertical Guilds. The liberal and technical professions will be similarly organised as the law may prescribe.

**Thirdly.** The vertical Guild is a corporation by public law, which is formed by combining into one single organism all elements that devote themselves to fulfilling the economic process within a certain service or branch of production, arranged in order of rank, under the direction of the State.

**Fourthly.** The officials of the Guilds will necessarily be chosen from the active members of the Spanish Traditionalist Phalanx.

**Fifthly.** The vertical guild is an instrument at the service of the State through which it will chiefly carry out its economic policy. It is the duty of the guild to know the problems of production and propose solutions subordinating them to the national interest. The vertical guild may intervene through specialised bodies in the regulation, supervision and fulfilment of the conditions of work.

Southworth  
Pamphlet  
K  
157232  
1135  
C. 2

**Sixthly.** The vertical guild may initiate and maintain bodies of investigation, moral, physical and professional education, savings and assistance, as well as other bodies of a social character of necessity to the elements of production.

**Seventhly.** It will establish employment bureaux to find work for the worker properly adapted to his ability and merits.

**Eighthly.** It is a duty of the guilds to supply the State with exact data to work out the statistics of their production.

**Ninthly.** The law of guild organisation will decide the way in which the existing economic or professional associations shall be incorporated.

#### **XIV. PROTECTION OF THE SPANISH WORKER.**

The State will issue the opportune measures to be taken for protecting national labour in our territory ; and through Labour Treaties, with other Powers, it will see to the protection of the professional position of Spanish workers residing abroad.

#### **XV. RESTORATION OF SPAIN.**

On the day of the promulgation of this Charter, Spain is engaged in a heroic military struggle, in which at the cost of heavy sacrifice she is saving the riches of the soul and the civilisation of the world.

To the generosity of the Youth in arms and of Spain herself, national production with all its component factors must respond.

In this Charter of rights and duties we therefore set down as most urgent and necessary those of the elements of production which co-operate with their just and resolute contribution to the restoration of the soil of Spain and the foundations of her power.

#### **XVI. FUTURE OF THE COMBATANTS.**

The State undertakes to incorporate in the posts of work, honour and command to which they have a right as Spaniards and which they have won like heroes, the young men who are fighting

