

If one of them likes it and the other one doesn't, I don't mean to deduct the implications of its affect on the bargaining posture of one party or the other. But principle is important here, and the principle of this resolution is that even if there is a determination, it is of an interim quality and subject to the subsequent resolution by the parties.

I have only two other things about it. One is this: I think that there is every reasonable prospect of this case being settled under the mediation provisions of House Joint Resolution 559. That is the reasonable expectation and that gives this proposed resolution its principal characteristic and its mark. I don't mean by that to, in any way, disregard the fact that it includes the possibility of a determination by this Board, if that agreement isn't reached. But I want to make it quite clear that this is constructed on the expectation that settlements will be reached by bargaining and mediation during this period.

That would be perhaps the place to stop, Mr. Chairman, but I want to anticipate what I know will be an important part of the discussion of this case. I would like very respectfully to urge that the consideration of this proposal be on the basis of whether it makes sense instead of what somebody calls it. It is that important.

There is no question, and there will be no blinking or blushing of the fact, as far as I am concerned, that if there is not settlement by agreement and mediation there will be here a determination by persons other than the parties, if they are unable to complete their own agreement. It will be a small determination because the parties have already constructed virtually the complete arch of agreement in this case. They have not been able to put in the keystone. They have shaped that keystone, and it will be shaped further in the course of these proceedings. But they have completed the arch except for that.

I don't mean to diminish in any degree the fact that if they can't fit in that final keystone at the top of the arch this resolution provides it will be fitted in.

It does, as you indicated in your opening statement, Mr. Chairman, have in it an element of final determination. So does compulsory arbitration. So does seizure. But House Joint Resolution 559 is neither of those, and it is designed to prevent such infinitely broader and more extreme intrusions on free collective bargaining as those other terms suggest.

The relationship of 559 to compulsory arbitration is exactly the relation that a vaccination for smallpox which contains a minute element of the virus as to the disease itself; the relationship of 559 to compulsory arbitration being the same as the relationship of a tetanus shot to lockjaw.

I know compulsory arbitration and seizure from 4 years' service on the War Labor Board during the middle 1940's. I know it as a law which provided during that period that every dispute in the country could come to the War Labor Board and 625 of them a week did. They covered every issue that might conceivably be brought up. And the principal sanction, if there was not acceptance of the Board's directives or orders, was seizure. I know it and I don't like it.

I know compulsory arbitration from afar and the form it takes in Australia and New Zealand. In Australia, it is established by law, a law that provides in advance of any disputes arising that all indus-