

**Social Progress After the Age of
Progressivism: The End of Trade
Unionism in the West**

by

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Contemporary sociological theory, like contemporary politics, is marked by the somewhat paradoxical conviction that progressivism is out of date. Social change cannot be denied as a reality, but its coherent, cumulative, developmental character is frequently called into doubt. No cause, moreover, can plausibly justify itself today simply by claiming to be "in the line of social development." The paradox involved in social or political analyses which conclude, in effect, that it is no longer progressive to be progressive points to a needless confusion. First, then, it is perfectly possible and often valuable to retain an analytical concept of social progress in order to maintain critical contact with the sophisticated tradition of social theory that emphasizes the importance of irreversible experiential learning in the development of vital congeries of social relations over time (Luhmann 1981, 1984). This conception need not assume that all social phenomena can be referred to social progress or that disruptions and radical discontinuities cannot occur, because it need not imply that social progress is the only subject matter for social theory. And it certainly does not commit the analyst to a normative progressivism, the second context in which progress is a key term. The abandonment of progress as a criterion for evaluating social achievements and projects does not, however, imply the rejection of everything earlier done and justified in the name of progress, but only their reanalysis and reassessment. Because political life does not necessarily benefit from nominalist clean sweeps, it may even be justifiable to continue referring to such achievements and projects as "progressive", so long as it is made unmistakably clear that the progress here intended is a project, political in the broad sense, and not a process in the sense of the analytical concept. ¹

This essay is about trade unions, an institution that arose to play an important part in relation to the social progress characterizing much of the present century and that served as an important reference point for several varieties of normative progressivism. The past two decades of social progress in the most prosperous established nations appear to be rendering the institution obsolete. The objective of the paper is to reject all progressivist interpretations of this trend -- neither condemning the development as a regressive obstacle to progress nor welcoming it as a normal part of the developmental process. The aim is to inquire anew into the historical project of trade unions and the interplay between this project and the processes of social progress, past and prospective. The analytical thesis is that the institution has been multi-dimensional, serving in one of its dimensions as an important political response to social

progress. The normative problem is whether the unions' political contribution to a socially conscious political democratization can be revived or transferred, when the unions' constitutive adaptations to past stages of social progress appear to be failing so badly in the present.

After a brief overview designed to show that analytical awareness of social progress has historically been linked to critical politically-minded theoretical currents as well as to progressivist theories and that it has been the ideology-process that has tended to smudge this distinction, we briefly outline three alternative progressivist approaches to unionism. Next comes a review of the contemporary state of the problem and a proposal for an analytical approach that avoids the holistic errors of progressivist analyses and lets the political issues be properly posed. In this approach, unions are situated in the context of labor regimes, an historical concept that highlights the dual character of unions, between social progress and political constitution. The contemporary decline of unions is then analyzed in relation to both levels of analysis. The political dimension poses questions of strategy for unions, and the study closes with a critical assessment of strategic alternatives generated by the progressivist alternatives. The conclusion is sceptical and political rather than programmatic, but that illustrates the social-theoretical point of the exercise. The demise of progressivism does not automatically condemn either its contributions to social theoretical analyses of social progress or its political projects.

I. Progress and Politics

The perception of social progress enters into Enlightenment thought in the context of political theory, before the emergence of social theory as such, and the phenomena intended by the concept are by no means universally or uniformly accepted as unconditional benefits. At this point, social progress is often acknowledged as a reality that challenges the continued timeliness of established political doctrines but that does not necessarily show the way to a satisfactory new alternative. Although Rousseau's paradoxically artful challenge to the progress of the "arts and sciences" in his First Discourse was doubtless an idiosyncratic provocation, his Second Discourse claim that a scientifically-grounded conjectural reconstruction of social development would explain why modern humanity must formulate its political designs without hopes of achieving classical excellence touches a far more common chord (Rousseau 1973).

In his pioneering venture in social theory, Adam Ferguson identifies "progress" as a central feature of the main processes that constitute the history of civil society, but he insists that each stage in this composite progress poses a characteristic complex of difficulties for political action and that these difficulties are more vexing and dangerous at higher stages than at lower. There are doubtless steady improvements in the arts and sciences that put external nature increasingly in the service of humankind, on this view, and there are stadial advances in the civil pacification of human relations, but there are also debilitating distortions in human capacities consequent on these changes, as well as mounting threats to collective capabilities for self-mobilization and action (Ferguson 1966, 1975, Kettler 1965, 1977, 1978).

Condorcet's rhapsodic invocation of linear progress as the guarantee of secular salvation is perhaps the more eccentric conception until late in the nineteenth century, not least because of the events that brought his speculations to a violent halt (Condorcet, 1955). Fifty years later, de Tocqueville ([1835] 1987) never doubts the social reality of the progressive movement towards equality, but his analysis is dedicated to the search for political strategies to tame and manage this development. As John Stuart Mill's generous borrowings from Tocqueville (Mill [1835] 1977, [1840] 1977) show, this complex attitude to social progress cannot simply be equated with conservatism. For an important current in social thought, characterized above all by a thematization of problematic relationships between social and political theory, progress has been as much part of the problem as it has been the precondition for any possible solutions.

The claim that processes of inevitable social progress have only to be unchained in order to bring rational solutions to all difficulties has figured more clearly in the simplified rhetorical constructs of political ideology than in self-reflective theoretical designs. "Progressivism" more properly pertains to such formations. But even where theories can be said to be premised on an "idea of progress" that is thought to legitimate the direction as well as to uncover the tendencies of social change (Bury 1920, Nisbet 1969, Hayek 1952), in the progressivist manner, they share at least one common preoccupation with the more critical, political current. The perception of social progress poses fundamental questions about organization. Social change brings with it a critical disorganization of established institutions for collective purposive action, most strikingly in government and religion, and it provides both resources and needs for new organization. Progressivist thinkers like Saint-Simon and Comte stress the organizational resources engendered by progress; critical thinkers like Durkheim and Weber equally stress the

sometimes contradictory needs. For the one group, progressive increments of social knowledge among progressively potent social actors generate social diagnoses and organizational engineering technologies to obviate political operations of choice, power, conflict-management, and coercive coordination. For the others, the new developments bring new powers and disabilities requiring uncertain reconstitutive organization and political management, in the face of forceful oppositions and difficulties. During the early decades of the twentieth century, the ideologized expressions of the two currents were often allied against hostile and defensive old power structures, but even then the internal tensions within the resulting progressive political movements were often manifest.

Urban progressivism arises as a political tendency at the end of the nineteenth century above all in conjunction with a perception of "the social question". This referred to challenging, irresistibly emerging phenomena of both social disorganization and social organization. The new disorganization was epitomized by threats from dangerous slums and abusive workplaces; the new organization, in turn, by state formation, legal differentiation, reform organization, capitalist concentration, and collective action by workers. Progressives agreed in understanding both complexes as aspects of progressive transition, mandating responses that went beyond the political alternatives thought possible by liberals and conservatives. The social question called for a social answer -- from social responsibility, social work and social legislation to social democracy. And conflictual, interest-generated politics had to be replaced by social science, yielding social technologies, social awareness, and problem-solving social action (Dewey 1935).

Those were the general terms of progressivist discourse, but the range of interpretative and policy responses to the dis/organizational developments hints at the theoretical fault-lines within the progressivist consensus, revealing the movement as being in effect a coalition between a tendency to presuppose progress as wholistic process and a tendency to treat it as project. Numerous issues could be cited to illustrate this point, but none is more central or revealing than the range of responses to the conflicts attending worker's self-organization. Simply stated, the division appears as one between those who view the growth of a new power center as a transitional symptom of a problem to be overcome in the course of social progress and those who accept it as the beginnings of a new departure in the political constitution of social life. Since coalition-forming ideologies leave a lot of room for ambiguities and coalitional politics strive to blur internally divisive issues, the historical evidence of inner

tension is often indirect, articulated in terms of detail questions of tactics and policies.

But a retrospective view undistracted by the ideological dynamics of self-confident progressivist political campaigning will see the patterned differences in emphasis and will thus be able to weigh the elements of the progressivist project without being deluded by indefensible assumptions about a progressivist process. The contemporary crisis of progressivism makes it easier to see the horizontal division between the two analytical tendencies that had been bound together in political coalition. We think that this development can be especially productively studied at the instance of the debate occasioned by the many signs of decline in trade unionism in the West.

2. Unions and Progress

Even at the level of political ideology, it is of course oversimple to speak of only one form of progressivism. And the theoretically reflected thought that was adapted by progressivist ideology must certainly be analytically subdivided. We propose a three-fold vertical division to complement the principal horizontal division that we have been discussing, conventionally accepting Marx, Weber, and Durkheim as emblems for the three. Each category is distinguished by a characteristic conception of the central dynamics of social progress -- (1) class conflict grounded in a depth-structure of lawful economic development, (2) rationalization as a function of cumulative, institutionalized individual acts and transactions, and (3) collective integration of ever greater social differentiation. A systematic treatment would work out the importance of our horizontal divide within each of these theoretical approaches, but our present special interest will lead us to concentrate principally on the progress-as-process side, since this is the side most evident in the most influential subsequent social-scientific theories. The progress of sociology has been largely a matter of disencumbering these theoretical models from their seemingly undertheorized recognitions of discontinuities not readily subsumed under laws of social progress. This disciplinary progress, most would agree, has now reached an impasse. The difficulties posed for all three traditions by such developments as the abrupt decline of unions open us to a reappropriation of their potentials for comprehending political complexity. We shall attempt to indicate the nature of those difficulties and to illustrate the possibilities for such reappropriation, remaining within the comparatively manageable limits

of the theme we have selected. This will quickly move us from the level of grand theory, introduce a measure of problem-specific eclecticism, and consequently leave us with future tasks for theoretical reflection upon our evolving intellectual strategy. Our present objectives do not require us to pretend to more; theoretical reconstruction is a long-term, collective enterprise, and its starting point, we are told, is typically a concern with concrete anomalies.

Marx and Engels both began their distinctive theoretical departures with attempts to comprehend collective movements among the working class, including the organization of such movements in trade unions (Marx [1844] 1975: 189-206, Engels [1845] 1975: 295-583). But their need to specify the place of trade unions within the broader pattern of social progress gained new urgency with the formation of the First International. In his 1866 "Instructions for the Delegates of the Provincial General Council", Marx clearly formulates his conception of the unions' dual role, as essential function of the present state of the social process and as integral to the inherent dynamics of change:

Trades' Unions originally sprang up from the spontaneous attempts of workmen at removing or at least checking that competition [i.e. the unavoidable competition among the workmen], in order to conquer such terms of contract as might raise them at least above the condition of mere slaves. The immediate object of Trades' Unions was therefore confined to everyday necessities, to expediencies for the obstruction of the incessant encroachments of capital, in one word, to questions of wages and time of labour. This activity of the Trades' Unions is not only legitimate, it is necessary. It cannot be dispensed with so long as the present system of production lasts. On the contrary, it must be generalised by the formation and the combination of Trades' Unions throughout all countries. On the other hand, unconsciously to themselves, the Trades' Unions were forming centres of organisation of the working class, as the medieval municipalities and communes did for the middle class. If the Trades' Unions are required for the guerilla fights between capital and labour, they are still more important as organised agencies for superseding the very system of wage labour and capitalist rule (quoted in Lapides 1987: 64).

This remains Marx's theoretical account of unions, carried forward by Engels after Marx's death and by orthodox Marxism.

At a more concrete, practical level, however, Marx and Marxists are plagued by the all but universal tendency of unions to perform the first function at the cost of the hypothesized second. Most Marxist analyses of actual unions, accordingly, follows the pattern also laid down by Marx in "Wages, Price and Profit" in 1865 (quoted in Lapidés 1987: 95):

Trades Unions work well as centres of resistance against the encroachments of capital. They fail partially from an injudicious use of their power. They fail generally from limiting themselves to a guerilla war against the effects of the existing system, instead of simultaneously trying to change it, instead of using their organised forces as a lever for the final emancipation of the working class, that is to say, the ultimate abolition of the wages system.

Marx's consequent injunctions to unions have appeared no less appropriate to Marxists in the present century:

Apart from their original purposes, they must now learn to act deliberately as organising centres of the working class in the broadest sense of its complete emancipation. They must aid every social and political movement tending in that direction. Considering themselves and acting as the champions of the whole working class, they cannot fail to enlist the non-society men into their ranks. They must look carefully after the interests of the worst paid trades, such as the agricultural labourers, rendered powerless by exceptional circumstances. They must convince the world at large that their efforts, far from being narrow and selfish, aim at the emancipation of the downtrodden millions (quoted in Lapidés 1987: 65).

Equally common in the subsequent history of Marxism, -- and fatefully so -- are the following sentiments in an 1871 letter by Engels:

The trade-union movement, above all the big, strong and rich trade unions, has become more an obstacle to the general movement than an instrument of its progress; and outside of the trade unions there are an immense mass of workers in London who have kept quite a distance away from the political movement for several years, and as a result are very ignorant. But on the other hand they are also free of the many traditional prejudices of the trade unions and the other old sects, and therefore form excellent material with which one can work (quoted in Lapidés 1987: 81).

Marxist progressivism, in short, is distinguished by clear expectations about the important place of unions, as well as by a constant need, at another level, to deal with the disappointment of those expectations. The result has been a rich, complex, and ingenious literature, setting the agenda for most interpretations of the phenomenon. The present question, however, is whether the progressivist theoretical underpinnings must not simply be put aside as mistaken.

While unions do not figure so centrally in the other two types of progressivist thought, they do appear historically as progressive organizations strategically important to the forward movement implied by the emergence of the social question. Weber's German editors place Weber's reflections on the rationalizing contribution of trade unions, specifically in Germany, in the last paragraphs of the text that is published as Wirtschaft und Gesellschaft (Weber [1921] 1976: 868). He is speaking of dangers implicit in the general progressive development towards democracy, especially the possibility that the mass might be driven towards an emotionalist politics of the streets. He sees the decisive counter to this in rational organizations within democracy. Citing institutional parliamentary features in several countries, he concludes that the equivalent function is performed by working class organizations in Germany, specifically the unions as well as the Social Democratic Party. The corresponding passage in his political essay on "Parliament and Government in a Reordered Germany", published in May 1918, after the strike wave of January, 1918, predicts that the unions will have a difficult disciplinary task in the immediate postwar period, as they attempt to cope with a "syndicalism of immaturity" which will afflict the adolescents who had been drawn into the production process by wartime conditions and had become accustomed to unparalleled wages and bargaining power. In that context, he implicitly specifies the kind of extra-political organizational contribution that unions make: the young, war-recruited workers will not have been educated to "any feelings of solidarity and any sort of usefulness for and adaptability to an orderly economic struggle" (Weber [1921] 1958: 392). For Weber, unions appear economically as interest-generated class formations under certain conditions of competition in the labor market, in the context of the basic power asymmetries involved in the labor contract. Workers under capitalism share the experience of being systematically disadvantaged in the employment contract, due to the power disparities between themselves and their employers, both at the time of contracting and in the conditions of dependent work, and they may well unite for collective bargaining where their individual market positions do not open preferable ways of serving their individual interests.

Subsequent analyses of unions in the Weberian tradition have tended to generalize further on the place of unions in the political as well as economic rationalization process, in line with the general systematizing of his more historically differentiated (horizontally unintegrated) thinking. Unions came to appear central to the progressive integration of the working class into a procedurally rational pluralistic process of political interest adjustment (Bendix 1976, Schumpeter 1976), and to the rational ordering of both internal and external labor markets (Dunlop and Galenson 1978). Like Marx, Weber himself feared that actual working class organizations -- parties perhaps more than unions -- were in fact constantly prone to pursue developmentally irrational policies. He worried especially about their inclinations towards legislative challenges to the formal rationality of law, their weakness for substantively rational renderings of the law of contract, in the vain hope of using law to provide "fair" wages or guarantee against exploitation of superior bargaining power. These misgivings merge with his general distrust of socialism as a political movement.

They also point to the fundamental contrast between the Weberian and the Durkheimian currents in progressivist thinking about the significance of unions in the course of social development. For the latter tendency, the emergence of coalitions among employers and employees and the conflictual relations between them presage new corporate institutions regulating their collective interrelationships and having as their eventual legal expression a supercession of consensual contracts (and the morally objectionable property system corresponding to them) by "just contracts" wherein "the sole economic inequalities dividing men are those resulting from the inequality of their services" (Durkheim [1950] 1957: 214f.). On unions in the evolutionary process, Durkheim writes in The Division of Labour:

The only groups which have a certain permanence today are the unions, composed of either employers or workmen. Certainly there is here the beginning of occupational organisation, but still quite formless and rudimentary. For, first, a union is a private association, without legal authority, and consequently without any regulatory power. Moreover, the number of unions is theoretically limitless, even within the same industrial category; and as each of them is independent of the others, if they do not federate or unify there is nothing intrinsic in them expressing the unity of the occupation in its entirety. Finally, not only are the employers' unions and the employees' unions distinct from each other, which is legitimate and

necessary, but there is no regular contact between them. There exists no common organisation which brings them together, where they can develop common forms of regulation which will determine the relationships between them in an authoritative fashion, without either of them losing their own autonomy. Consequently, it is always the rule of the strongest which settles conflict, and the state of war is continuous. Save for those of their actions which are governed by common moral codes, employers and workers are, in relation to each other, in the same situation as two autonomous states, but of unequal power. They can form contracts, as nations do through the medium of their governments, but these contracts express only the respective state of their military forces. They sanction it as a condition of reality; they cannot make it legally valid. In order to establish occupational morality and law in the different economic occupations, the corporation, instead of remaining a diffuse, disorganised aggregate, must become -- or rather, must again become -- a defined, organised group; in a word, a public institution. (Durkheim 1972:186-7)

Durkheim, like Weber, rejects revolutionary theories of socialism. But he is quite content to accept the concept as a projection of the next step of social development:

It is a question, in the end, of knowing whether socialism is miraculous, as it imagines, whether it is contrary to the nature of our societies, or whether it accords with their own natural evolution, so that it does not have to destroy them in order to establish itself. It is to this latter view that history seems to me to point. ²

The subsequent Durkheimian tendency of progressivist thinking was more uncertain about the socialist label, given its widespread political identification with Marxism, and it subtletized the sense in which the relations between coalitions of employers and employees were progressively becoming "public institutions", with the development of conceptions of collective bargaining labor regimes and neo-corporatist intermediations. But it retains the strong emphasis on the profoundly integrative functions of unions and their central bearing upon the ethical quality of social relations, as well as an almost Aristotelian sense of the causal interlinkage between these two dimensions (Selznick 1969).

The Marxist, Weberian-rationalist, and Durkheimian-integrationist theoretical tendencies have been mingled and meshed and refined in various ways during the twentieth century, of course, but they variously contributed to a consensus after the Second World War that trade

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union participation in political and economic designs was a settled and, in principle, progressive feature of the institutional makeup of a progressive modernity. Marxists objected to trade unions that failed to subordinate themselves to the larger strategic objectives of class struggle; Weberians continued to worry about irrationally ideological modes of unionism; and Durkheimians likewise attacked the notion of socialism as "miracle" born of warlike conflict. But none expected unions to enter into a period of continued and seemingly accelerating decline. Theoretical ingenuity being what it is, all three tendencies have in fact developed analyses of the present arguably symptomatic downturn of unionism in many places where they had earlier considered it impregnable. Our thesis is that an adequate encounter with these changes must call into question the whole idea of a progressivist theoretical strategy comprehending the relationship between social progress and political issues, rather than adaptations in progressivist theories.

The Tendentia Decline in Trade Unionism

For the past decade or longer, trade unions have been measurably in decline in a number of the industrially advanced, predominantly capitalist nations with comparatively stable liberal-democratic political systems, where progressivist ideologies and the social theories upon which they selectively draw had thought them not only secure but also integral to social development. This decline has not been universal or uniform, by any means, but it is substantial, sustained and wide-spread enough to raise serious questions about established progressivist expectations, and the analyses upon which they rest. We will draw on some comparative analyses of deviant cases in the attempt to derive the theoretical lessons from the general tendency. We will also look briefly at the corresponding rise and strategic importance of trade unions in several authoritarian states with comparatively advanced economic systems, in order to test our approach against progressivist claims that these developments can serve as models for revival in the nations where unions are in decline. Our own claim overall is that unions can best be understood as strategic political entities operating within interdependent but distinct action contexts of polity and economy whose constitutional and systemic features they can variously influence but never unilaterally control. Our normative premise is that the political argument on behalf of unions that is hidden within the progressivist theories is eminently

defensible and that any conclusion that unions may in fact no longer be adaptable to the emerging state of social progress (analytically understood) would pose a serious political problem, from the standpoint of the progressive project. If social progress no longer causes unions to exist, we might say, it may be necessary to invent them -- or a functional equivalent.

The tendential decline in union power has been widely observed in nations with both of the principal types of industrial relations systems commonly distinguished in the disciplines of industrial sociology and industrial relations. Specialists broadly distinguish between systems where autonomous trade union organizations attempt to shape the terms and conditions of employment through adversarial collective bargaining at the level of firms or industries, relying on strikes and similar job actions as principal sanctions, and "neo-corporatist" or participatory systems, where union influence is exercised through autonomous co-participation, as legitimate partners of associated employers and state agencies in planning and regulatory institutions at various levels of economic organization. Despite important exceptions, at least at the present time, the most common observations are of drastic losses of power, under circumstances where prospects for recovery appear uncertain and obscure. The indicators of decline are different in each context. Unions operating in adversarial collective bargaining systems depend for their power first of all on the proportion of the labor market that is unionized, at least in decisive sectors, for which union density, i.e., the proportion of the non-agricultural labor force that is unionized, is a reasonably reliable measure. In neo-corporatist contexts, union density is less directly indicative of power, not least because measures to stabilize less than voluntary memberships are a common starting point for neo-corporatist arrangements. In these settings, union decline is measured, first, by policy failures within neo-corporatist processes. Second, and more importantly, it is measured by the reduced saliency of those processes within the decision-making system: decisions are pre-empted by actions beyond its bounds and the institutions in which unions play a central part are marginalized without necessarily being changed.

The most widely noticed sharp drops in union density have been recorded in the United States (from a high of 36% in 1945 to 19% in 1984 and estimates closer to 12% at the present time), Japan (from 56% in 1949 to 28% in 1986), and Britain (from 55% in 1979 to 37% in 1987). Despite all that has been said about the unique organization and discipline of the Japanese labor market, its unions nevertheless are oriented to adversarial collective bargaining,

like the other two. ³ Britain had been a classical case of union strength, where the basis in adversarial collective bargaining appeared for a while strong enough to open the planning and regulatory process to unions, without requiring them to accept the measure of accommodation that more commonly goes together with the neo-corporatist pattern. Strategic efforts to marginalize collective bargaining within firms and industries, accompanied by state actions inimical to former bases of union strength appear to be important aspects of union density decline in these adversarial collective bargaining contexts, and quite possibly a cause of such declines in unionization. The prime factors do not appear to be simple labor market transformations. Such extra-market explanations are suggested by studies of present-day exceptions to the trend. Canada's situation, greatly resembling that of the United States and subject to most of the same economic factors, has largely held gains made while American density rates were in precipitous decline. Australia too displays a collective-bargaining oriented system where unions remain strong. ⁴ Progress in the political economy, and especially in the world market, is doubtless extremely important; but the inclusion or exclusion of unions in the organized responses to these changes depends on additional social-political factors, according to most specialist studies.

The decline of unions oriented to neo-corporatist relations has been especially marked in the Netherlands, where it also manifests itself in steady, serious membership losses, and in several of the Scandinavian countries, except Sweden, although membership rates have remained relatively stable. Striking neo-corporatist experiments in Italy, Spain and Belgium have also fallen on hard times, with a corresponding marginalization of trade unions and their increasing recourse to improvised adversarial measures with comparatively little impact under the institutional circumstances, except in narrow sectors where market power is exceptionally strong. West Germany is a disputed case: union membership losses have been slight and important co-participation institutions appear intact, but unions have lost influence in several of these institutions, and decisions characteristically central to union concerns are being shifted to works' councils at enterprise levels, where union voices are becoming weaker. Little important leverage is exercised by agencies with an autonomous strategy process (e.g. centralized unions) and with an independent coercive power resource (such as the strike). The development of labor relations into a kind of firm-level 'producers' syndicalism' implies de facto deunionization, many observers conclude, even if this is temporarily masked by government legislation

facilitating continued union membership.⁵ As in the adversarial collective bargaining systems, there are good reasons for emphasizing the strategic actions of unions, employers and public agencies as well as wider systemic changes, especially in view of the exceptions found in Sweden and Finland.

In dealing with these contrasts in an illustrative case study of the contrast between the United States and Canada, Kettler, Struthers, and Huxley (1989) have approached the wider problem as a study in comparative labor regimes, rather than drawing on the older, process-oriented theoretical conceptualizations of industrial relations and related sociological treatments. By the concept, also adopted here, we mean the power-constrained but inwardly contested range of rules, practices and expectations that organizes the labor market. The concept attempts to integrate the elements of the industrial relations system with the elements of its public policy environment, treating the whole as a partially-integrated, conflictual, sectorially diversified, and provisional historical formation, produced and reproduced by the interplay among organized economic and governmental actors. The concept illustrates, in our view, the type of complementary conceptualization which we believe necessary in order to acknowledge the horizontal division between social progress and progressive projects that progressivist theoretical formulations obscure.

As employed here, the term "regime" draws on two distinct usages. While lawyers often use it to refer to the complex of juridified regulations governing some issue domain, recent international relations theory has broadened and deepened the concept. The distinctive feature of "regime" in the latter context, and the feature that makes this conceptualization of interest to us, is that it comprehends not only the quasi-legalistic "principles, norms, rules and decision-makers" (Krasner 1982: 185) around which the expectations of the relevant political actors converge in a given issue area over an identifiable period of time but also the power constellations that condition the effectiveness of the institutionalized order in question. The institution is not reduced to the power factors and the power factors are not idealistically denied. Among students of international relations, the point of the concept has been to qualify the monistic "realism" that has dominated their study during the past generation, to facilitate inquiry into the causal importance of quasi-legalized institutions where and when they can be discerned, without denying the general force of power-oriented systemic theory (Keohane 1986).

In adapting the concept to the constitution and development of institutions in certain intranational issue-areas, the point is rather to help conceptualize institutions that have an irreducible legal component but that are shaped in important measure by the non-legal power resources that participants bring into play. There are similarities between this conceptualization and Max Weber's treatment of constitutional law. More immediately to the point, in the application that we are making here, is the parallel between such "regimes" and the collective agreement that forms so characteristic a feature of the employment domain during the period when awareness of industrial relations as a distinctive issue-domain and object of analysis grew in importance (Kettler 1987: 9-47). In our work, then, the lawyer's "regime" provides the starting point for analysis, but the complex of norms and regulations is understood "realistically", in conjunction with the competing political designs and clashing power resources at work in the field. A regime is a response to social progress, not simply a manifestation of it.

As a constituted pattern, a regime embodies a measure of resistance to disruptive change; it places constraints upon the forms and exercises of power deployed; but both of these identity-forming characteristics differ significantly in degree from regime to regime and from time to time in the life of a regime. A regime may be said to intend a preferred type of outcome, but this teleological design will be manifested in a structural tendency, subject to even quite important exceptions, and not in a purely instrumental machinery. To function as a regime, it must be accorded a measure of legitimacy by all participant actors, and this is rarely consistent with transparently one-sided utilities. Regimes differ as to complexity, flexibility, and tolerance for inner inconsistency or conflict. But they all display that visible blend of legal manner and power factors that mark international law, which was the paradigm for the international relations theorists' version of the concept, and which has, in fact, been earlier used as a model for the analysis of labour law, realistically understood in its social effectiveness (Korsch 1972: 142ff.).

In the study of labour, then, regime refers to the institutionalized political organization of labour markets (Offe 1984: 95ff.), comprising the patterned interactions among state (and possibly other legal and administrative) agencies, employment-dependent labour, and employers, however severally articulated. The degrees and forms of organization of the latter two types of actors will obviously make a decisive difference for the shape of the regime concerned. Our proposed conceptual shift is designed to facilitate inquiry into the political dynamics of any such

regime as well as into its historical sources and competitors. In locating legal and administrative designs within regimes, in short, we mean to emphasize their direct relationships with the patterns of practice by the principal parties in the industrial relations interaction, to show that these are integral to the patterns, as well as their relationship with the political constellations constituted by the direct involvement of these parties in political life (see, for example, the treatment of the "organizational practice" of the German labour movement in Loesche 1982). The differences in governmental policies and practices must be seen in conjunction with differences in the outlooks and activities of unions and employers, for example, serving as factors in the political makeup of the regimes. Kochan and his associates have recently developed valuable materials for the United States, especially for the study of "strategic choices" by employers (Kochan 1986). For obvious reasons, our present analysis will concentrate rather on the regime-constitutive politics of unions.

For purposes of the present theoretical exercise we should be prepared to conceive the possibility of declines in unionization and union power so drastic that unions are almost everywhere marginalized in the labor regime -- in the public ordering of the labor market -- and reduced to ghettoized interest groups in the political field. Our present theoretical objective requires neither a demonstration that the phenomenon of decline is universal nor does it require a universal explanation for it. But we consider it theoretically instructive and practically important to know whether and how it matters that such a development is occurring in important places. What would it mean if there were no more unions? We take issue with Alain Touraine's contention that "the loss of strength of American or French unions, the serious problems met by British and Italian ones, are in the end no more significant than the effectiveness of the Swedish and German labor organizations, the current expansion of Brazilian unions, and the central role played by the Solidarnosc union in the Polish democratic, social, and national liberation movement" because unions have ceased to be a "social movement" and have become merely a "political force" with contingently changing fortunes" (Touraine 1986).

This is a major critical issue that is, in our view, so poorly served by analyses derived from progressivist Marxist approaches oriented to the central problem of relating unions to a schematic conception of the destined place of workers' self-organization in the movement towards revolution or to a schematic conception about the revolutionary vocation of class

conscious workers. A prominent theme in contemporary Marxist or quasi-Marxist analyses has been the claim that union decline can be traced to a dissipation of radical class-mobilization capabilities through the organizations' complicity in the juridification (Verrechtlichung) of collective labor activity. ⁶ Our analysis assigns a politically significant constitutive role to the regime developments that are stigmatized in this way. They have been essential contributions to the formation of the politically democratic welfare states of the past generation, many of them at least tendentially socially democratic as well, and there is no reason for confidence in what might take their place (see Offe, 1984: 95ff., 1985. Cp. also Streeck, 1987 and Müller-Jentsch, 1987). Precisely because the welfare state may have been rendered obsolete because it is so intimately tied to an unsustainable (and unconscionable) exploitation of ethnic or national privilege and of the eco-system, the possible demise of a prime historic resource of democratic politics and collective self-management must be discussed without the constraints of schematic scenarios of a fixed order of social change.

An interesting light is thrown upon union decline in representative countries of the First World by the bursts of union strength in other kinds of countries, as will be shown below. Illustrative cases are the rise of Black unionism in South Africa, massive protests on behalf of independent unions in South Korea, and Solidarnosc in Poland. Although these are often dealt with in Marxist terms, especially the first, the juxtaposition of all three and the problem of relating them to the larger discussion required by the situation of unions noted above combine to make such an approach implausible. Such instances of unions that flaunt some of the ideological signs that Marxist and Marxist-derived progressivism take as emblematic of the undistorted progressive functions of the institution must rather be understood in the context of their struggles against repressive states and the quasi-unions that are their creatures. Such unions, we will try to show below, are attempting to secure collective-bargaining-oriented labor regimes that will allow them to play precisely the kinds of constitutive roles that are now in trouble in the richer countries and that Marxist analysts deprecate, and their attempts must be understood in the context of the obstacles and opportunities provided by the labor regimes in place.

While Marxist progressivism responds to the present situation with its characteristic ambivalence, fluctuating between a satisfied registration of the failure of a unionism that failed to meet its revolutionary developmental task and misjudged surge of approbation for a unionism

that appears to be sufficiently universalistic in its designs, Weberian and Durkheimian types of progressivist social theory are more nearly inclined to accept the apparent verdict of the latest stage of social progress. In the Weberian tradition, rationality is increasingly seen to speak against collective action in the labor market. Unions are declining, on this view, above all because they no longer contribute to the rational pursuit of workers' interests and because they are harmful to the rationality of economic organization and public policy (Olsen 1986, Rogers 1988). The Durkheimian line of progressivist thinking is more divided, as might be imagined, with some writers anticipating a further adaptation of unions to the new integrative requirements of emerging highly differentiated organizations of social reproduction (Teubner 1978) and others accepting the growing obsolescence of unions as these new organizations develop more fully adequate novel normative institutions. Since all three of these traditions embody irreplaceable strands of analytical insight into social progress, they clearly have important contributions to make to an understanding of the developmental tendencies that militate against unionism. Nevertheless, we find that these insights cannot be rendered productive in isolation from one another, and we propose to give them their place within our study of transformations in labor regimes. Insisting upon the horizontal division introduced above, regime analysis complements analytical study of social progress with diagnosis of political possibilities and assessment of political objectives. Its perspective is strategic. That does not mean that we absolutize the value of unions or guarantee recipes for their revival. Our analysis will have a far more indeterminate outcome, leaving much for informed political choice and leaving much to unpredictable political conflicts. But we will not let presumed laws of social progress preempt those choices or obviate those conflicts.

The decline of labor unions, where it is most marked, is a concomitant of what is variously called the "crisis of the welfare state" or the "end of the century of social democracy" (Kettler 1987). From the standpoint of economic analysis, the central phenomenon is said to be the contradiction between contemporary market imperatives and unions' inherent preoccupation with shop-floor due process, job protection, and increments in labor's distributive shares across the market. All three of these preoccupations made eminent sense to the Weberian and Durkheimian types of theoretical approaches, understood either as a structural contributor to the rationalization of internal labor markets and expansionary factor in aggregate demand, quite apart from its political latent functions, or as a qualitative contributor to the cooperative ethos

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of productive units, notwithstanding the conflictual motif, and as contributor to a self-regulating situationally adequate complex of integrative social institutions. From a Marxist perspective, as noted, the normalization of trade union-oriented labor regimes represented an obstacle in the way of the formation of a revolutionary class-conscious proletariat -- a pattern earlier denounced as "economism" and imperialist opportunism by labor elites by Lenin and later, more subtly, analyzed as integral to an extended phase of "corporate liberalism" -- although the conflictual component in the regime also appeared as a constant reminder and possible regenerator of the ultimately generative class-conflict upon which the progressivist model rests.

The most powerful social progress elements in the explanation of this decline refer to production and labor market changes inimical to historic patterns of unionization and union action. The rise of service industries and the technological transformation of production industries shift the labor force into occupational groupings, work structures, and geographical settings where the characteristic contractual patterns and implementation techniques of historic unionism are comparatively alien. Comparatively high unemployment and the tendency towards a large minimum-wage ghetto in tendentially dualized labor markets multiply this de-unionization effect (Berger and Piore 1980). Intense international competition from and cooperation with nations with labor regimes antithetical to unionism increases the demand for "flexibility" in the organization of work in nations with union traditions and largely dissipates former economic or organizational benefits that resulted from industrial relations oriented to collective bargaining, especially in the design of internal labor markets and the stabilization of domestic markets (Piore and Sabel 1985).

But the differential rise and decline of unions in economically comparable nations, as well as more general theoretical considerations, make us question the sufficiency of such analyses at the level of economic development alone. Organizational and political factors shape the capacity of union-oriented labor regimes to manage the new economic developments. These must be examined in order to explain the widespread reorientation away from unions. From the standpoint of regime analysis, the massive socio-economic changes schematically surveyed above appear as powerful reasons for changed patterns of action and powerful explanations for changed patterns of consequences; they don't suffice as determinants. Labor regimes are constituted by patterned interplay among three categories of collective actors: employees,

employers, and state agencies. For present purposes we must disregard the important fact that each of these categories is by no means homogeneous or undivided, a radical simplification since the very concept of labor regime points to the sectorially differentiated character of the institutionalized relationships comprehended by the concept. Speaking generally and concentrating on the sectors where unions have been most important, we can nevertheless avoid egregious error. Characteristic changes affecting each of the three actors help to explain the present changes in the pattern to the detriment of unions.

State agencies active in the labor regime are changing their pattern of conduct in a number of ways in response to political redirection from government leaders committed to business-led economic restructuring. Some influential observers trace these shifts to ideological changes in public opinion, but such analyses appear seriously overstated in view of the fact that unions are no more popular in many of the nations where they have retained their comparative strength than they are where they are in rapid decline. More to the point, no doubt, are such things as elite perceptions of failures in the "policy-ideas" historically linked to unions (Valelly 1989), delegitimations of existing regulatory patterns in the course of the '60s, the dramatic shifts in the balance of power between "economy" and "polity" resulting from the internationalized economy and the enormous scale and power of capital combines, the weakening of state revenues and apparatuses attending the demands of the institutionalized welfare state under conditions of massive unproductive military investment for many of them, and the immeasurable investments required by contemporary means of production. New state actions in the interactions constitutive of labor regimes include express interventions to weaken existing union organizations (and their material and ideological power resources), as in Britain, or easing of enforcement against violators of regulations designed to uphold the regime, as in the United States. In both kinds of labor regimes, an important development is the shift in the constitution of public policy so that key matters are no longer decided in the context of the labor regime. The shift is especially easy to observe where the labor regime tends towards the neo-corporatist model, as in the Netherlands, because there the consultative bodies are quite visibly not consulted. It is no less important, however, in the other model, as when trade regulations preempt the field of decisions affecting the labor market -- a present prospect in Canada and an impending prospect throughout the European Economic Community after 1992.

The actions of employers cannot be understood simply as a parallelogram of economic forces. The exceptional cases, whether national units like Sweden and Australia or sectorial exceptions like the American native auto industry or the Canadian steel industry, indicate that the market-impelled productivity-enhancing adjustments can even be furthered by collective bargaining arrangements under certain circumstances. But the widespread strategic design is to regain intra-organizational control and especially to bound and internalize the communications system, disencumbering it from the uncertainties of power-constrained negotiations, which always carry the risk of requiring the internalization of externalities that can otherwise be shifted elsewhere. The new concerted widespread resistance to unionism and unionization in a number of nations must be seen as a result of strategic decisions (Kochan et al. 1986a, 1986b, Fiorito et al. 1987), frequently involving considerable short-run costs in new social technologies of human resources management, as in the United States, or material inducements to bring co-participation mechanisms out of union control, as in Germany. In Weberian terms, these are investments in power rather than direct exercises in economic rationality, collective goods purchased at immediate cost, on the basis of historical experience and imprecise prospective calculations (Hardin 1982).

In trying to understand the changing role of unions it is important to consider questions of their organization and strategy. Their weakening within the labor regime is not a matter of declining memberships alone, because membership levels are quite commonly a function of the importance assigned to unions within the labor regime. Their future power depends on the uses they make of the power they have. This is evident from the record of mass unionization, which did not begin in Germany, Britain, and the United States, for example, until it was either promoted by government labor force planners during World War I or by post-war successor states as organizing devices amenable to exchanges helpful to demobilization and reconstruction, and which was similarly served by World War II and its aftermath. It is also suggested by the deviant cases at the present time. But in all these cases, the point is not simply that "the state" wanted unions for its own purposes; rather, it is that unionism as an institution appeared effective enough to be so wanted. Nor should it be thought that governmental designs invariably achieved their purposes without major costs. This particular occasion is clearly not the place for political commentary on the makeup and policies of unions throughout the First World. We simply want to register our conviction that such commentary is not at all beside the

point, that the strength of unions within the labor regime depends in some significant measure on what they in fact do (Huxley et al. 1986).

Wolfgang Streeck (1981) has clearly formulated the central organizational problem confronting unions: they must somehow deal, under ever more differentiated circumstances, with their dual nature as organizations that must simultaneously make good as rational actors in complex rationalized relationships and as inspirers of solidaristic enthusiasm among their actual and potential members. Formulated in Weberian language, Streeck's thesis is that they must constantly reproduce both rational-legal and charismatic legitimacy, although we might prefer to say that they must combine the characteristics that have been singled out respectively by the Weberian and Durkheimian theoretical models. All labor regimes are importantly conditioned by the unions' needs in these respects, since the other two actors control resources that may be vital to unions in their struggle for organizational effectiveness (or survival). This is an important source of that obsessive preoccupation with the organization and those compromises for the sake of the organization that are the despair of radical opponents and observers, and that too often are interpreted (and denounced) in purely moralistic terms, especially in the Marxist tradition.

Cella's and Treu's typology of union formations can help us to distinguish the factors that inhibit the strategic responses of different kinds of unions under present conditions and seemingly increasingly limit their abilities to protect union-supportive labor regimes under so many emerging conditions. Of five types of unions distinguished by Cella and Treu, three models are principally represented in the adversarial and neocorporatist labor regimes now under consideration: business unionism, competitive unionism, and participatory unionism (Cella and Treu, 1982: Ch. 10).⁷ The first type is distinguished by its narrowly economic objectives, its comparative distance from stable political commitments, and reliance on workplace organization; the second type is marked by wider social objectives, more conflictual orientations, and closer ties with political organizations; and the third type is geared to neo-corporatist participation in designs for public economic policy. We shall equate each type with a characteristic strategic pattern and indicate difficulties confronting each of the strategies in question.

Business unions depend on collective bargaining results to legitimate themselves as rational guardians of members' interests and on adversarial mobilization, especially through

strikes, to provide for solidarity. They are dramatically weakened in regard to the rational-legal dimensions of legitimacy by unfavorable developments in labor markets and public policy and by employer deployment of full powers of resistance; they can be decisively undermined in their principal source of charismatic legitimacy by the adjustments they make to respond to the former problem, as well as by shifts in the ideological field importantly affected by state actors.

Competitive unions depend to a considerable extent on the vitality and loyalty of the political parties with which they are typically allied, commonly labor or social democratic parties. Party leaders, ideologies, and mobilization campaigns can reinforce the solidaristic components of their inner legitimacy. As factors in government, in competitive opposition or as coalition-members, the parties are also their principal levers for securing support from state agencies within the collective interchanges constituting the labor regime, thereby strengthening their capacity to meet members' interests. Although there is clearly a great measure of reciprocal dependency, the strength of the relevant parties is by no means exclusively dependent on the independent strength of unions. A central feature of several of the exceptions to the phenomenon of general decline is the exceptional continuing strength of the allied political parties, as has been true of the Swedish and Finnish Social Democrats, as well as the labor parties in several of the historically white Commonwealth nations, where these parties have not bought their continuing strength, as in Southern Europe, by substantially downgrading their alliances with unions. The more general trend away from social democracy and laborism in the political domain (and the renewed militancy against them) is a key problem for the competitive unions (Dunn, 1984).

Participatory unions have historically relied on alliances in government, whether through parties or other routes of access, to give them sufficient leverage to count independently in the comparatively non-adversarial dealings with employers that are characteristic of the neo-corporatist designs in which they take form. Their legitimacy depends on their evident functional efficacy, but their quasi-official status also makes them organizationally less dependent on legitimacy. They are being seriously harmed in many places by an abrupt and continuing loss of governmental allies and by an appropriation of their functions by competing agencies fostered by employers, as exemplified by the widening split between unions and co-participation institutions in Germany. ⁸ Under these circumstances, their attempts to retain

neo-corporatist linkages may also jeopardize the loyalty and discipline of their membership, leading to wildcat direct actions by groups advantageously situated in narrow labor market niches, as illustrated by the the case of air traffic controllers in Italy. Such actions further undermine the co-participatory institutions upon which this strategy depends.

If the labor regime is the provisional institutionalization of these interrelationships, embodied in broadly legalized designs, as well as policies, we can speak of a tendential de-unionization of labor regimes and inquire into the importance of such a development not only with regard to the presumed processes of social development but also with regard to the repertory of political responses to these processes. Our argument is that failure to appreciate the political importance of unions and the importance of strategies for affecting that importance leads to misleadingly progressivist ideological interpretations of our times.

4. Unions and the Progressive Project

Once the complementarity between the social progress and political project dimensions of unionism is recognized, the problem moves out of the contexts of industrial relations or labor economics as well as Marxist social theory. At issue is the political significance of labor regimes centered on labor market conflict-resolution mechanisms involving collective actors -- trade unions and employers of dependent labor -- that are more or less autonomous. The contingent, political relationships to the state are not peripheral to the theoretical treatment of the social interactions mistakenly comprehended as elements of a progressivist movement (Cp. Erd and Scherer, 1985: pp. 115ff., esp. 128-131). Labor regimes oriented to unions, we shall argue, have made a vital and distinctive contribution to the constitution of dynamic democratic constitutions, even where the unions pursued quite narrow programs. Unions in labor regimes that peripheralize or ghettoize their activities, on the other hand, may be positively harmful to social justice or other objectives of social democratization, unless they make the reconstitution of the labor regime central to their strategy. Political judgments concerning unions, in short, are difficult, uncertain, and context-dependent. But they cannot be made on the basis of progressivist social theory.

Turning first to the historical contribution of trade-unions during the struggle for trade-union oriented labor regimes, we want to emphasize two kinds of contributions to the

production and reproduction of working democratic orders, one relating to the generation of political conflict and the other relating to the transformation of the legal order. Unlike Marxist analysts, our interest here is concentrated in the first place on political effects that are arguably concomitants of the minimal designs of unionism rather than on political effects that depend on express political projects oriented by egalitarian political ideologies, although we do not deny contingent positive correlations between the two. We want generalizations that apply to the founder years of Samuel Gompers' AFL as well as Carl Legien's social democratic trade union federation (ADGB), generalizations that cover business, competitive, or participatory unions alike, during the organizing period prior to the labor regime crisis that has been spreading since the late 1960s.

First, then, unions have served to activate and reproduce democratic politics because their activities institutionalize the political agenda items of power sharing and economic distribution. This does not mean that they have been necessarily or even commonly dedicated to egalitarian objectives in these regards. The point we are making need not be harmed by the recognition that unions have often pursued quite particularistic policies under these regimes, seeking privileged access to privileges rather than the abolition of privileges. As principal players in a labor regime, their activities and conditions of existence have nevertheless implied generalizable politics-forming issues that ramify beyond the unions' manifest purposes or those of their competitors or antagonists, rendering all settlements provisional, while reproducing contests and choices. The Marxist tradition of commentary has misconstrued this, taking it as a developmentally-determined imperative to transcend particular interests and to attain to universality; but it is time to conclude that there has never been such a univocal logic. The unified labor movement has always been more a matter of internal collective bargaining than solidaristic common consciousness, notwithstanding periods during which the bargaining was conducted in a shared ideological vocabulary. Although there is a record of affinity between unionism and mass democratic parties in many places, the politics of those parties has been a matter of cultural history and changing situational patterns. ⁹

In this connection, we are not arguing merely, with S. M. Lipset, that unions have contributed to a pluralistic political field that limits the powers of all. Twentieth-century democracy, in our view, is about economic distribution and power sharing, not about effective system maintenance and limitations of governmental power. Unions in union-oriented labor

regimes have not been simply one of a multiplicity of interest groups. By virtue of their projects, they have been structurally linked to the generation of the distinctively democratic issues. The rise of nineteenth-and twentieth-century democracy is inseparable from the emergence of the "social question", and unions have given organizational expression to that question, forcing it onto all political agendas, whether or not their own strategy has addressed it in an effective or defensible way.

Second, unionism has contributed to democracy because it initiated and occasioned changes in the legal system that make the law less subordinate to the demands of property and more open to democratically generated demands and self-regulation. The characteristic institutions relevant here are the collective agreement and other quasi-juridified multi-partite negotiating frameworks, "reflexive law" (Teubner 1985) that regulates by fostering self-regulation, and new types of arbitration mechanisms. Philip Selznick's classical Law, Society, and Industrial Justice (1969), itself formulated in terms of a progressivist theory with Durkheimian inclinations, lays out a brilliant analysis of these legal developments within the American labor regime that continues to have analytical value, notwithstanding its shortcomings as prophecy. His main objective is to show that the institutions of collective labor law displaced the uncontrolled powers of command grounded in property that had gone with the contract of employment under industrial conditions, and that this displacement has had paradigmatic as well as direct impact on the legal order. Socialist precursors of this analysis during the Weimar years, expressly stressing the horizontal dualism in Marxism, emphasized the wider constitutional ramifications of this type of collective bargaining regime, crediting it with complementing democratic parliamentary institutions with institutions for social parity and co-participation between primary social contestants (cp. Kettler 1984: 278-303, Luthardt 1986).

A more cautious legal political analysis nevertheless acknowledges the formative demands made on the wider system of law, especially on the property regime, by the legal aspects of the labor regimes which were devised to accommodate unionism (Görlitz and Voigt 1987). That the labor regimes are by no means unilateral creations by unions and that the law often serves to manage unions for the sake of objectives which unions do not share is not decisive here, where the principal questions concern the reflexive effects of changes in labor law on the legal system, as well as reflexive effects of changes in the legal system on the

political system. Our thesis is that unionism has been conducive to democracy: the "push" towards the welfare state and its consolidation, which are the marks of twentieth-century democracy in the wealthier countries, cannot be easily imagined without the impact of unions on politics, law, and constitution (Habermas 1981, 1984, 1987).

Yet we have noted the massive developmental tendencies which collaborate with strategic shifts by primary actors in the labor regime to render the future of union-oriented labor regimes increasingly uncertain. Under these pressures, surviving unions are often challenged by their own members to pursue the narrowest, most exclusivist and defensive policies, regardless of their impact on those who are relegated to other, undefended sectors of the labor regime, too often inimical to persons in the burgeoning underclass as well as to the wider, ethical, internationalist and ecological concerns that contemporary democracy must address if it is to retain its legitimacy. Exceptional positions giving bargaining power within some narrow sectors of the labor market are exploited without any reference to strategic responsibilities. As a result, unions are increasingly isolated and rejected among those whose alliance the movement would require for a renewal of a labor regime that gives them a place of right. We conclude our analysis with a respectful but critical review of the orientation to this present situation offered by representatives of the three principal progressivist approaches. The review is respectful because we are indebted to much in the analyses of social progress found here. It is critical because we cannot, of course, accept the progressivist depoliticization implicit in the conclusions.

Some of the outstanding commentators in the Marxist tradition complement their critiques of what they have always taken to be the self-defeatingly narrow labor regimes correlative to the activities of business, competitive and participatory unions with the example of burgeoning militant unionism in several important poorer nations, exemplifying what Cella and Treu call "oppositional unionism". In the militancy of their styles, the openness to radicalization of their tactical demands, and the express links between their stated programs and political programs for comprehensive social change, oppositional unions more nearly fulfil Marxist hopes for unions as schools for working-class revolution. Yet historically they have always disappointed social revolutionaries.

In briefly reviewing recent developments in South Africa, South Korea, and Poland, we want to show that union movements are structurally inclined towards labor regimes giving them

an independent bargaining role and permitting political democratization, and that such a conception provides superior orientation even where appearances support Marxist expectations. In South Africa, South Korea and Poland, oppositional unions arose against a scheme of state-supported unions and in some measure, paradoxically, with the help of opportunities provided by the old labor regime. The regime analysis makes possible a more accurate understanding of developments as well as shielding us from unargued progressivist standards of political judgment. Such a shift in perspective allows a more realistic appraisal of the actual capabilities of unions as well as of long-term designs. Our argument is not intended as a critique of radical unionists' ideologies in any of these nations. Problems of ideological symbolization are different from problems of social analysis, and the relationships between them do not concern us here. The narrow focus of our present interest, of course, inevitably yields a rather abstract picture of the massive socio-political events in which unionism forms only a part. There is a matter-of-factness in most union development, except for flashes of intense drama during certain strikes, not least because the people always have to go back to work in order to live. But this is precisely why unionism resists romanticization.

South African unions for blacks operated as illegal "unregistered" unions until 1979, but they were dealing with employers oriented to a collective bargaining regime with regard to white employees. White unions were state-supported against blacks, through job reservation and residential apartheid schemes, but otherwise functioned within a labor regime resembling that familiar to business unions in other industrialized nations. The recognition of black unionism through the qualified extension of that regime (with certain racist restrictions) came after an upsurge of black unionism in the early 1970s had dramatized the issue of black wages and black labor conditions. The political events of 1976, in particular, constituted a degree of crisis the government had never seen before and which could not simply be "fixed" by repression. But the recognition of black unionism was also conditioned by employers' susceptibility to international pressure and by the government's determination to put hitherto prohibited organizations with considerable power in special labor markets and with disciplined solidarity under controls more subtle and effective than pure police measures. The unions have stretched and sometimes defied the limits placed on them by the labor regime, especially the attempts to render them unpolitical, and they have increased black membership manifold since legalization, notwithstanding coercive sanctions by both employers (through mass dismissals of strikers) and

state authorities. There is no doubt that new consolidations of scattered black union organizations and widespread urban political leadership by unionists make the black unions central actors in militant campaigns for black rights far beyond the objectives of business unionism. But there is also no doubt that these political roles are grounded in union functions and in the unions' partial institutionalization as collective bargaining agents in several industrial sectors. The wider political struggle is indispensable for black trade unions in South Africa, but it is a mistake to suppose that the concurrent struggle to reconstitute the labor regime so as to strengthen the unions' abilities to exercise trade union functions is merely a means to the end of political mobilization. The organizations depend upon the conjunction of both campaigns. The government strategy of suppressing the political action of unions by offering collective bargaining rights in exchange for abstention from the fight against apartheid clearly failed. The new black unionism had learned the lessons of repression and recognized this strategy as a fraud. While unions cannot legitimate themselves before their memberships in anything but the dramatic short term if they do not show themselves serious about collective bargaining objectives -- and this is our principal point --, they also cannot pretend to such seriousness if they agree to such political terms, under the conditions that prevail in South Africa.¹⁰

The South Korean independent union movement has mobilized mass actions against a labor regime that parodies those oriented to independent unions in form but actually restricts union rights to yellow unions controlled by government agents who are either simply in the service of employers or deferential to the informal subservient labor regime. The independent unions are allied to anti-militarist oppositionists, in defiance of prohibitions on union political action, but are hardly free to initiate or sustain a radical course. Their organizational base, so far as we can tell, depends on the promise of achieving traditional trade union gains. Because of the depth of economic deprivation and the unifying effects of opposition to harsh government, such organizations do not have serious legitimacy problems. But they are vulnerable to coercion (and, in many places, to state-supported terror). They are also poor in organizational resources. Accordingly, compromises to protect organizations are inevitable.¹¹

The history of Solidarnosc is even less satisfactorily compressed within the present narrow perspective. Nevertheless there is something to be gained by thinking of it from the perspective of our thesis about the structural bias of the historical institutions of unionism. Many might consider it a sacrilege or betrayal to think of incremental improvements in the labor

regime as fulfilling the historical purpose of this movement, as witness the internal debates within the organization in early 1989. But the more modest view is a useful corrective, we think, to dramatizations of human actions that ultimately denigrate the actual achievements of those who must work with little. Many active leaders of Solidarnosc units appear to agree. Union accomplishments are almost always in bitter disproportion to the hopes of those who sacrificed most for them, but they are nevertheless real. ¹² To denigrate such organizational efforts because they aspire to a civilizing and democratizing labor regime rather than acting for some total transformation as "social movements" (Touraine) or "revolutionary centers" (Marx) must do is to permit a misleading theory to contribute to needless human pain.

The Weberian tradition of commentary has always assigned a more modest and more ambiguous position to the self-organization of labor. With interesting and important exceptions, whose theories tend to integrate Durkheimian elements as well (or to fit awkwardly within the schematic trifurcation of our analysis), these analyses have concluded that unions are anachronistic reminders of a rationalizing function that is now played by quite different institutions, a form of collective action that is irrational for evolutionary social progress but kept barely alive by a mix of ingenious, self-interested leadership that is able to manipulate the power resources that remain at their disposal together with essentially irrational and harmful action by certain specially-placed members in privileged economic niches (Olsen 1982). Our objection is not so much to the political balancing of economic developmental interests against the other interests subservable by the labor regimes we have been reviewing. Our objection is rather to an approach that obviates the need for such balancing, on the premise that the argument from presumed social progress completes the tasks of social thought.

Olsen stresses the polarization and conflict that accompany union-oriented labor regimes. We do not deny the conflictual moment, but we believe that democracy requires a mode of civility that accommodates such tensions because we think that the alternatives devitalize the political institution. To justify this latter claim, we turn to the concept of civilized order. The problem of civilized order (and we count political democracy as a central constituent) is not progress but the reproduction of civility. This problem confronts the *Gesellschafts-sphere* itself, and not a special *Lebenswelt* (Habermas 1981). The available answers are all radically imperfect and constantly provisional. We think that the ethics of the collective agreement -- which is very different from a "social contract" -- is not only an apt

figure for democratic civility but an element that has to be secured its institutionalized place. Hence our concern about union decline. This is an ethics that conjoins utilitarian and solidaristic considerations in an always unstable whole, having to be held together by political power in a mediated constitutional form -- a political power that the parties must somehow generate themselves. This constituting activity is what we call the union-oriented labor regime. Such considerations are not alien to Weber's own thought, of course, but they are lost when that thought is construed as progressivist, without regard to the horizontal line that runs through his actual work, his awareness of the distinction between process and agency.

Among non-Marxist analysts closest to the exceptionally prosperous union-oriented labor regimes, a variant of Durkheimian progressivism occupies a central place. Such commentators find that the course of development implies a shift in organizational design towards the participatory model, claiming that adversarial unionism in either its business or competitive forms has become obsolete and noting that density figures suggest comparatively higher resiliency for participatory unions operating within neo-corporatist settings.¹³ Taken as political counsel, the argument has much to recommend it. But taken as a dictate of progressivist analysis, it runs the grave risk of neglecting the political presuppositions and consequences of the labor regimes that such cooperative union strategies in fact may foster. The question is whether a shift to the "new production-oriented" unionism may not defunctionalize autonomous unions altogether, at the cost of the political functions that the progressive project requires them to perform.

Gunther Teubner offers a unique perspective on the supposedly firm links between trade unionism and neo-corporatist institutions in the German Federal Republic. This is a noteworthy case because its stable, comparatively high union membership figures are often cited as proof that non-adversarial union strategies are best.¹⁴ Teubner finds a development away from the macro-corporatist institutions in which national trade unions play a decisive role towards a "micro-corporatism" at the level of firms and enterprises, a "producers' coalition" comprising capital, labor, management and state officials. In his view, this tendency accords with the evolutionary requirements of the kinds of systems exemplified by productive enterprises and generates an organization optimally capable of the learning needed for its functioning.

When considered from the political perspective of paramount present interest, however, the development appears to undermine a vital source of union legitimacy and membership strength, the unions' place in a centralized labor regime. The enterprise-centered organizations of labor need not be tied to unions, although they have been so to a large extent, and in any case they lack the power to strike or to compel management to adhere to agreements by other legal means. The development converges with complex new forms of representation devised by numerous sophisticated American corporations expressly in order to fight unionization. Such uncertain prospects in the nation with one of the most firmly established union movements make it a questionable model for others (Kochan 1985, Teubner 1987)

We conclude then with a plea for respect for the principal secular institutional creation of the working class and recognition for its modest but substantial contributions to democratization. We cannot question that there may be a strong economic logic at work upon the structure of the labor market, making it ever more difficult to rely for its organisation on the kinds of collective bargaining mechanisms which have historically sustained unionization. Nor can we deny that union malfeasances and misfeasances have contributed to their own decline. But our analysis leads us to emphasize the costs of any further weakening of unions. From the standpoint of political democracy, an end of trade unionism in the West might be a severe and perhaps irreplaceable loss. That loss can be hastened and intensified by modes of social theory that militate against its assessment and against the reconceptualization of the project in which they have played a central role. The widely proclaimed end of progressivism in social theory can only be welcomed, but not the thoughtless dismissal of the social developments and social actions that progressivism taught us to recognize and value.

Notes

1. Jürgen Habermas has proposed a difficult, more dialectical statement of the relationships among conceptions of progress, as part of his impressive grand theoretical design (Habermas 1970: 112-126, 1976: 173-194, 1981: 145-156, 1985). We continue to see the relationships between theoretical and practical discourses more dualistically, but we do not imagine that we have refuted Habermas (cp. Dallmayr, 1988). We are pursuing our independent, far more modest experiment, in hopes that development of our model can also contribute to the ongoing collective theoretical effort (Kettler and Meja, 1988).

2. Durkheim also writes: "...[Put] this way, the social question would present itself in an entirely different manner. It no longer opposes the sources of technic to that of power, as two antagonists who exclude each other in such a manner that the process of successive reorganization presupposes prior destruction. But one is only the continuation of the other. It does not awaken for everything that is or was a feeling of subversive hatred. It incites only to seek the new forms which the past should take today. It is not a matter of putting a completely new society in the place of the existing one, but of adapting the latter to the new social conditions." (Durkheim 1958: 246-7)

3. On union density figures in the U. S. see S. M. Lipset (1986: 118; 1987: 6). On Japanese union density figures see The Japanese Times of 19/1/87, cited in Social and Labour Bulletin (1987), and Thomas Walkom (1988: A8). On British density rates see Brian Tower (1987: 239ff.), and Steve Lohr (1988: sec. 3, pp. 1,7). The most sweeping statement of decline can be found in Leo Troy (1986).

4. For Australia see John D. Hill (1984); John Niland (1986: 37-39; 129ff.). For Canada see Pradeep Kumar (1986: 95-160); Seymour Martin Lipset (1986) and Huxley, Kettler, and Struthers (1986); Noah M. Meltz (1985: 315-334); Joseph B. Rose and Gary N. Chaison (1985: 97-111).

5. Joachim Bergmann (1971); Wolfgang Däubler (1976); Wolfgang Streeck (1981, 1987); Andrei S. Markovits (1986); Günther Teubner (1986: 261-273). On the Netherlands see W. Albeda (1985: 49-60). On Sweden see A. Martin (1987: 93-128).

6. For Germany see Erd (1978). Cp. Simitis (1985: 73-165). For the United States, see Rogers (1984) and Tomlins (1985); Klare (1978: 265). For Canada, see Panitch and Swartz (1985).

7. The other two types of unionism are oppositional and state-sponsored, both of which will concern us below. Oppositional unions, for reasons that will concern us in somewhat more detail below, are under less strain in these respects; for that reason, it is a fundamental mistake to treat them as models. The legitimacy of state-supported unions shares the fate of other state agencies, although they are especially vulnerable to challenges from oppositional unions, when these can generate the resources for visible resistance.

8. In West Germany, for example, Oskar Lafontaine, a prominent SPD member and possible 1990 candidate for chancellor, recently proposed the creation of new jobs by reducing work hours without full wage compensation -- a position that is now more widely shared within his party. As a result, the specter of an increasing cleavage between the unions and the Social Democratic Party is being raised. Cp. the article by the chairman of the Metal Workers' Union (Steinkuehler 1988: 13, Blanke 1987).

9. For the historicity of working class "consciousness" see Jones (1983).

10. For a general discussion of the South African labor situation see, for example, Adam and Moodley (1986: Ch. 6); Saul (1986); Plaut (1984: 116-123); Braun (1985: 21-44); Vose (1985: 447-464). On union sizes see Piron and Le Roux (1986a: 86-7, 1986b: 181-2). On recent attempts to weaken Black labor unions, see Schuster (1988: 6ff.).

11. On the labor situation in South Korea see, for example, Sunkim (1985), which also gives union membership figures (1985: 153f.); Bognanno and Kim (1981); Launius (1984: 2-10); Walkom (1988: A8). Cp. also the statement by Herman Rebhan, General Secretary of the

International Metal Workers' Federation (1987): "We are seeing in Korea the same kind of explosion that was witnessed in Poland at the beginning of the 1980s, and can be seen today in South Africa, namely a desire of workers to be treated fairly and have their own democratic trade unions".

12. On the Polish labor situation see, for example, Pravda (1986); Keenoy (1986); Touraine et al. (1983); Minc (1982). Cp. also Karatnycky, Motyl and Sturmthal (no year).

13. See, for example, the studies prepared for a recent Canadian Royal Commission, especially striking because of the comparative success of Canadian unions in maintaining their membership numbers: Bernier and Lajoie (1986).

14. Praise of the German model is combined with a fervent argument that it is also better for democracy than unions adapted to the Canadian labor regime in Beatty (1987).

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