

Solidarity in the Nineties? An analysis of the ACTU Blueprint and the Costa/Duffy Critique

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Abstract

Plans to restructure the trade union movement have received little critical analysis. The most striking exception to this appeared in the first issue of this journal where Costa and Duffy argued that amalgamation plans were 'fatally flawed'. This perspective, although drawing out some problems with the ACTU's program, is itself unsatisfactory because too much of its argument remains implicit and it relies on highly debatable assumptions. Like so much industrial relations debate in Australia, the arguments in and about union strategies are made more difficult because they proceed without reference to theory or history. The main burden of this article is, after a detailed analysis of the Costa and Duffy prescription, to show why this matters and to suggest some areas of detailed research.

1. Introduction

This article presents a review of the debate about union amalgamation with a particular focus on the work of Michael Costa and Mark Duffy

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who attacked the Australian Council of Trade Unions' (ACTU) program in the first issue of this journal (Costa and Duffy, 1990). Oddly, these two prescriptions for the trade union movement suffer from similar faults: theory is ignored in both and history is shunted aside (the ACTU) or ill-treated (Costa and Duffy). The central argument here is with Costa and Duffy, suggesting that their assumptions and analysis are fundamentally untenable and their prescriptions therefore inappropriate. It is also argued that there can be a case for amalgamation promoting union survival - and that this is the most compelling argument for such a strategy. Finally, the importance of much more attention being paid to the theory and history of trade unionism will be shown and some particular lines of inquiry suggested.

2. The ACTU's Strategy

The key union documents are, of course, *Australia Reconstructed* (ACTU/TDC, 1987), the ACTU's *Future Strategies for the Trade Union Movement* (1987) and, more recently, *Union Rationalisation* (1990a), along with Congress resolutions, and the near apocalyptic *Can Unions Survive?* (1989) from the Building Workers' Industrial Union (BWIU). The outline of these arguments has become well enough known since their publication but it is necessary to re-visit the key document, *Future Strategies for the Trade Union Movement* and changes since to make sense of debates and progress thus far.

'It is obvious that Australia has too many unions' (ACTU, 1987, p. 12). From this assertion it is argued that 'the proper level of servicing' for members cannot be provided. Earlier, the document states that these services go beyond the traditional wages and conditions issues (although it would be difficult to imagine a range of services *and* workplace demands broader than those of some nineteenth century craft unions). These are described as "'quality working life" issues', such as job security, family leave, industrial participation, superannuation and training (*ibid*, p. 7). To facilitate amalgamation, seventeen industry categories were then listed - categories into which, supposedly, 'most existing unions could fit' (*ibid*, p. 12). Interestingly, there is more realpolitik in the listing than some common discussion would lead one to think, in not trying to enforce some unities which all concerned would find obnoxious. There are, though, some problematic areas: one metals category and some gigantic differences in size: retail and clerical as one category and printing and publishing as another.

Future Strategies then briefly attempts to explain why slow progress on amalgamation was 'understandable'. It cites traditional loyalties, regionalism and the multiplicity of industrial relations systems in Australia. All these actually pose persuasive arguments against amalgamation, not merely 'understandable' aspects of delay. They are not necessarily *conclusive* arguments but an engagement with them would have sharpened the case for amalgamation.

A separate section then discusses membership levels and suggests, amongst other things, that the provision of better services (industrial representation, publications and social services) will generate incentives for people to join or remain in unions. It argues that 'Australian unions are under-resourced' because of low subscriptions and an inefficient structure (*ibid*, p. 15). The argument does not clearly show the links with amalgamation and recruitment as such but there are some hints. For example, in discussing publicity campaigns, it claims that better resourced unions will be able to communicate better with potential members.

There is very little more to the case. *Future Strategies* itself would not convince the unconverted, be they craft unionists or general rank-and-filers suspicious of bigger unions. The case for amalgamation then emerges from a discussion of other problems. It resurfaces in an analysis of the use of common law against unions when it is said that a trade union movement 'committed to protecting each of its constituent parts' is essential and the implication is that a different structure would be better equipped to do so (*ibid*, p. 28). Thereafter, a list of contextual changes is set out. Some seem to justify amalgamation, for example, increased concentration of corporate power and the need to pursue wider social aims, others have no (or unstated) links with it, such as the growth in female employment, ageing population, technological change and education, whilst others again have amalgamation as one of the necessary processes in industry development (*ibid*, 'Summary', p. 1-5).

The argument, then, is often unclear or implicit and frequently seems to be part of other agendas rather than a separately and fully articulated means to dealing with the twin (and age-old) problems of both recruiting and defending members. These other debates more often relate to questions about efficiency, productivity and industrial relations processes. This was clearest in the first official document to canvas the twenty unions plan, *Australia Reconstructed* (1987), where amalgamation was placed in the context of 'production consciousness' (chapter 5). Throughout, the emphasis was light years away from traditional arguments for amalgamation, turning on union solidarity; nor was there much attention to falling mem-

bership.

Further, there are indications of the differing agendas implied by the phrase 'union rationalisation'. As opposed to amalgamation itself, this suggests an *imposed* process, from the state down, to recast unions as agents of 'micro-economic reform'. The sharpest sign here are Section 118A agreements, introduced into the 1988 Industrial Relations Act and empowering the Commission to grant sole coverage to a union at the workplace or industry level (Kollmorgen and Naughton, 1991, p. 7-8). This could be used by government, employers or, most importantly the ACTU itself, to enforce 'union rationalisation'.

This phrase is itself problematical in that when amalgamation comes under its banner the spectre of an agenda driven from outside the union movement becomes very real. However, even within *Future Strategies* there are hints about the links between amalgamation and survival. These have become clearer since then, notably at the 1991 Congress. The argument is that services make unions more attractive but that services require better resourced unions; hence amalgamation. Curiously, Costa and Duffy's critique of ACTU strategies also has services unionism as its core.

3. The Critics

Within the movement the most obvious critics of the amalgamation drive have been some of the craft unions, precisely because the very terminology of the ACTU strategy seems to render them redundant. After all, they are (or were) the only true *trade* unions and they cannot be dismissed as readily in practice as some theorisations would suggest. Indeed some, such as the Electrical Trades' Union (ETU) and the Australasian Society of Engineers (ASE) have now become keys in the manoeuvres for position in amalgamation. However, at recent ACTU Congresses, the trade union movement's commitment to the amalgamation drive was confirmed after some last minute challenges from the ETU and Federated Clerks' Union (FCU) in 1989 (Davis, 1990, p. 102-3) and an amendment in 1991 which guaranteed the FCU a central place in the new organization of administrative and clerical workers.

Some occupational unions have also been hesitant, most notably, perhaps, the FCU. This union's federal journal, *The Clerk*, argued that 'Big is Bad' (1990, p. 16). The stated objection barely masked a fear that, theoretically, the original ACTU plan would have seen the demise of the union as there is no industry of 'clerking'. The union argued that the FCU should

become a union for all white collar workers. This was premised on the FCU's own reading of community of interest, arguing that trade unionism is based on what workers have in common, in this case white collar work. Since then the FCU has gone along with the strategy, not least because to do otherwise would have been to lose potential and even actual members.

It has also been argued from within the labour movement that a much sharper focus on recruitment itself was needed and that this required a great deal more than simply amalgamating existing organisations (Shaw, Walton and Walton, p. 97; 99-100). While cautioning against over-reliance on amalgamation, these authors made a good case for the problems posed by demarcation and by the overlap of industry and craft unions in the workplace especially in areas of low unionisation and fast employment growth. The key question was how to recruit in the services sector. Any amalgamations should have this as an explicit purpose (*ibid*, p. 99 and 101).

A great deal of implied or direct criticism emerges from some of these critiques, mostly turning on the *ability* of the movement to deliver amalgamations successfully. Others have questioned the *desirability* of the program of amalgamation, sometimes on the grounds of union democracy. There are hints about this, all be they rather self serving, in the FCU's opposition to amalgamation (*The Clerk*, 1990). It has been commonly raised in the literature about union size as well as amalgamation (for a summary, see Davis, 1987, pp. 11-15) but there is not much in the current debates about it although there are signs of its importance to members.

4. Costa and Duffy on Amalgamation

The single most wide-ranging critique of amalgamation has come from Michael Costa and Mark Duffy. Having appeared in the initial issue of this journal (1990), it now forms part of the same authors' attack on other ACTU strategies in their recent publication *Labor, Prosperity and the Nineties: Beyond the Bonsai Economy* (1991). The following summary is drawn from that book.

Costa and Duffy argue that the ACTU's strategy to restructure the trade union movement is 'fatally flawed' (*ibid*, p. 129). They point to problems in the much vaunted Swedish model, question whether bigger is better, argue that amalgamation is either irrelevant or harmful and build up an alternative model which purports to show that precisely targeted strategies and new forms of unionism are needed. Unions have become outdated as the structure and processes of work have changed. This section will attempt

to show that whatever the problems with the ACTU's scheme, the Costa and Duffy prescription is ill-conceived and its presentation inconsistent.

Costa and Duffy begin with a few easy points; they quite rightly point to the limitations of the Swedish model and to the series of crises that has struck both economy and unions (p. 104-5). Nevertheless, these problems do not of themselves invalidate arguments for amalgamation. There are suggestions here about the limitations to the consensus style politics of the Accord and perhaps award restructuring which are important and merit consideration (see chapters 4, 6). Partly because of this they claim that 'Australian unions require a survival strategy which is independent of the political complexion of the federal Government' (p. 105). However, this is precisely one of stated reasons for the ACTU's insistence on amalgamation (see ACTU, 1987).

Costa and Duffy see the immediate problem as a 'legitimacy crisis' as rates of union density fall. They go on to argue that, in dealing with this, it is not clear that bigger is necessarily better. Further, they claim that despite the ACTU's insistence that the problems in current structure are 'obvious' and the solutions 'self-evident', there is not enough evidence produced to substantiate these claims (1991, p. 106). With this it is hard to disagree. *Future Strategies* simply does not make its case well. It does rely on bald assertion, most notably in first discussing responses to the current crises when the key to consolidation is 'to rationalize the structure of the movement' (ACTU, 1987, p. 7). Thereafter, the present fragmented structure is discussed and the claim made that '[i]t is obvious that Australia has too many unions' (*ibid*, p. 12). There is no attempt then or later to explain this, or to examine why any particular number would be appropriate. There are similar flaws within *Can Unions Survive?* which has problem and cure in different and ill-connected chapters.

Costa and Duffy argue that economies of scale do not apply to trade union functions and that smaller, not larger, units might be better. Here we begin to get a glimpse of the very basic challenge which they throw out to trade unionism - for what Costa and Duffy go on to propose is the possibility of a service-based unionism; that is, a shift away from work and industrial relations regulation as the basis for unionism.

At this stage, the argument's language becomes particularly striking, for their analysis (at 107) is cloaked in the garb of the economic rationalist and the manager. The jargon is significant because it serves to distance them from the industrial and, most notably, political forms in which debates in and about the labour movement have usually been couched. For example, in opposing the argument that economies of scale compel amalgamation, they call for an approach which will 'free up scarce resources by controlling

cost creators' and lead to 'the development of niche strategies' (*ibid*). A vital element in the argument appears not only in the language but in parentheses, with the passing comment that 'the market for union services has many factors associated with market maturity' (*ibid*). The unexamined hypothesis is a characteristic of the book and seems to come from a state of mind which sees both trade union officialdom and the left as prisoners of the past beyond hope of rational appeal. Ironically, the style of argument ends up resembling nothing so much as the ACTU's - which they so deplore - with no consideration of the options and a linear and rhetorical view of history.

When they discuss why 'diseconomies of scale' work against the amalgamation thesis, they tend to use other people's arguments *as evidence* - be they from organisational behaviour writers like Ginzberg and Votja or former right-wing officials, in this case Laurie Short. Perhaps to balance the scales they then quote from labour historian Ray Markey, who, in concluding a piece on the New South Wales Labor Council, suggested that 'merely restructuring institutions ... can only lead to larger unions covering fewer unions' (quoted at *ibid*, p. 108; see Markey, 1991, p. 27). A change in policies, which Markey implies is necessary, could, however, be pursued along with amalgamation. There is no compelling evidence here that union amalgamation leads necessarily to, or even tends towards, diseconomies.

Throughout, Costa and Duffy use any *part* of an argument that will facilitate their thesis. As a result, the case lacks coherence. What is most significant about it, though, is that it signals the lack of any real (or explicit and consistent) theorisation of the nature of trade unionism in Australia. Oddly, they underplay the significance of some of the material which they do use; for example in claiming that current ACTU strategies are flawed because they rely too much on the state; that *Australia Reconstructed* depends upon 'the transformation of trade unions into a [*sic*] key institution of state administration' (1991, p. 108). This is akin to W. A. Howard's thesis (on which they draw earlier; see p. 31-32) that Australian unions have been reliant upon the state ever since the establishment of Commonwealth arbitration in 1904 (Howard, 1977). This may well be deplorable, as Costa and Duffy imply, but it might also explain the ACTU's strategy. However, they do not deal with this and we can only assume that they see amalgamation as part of a wider strategy which ties unions both to the state and to their past.

Amalgamation as a general strategy is denigrated as outdated and an alternative, based largely on unsubstantiated assertions from management theorists, is suggested. Their historical analysis, such as it is, is weak. Costa and Duffy assert that the ACTU's 'model for change' will fail because it is

based on ideas which are 'irrelevant' to the rapidly changing world of work and industrial relations. Amalgamation is 'another manifestation of the quick fix approach to problem solving that is so characteristic of Australian institutions' (1991, p. 109). They locate its origins in the defeat of the New South Wales unions in the 1917 general strike (*ibid*). This actually suggests it is anything but an instant solution. They then decry the tradition of solidarity of which amalgamation is part ('myth', 'beguiling simplicity', 'quick fix', 'Pavlovian response') yet do not attempt to analyse it. In fact, beneath the sarcasm, they seem to realise that amalgamation, as an out-growth of the basic urge towards trade unionism, does have a fundamental logic which has appealed to workers ever since trade unionism began. How this in fact differs from the vision in *Australia Reconstructed* and *Future Strategies* is surely critical, but it is not discussed by Costa and Duffy.

At this stage, three critical observations must be made. Firstly, the calls for 'One Big Union' (OBU) well and truly pre-dated 1917. Amalgamation is as old as unionism itself. Its appeal is older, deeper and more complex than they allow (Webbs, 1965). Secondly, what they hint at is important for understanding a *radical* critique of amalgamation, focussing on the 'top-down' politics of 1990s-amalgamation as opposed to the grass roots, socialist-inspired drive that culminated in the plans for the OBU (see Childe, 1964). Both these points really merit an article to themselves. Here we can only signal their importance and in concluding this piece return to them.

Thirdly, we get the first hint here of the apparent ideological underpinnings of the Costa and Duffy critique. Individualism is emphasised throughout yet the 'battle cry' of unity which they deplore has been and remains the very reason for union existence. The solidarity of half a dozen workers combining in a craft shop in nineteenth century Sydney or in an office today leads logically to what used to be called 'closer organisation' be it across a state or an industry. But Costa and Duffy *need* to mock this from the outset so that it is discredited in the reader's mind by the time their alternative is introduced, namely, a service and market oriented unionism directed towards the worker as individual consumer, not alienated producer.

Having said this, we may look more closely at the details of their anti-amalgamation case. They rightly point out that there is no obvious relationship between membership levels and the number of unions and that the 'complex and varying problems' (1991, p. 111) unions face need specific solutions. This proposition, which is unremarkable in itself, is tied to the claim, derived presumably from management theorists, that union strategy is determined by four 'key forces', namely union members, the community, management techniques and rival organisations or internal groups (*ibid*, p. 112-14). They actually, as we will see, privilege manage-

ment here. 'Structure follows strategy' they bluntly assert, trampling over a complex debate which began at least as early as the Webbs' examination of the origins of British craft unionism, and setting up a situation where union structure follows management strategy.

Similarly, they abruptly divide union activities into four areas: industrial, services, political and cultural. This particular classification confuses ends with means and activities with attributes. Their point is that an imposed structure (in this case ACTU-driven amalgamation), in a union's 'relatively unique' (p. 117) context will not lead to effective unionism. But democratic amalgamations would not be incompatible with this. To be fair, neither the ACTU nor anyone else has bothered to analyse how, for example, the bigger industry or general unions perform especially in relation to recruitment. Nearer the end of this paper, there will be some suggestions about what a historical analysis would add to this debate.

Costa and Duffy also argue that unions must change because much of their work has been done. Amalgamation is therefore simply unnecessary. This is based on the astounding assertion that workers cannot secure any more of the cake; existing shares of Gross Domestic Product represent the maximum possible. Dutch workers will be interested to know that in their country all the wealth is their's (p. 118-19). The source for this is an American management writer, P. F. Drucker, who makes this unsubstantiated, unreferenced and unexplained claim amid a little homily which has also suggested that unions are the 'most extreme example' of 'obstacles to innovation' (1985, p. 165) in contemporary society.

Even if the battle were won (and if this kind of argument could be taken seriously), this is an analysis based on a very narrow reading of the purpose of unionism. To show that even the most basic of goals - the 'original objectives' - remain important, it is only necessary, firstly, to look at how keen some employers and Tory politicians themselves are to 'restructure' unionism and, secondly, to consider how quickly the mask of 'decent capitalism' drops - and how irrelevant any kind of gross income statistics are - without an active, industrial presence by unions, for example in areas of sub-contracting and, most notoriously, outwork (see, for example, Bray and Taylor, 1991). The nineteenth century does not simply reside in archives.

We then come to the core of the argument. The really important and challenging criticism of amalgamation turns on Costa and Duffy's analysis of post-Fordism and strategic management especially human resource management (HRM). If unions are to change, it should be away from the ACTU's program. They summarise the post-Fordist debate by saying that management strategies are changing industrial relations as they move to a

reliance on skilled work, new 'flat' management structures, skill formation and consultation. 'Flexibility' will be the key word and will require new structures and policies from unions (1991, p. 121).

Typically, Costa and Duffy do not mention that there is a wide debate about the post-Fordist thesis, challenging its assumptions and methodology (see Hyman, 1988; Pollert, 1988; Bramble and Fieldes, 1990; and, since then, Bray and Taylor, 1991; Gahan, 1991; Hampson, 1991). For our purposes, in looking at amalgamation, the critical issues are where jobs are being created, the nature of work and the ability of workers to act for themselves. As part of this, we must tangle with the question of the sexual division of labour as so many of the 'new' workers are women. Much of the current industrial relations agenda and ACTU program as well as the post-Fordist argument has a propensity to gender blindness (for some of the problems see Hall, 1989; Windsor 1989, 1991; Roxon, 1991).

Once again, there is, ironically, some congruence between the Costa and Duffy thesis and the ACTU's strategy because they are both grounded in a sympathetic reading of the post-Fordist critique. This reading leads one to argue for a new unionism, the other for award restructuring. Neither shows much awareness of the debate or the dangers in its chosen path. Costa and Duffy argue that large union structures are by no means inevitable as work changes (1991, p. 121). This could lead, they say, to unions accepting a 'more limited influence on society' than they supposedly have now (1991, p. 123). How this would affect 'marginal' workers, in outwork or part-time labour, they cannot say because their reading of post-Fordism is so one-sided. Similarly, they argue that HRM requires new forms of unionism. But, again, they underplay the debates about these strategies and by implication overstate their breadth in Australia (see Hilmer, 1989; Frenkel and Peetz, 1990).

They then come, in this flawed theoretical and historical framework, to what has been the sub-text throughout: a call for services-based unionism. In effect, they say that management determines the shape of the trade union movement. This argument calls for a variety of union strategies depending upon the industrial relations strategy of the employer. It is little more than common sense to insist that union structure and policy should be appropriate to a particular workplace, but there is absolutely no reason to believe that this is necessarily incompatible with amalgamation. Further, there is no reason to accept that unionism must be absolutely shaped by any one aspect of an enterprise's processes. Rather, the particular nature of industrial relations at the workplace is a synthesis, a contested outcome, of struggles and agreements between workers and employers mediated by industrial relations organisations and the state. Those relationships have a history, a

made history; they are not an unchangeable given which Costa and Duffy's argument assumes.

No-one pretends that workers make unions 'just as they please' (cf. Marx, 1968, p. 97). However Gramsci reminded us of an alternative view: that a 'trade union is not a predetermined phenomenon....it takes on a definite historical form to the extent that the strength and will of the workers who are its members impress a policy and propose an aim that define it' (*ibid*, p. 265). For Costa and Duffy, though, a union is a thoroughly derivative organisation constrained by management practices.

The union strategies for the various types of workplace environments are as flawed as the premises of the argument. For example, in what they call traditional industrial relations, '[b]ipartite Accord-type structures' would allow reform 'consistent with the needs of both the employees and the industry enterprises' (1991, p. 126). Elsewhere in the book, though, they have deplored the (macro) Accord (*ibid*, chapter 4). They would liberate workers by undoing the knot with the state, only to re-tie one with employers. Here they make no attempt to discuss the underpinnings of this vision of unionism, which implicitly denies the place of conflict in industrial relations. When they go on to assert that these structures would give 'a greater feeling of "ownership" of the resultant outcomes' (*ibid*, p. 126), they move into the heartland of the 'new liberalism', for it is precisely this thinking which inspired the recent prescriptions for industrial relations reform in New South Wales. In 1976, John Niland, whose Green Paper would later fashion those changes, wrote that bargaining means that 'a certain "pride in workmanship" attaches to the agreement' (1976, p. 374).

In areas where employers have adopted 'sophisticated HRM', workers will need 'a different set of services' from their union (Costa and Duffy, 1991, p. 127). This argument simply repeats the dismissal, without discussion, of the industrial, work-based nature of unionism. Both the new union strategies and the context in which they are supposedly necessitated require a lot more analysis than appears here. Once more it is striking how little the context is analysed and how inconsistent the argument is. The most damning example of this, suggesting that they will use any evidence to make an isolated point, is that elsewhere they use a case *against* post-Fordism to attack another of their foes - award restructuring (*ibid*, p. 162-4).

So, in short, the trade union movement will shift to 'service provision rather than representational activities' (*ibid*, p. 127). This will include 'associational' membership or 'associational' unions - flexible and focussed on services not industry (*ibid*, p. 127-9). Costa and Duffy rightly see this as a fundamental challenge to trade unionism itself but if anything they under-estimate the scope of it. This is because they ignore practices and

arguments which do not fit with this vision. A call for services-based unionism defies all definitions - both prescriptive and descriptive - of unionism and most interpretations of labour history. None of this means that the argument cannot be made but it does mean that it is a little hard to take it seriously because it leaves unasked the critical question of why it is that people have formed and join unions. Surely there are other institutions which can provide services better than unions ever will. A rhetorical question therefore presents itself: under the Costa and Duffy prescription, why bother joining a union at all? The only piece of evidence that there might be a positive answer to this question is an increase in one relatively small union in one state in the USA (*ibid*, p. 128). We are left wondering about what further evidence there is, what, indeed, 'associate membership' actually means on the ground and how, if at all, the employment relationship has been affected.

This unionism divides organisations off from each other; it would potentially set 'associate' member against 'industrial' member and it would be utterly de-politicising. The US seems an odd model to follow, with its low rates of unionisation, retreat from New Dealism and growing levels of poverty. Nonetheless, by a nice irony, it is American style bargaining that has come to New South Wales, courtesy of the Greiner government. And yet, if we look at the US experience we will see alternatives to the infatuation with services unionism, in the organising drives of '9 to 5', a growing union of office workers (Nussbaum, 1991, p. 20-25), and, almost unbelievably, in a revival in textiles and clothing unionism in Georgia (*Voice*, 1991, p. 31-42). We must return, therefore, to that most basic of theoretical and political questions: 'what is or should be the purpose of unions?'

Costa and Duffy argue that these questions can only be answered 'from a perspective that begins with the needs of the new workforce of the 1990s' (*ibid*, p. 128). These needs certainly necessitate changes in trade unionism, as falling union density rates testify. However, it is by no means justifiable to slide from 'the new workforce' to strategic choice and HRM. The needs of the 'new' workforce might arise from de-skilling, casualisation or outwork; or come from those workers' gender, ethnicity, or age; or their needs could arise from a combination of these characteristics. What needs to be done is to ask these questions. And that requires more theoretical and historical work. For if unionism is constrained by the state or conditioned by management, it is also, both historically and logically, the creation of workers themselves. If Costa and Duffy want to contest this, they may do so but it needs to be done fully and openly. It is an argument which cannot be simply subsumed by assumptions - in this case about post-Fordism and post-modern societies.

Yet that is precisely where they end up: with a dream in which 'associational unions replace the organizational uniformity of the traditional mass-production union with a form of co-ordinated diversity that reflects the needs of the more differentiated post-industrial workforce' (*ibid*, p. 128-29). At no stage has the assumption on which this rests been properly explained or substantiated.

In concluding their critique of amalgamation and call for services unionism, they urge 'more advanced statutory provisions protecting employee rights' (*ibid*, p. 129). There are two major problems here. Firstly, there is inconsistency: they themselves have already attacked *Australia Reconstructed* for making workers dependent on the state. Yet this strategy would also require and lead to that same reliance. Secondly, and much more importantly, it is surely a political impossibility amid the global shift to deregulation which underpins so much of their argument and which would be so pronounced under a conservative government. Further, legislation and awards require strong industrial and political unions on the ground to enforce them. Proscription or control of outwork, as detailed on paper as it was ineffective on the ground was but one example (Ellem, 1989, 1991).

In this context, they go on to suggest that '[f]lexible structures which combined benefit provision with diverse collective objectives provided the foundation for the modern Australian trade union movement' (*ibid*, p. 129). What they mean by 'flexible' here is unclear but it is a difficult view to understand because the nineteenth century craft unions were so exclusivist. The analogy is also ironic because the 'collective objectives' arose precisely because there was *no* state protection in or beyond the workplace. Now Costa and Duffy argue for a similar unionism *with* state guarantees. Further, like many other writers on trade unionism, they ignore the world beyond, but connected with, industrial relations. We must ask how this vision of benefits derived from services-unionism would affect the part-timers or, still more, the un-waged. Their analysis says nothing about gender or age within trade unionism; little wonder that it is blind to such considerations beyond the paid workforce.

Even so, Costa and Duffy realise that the state will not be enough: '[t]he industrial strength of traditional unions could provide a protective environment for nurturing a new post-industrial form of unionism' (1991, p. 129). This is an extraordinary statement which prompts many questions, not the least of which is a simple 'how?' They go on to assert that this new unionism could revive the legitimacy of 'traditional forms of unionism' (*ibid*). This is a circuitous route to take!

None of this means that there are not immense challenges facing the trade union movement in Australia. Work and workers, enterprises and

technologies are in profound ways different from the past. However, it is important to note that Costa and Duffy pay very little attention to workers themselves. Their critique is grounded in management and work structure just as deeply as the ACTU's strategy is in union structure. A shift in the analysis towards workers themselves would offer some different insights although it would also render the scene much more complex. We would have to think about what separates workers and what those categories - be they gender, ethnicity or age - mean for union structure and policy. We would also have to look at what unites workers and then we might want to be old fashioned enough to insist that there is still some unity in class - despite either the Costa and Duffy appeal to individualism or the flexibility of post-Fordism.

5. Amalgamation, Industry Unionism and Recruitment

The problem areas for trade union organisation may be variously defined but the broad characteristics are well enough known: women workers and younger workers, and some non-English speaking background (NESB) workers; workers in small workplaces, casual, part-time, intermittent workers and outworkers; most of whom fall into the services sector. In short, workers and workplaces in areas of traditional union weakness and, of course, in areas of employment growth. Costa and Duffy would say there is no place for amalgamation in this picture; that the nicest thing that could be said about the amalgamation drive is that it is irrelevant.

The ACTU's more recent policy statements are clearer than *Future Strategies*, emphasising the use of resources for recruitment, training organisers, creating 'open, democratic and accountable' union structures and targeting the services sector (ACTU, 1991, p. 119-20). The arguments also tend to be more convincing - as if some-one has read Costa and Duffy. Whether this reliance on structural change and concentration on one sector will work remains to be seen.

Claims for amalgamation as part of a survival strategy in general and as a recruitment drive for 'new' workers in particular can be made. Union resources, after amalgamation, have to be harnessed to 'further organize' the relevant sectors. There is not much doubt that this does involve more time and money than would have been the case a few years ago or would be the case in other areas of work but the point to be re-emphasised is that these concerns must be the starting point and amalgamation the *means* to them.

This also means that unions must be combined to facilitate recruitment and the construction of *democratic* union structures. Unions need to be created where effectively none now exist. These unions - in a sense new unions - would have to be good 'recruiters' especially in the services sector. This would not be a bonus; it would have to be their reason for being. This would mean analysing the coverage rates of unions in comparable areas of work and considering their recruitment strategies and traditional structures. It would be hard to accept that a reliance on, say, compulsory unionism or even preference would be a wise course on which to rely. If there is any hope of pursuing recovery through amalgamation, then it must be built on positioning the 'recruiters' - those with high density rates achieved through communicating and organising rather than delivered by the boss or facilitated by the state.

There has not been much indication that the unions involved in these sectors were interested in amalgamation; indeed, as we have already seen, one of the key unions, the FCU, had been a persistent critic of industry unionism. One of the biggest unions in Australia is the Shop, Distributive and Allied Employees Association and yet the latest research, the Australian Workplace Industrial Relations Survey, shows that union membership rates here are still the poorest in the country with only 30 per cent of employees in the wholesale and retail trades belonging to unions (AWIRS, 53, p. 246). Changing workforce structures mean that the future of trade unionism in Australia will be largely determined by what happens in the unions which cover these workers and others in the service sector.

To assess the impact of a 'recruitment for survival' strategy is difficult and controversial: difficult because the number of amalgamations is still small and because it is still too early to judge their impact; and controversial because the argument turns on political debates about the nature of trade unionism. Since *Future Strategies*, the rate of amalgamation has sharply increased. Some key 'new' unions have been established which will have a pervasive influence on the future of the process and from some of these amalgamations we can draw out telling pointers to likely developments.

The National Union of Workers (NUW) was created by the amalgamation of the Storemen and Packers' and the Rubber Workers' Unions. There may be some elements of an industrial grouping here but the 'community of interest' was more obviously political, putting together two key New South Wales right-wing unions. If we were to persist with the traditional typology of trade unions, this would add a general union (and very large one, at about 87 000 members) alongside two others, the Australian Workers' Union (AWU) and the Federated Miscellaneous Workers' Union (FMWU). These two are rightly seen as the textbook cases of general

unions - but we must ask whether this category - essentially a residual one - is helpful given that these two unions account for 250 000 unionists. If we add the relatively new NUW and the likely amalgamation of the Federated Liquor and Allied Industries Employees' Union with the FMWU, we come to a total of 450 000 in three general unions; presently about a sixth of all Australian unionists. Consolidation it may be; industry unionism it isn't.

The Public Sector Union (PSU) came into existence when the Australian Clerical Officers' Association and the Australian Public Service Association amalgamated along with a smaller body, the ABC Staff Association. The logic of the amalgamation was quite clearly industrial and there was considerable political cohesion to it too. This was one of the first amalgamations to be something like a meeting of equals rather than the more usual absorption of a smaller by a bigger body setting the scene for the types of amalgamation required if the ACTU program is to succeed.

The creation of the Australian Services Union (ASU) is a classic case of 'amalgamation for recruitment' not only in itself but for the possibility of unionisation in other white-collar and service areas. In New South Wales, the ASU has brought together the Municipal Officers' Association (MOA), the Australian Transport Officers' Association and the Technical Service Guild and other amalgamations are planned. In the near future, this new union will have to go still further because it is a key to the ACTU's planned 'super union' for clerical, professional and administrative workers (ACTU, 1991, p. 120).

This particular amalgamation drive makes clear the political problems which this kind of strategy poses. The ASU is venturing into the most important sector of the economy for union survival - services - and some of its members are or will be in that most vital of occupations for unionism's future - the clerical worker. So the stakes are as high as they get as between capital and labour (or the state and labour). Equally a battle is, or will be, on within the labour movement too because, in the same area, the FCU and, in New South Wales, the Municipal Employees' Union, have large memberships but very different traditions. The contrasts are stark in terms of enthusiasm for amalgamation and industry unionism, political alignments and density levels.

The politics is complicated by two other factors which should be briefly mentioned. Firstly, there are internal structures; for example, the MOA, although mainly a 'male union' has pioneered affirmative action policies and fought (successfully) to retain them in the new ASU. Other unions in New South Wales have not responded to gender inequity in this way. Secondly, there are differences between the politics of branches within one

union, most notably in the FCU as between New South Wales and Victoria. These two points are raised in the context of this amalgamation because of their importance to it but also because all these issues are highly likely to emerge in other areas as the amalgamation drive continues.

Thus far, political alignment has been very important in the amalgamation process. At one stage a French-like structure, based on ideological unities, appeared likely. The NUW certainly fitted this as did mooted amalgamations between the BWIU and the Federated Engine Drivers and Firemen's Association and the creation of the Federation of Industrial Manufacturing and Engineering Employees by the Ironworkers and the ASE. (The Glass Workers have also joined this union and the Carpenters and Joiners have also indicated an interest, at least in part extending the political logic (*Labor News*, 1991).) However, accelerated progress towards seventeen union groups would alter this - and, when interim arrangements expire, perhaps set the scene for the fiercest union ballots since the 1950s.

The survival of unions is not simply dependent on amalgamation. Policy is no less important than structure. The trade union movement cannot simply treat changes in work and, in a sense, workers as part of a context which requires new organizational strategies alone. There must be consideration of specific policies which recognize the diversity of trade union members and that there is no 'normal' or 'average' trade union member (see Easson, Costa and Crosby (eds), forthcoming). In this context it should be said that, despite the best intentions of some unions and ACTU Congresses, 'gender' still means women, 'ethnicity' still means foreign and 'age' still means young. That is to say, the other side of 'targeting' is that there is still an archetypal - adult, Anglo male - lurking around in the collective unconscious and, on the other hand, a collective 'other' (see Ellem, forthcoming). We must see whether unions can overcome this and in so doing push out the frontiers and push onwards to rediscover their sense of 'social movement' (Markey, 1991, p. 25-6). This might involve tangling with questions which some employers have taken up in advance of the trade union movement, notably childcare, family time and job sharing (Donaldson, 1991, p. 79-80, p. 109-11).

Finally, we must ask the hard questions about the benefits of consensus politics and the Accord and about whether ACTU officers are right to claim that, although membership has tumbled since 1983, this is unrelated to industrial passivity and falling wages (see, for example, Bramble, 1989). To put this at its most neutral, it is not only those two present crises - recruitment and defence - that must be examined, but the link between them.

6. Gaps in the Debate: History and Theory

The need for a comprehensive historical analysis of union amalgamation is clearly indicated by the failings of Costa and Duffy and the inadequacies of the ACTU's documents. Some positive lines of inquiry will be suggested here: the role of the trades and labor councils (TLCs), the functions of the state and affinity with past amalgamation pushes.

In a consideration of the role of the TLCs, we also see something of the place of craft unions and regional differences in Australian unionism. These are questions which have attracted very little public discussion. We need to know how and why the size of unions varies from state to state and to assess the significance of this for amalgamation. For example, in Queensland and Western Australia the two biggest unions, the AWU and the FMWU, respectively, dominate the industrial and political landscape. The TLCs in those states are the most industrial which may facilitate further union rationalisation. There is already unevenness in the areas unions cover as between the states (ACTU 1990b); will this continue and how will it affect amalgamation?

By contrast, the TLCs' representative structure in New South Wales remains in favour of small (and by inference 'craft' unions). Without trying to untangle this here, it seems clear that there is a relationship between union and TLC structure. We have hints about this in at least one specific dispute, in the Victorian Trades' Hall split which began in 1967 over the question of representation of large unions. One of the submerged themes was the obstacle to amalgamation which the structure represented. The only way around this was for the re-united Council to ignore its own rules in respect of the recently created Amalgamated Metal Workers' Union (Plowman 1977, p. 63-4, p. 67). As the state branches of the ACTU, some TLCs are in an ambiguous position as long as they remain based on craft and occupation - a reminder of past structures amidst a sea of industry and general unions. It is not surprising that no-one in the trade union movement will, in public, open this particular can of worms. That Costa and Duffy, in their fervour for the management text as the guide for trade unionism, miss it, is probably equally unsurprising.

Secondly, the role of the state should be examined. This is a key to understanding which is both critical and baffling. Since 1904 the federal state has regulated, controlled, protected, incorporated, made and un-made trade unionism. Changes to legislation affecting amalgamation over the last twenty years have been important in attempting either to halt or encourage the process. Now the federal government and Industrial Relations Commission are committed to union rationalisation using Section 118A agreements for single union coverage of workplaces and allowing a free

interpretation of the 'community of interest' which unions require for amalgamation (Kollmorgen and Naughton, 1991). However, this key marked 'the state' should be treated with some scepticism because it will turn a quite different lock from one day to the next. The 1988 changes turn 80 years of precedent on its head, revealing the extraordinary pragmatism of the industrial relations parties. Until 1988 unions were obliged to argue that no other organisation in the country could possibly enrol certain workers. Miles of transcript were devoted to fighting in and around the 'conveniently belong' clause, only for everyone to pretend now that this never happened.²

Historical analysis is always essential because ultimately there is no line between past and present anyway. In this debate, the labour historian is struck by the resonances going back to the founding of trade unionism and in particular in the role of amalgamation in the movement in the last 100 years. Most of these arguments have been heard before although there is not much consciousness of this. Further, two of the biggest unions in Australia, the AWU and the FMWU, are each products of a spectacular series of amalgamations. The ACTU itself was created as an outcome of the amalgamation drive on one hand and the resistance of the craft unions on the other. These processes, then, have cast the movement into the form it now takes. There are many essential (and often extremely complex) matters here.

Little attention has been paid to the experience of the unions in Australia which have been, for all or some of their existences, successful 'amalgamators', such as the AWU and the FMWU. Yet such a study would allow a testing of some of the questions which arise in the amalgamation strategy, not least the links with recruitment.

The AWU is an unrivalled example of a general union built out of occupational unionism (shearing) and one which re-shaped politics in the process. Its growth was informed by diverse pressures and demands, largely, it seems, taking, containing and utilising the syndicalist belief in the 'one big union' while itself becoming ever more reliant on the arbitration system and, especially in Queensland, Labor Governments (Merritt, 1986).

Oddly, the story of the AWU's amalgamations has not been fully told although Cameron (1982) provides a tantalising outline. He argues that 'the bigger the better', but examines the tensions within the amalgamation process. Amalgamation practically became an end in itself and smaller unions were 'submerged' (*ibid.*, p. 49) in the undemocratic structure of the AWU between 1894 and the 1920s. For some of this time another rural union, built from small and weak bodies, the Amalgamated Workers' Association, had been growing because of its militancy but when it amal-

gated with the AWU this tradition was lost. Cameron concluded (*ibid*, 53) that the union became 'too tightly locked into the arbitration system'. The parallels and questions, including the relative decline in the AWU's size since the 1920s, cry out for an analysis grounded in today's dilemmas.

There are similar overlaps in the experience of the FMWU which was, practically from day one, a general union, organised from above as part of the conservative further organisation drive under the banner of arbitration. Yet its subsequent development was determined partly by the structure of work in the sense that it was truly a union for the residual worker; that is, the workers who did not fit for whatever reason into the existing categories of craft, occupational or industry unionism. In this regard, its history is important for the parallels between this problem and the changing nature of work in the late twentieth century are quite striking (Sheil, 1988).

The FMWU becomes most significant for this debate when it 're-made' itself in the 1950s split. From 1957, growth was an explicit goal for the union (*ibid*, p. 403ff). Along with this there were better services, more participation, changes in structure and policy for women and NESB members, new industrial policies and both militancy and further amalgamation. This union set about organizing the unorganizable - and even enrolled Father Christmas (*ibid*, p. 412).

The FMWU's size trebled in fifteen years and 22 unions had joined it by 1970. What would be interesting would be to try to pull out, for this union and other 'amalgamators', the component of growth due to organizing and energetic defence of members and that to amalgamation in itself. There is some indication that in the early period the FMWU grew through both means; that is, that it increased its absolute size by amalgamation and by new recruitment too (*ibid*, chapter 7).

Adequately theorising trade unionism often seems more difficult and more obscure than historical analysis. It need not be so. The problem can perhaps be introduced in this way: the entire Costa and Duffy/post-Fordist analysis *and* the ACTU agenda come back to that apparently straightforward, 'textbook', question: 'what is a union?' How their alternative strategies will actually work out comes back to another question: 'what constrains trade union action?' That is, 'why do unions do what they do?'

The ACTU and Costa and Duffy share an implied answer to the first question; which is that trade unionism is grounded in consensus. Unions exist to serve their members *and* their industries *and* the wider community. This definition, perhaps generated by years of unemployment, is light years away from the traditional radical perspectives and even from pluralists like Flanders who insisted that '[t]he first and over-riding responsibility of all trade unions is to their own members...not to a firm, not to an industry, not

to the nation' (1970, p. 40).

Secondly, if we think about why unions do what they do, we are compelled to think about wider theories of social power and about what Anderson called the limits and possibilities of trade unionism (1967). In Australia there is the inescapable question of the relationship between unions and state. In 1977, W. A. Howard claimed that Australian unions were reliant on the arbitration system and politics for their survival. This 'dependency thesis' was implicitly attacked by Rimmer (1981), who argued that it was merely a 'legal fiction that unions are "state agencies"' and that 'legal solutions to the problems of union structure [were] unlikely to be effective' (*ibid.*, p. 343). No full debate on this critical issue has taken place. Yet this kind of analysis is essential to understanding the meaning of, and likely paths to and from, amalgamation.

Two examples should make this clear; firstly, if unions are so dependent on the state, then it may well be that government policies and Commission practices will be critical in determining the outcome of the amalgamation push. An analysis of Section 118A and the impact of future changes in industrial relations legislation can all be considered in this context. Some would argue that other 'self-reliant' strategies would be adventurist folly. On the other hand, a more traditional theory, locating unions in the workplace and in the capital-labour relationship, would look therein for clues as to the outcome. Secondly, if, as this article implies, many unions *can* be understood in terms of that workplace dynamic, then the Costa and Duffy plan, were it ever implemented, would fail. So, in short, theory matters.

What must be emphasised is that these two areas - history and theory - must be explicitly engaged with. There will be wide and wild disagreement about the 'meaning' of history and about what shapes trade unionism. There must be such a debate because sub-consciously it is there anyway. No-one could seriously imagine that the key officials in unions and the ACTU have no sense of this. It may well be because they do, that it is rarely publicly discussed and that some of the questions raised in this section are not put.

7. Conclusion

It is curious that the only major, published critique of the ACTU's amalgamation strategy should attack it on the grounds of being old-fashioned and a 'quick fix'. This paper has attempted to show that neither claim is justified and that both diagnosis and prescription in Costa and Duffy are flawed. This is largely because they treat history and theory

in a cavalier fashion and, without explanation, try to import a methodology much more 'foreign' than the Swedish model. These faults are not unique to *Labor, Prosperity and the Nineties*. There are historical questions of 'practical' import which need to be asked to explain current unionism, not least the changing meaning of amalgamation this century and the tensions in the ACTU's direction from *Australia Reconstructed* to the 1991 Congress.

Notes

1. I am grateful to Bruce Grimshaw (Secretary, ASU, New South Wales) for discussing aspects of this with me. Any faults in interpretation are mine.
2. I am indebted to Christopher Shell for alerting me to this Pythonesque situation.

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