

REVITALIZING LABOR

IN THE U.S., BRITAIN AND GERMANY

SOCIAL MOVEMENTS AND INSTITUTIONAL CHANGE

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Institutions shape behavior. This is the core argument of the theorists of modern institutionalism, an argument that has proven clear, parsimonious, and widely applicable for many different institutions and behaviors in a variety of circumstances and settings (e.g., Hall 1986; March and Olsen 1989; Steinmo et al. 1992). Still, for an understanding of historical and contemporary change, this powerful argument is not enough, as most institutionalists readily admit (Thelen and Steinmo 1991). The institutional argument in fact tells us nothing of how institutions come to be and how they change -- with obvious consequences for the behavior they are shaping. New propositions are therefore needed, and in this paper we examine the following: social movements shape institutions.

Social movements, of course, are not the only forces shaping institutional change. But for institutions of democratic representation -- in democratic politics and in industrial relations -- social movements, collective action, popular protest, are powerful ingredients for institution building as well as institutional reform, revitalization or transformation (Clemens 1998).¹ Just as firms are revitalized (or destroyed) by the competitive pressures of markets, so institutions of

¹. Some social movement theorists now work with the broader conceptual category "contentious politics," of which social movements are one type (McAdam, Tarrow and Tilly 1999). This is a useful conceptual expansion, since much collective action and protest does not occur within a broader social movement context. For the purposes of this paper, however, the focus is on social movements as traditionally understood (see discussion below) — and I believe that such sustained mass movements have, of the behaviors included in contentious politics, the greatest impact on institutions of democratic representation (Guigni 1998).

democratic representation are revitalized by popular participation and collective action. This is the general argument that frames the examination presented here of comparative labor movement revitalization, in the contemporary United States, United Kingdom and Germany.

Introduction: Labor and the Rise and Fall of Social Movements

Social movements rise unexpectedly, and when they do, dispossessed groups and unheard voices may acquire new power and influence, in the workplace, in politics, and in other arenas as well. But just as surely as they rise, social movements also subside, usually within a few years -- at least in part as a result of the "counter-mobilization" of government, employers and other threatened interests (Kelly 1998, pp. 83-107). Important, therefore, is the extent to which activist and movement leaders (or institutionally positioned leaders who ride the movement wave), in their time of power, are able to reform or transform institutions, to solidify new rights and democratic procedures — institutions, rights and procedures that may well have to last them until the next mass upsurge, often decades down the road.

To look at this in a slightly different way, social movements are powerful forces that can punctuate a given institutional equilibrium. Fully formed institutions of democratic representation, at the workplace and elsewhere, may function reasonably well, or at least structure participation, for many years. In such a context, behavior is to a large degree shaped by the institutions and thus at least the range of choice is predictable. In such long periods of relative stability, however, in the absence of renewal through new waves of popular participation and protest, democratic institutions, I would suggest, tend to stagnate and decay, and may no longer be able to handle the new tasks with which they are faced. Sooner or later, if history is a guide,

another upsurge of mass protest will arrive, to make new demands and push for institutional change. Usually this happens in a context of economic or political crisis.² With luck, the newly mobilized participants, reformed institutions and new (and/or reformed) leaders manage the crisis and set society off on a new period of equilibrium. An example from labor history is the mass upsurge of American workers in the 1930s, in circumstances of economic crisis, that helped to produce a comprehensive framework of industrial relations, one that would endure for decades.

Institutional reform is likely to occur in areas targeted by a social movement. But we also know that social movements are contagious, with spillover and crossover to other movements, operating in parallel and overlapping ways in "cycles of protest" that together target a variety of institutions (e.g., Tarrow 1994). Thus labor movement renewal, for example, can be inspired or influenced directly by the spread of a broader social movement cycle.³ This is what happened in Britain and Germany (along with France, Italy and elsewhere) in the late 1960s and early 1970s, as labor movements were revitalized in the broader currents of antiwar, students', women's and environmental movements.⁴ And in both countries, labor's newfound energy and strength successfully promoted significant institutional reform.

². See Voss and Sherman (1998) on the role of crisis as an essential ingredient for the revitalization of local unions in the United States.

³. The term "labor movement" is confusing because it is widely used to refer to organized labor in general, whether there is actually a movement underway, even where bureaucratic unions have lost any movement spirit at all. Following conventional usage, the term is used here for organized labor in all of its forms from the more activist to the more bureaucratic. The different meanings of "labor movement" are clearly expressed in a widely used slogan in American union circles today: "let's put the 'movement' back in labor movement."

⁴. Voss and Sherman (1998) also argue that the presence of local activists with experience in other social movements is a necessary ingredient for local labor movement revitalization.

In the three countries considered in this paper, however, especially in the U.S. and Britain but increasingly in Germany as well, unions today are in trouble, in need of revitalization. At least in Britain and the U.S., labor also needs, and demands, significant reform in the institutions of industrial relations (and their legal underpinnings). And in all three countries (most of all in the U.S.), important voices within the labor movement speak out for rank-and-file mobilization and a new type of social movement unionism to achieve these goals. Aimed at promoting active rank-and-file participation in collective bargaining, political campaigns and in drives to organize the unorganized, social movement unionism aims at producing social-movement-like conditions within a local or national union or federation, even in the absence of a broader, "organic" social movement.⁵ Proponents of social movement unionism, to be sure, would also very much like to instigate that broader social movement wave (Sweeney 1996, pp.121-57) -- and it may well be that their success in promoting institutional change will depend upon the emergence of that wave.

Institutional reform, when it does occur, can be more or less successful and enduring, depending on politics, circumstances, and relations of power. And beyond unions and the industrial relations framework, employers and the state play central roles in shaping the prospects for workplace representation. British unions, for example, revitalized by the movements of the 1960s, successfully promoted institutional reforms in the 1970s under a Labour government

⁵. To clarify, social movement unionism is not the same thing as a social movement, although the two share important characteristics. There are many definitions of a social movement in the literature; a concise recent definition can be found in McAdam, Tarrow and Tilly (1999, p.22): "sustained, organizational interaction of collective actors with powerful others." Social movement unionism, by contrast, refers to the mobilization oriented approach of a union -- local, regional or national -- emphasizing active member participation, rank-and-file mobilization, intensive organizing drives to recruit new members, and active political campaigning. Social movement unionism can be part of a broader social movement (Johnston 1994; Hirschsonn 1998), or can occur at the level of a particular local or national union even in the absence of a broader social movement.

(more on this below). Employers, however, were never well incorporated into the new arrangements, which in any case were piecemeal rather than comprehensive, leaving the new, weakly established institutions and legislation vulnerable to liquidation in state offensives of the 1980s. In this paper, however, the focus is on unions, their strategies and interactions with other social movements, their internal characteristics and the institutional framework in which they operate. This is not to deny that employer and government opposition often drive union decline (Kochan, Katz and McKersie 1986; Goldfield 1987; Towers 1989). But the perspective here aims to liberate unions from the passive object or helpless victim roles they so often play in the academic literature, to ask, for example: why were unions in the U.S. and U.K. so vulnerable to government and employer challenges in the 1980s and 1990s, and what can unions do to overcome such weakness?

Labor movement revitalization is indicated by rising union membership and influence in the political economy, as well as innovative strategies that raise member participation in union activities such as organizing and political campaigning. Such revitalization, however, can be blocked, even when circumstances make it possible. British and German labor movements, for example, were revitalized by the social movements of the 1960s (making institutional reform possible), while the American labor movement (as a whole) was not; and American and British unions in the 1990s have energetically sought revitalization and developed new strategies to reverse membership decline while German unions have not. Why the differences? The answer may be that well entrenched labor leaders, in the right circumstances, can themselves block revitalization (potentially threatening to them), coming either as spillover from other social

movements or as internal innovation. These are questions requiring further analysis and clarification, to which we will return and address in hypothesis form in the concluding section.

This is, to be sure, a germinal effort, since institutions and social movements have almost always been studied separately: institutions by political scientists and industrial relations experts, social movements by sociologists and social historians. This is an artificial, academic separation that needs to be overcome (Guigni et al. 1998, p.xix; Clemens 1998). Just as political economists have argued that you cannot fully understand either politics or the economy without looking at both, the same is true for institutions and social movements. And while social movement theorists have typically looked at the social movement as a dependent variable, to be explained, and institutionalists have seen institutions as independent variables, shaping behavior, the variables are reversed here as the two are considered together -- with causation running from social movements to institutions.⁶

The cases below examine to what extent and under what conditions this causal relationship holds for labor in three countries. As an overview, the three cases can be summarized as follows:

⁶. The relationship is symbiotic: to the extent that "political opportunity structures" open up within the institutions, opening the door to social movement upsurge, the lines of causation can also run from institutions to social movement, at least in the early period of a social movement's development (Tarrow 1994; Houtzager and Kurtz 1998). This is, in fact, a point of broad consensus within the social movement literature: that institutionalized political systems shape the prospects for social movements (McAdam, Tarrow and Tilly 1999, p.3). On the other hand, there is a growing sense within the literature that it is high time to move beyond explaining social movements to the study of social movement effects (Guigni, McAdam and Tilly 1998; McAdam, Tarrow and Tilly 1999) -- which is one purpose of this paper.

United States: Social movement upsurge (1930s) builds new institutions of industrial relations; stagnation and decline sets in by the 1950s; labor is not revitalized by the next social movement wave (1960s), which also means that institutional reform efforts on labor's behalf fail; continuing decline and decay are accelerated by employer and government attacks (1980s), leaving a vacuum in which activist leaders and networks emerge, seeking to build an innovative social movement unionism, to reverse decline and reform the institutions.

United Kingdom: Long labor movement history, voluntarist tradition but also social movement periods (e.g., 1890s) in which institutions are built; labor movement revitalized and membership shoots up in the social movement context of the 1960s and 1970s; unions use new power to build institutions, but without a comprehensive framework that can incorporate employers and resist the government-led onslaught of the 1980s, in which labor institutions are largely destroyed and unions severely weakened; new union leaders (1990s) develop new strategies for revitalization, including both social partnership incorporation and social movement unionism (with American-influenced organizing strategies).

Germany: Long history of strong unionism, codetermination framework a product of 1890s labor upsurge and revolutionary movement of 1918-1919; codified first in Weimar Republic (1920-1933), eliminated by Hitler, reappeared after the war; comprehensive framework for collective bargaining and codetermination developed in 1950s in new West Germany; West German labor movement revitalized by the next social movement wave (1960s), promotes new legislation to strengthen institutions (1970s); retains power and influence through 1980s and

1990s as other labor movements decline, but faces extraordinary challenges (German unification, European integration) and by the mid-1990s union membership begins to decline in unified Germany; as yet no broad innovative union strategies (as in the U.S. and U.K.) to reverse decline.

The Global Context: Labor Under Pressure

In the postwar settlements that framed domestic peace and prosperity across Western Europe, North America and Japan, political democracy was matched in the economic arena by various forms of representational industrial relations in which independent labor unions typically played a central role. Collective bargaining proved compatible with and indeed helped to foster economic "miracles" of rapid growth and rising productivity across the industrial world in this remarkable "Golden Age," circa 1947- 1973 (Hobsbawm 1994, pp. 257-86).

Prolonged economic crisis in the 1970s, however, put new pressure on the postwar settlements, forcing reforms and in some cases even a collapse of the social contract -- and in every case raised serious new challenges for labor (Katz and Sabel 1985; Boyer 1988; Turner 1991). Destabilization of the postwar settlements resulted not only from oil crises and chronic inflation and stagnation, but also from the rising pressure of international competition. Japanese firms, to cite one important example, emerged on world markets with superior products at low cost, and in so doing threatened to roll back the auto, consumer electronics and other targeted industries in Western Europe and North America. States responded in various ways to this new threat, but no matter what the trade or economic policy, companies were forced to begin reorganizing production, moving away from traditional mass production toward an uncertain yet

decidedly "lean" post- Fordist future, challenging entrenched worker attitudes and practices along with union rules and defenses.

In the wake of economic crisis (1973-1983), unions in the U.S. and U.K. thus found themselves openly attacked by employers and governments, while unions in the rest of Europe struggled to find strategies appropriate for new production organization and economic policy. Results were predictable: unions everywhere on the defensive, less able to make gains in bargaining or membership, and in many cases accepting concessions instead of raising living standards, expanding workplace voice, and bringing to the table solutions for problems such as economic restructuring and the widespread need for the reorganization of production.

Existing institutions of democratic and economic representation seemed not up to the new tasks, and no popular, legal, state-promoted or bargaining pressures appeared capable of turning the tide, beyond the occasional noteworthy but limited victory in a particular context. With faltering institutional supports, a new American and cross-European resurgence of worker-based collective action and protest seemed appropriate and necessary. Yet at precisely this time of great need, confronting intense new global and domestic challenges, labor movements found themselves all too demobilized (Touraine 1986): in the U.S. and U.K. by decades of decline and business-as-usual unionism, in Germany, paradoxically, through a legacy of institutional success that had reduced incentives for rank-and-file organizing and mobilization.

How did once powerful labor movements reach such difficult straits? And what could possibly be done to turn things around? With these questions in mind, the remainder of this paper

examines cyclical patterns of long-term rise and fall for both social movements and labor institutions in the U.S., Britain and Germany.⁷

The U.S.: From Business to Social Movement Unionism

Over the past hundred years, the American labor movement has gone from craft-based, occupational unionism to transforming social movement (1930s) to social contract incorporation (1940s) to business unionism (1950s-1990s) to a major contemporary push toward renewed social movement unionism (e.g., Rayback 1966; Brody 1980; Green 1980; Fraser and Freeman 1997; Boyle 1998). Labor upsurge in the 1930s helped to build new institutions for collective bargaining and pushed union membership and influence upward (Gross 1974, pp.33-37)). On the other hand, when labor missed the next social movement wave in the 1960s, perhaps a tragedy of historic dimensions, American unions lost the opportunity for revitalization and fell, under the weight of an escalating employer offensive, into rapid decline and decay. One companion effect has been a growing economic and social polarization in American society. Today's revitalization efforts are bred of both desperation and the examples of a few organizing unions that did ride the 1960s wave and broke with business unionism in the 1970s and 1980s. Just as the popular upsurge of the 1930s helped to build and then breathe life into new worker rights and institutions of industrial relations, so the organizing activists of today aim to build the collective power necessary to reform, rebuild and revitalize labor's institutional supports for the challenges of the global economy.

⁷. The three-country analysis presented below is based on the available literature as well as extensive, in depth interviews with union leaders, officials and representatives, from high to low levels, in the U.S. in 1997-98, in the U.K. in 1998, and in Germany, 1996-98.

The story of labor's social movement and institutional success in the 1930s is well known. Led by workers and union leaders in mass production industries who had been excluded from membership in the old AFL, American workers across the country demanded union membership and recognition. The National Labor Relations Act (the Wagner Act) passed by Congress in 1935 and upheld by the courts in 1937, gave union recognition and collective bargaining rights to any workers who could gain majority workforce support. Organizers from CIO and AFL unions alike fanned out around the country, to take advantage of popular sentiment and readiness to mobilize. In a few years, union membership more than doubled. Rising working class protest demanded and gave political backing to Senator Wagner's promotion of the new labor laws; and these same movements of protest then gave substance to the new laws and made the institutions work. Social movements, in this case and beyond a doubt, shaped institutions (Gross 1974; Green 1980).⁸

Wartime solidarity incorporated the newly strengthened unions into the political economy, through the War Labor Board, through informal access to President Roosevelt, through new influence in Congress and in other ways. Union leaders assumed that this implied "social contract" would carry over into the postwar era -- and it did, but in a more limited way. Labor's influence was restricted through Taft-Hartley legislation and in compromise strike settlements in which labor's power was confined to collective bargaining and shopfloor enforcement at the

⁸. The relationship, to be sure, was interactive: once growing protest gave leverage to the Wagner forces to pass the new legislation in 1935, the NLRA, especially after clearing the Supreme Court in 1937, opened the door for more union organizing. Thus beneath the causal relationship social movements > institutions lies a more complex picture: mass protest > new legislation > more mass protest and organizing, which in turn helped to consolidate the new institutional framework (see, for example, Gross 1974, pp.33-37; Green 1980; Lichtenstein 1995).

expense of greater voice or codetermination in company decision-making (Brody 1980; Gross 1995). In the context of the new Cold War, many labor leaders consolidated control of their own organizations through a purge of the left (communist and non-communist activists alike) that eliminated internal opponents at the cost of stripping the labor movement of many of its activist-minded local, regional and even national leaders.

The capacity to promote renewed social movement unionism for the most part disappeared, replaced by what came to be known as business unionism: collective bargaining, enforcement of the contract, representational and other group services (health plans, insurance, group legal services) for the union member. While the new rights and services were important and valuable to the members, the life went out of the unions: people began to see them as service agencies and stopped going to meetings or otherwise participating -- except for occasional mobilizations at contract time (which did show mobilization potential for those who might want to tap into it). By the time the AFL and CIO merged in 1955, although union membership density was near its peak (around 34 percent), the stage was already set for the long-term dominance and eventual decay of a non-participatory business unionism. While economic restructuring and labor market changes, accelerating by the 1970s, made it essential that unions organized new industries and groups of workers, a consolidated contract-oriented unionism had little capacity or interest in organizing new sectors of the economy.

What could have revitalized such unions for the increasingly difficult challenges of the 1970s and beyond? One answer: the civil rights movement, antiwar movement, women's movement and even the environmental movement (see, for example, Isaac et al. 1998). Institutions can be reinvigorated by social movements, or, in the politics of conflict, it is also

possible for entrenched interests to beat back social movement influence -- almost always to the detriment of the institutions.

Why did American labor miss the boat -- the same boat, in a broad sense, that did revitalize the German, British, Italian and French labor movements? Above all, I would argue, it was the conservatism bred by business unionism, in which many labor leaders presided over increasingly narrow, member-oriented organizations that had lost a broader vision and passion for social justice. This combined with ideologically intense Cold War anti-communism made many labor leaders (led by George Meany, head of the AFL-CIO) suspicious and at time quite hostile to new political stirrings on the left, be it civil rights, antiwar or women's movements.

There were important exceptions, and these show the lost potential. Martin Luther King was killed in Memphis in 1968 while supporting the union recognition strike of a thousand black sanitation workers against a white racist city council. The movie *At the River I Stand* shows in a beautiful way how the power of this labor protest was magnified by the power of the civil rights movement, and vice versa. The national union involved, AFSCME, used the strike victory in Memphis as a springboard for organizing other municipal employees across the South; and a cohort of AFSCME activists, empowered and radicalized by this experience, by the power they saw and felt in the convergence of these two popular movements, would go on to lead successful public sector organizing drives in the 1970s and 1980s, offering an alternative living model to the stagnation of business unionism.

The labor movement supported the passage of civil rights legislation, and particular unions such as AFSCME and UAW participated actively in the civil rights movement. But the exclusion of black and Hispanic workers from skilled jobs in the construction and other industries

continued, as did the segmentation of jobs in the public sector and elsewhere -- often with the collusion of unions whose first loyalty was to their existing (mostly white) members. Most labor leaders, in other words, gave their primary loyalty to the status quo, at a moment in history when a powerful social movement was transforming society, and could well have transformed and reinvigorated the labor movement as well (Isaac et al. 1998).

The story is similar for the women's movement, itself to some extent a product of the civil rights and antiwar movements (led in its early years, in many cases, by women who had become active and political in civil rights and antiwar activities). Outside the public sector, unions were little interested in organizing "second-rate" female occupational categories such as clerical workers and nurses.⁹

There were again exceptions: in the public sector, in the growing interest of SEIU and other unions in organizing the healthcare industry, in CWA's commitment to organizing telephone operators and new telecommunications occupations, in the growth of AFT and NEA, organizing teachers in the public schools. But the larger picture is the same: conservative, male labor leaders, threatened by this "uppity" and sometimes even strident women's liberation movement (as it was then called), showing little interest in bringing this potentially revitalizing force within the apparently stable house of labor.

For the anti-Vietnam War movement, the problems were political and generational. With a few exceptions (Walther Reuther of the UAW, for example, after 1968; Lichtenstein 1995, pp.

⁹. Karen Nussbaum, for example, current Director of the Working Women's Department at the AFL-CIO, told me in a recent interview of her extraordinary frustration back in the early 1970s in trying to get unions to support organizing drives of clerical workers and other largely female workforces.

420-38), top labor leaders, many of them survivors of the 1950s purges, were so deeply anti-communist they could not link up with this truly (and unruly) mass American movement. With its foreign policy funded by the State Department (part of the Cold War, red-purge deal), the AFL-CIO supported the war in Vietnam well after most Americans had come to realize what a mistake this war was. Media images of New York City construction workers beating up antiwar demonstrators reflected a broader feeling among top (and many lower down) labor leaders that the protesters were privileged, un-American college kids, anathema to labor's interests.

While labor leaders resisted, a vast swath of an entire generation was swept up in the antiwar movement -- and many of these bright, young activists came to see unions not as allies but as barriers to change. Far from discovering a source of reinvigoration in the swelling activism of American youth, labor leaders, stuck in their George Meany-led anticommunism, lost credibility with much of that energetic, activist-minded, up-and-coming generation.

From this cross-movement hotbed of activism in the 1960s and 1970s, a new and reinforced environmental movement also emerged. Here too, the reaction of labor leaders was broadly negative. Far from working with environmental groups to find common interests, to develop, for example, a social-ecological reform strategy for the future of industry on a small planet (as German unions have done), labor leaders reacted to demands for environmental preservation in many cases solely as attacks on union jobs. Bumper stickers on the pickup trucks of construction workers chiding "Sierra Club take a hike!" reflected the vision-free brilliance of a politics of reaction. Once again, unions alienated a good part of an activist generation.

Social movements can revitalize institutions, and one way they do this is by sweeping away entrenched office holders. But such revitalization is a political process and can also be

blocked by defensive, threatened leaders -- in this case aided by the fact that the new social movements were not for the most part targeted at the workplace, employers or unions, but rather at government policy. This allowed existing union leadership, from George Meany on down, to cordon their organizations off from the radical currents of change.

The main exception to this predominant pattern for the 1960s and 1970s lay in the public sector. Here, new enabling legislation (national, state and local) combined with the contagious activism of the era (an activism that mobilized blacks, Hispanics, women and youth) to produce something of a social movement unionism in many places (Johnston 1994; Isaacs et al. 1998). Here in a more benign environment, with less employer opposition (and often only after existing union leadership had been replaced), unions grew rapidly in the public sector throughout the 1970s, contrary to the opposite trend in the private sector. By the 1990s, union membership density in the public sector was more than double that in the private sector. In the public sector, the movements of the 1960s in many cases did revitalize unions and the institutions of industrial relations -- showing the potential had this happened on an economy-wide scale.

In the long run, however, the activism of the 1960s may yet save the American labor movement. Many young rank-and-filers were strongly influenced by the social movements of their formative years, and became a constituency inside their unions for change and for greater openness.¹⁰ And many activists in the course of the 1970s did find unions in which they could work and even thrive. John Sweeney, one could argue, leads the AFL-CIO today precisely

¹⁰. See Heberle (1951, pp. 118-127) on the concept of a "political generation," shaped by the experiences of its formative years (ages 20-30), and ready to rely on that learning when it becomes the "ruling generation" (at circa ages 40-65).

because he was not threatened by the activists of the 1960s, and in fact began to hire them in the 1970s -- knowing that these were people committed to social justice who would work hard for the cause if allowed to do so. Such activists, at Sweeney's SEIU and at other unions such as AFSCME, ACTWU and CWA, would in the 1980s and 1990s play a major role in the organizing drives that laid the groundwork for a broad "changing to organize" campaign by the mid-1990s.

This is a common phenomenon in the rise and fall of social movements: when social movements subside (as they always do), they leave behind networks or communities of activists who defend the gains and carry on the campaigns, often at a grass-roots level (Tarrow 1994, p. 172; Staggenborg 1998). To carry on in this way was more difficult for American than European activists, since neither unions nor parties in the U.S. were particularly welcoming (Tarrow 1994, pp. 176). American activists who did manage to move from the social movements of the 1960s into the labor movement, for the long haul, were either strongly committed, fortunate enough to link up with one of the few welcoming unions, or both.

It wasn't that business union leaders didn't try to reverse decline. By the 1980s, it was no longer possible to pretend that things were fine. An employer offensive against unions had gathered force, starting on a large scale in the 1970s, receiving official blessing in Reagan's firing of the PATCO workers in 1981, driving union membership rapidly downward in the 1980s and 1990s. Decline was driven by employer opposition, backed by the state; but because labor at least in the private sector had missed the social movement boat, unions were more vulnerable to attack than they otherwise would have been. By the 1980s, they had neither strong, supportive institutions (as employers and government had whittled away at labor laws and their enforcement

and interpretations; Gross 1995) nor the force of widespread collective action.¹¹ Labor leaders responded to the crisis in the areas they knew best -- through concession bargaining and expanded services to members -- and they moved beyond such modifications to experiment with labor-management cooperation. In all of these areas, modest gains were made in some cases, but nothing came close to turning the tide. Decline persisted (Kochan, Katz and McKersie 1986).

Labor refocused its efforts on keeping Democratic friends in Congress (the last barrier, perhaps, against union extinction), and getting a Democratic President elected as well. In 1978, with a Democratic Congress and President, they had come close to getting some relief in modest labor law reform -- only to be thwarted by a Republican filibuster in the Senate. With Democrats forever (it seemed) in control of the House, even with Reagan in power, they had high hopes for a renewed push for labor law reform under the next Democratic Presidency. They campaigned hard for Mondale in 1984, for Dukakis in 1988, and for Bill Clinton in 1992.

In the meantime, however, a push to organize the unorganized developed within the labor movement, at the grass-roots level, led in many cases by activists of the 1960s generation. Some unions began to shift resources toward organizing. For the most part, the unions that grew in the 1980s while others declined were the organizing unions. Within the councils of the AFL-CIO, facing failure in so many areas, the new voice began to be heard. In an effort to consolidate what had been learned and to train new organizers, the AFL-CIO founded an Organizing Institute in 1989, directed by Richard Bensinger (himself a veteran of the 1960s). As graduates of the Institute proved their worth in organizing drives, demand for their services rose and the Institute

¹¹. Note the parallel here to an earlier era. Kim Voss (1996) argues that the 19th century Knights of Labor failed because of employer counter-mobilization, and because the KOL as an organization was unable to develop and implement appropriate new strategies to counter the employer offensive.

expanded. A new beachhead for organizing was carved out, and the dialogue and mutual learning grew among the Institute, the organizing unions (such as SEIU, AFSCME, CWA, ACTWU, HERE, UAW), and other unions that wanted to organize.

Against this backdrop, when Bill Clinton and a Democratic House and Senate took office in early 1993, traditional labor leaders were elated. They had contributed to the Democratic victory and expected it to pay off (Friedman et. al 1994). Although they had no coherent strategy of their own for labor law reform, many had hopes for the Commission on the Future of Worker-Management Relations (the Dunlop Commission), appointed by Clinton to study and propose win-win reforms for labor-management relations and workplace regulation (Kochan 1995). The Commission heard thousands of hours of testimony and studied long and hard, finally coming up with a consensual but rather watered down package -- but not watered down enough to please either side. In the event, however, the ink was barely dry on the Commission's report when the Gingrich revolution swept into Congress, immediately foreclosing the possibility of any union-friendly legislative reform.

What was missing in 1994 was the same as in 1978: strong, popular pressure in favor of reforms aimed at reducing the barriers to union organizing success. The AFL-CIO and some member unions had organized letter-writing campaigns, but showed no inclination either to consult the members on this issue or to mobilize vast support (the support that a social movement unionism might have achieved) -- and after decades of business unionism it is unlikely that rank-and-file support would have been there to mobilize.

Union organizing activists, meanwhile, carried on with their work. They had looked skeptically at the Dunlop Commission from the start, and now, bolstered by successes in the field

and by the failure of just about every other approach, they began more openly to talk about in-house revolution and a massive shift of resources from servicing to organizing. When Newt knocked the final props out from under the aging “our Democratic friends will take care of us” gang -- the labor equivalent in the political arena to business unionism in the economic arena -- John Sweeney in 1995 announced his candidacy for president of the AFL-CIO.

In his winning campaign, Sweeney and his slate partners, Linda Chavez-Thompson and Rich Trumka, rode the crest of a growing internal reform movement. Upon taking office, the new leaders swept house at the Federation, brought in younger activists and staff members (most AFL-CIO departments are now headed by former 1960s activists), cleared the movement-debilitating cold warriors out of the International Affairs Department, and announced a massive \$20 million shift of resources into organizing.¹² Since 1995, expanded training programs and hiring incentives for organizers, new union education programs, central labor council mobilizations, countless organizing drives, and highly effective grass-roots political campaigns have taken shape across the country. High-profile organizing, strike and political victories have raised labor’s visibility and strengthened its role as a newly fortified actor in the political economy.¹³

¹². Thus veterans of earlier social movements help to promote new social movements (or in this case awaken a slumbering labor movement to its social movement potential), a pattern well known to social movement theorists (McAdam 1988; Voss and Sherman 1998).

¹³. Watershed victories, none of which would have been possible in the 1980s, include the union representation election victory in early 1999 for 74,000 homecare workers in Los Angeles, the result of a long but relentless SEIU organizing drive; a major strike victory at UPS in 1997, as the Teamsters campaigned around the broad issue of part-time work, with widespread public support; and the fast-track victory in Congress, also in 1997, led by the AFL-CIO in alliance with environmental groups, placing an important obstacle in the way of free-trade agreements lacking in labor and environmental protections.

This is a heartening story as far as it goes, and clearly offers the best (and perhaps last) hope for the revival of the American labor movement. Activists and leaders, however, have much more in mind than a simple turnaround in declining union membership (and this has yet to come, although the decline in membership density has slowed -- but such changes do not occur overnight¹⁴). What many of them seek is nothing less than a widespread, full-fledged social movement unionism, one that can translate, at the appropriate time, into an even wider social movement coalition -- in alliance with community groups, churches, environmental groups, women's groups, minority groups and others, fueled by inequality, by two decades of growing economic and social polarization in America (see, for example, Sweeney 1996, pp. 154-57). They believe the conditions are right for such a social movement, and that indeed it will take the power of such a movement to transform the institutions, to re-establish, for example, the right to organize, to overcome the "representation gap" and the general powerlessness so widespread in the economy and society (Bronfenbrenner et al. 1998). And they also believe that in so doing, they will not only reduce America's extraordinary inequality but will push firms toward the high road, adding important "social value," at and beyond the workplace, that is compatible with strong economic performance (Wever 1998).

In the American story: social movements have in the past shaped democratic institutions; in the absence of renewed social movement energy these institutions have stagnated and decayed; and the current hope, and strategic orientation, of many American labor leaders and activists is fo

¹⁴. In 1998, union membership actually grew by 100,000, from 16.1 to 16.2 million. But this growth still did not keep up with the pace of job creation, as union membership density continued to drop (although at a very slow pace, from 14.1 to 13.9 percent). (Figures supplied by the Bureau of Labor Statistics).

the organizing energy of a new social movement unionism to build the broad power necessary for institutional reform and even transformation, to combat economic and social inequality.

The United Kingdom: From Devastation to Renewal

The massive prolonged defeat of the British labor movement at the hands of Margaret Thatcher and her administration is one of the more dramatic turnarounds in the fortunes of a labor movement in the history of democratic society. With but few exceptions, such sweeping nationwide routs of independent trade unionism have occurred only where democracy has been replaced by authoritarian governance: in Hitler's Germany, in Franco's Spain, in Pinochet's Chile, and other such cases. The British rout was not quite of that magnitude -- unions and their leaders were not forcibly suppressed, and independent trade unionism did not disappear -- but unions found themselves everywhere under attack in the labor market and in legal and political arenas, membership density plummeted from 56 percent to 30 percent (1979-1997), and by the late 1980s, labor leaders were shell-shocked and once mighty British unions had become quietly defensive organizations fighting for survival.

Social movements shape institutions. More specifically, when institutions of democratic representation are established or reformed, the power of mass collective action is likely to be the decisive shaping force (Kelly 1998). This does not mean, however, that the institutions will function well or even survive. This is what happened to British labor in the critical 1960s and 1970s: unions grew rapidly in those decades, to become powerful actors in the workplace and in the broader political arena. They did so to a large extent with the added energy and force generated by activists newly radicalized in the social movements of the 1960s. By the 1970s, the

mobilizations of British unions, in strikes and other actions, had in many cases taken on a social movement quality. Wedded, however, to a history and ideology of voluntarism, British unions did not use their new power to build a broad institutional framework in which their influence could be entrenched, for the long periods in which social movement energy subsides (Howell 1995). As a result, when Thatcher came to power in 1979 and launched a decade-long attack on union influence, unions had no effective institutional anchors (as German unions did, for example, when Helmut Kohl launched his ill-fated *Wende* in the early 1980s, meant to include a rollback of union influence).

The British labor movement has a long tradition of voluntarism, an orientation that opposed state interference and allowed the power of shopfloor and sometimes industry-wide mobilization to deliver the goods. British labor has also always been highly decentralized (some would say fragmented) into hundreds of craft, industrial, mixed and general unions, in which the real power is often found in the person of the shop steward, at the shopfloor or plant level. Products of Britain's early and gradual industrialization, both voluntarism and decentralization have been highly resistant to change, reflecting an ancient institutional framework deeply embedded in modern British history. As many have argued, the industrial relations framework is but part of a larger set of economic and political institutions inherited from the age of empire, no longer appropriate to the economic demands of the 20th (let alone 21st) century and to a large extent responsible for Britain's long, painful decades of relative decline (Hobsbawm 1969; Zysman 1983; Hall 1986).

As in the United States, the first legally consolidated unions in the U.K. were craft unions, beginning in the 1860s. A social movement dimension first entered the modern organized labor

movement in the 1880s and 1890s, as industrial workers mobilized for recognition and against craft union exclusivity. These battles brought thousands of new workers into the labor movement and broadened, transformed, and greatly increased the power of the Trades Union Congress and its member unions (a social movement thus shaping institutions). By 1907, the labor movement was ready to establish a second arm in the founding of the British Labour Party. From that time on, labor leaders looked at unions and party as two wings of the same movement, the one (the Labour Party) building the structures and membership of a modern political party and working its way toward national power, the other (the unions) together under one umbrella federation (TUC) but internally decentralized into thousands of voluntarist bases of power. Given such structure and tradition, this was never a cohesive labor movement, but it was one that was often capable of powerful influence in specific areas within the economy and in the political arena as well, as the Labour Party grew to displace the Liberal Party in Britain's essentially two-party system.

Although British unions experienced periods of mass mobilization -- the General Strike of 1926 is one example -- the power of such collective action was typically not used for the building of comprehensive, empowering institutions of industrial relations to protect labor in periods of economic downturn or political defeat. This pattern would reappear in the 1960s and 1970s.

The British labor movement was broadly revitalized by the social movements of the 1960s. A powerful spirit of rebellion swept through the country in that decade, reflected in the music of the Beatles and Rolling Stones and countless other bands, and taking organized form in the Campaign for Nuclear Disarmament, a broader peace and anti-Vietnam War movement, women's and environmental movements and more (including anti-Pinochet demonstrations in the 1970s). Unions participated in the antiwar movement while labor leaders confronted new demands for

representation from within growing sectors of the economy -- from the public sector, in service areas such as healthcare and teaching, and in service industries such as banking and insurance, with such demands often arising from traditionally non-union white-collar technical, professional and managerial employees. Public sector and service industry unions grew rapidly, more than replacing any losses in traditional blue-collar manufacturing industries.

The growth phenomenon for British labor in the 1960s and 1970s was similar to public sector union growth in the United States in the same period -- and no doubt related. Just as the music of rebellion quickly crossed national boundaries, so too did the related social movements of the era. These movements revitalized labor in the American public sector and throughout the British economy by way of young, radicalized employees, demanding a better workplace and not afraid to speak out, by way of the contagious effects of activism, as workers saw what others had achieved (be they workers in other areas and countries or university students or peace demonstrators), and by creating a broad social fabric of mobilization, in which labor struggles could be sure to find new allies and supporters. One effect, in response to growing inflationary pressures, was a wave of wildcat strikes in the late 1960s and early 1970s -- led in many cases by a new generation of union activists. The generational phenomenon is described in this way by John Kelly (1998, p. 99):

By the late 1960s, according to Phelps Brown, this new generation of union activists had become a "critical mass," sufficiently numerous and influential to force radical shifts in union policy and workers' militancy, albeit after long and often bitter factional struggles inside almost every one of Britain's largest unions.

Why was the effect so much broader in Britain than in America? For one thing, the public sector was much larger as a percentage of the workforce in the U.K. With so many industries

nationalized and with Labour in power for much of the period (1964-70, 1974-79), there was little or no opposition to expanded union membership and activity in traditional and previously non-union sectors alike. For another thing, inflationary pressures, along with other chronic economic problems in the context of Britain's long "relative decline," became acute by the 1960s, giving workers good cause for militant demands aimed at maintaining or improving standards of living. In addition, Britain did not have the same legacy of slavery that had divided the workforce into black and white, leaving white American labor leaders in many cases ambivalent about the civil rights movement (and it was civil rights that ignited all the rest in the U.S.). And finally, typically socialist British labor leaders had no use whatsoever, in most cases, for militant AFL-CIO anti-communism, the nearly terminal disease that isolated the American labor movement from the revitalizing forces of the 1960s.

In part as a result of social movement revitalization, British labor leaders found themselves with great power in this era. Under the Labour governments of Harold Wilson and James Callaghan, top TUC and member union leaders negotiated incomes policy agreements, in package deals that traded wage restraint for tax reductions and other labor-friendly policies, and aimed to help solve the chronic economic problems of Britain's continuing relative decline (Taylor 1980; Leys 1983). In the 1970s, labor unions were incorporated into an explicit "social contract," to regularize influence in government policy-making and engage in ongoing tripartite negotiations aimed at finding consensual solutions to economic problems (so severe by the mid-1970s that Britain was forced to seek IMF support, a most humiliating admission of defeat for a supposedly advanced industrial society). Labour governments passed union-friendly legislation and supported union practices and incorporation, in the form of tripartite Wage Councils, labor laws passed in

1974 and 1975 supporting union recognition and collective bargaining and establishing new rights in the workplace for workers and unions, 1976 legislation on statutory union recognition, and more -- all manifestations of institution building that moved beyond traditional voluntarism (Howell 1995, pp.163-171; Towers 1997, pp.165-70).

As a further reflection of their newfound power, British unions, it turned out, could also bring down what they had helped to build. In 1969-70, incomes policies failed in part because many union leaders, and especially the shop stewards out in the real centers of power as well as the workers they represented, decided they were getting a raw deal: wage restraint in a period of rising inflation (thus real wage loss) with no meaningful compensation. With their shopfloor power, they pushed wages up in opposition to the national deals. A few years later, in 1974, under the Conservative government of Edward Heath, a successful miner's strike brought the government down and Labour back to power. The on-again off-again success of new incomes policies between 1974-79 again reflected both labor leader incorporation into policy-making as well as growing shop steward power to follow or to subvert. And finally, a series of strikes, especially in public services, in 1978-79 (the "Winter of Discontent") contributed importantly to bringing down the Labour government, and to the 1979 election victory of Margaret Thatcher and the Tories (Marsh 1992, pp. 59-64).

Since 1979, the change in policy orientation of both Labour Party and trade unions has been dramatic. Nothing breeds an openness to innovation like failure after failure. Thatcher was re-elected in 1983 and 1987, and John Major was re-elected in 1992 and only defeated in 1997, by which time Labour Party and unions had greatly moderated their politics and their image. For eighteen years, Tory governments pursued policies of radical anti-unionism, driving union

membership downward along with union influence in the workplace and throughout society (Towers 1989; Marsh 1992).¹⁵ The attacks were broad-based, sweeping and prolonged, including: macroeconomic policies of monetarism and fiscal austerity that deepened the recession of 1979-1983, collapsing employment in industries in which unions were strong and pushing unemployment rapidly upward, thus seriously weakening union bargaining power; specific policies of privatization and deregulation that attacked union influence in particular industries and firms; and legislative attacks in the form of a new series of laws passed throughout the 1980s and into the 1990s, aimed explicitly at curbing union power. Institutional reforms of the 1970s (such as Wage Councils and union recognition rights) collapsed with barely a trace. Unions did resist, especially in the early years, and occasionally won the modest victory. But overall the picture was one of massive defeat and decline, punctuated dramatically by the defeat of the once mighty National Union of Mineworkers in the winter of 1984-85 (Towers 1989).

Why was Britain's powerful labor movement so vulnerable in the 1980s? True, the attacks were intense and well-orchestrated and came in waves on multiple fronts. Any labor movement would have reeled under such attacks. But why was defeat in this case so thorough-going? Why was there no effective defense in virtually any of the areas of attack? I believe that an important part of the answer lies in the fact that British unions, in their institutionally underdeveloped voluntarism, had inadequate institutional supports when economic and political circumstances turned against them. They did have legal rights regarding union recognition, first

¹⁵ John Kelly, in common social movement literature language, refers to this as "counter-mobilization," on the part of government and employers, in response to growing labor movement activism and power in the 1970s (Kelly 1998, pp.101-2, 129).

acquired in 1976 under a Labour government, but these were easily eliminated by the Thatcher government -- made possible in turn by the centralization of political power in the British parliamentary system (Towers 1989). They lacked a well developed framework for comprehensive collective bargaining, although multi-employer bargaining was widespread and bargaining coverage had reached 75 percent by 1979. Nor did they have any European-style constitutionally mandated works councils or supervisory board participation or any other codetermination rights or even information rights on which to build, campaign and establish or protect influence in the workplace. The existing regulation of industrial relations in the workplace gave them little if any protection if, for example, an employer, emboldened by economic and political circumstances, decided to ignore the union, or play one union off against the other, or coopt a few union members into a house union friendly to the company and hostile to other unions. Weak institutionalization left British unions dependent upon their own ability to mobilize, upon their own organized power. When that power collapsed in the face of severe economic and political conditions, British unionists had no platform upon which to stand (see also Howell 1995).

Although revitalized British unions had begun to build up useful institutions by the 1970s, they had also fought successfully against both Conservative and Labour government attempts to promote a more comprehensive package of industrial relations legislation (Batstone 1988; McIlroy and Campbell 1999). Operating still on the basis of voluntarist tradition, they sought to avoid legislated regulation that would constrain their efforts -- even if such regulation would also

have anchored them more securely at and beyond the workplace (Howell 1995, pp.171-75).¹⁶

Their new, piece-by-piece, still weakly incorporated institutional framework could not survive and offered little support in the face of government opposition and employer withdrawal in the 1980s.

And finally, internal union reform in the 1970s played itself out not in strategic strengthening at multiple levels, but largely in broad decentralization, increasing the role of plant bargaining and the shop steward (Batstone 1988). British unions, therefore, did not adequately reform their own organizations for long-term influence in adverse circumstances (Howell 1995).

By the time the Labour Party returned to power in 1997, the labor movement was a shadow of its previously vibrant and militant self. Although exuberant on the surface about Labour's election victory, union leaders knew they would not get great support from a Tony Blair-led government, nor was there any chance of returning to the good old days. A new generation of labor leaders now pursued for the most part quite moderate strategies, which they sought to coordinate under the leadership of new TUC General Secretary John Monks (Waddington 1995).

Aside from letting go of general militance and the specific advocacy of traditional socialist goals such as nationalization of industry, one big change involved a reorientation toward Europe. Long skeptical toward the market-oriented project of European integration, British union leaders went from anti-EC militance in the early 1980s to become the most pro-European of British

¹⁶ This is not to say that those packages were suitable from a union perspective. But the unions led the opposition to them without offering or negotiating an alternative package, one that would have given them a more union-friendly, comprehensive institutional framework. See Clemens (1996) for an argument that institutional change is more likely when a particular institution is not embedded in an institutional framework. In the British case in the 1980s, institutional change was facilitated in this way, and meant either elimination, serious weakening or transformation.

interest groups by the 1990s, by way of a 1987 "conversion" experience. Jacques Delors, President of the EC Commission, addressed the TUC convention that year, calling dramatically for a "social Europe," one that included strong unions and worker rights and social legislation, one that would give back to British unions some of the powers they had lost under Thatcher (so it was implied) while at the same time British unions would open a new front in the battle for a stronger social dimension -- at home and in collaboration with their European counterparts. Weakened British unions accepted this offer of support and solidarity: based, it should be emphasized, on the institutionalized strength of other European labor movements and the early institutional arrangements and legislation they were building at the European level. While British unions had not used their earlier collective strength to build adequate institutional support, other European labor movements had -- to the good fortune of British unions who now sought to draw on that institutional strength, as a new vehicle for reversing their decline (Howell 1996, pp. 518-522; Heery 1998, pp. 348-350).

From the European connection evolved a new stance on the part of some British labor leaders, one that would soon become prominent at the TUC: an orientation toward social partnership. A radical break with British labor's voluntarist past, this approach sought to rebuild strong unions through good relationships with business leaders, via win-win bargaining, European works councils, and a new understanding of the realities of competition in the global economy. Elected TUC general secretary in 1994, John Monks, articulate and telegenic, embodied this perspective and put it forward on an ongoing basis in discussions with CBI (Confederation of British Industry) leaders, with heads of large corporations, and with government officials. The social partnership strategy aimed at nothing less than to (1) bring Britain more fully into the

European Union, (2) replace adversarial relations with cooperative relations that could raise both productivity and wages while giving employers less cause to oppose union recognition, and (3) improve the British economy while strengthening the unions.

Since Labour's election victory of 1997, the TUC has also worked closely with Cabinet members and other government officials to develop new legislation supporting the right of unions to organize, gain recognition and bargain. The White Paper "Fairness at Work," issued in early 1998, lays out the government's intention to set a positive new framework for good and just relations in the workplace. After pages singing the praises of entrepreneurship, the White Paper does indeed offer important rights to British unions. The two most significant are: (1) automatic recognition when the union has gathered a majority of signatures from the workforce (American unions call this "card-check recognition," and would give just about anything to gain that right); and (2) the right of union representation for any union member in any workplace, even for only one member (thus affording unions access just about anywhere for representation and organizing).

In these efforts, British unions aim to build up the missing institutional framework, to make it possible for unions once again to consolidate and grow. Since social movement power in the 1960s and 1970s was not used to shape effective institutions, union leaders are now more quietly promoting institutional change, this time based to a large extent on the goodwill (and political debt) of their allies in the Labour government -- in a fragile process that could still go awry. Addressing the need for internal reform, many unions have merged to form several "super unions," to consolidate political and economic strength from top to bottom.

It is unlikely, however, that new legislation, mergers and social partnership efforts will be enough to revitalize the British labor movement. For social partnership to work from a labor

point of view, unions must be strong and capable if necessary of widespread rank-and-file mobilization (as the German case below demonstrates). And for the new legislation to mean anything, unions must use it actively to organize the unorganized. Increasingly, in fact, the voices of activism and new rank-and-file mobilization are heard within the TUC and its member unions. A central element of the TUC's "New Unionism," launched in 1996, is a commitment to organize new members, for "in-fill" (where a union already has a significant presence) but especially in new organizing, directed at non-union workplaces in service industries, electronics and other places where union presence is weak (Heery et al. 1998). To do this, the TUC has taken a close look at the new organizing orientation and efforts of the AFL-CIO and its member unions, as well as similar efforts in Australia. Delegations from the TUC have traveled to the States, while American organizing experts such as Andy Stern, SEIU president, and Richard Bensinger, former AFL-CIO Director of Organizing and founding director of the Organizing Institute, have come to the U.K. to work with TUC officials.

Such exchanges demonstrate a growing international solidarity -- in this case mutual learning in cross-border union networks -- as labor seeks global supports in a global economy (Heery 1998, pp. 355-56). Such international exchanges have informed and reinforced the voices within the TUC and member unions calling for a new commitment to organizing. As an important first step, a TUC Organising Academy was founded in January of 1998, modeled explicitly after the AFL-CIO Organizing Institute. With backing from 18 different unions, the Academy hired 36 trainees for its first year. Each union sponsored one or more trainees, who in the course of one year would get both classroom training and organizing placements with the sponsoring union. Applicants far exceeded the number of positions available, giving the Academy and unions the

chance to screen candidates carefully. The majority of the new hires were women, and many came not from the labor movement from other backgrounds in community organizing, environmental and peace movements and the like -- the result of an explicit choice aimed at finding activist-minded organizers not already conditioned in traditional labor movement ways (Heery et al. 1998).

Although it would be premature to evaluate the program, it is clear that the Academy has generated considerable excitement at the TUC and some of the sponsoring unions. Critics point to the fact that two of the largest unions -- TGWU and GMB -- are not participating, but in both cases those unions claim to be pushing organizing activity from within their own organizations (and to be better able to do so by their own efforts). The new commitment to organizing thus extends well beyond the Organising Academy, promoted here and there throughout the British labor movement by organizing activists. This new phenomenon parallels developments in the U.S.: a potential upsurge of rank-and-file oriented social movement unionism, in the British case to prepare for widespread use of the new legislation, and to underpin high-level social partnership strivings and negotiations. That the advocates of social partnership and organizing are often quite opposed in their ideological and practical orientations (expressed at times in vociferous debate) does nothing to diminish the fact that for the revitalization of the British labor movement they may well be necessary complements (Heery 1998, pp. 354-356).

Germany: Strong Institutions, Rank-and-File Mobilization

Strong unions, comprehensive collective bargaining and codetermination in contemporary Germany are products of a long history of collective action and popular protest. A strong labor

movement dates from the late 19th century, works councils from the 1890s and from a revolutionary upsurge at the end of World War One, and both unions and works councils were strengthened in legislation passed in the 1970s, on the heels of the social movements of the 1960s. German unions have used periodic rank-and-file mobilization to increase bargaining power in negotiations with strong German employer associations; and such top-down mobilizations have revitalized the unions throughout the postwar period. It is unlikely, however, that the mobilization of existing memberships will be enough to maintain numbers and influence in the face of today's intensified pressures (European integration, global economy, increasingly aggressive employers), as now even strong German unions find themselves in the unusual position of membership density decline. Yet unions in unified Germany have yet to mobilize for new organizing, as unions in the U.S. and U.K. have done. Can it be that strong institutions block innovations in grass-roots organizing and other strategies for renewal?

Unlike labor movements in Britain and the United States, German labor has undergone periods of brutal repression in the course of industrialization and German economic and political development. In the wake of Prussian-led unification in 1870, German industrialization pushed forward at a "catch-up" rate, far faster than comparable processes in earlier industrializing Britain and America. German social-democratic and labor movements developed equally quickly in the face of hostile employers, so much so that conservative Chancellor Bismarck outlawed both unions and Social Democratic Party from 1878-1890 (Grebing 1985). Unrest continued, however, as repression largely failed, and when the lid came off in 1890 (a result of modest concessions toward greater parliamentary democracy), union growth shot upwards: from 350,000 in 1890 to 850,000 in 1900 to 2.4 million in 1914 (Berghahn and Karsten 1987, p.143).

Activist pressure during this period not only multiplied union membership levels but also made the Social Democratic Party the largest in Germany, and gained bargaining concessions and the establishment of some early factory councils at the workplace, all in an overall context of employer and government hostility. Although German workers and unions were largely coopted into the war effort in 1914, unrest continued in the face of repressive military and employer policies, exploding at the war's end in the form of revolutionary workers' and soldiers' councils across Germany. Forcibly suppressed, the revolutionary councils nonetheless provided the impetus for the incorporation of mandated works councils in founding legislation of the Weimar Republic in 1920. Today's moderate works councils in Germany, it is therefore fair to say, are to a large extent products of a period of revolutionary uprising.

The unstable and ultimately tragic fate of the Weimar Republic is well known: subverted throughout its brief history by authoritarian forces within, such as the still largely Prussian civil bureaucracy and military, democratic forces failed to coalesce around a unified leadership or, after 1929, around a set of policies to lift Germany out of depression. In this vacuum of leadership and policy, Hitler came to power in 1933 and, among other things, abolished unions and works councils in his first few months in office -- this time far more forcibly than his predecessors had done in 1878-1890 (Grebing 1985, pp. 131-141).

After the horrors of war and holocaust, West Germany, with allied guidance and support, finally pulled together the ingredients for stable democracy. One ingredient was a new structure of unitary unions, open to socialists, social democrats, christian democrats and conservatives alike, sixteen non-competing industrial unions to divide up the private and public sectors of the economy, linked together in one common labor federation. In negotiations with their employer

association counterparts, these unions would in time provide comprehensive collective bargaining coverage to most West German (and after 1990, all German) employees. Another ingredient, the works councils, appeared spontaneously in workplaces after the war, building on revolutionary and Weimar legacies, formally incorporated in legislation of 1952 and 1972. Together, comprehensive collective bargaining and codetermination (the dual system) have become the institutional pillars of strong German unionism and industrial relations in the postwar and post-Cold War periods (Markovits 1986; Katzenstein 1987, pp. 125-167).

What has prevented institutional decay or degeneration into American-style business unionism, or defeat at the hands of a long-serving conservative government (Helmut Kohl's 16 years in office far exceeded Margaret Thatcher's 11)? German unions have been revitalized in three significant ways. The first was institutional. After the disappointment of 1952 codetermination legislation that drew sharp lines between unions and works councils in an attempt to keep unions out of the workplace, unions adapted by running slates of candidates in works council elections and winning. By the 1960s, in a process that would only deepen, unions had established entrenched positions on the works councils, in effect turning these legally protected bodies to their own purposes. In so doing, the unions established two mutually reinforcing institutional anchors for their bargaining agenda and influence: comprehensive collective bargaining at the industry level and codetermination at the firm level.

The second source of revitalization, especially important for the argument presented here, was the social movements of the 1960s. The protest orientation of student and antiwar movements took hold in the workplace in strike waves (often wildcat) of 1969, 1971 and 1973. Speaking of the first wave:

Unrest spread at the shop-floor level, which finally exploded in a wave of spontaneous unofficial strikes in September 1969. Dissatisfaction in the factories was fanned by the left-wing student movement which had proliferated in the wake of the Grand Coalition, but must also be seen as part of the world-wide upsurge in youth protest against the Vietnam War accompanied by a neo-Marxist critique of the international capitalist system. (Berghahn and Karsten 1987, p.210)

In fact, labor and student movements fanned each other. The result in the unions was a leadership pushed to a more activist position, to more aggressive demands. As Berghahn and Karsten (1987, p.211) put it: "The response of the union leaders to the incipient rank-and-file radicalism was a traditional one: they put themselves at the head of the movement in an attempt to channel it." In other words, they rode the wave -- and it pushed them to incorporate rank-and-file demands, to bring aboard new shopfloor leaders, and to push for stronger union and works council rights in the workplace. And such rights were soon legislated, in 1972 and 1976 codetermination revisions, by the Social-Democratic-led government (Thelen 1991). The 1972 legislation amended the Works Constitution Act and was especially important for strengthening ties between works councils and unions. 1976 legislation increased the numbers of labor representatives on the supervisory boards of large German firms.

The German labor movement was revitalized by the social movement energy of the 1960s in one additional way: by the 1970s, large numbers of student activists, socialist and pro-working class in orientation, had gone to work for one German union or another, in a variety of different positions and capacities. By the 1990s, the "long march through the institutions" of many of these "68ers" (as they are known in Germany) had brought to positions of considerable power and influence a cohort group oriented, through the experience of their formative years, toward social justice, rank-and-file mobilization, and militance when necessary.

The third key element of German labor revitalization has been periodic, large-scale mobilization. Although Germany in the postwar period is known for its low strike rate, German unions have nonetheless shown themselves capable of protracted strikes when necessary at high levels of solidarity and effectiveness (which is why they don't need to strike very often). Important, pattern-setting victories have come, for example, as a result of IG Metall strikes of 1984 (across West Germany; Thelen 1991) and 1993 (across eastern Germany; Turner 1998), and a widespread ÖTV public sector strike in 1992. Such strikes have not only mobilized the rank and file (renewing their commitment to the union and raising membership) but have "re-unionized" the works councils, effectively forcing works councillors to lead the strike (wearing the union hat while leaving the works council hat at home) and thereby renew their own primary loyalty to union as opposed to firm.

Far more frequent than the actual strikes are the "warning strikes" that regularly accompany bargaining rounds used to demonstrate strike readiness and rank-and-file solidarity. On such occasions, workers walk out for an hour or a day, to show off their numbers and spirit, in a typically festive atmosphere in which employer idiocy or stubbornness are condemned while unionism and collective protest and power are celebrated. Union leaders are quite open in acknowledging that such displays of solidarity serve both to strengthen bargaining power vis-à-vis the employers and to renew rank-and-file ties to the union (e.g., Turner 1998, pp. 1-16).

There is a social movement feel to these rank-and-file mobilizations, yet such expressions of popular protest are neither spontaneous nor grass-roots in origin; rather they are orchestrated from the top down for specific bargaining purposes. Given the long-term success of the German unions, in comparison to the unions of other large industrial societies, the tactic is arguably an

effective one -- and certainly a popular one with German workers. The question now, however, in an era of intensified European and global competition in which even German union membership is dropping, is: are such tactics enough? Are strong institutions and top-down rank-and-file mobilization enough to ward off decline?

The answer has to be negative. Even with strong institutions, even with the benefit of revitalization via the last social movement wave (the 1960s), even with the capacity to strike or warning-strike with solidarity and enthusiasm, even though the membership can be counted on to mobilize when called, union membership density is now on the decline (under 30 percent and falling). Unions have remained influential in German society for all of the above reasons, and especially thanks to their strong institutional position (Thelen 1991; Turner 1991). And they have received a boost, they believe, in the 1998 election of a red-green federal government. Over time, however, declining numbers can only mean declining influence.

The problem now is that while unions remain powerful in their strongholds, they are weak in their capacity to organize growing groups in the workforce such as women, the young, and white-collar workers. For women and white-collar, some unions -- such as ÖTV, HBV and GEW -- have done better than others. Young workers, however, appear to be a problem for all unions, and in all of these categories membership levels are low.

Yet German unions do not have well developed strategies to organize the unorganized. They recognize the problem, discuss it widely, write articles and position papers, hold conferences. On a broad scale, however, they have not yet moved beyond existing approaches: exhorting shop stewards and works councillors to sign up the non-members in their workplaces; and exploiting situations of collective bargaining conflict to bring in new members. Neither of

these time-tested strategies, however, appear adequate to the current challenges: to push toward major breakthroughs in organizing women, youth and white-collar employees.

German union leaders know about the shift to organizing (much of it directed toward women and youth, as well as minorities) in the American and British labor movements. German unions have far greater resources at their disposal should they move in such a direction. Yet there is no indication that they are seriously considering such a move, even on a pilot project basis. Perhaps they are waiting to see results from Britain and the U.S. On the other hand, there are good reasons not to attempt so radical a shift in strategy: the expense is great and funds must be reallocated from somewhere else (and in the German case, that "somewhere else" no doubt has strong a institutional position of its own); union leaders set in their ways must be persuaded and re-educated, and considerable internal conflict can ensue between organizing advocates and traditionalists; large numbers of new members (especially from new groups such as youth and women) with new demands can de-stabilize an organization and challenge existing leadership. It may be that German unions, in solid institutional position, are simply not desperate enough to move toward a risky and potentially de-stabilizing new strategy -- even if that strategy may be necessary in the long run. It may take the desperate straits to which American and British labor movements have come to motivate such a major shift in strategy.¹⁷

¹⁷. For Voss and Sherman (1998), a sense of crisis is a necessary ingredient in promoting major shifts toward organizing and tactical innovation. The other two ingredients in their analysis of local union revitalization are: support from national union headquarters (which in Germany may only come with perceived crisis), and local activists with experience in other social movements, who may bring with them tactical innovations (and there must be many in Germany, the land of the Greens, who could be mobilized for labor movement revitalization, should unions open the doors to organizers and tactical innovators from other movements).

German unions are strong in part for the effect that social movements have had in building institutions: post-legalization upsurge of the 1890s built both strong unions and a powerful Social-Democratic Party; revolutionary movement of workers' and soldiers' councils of 1918 generated (in defeat) the more moderate but legislatively mandated works councils of the Weimar Republic in 1920; social movements of the 1960s and 1970s revitalized the unions internally and contributed to new legislation strengthening works councils and unions. German unions are also strong because they have continually renewed the union commitment of members and works councillors in warning-strike (and occasionally full strike) actions: rank-and-file mobilizations expressing an element of social movement unionism. As a result, German unions remain solidly positioned and well anchored institutionally within the German political economy -- so well, in fact, that the urgent need for new strategies to organize the unorganized may go unmet. Against the potential turbulence that a shift toward fuller social movement unionism may bring, the institutional conservatism of the still powerful prevails.

Social Movements and Labor Institutions

Social movements rise and fall, in unpredictable historical waves (made more predictable in one view as "long waves"; Kelly 1998, pp. 83-107). When the upsurge is led by or includes the labor movement, great pressure can be exerted on existing institutions of workplace representation for reform or transformation.¹⁸ This occurred in Britain in the 1890s, in Germany

¹⁸. See Heberle 1951 (pp. 447-459) on social movements as a positive force that can, in pushing for reform, save a society from destruction. As an example of this, see Tilly and Tilly 1998 (pp.231-32) on the capacity of strike waves for changing institutions, including industrial relations, with potentially strong impacts on the changing organization of production.

in 1918-1920, and in the United States in the 1930s. In all of those cases, social movement power was used by labor to build new institutions, to further labor's interests in subsequent years, even after the social movement had subsided. In all cases, the efforts succeeded: for industrial and general unionism and the new Labour Party in Britain; for the works councils in Germany; for industrial unionism and the NLRA in the United States.

In all cases, however, problems ensued in the longer periods between social movement uprisings, or cycles of protest. In Britain, a legacy of voluntarism prevented labor from using the power of popular protest to build cohesive institutions of industrial relations. By the 1980s, this neglect would prove crippling. In Germany, works councils and unions were abolished by Hitler, only to reappear in a postwar institution-building context that provided anchors for union and worker rights that were finally expanded and consolidated in legislation driven by the next social movement wave (in the 1960s and 1970s). In the U.S., the postwar transition from social movement to business unionism led to four decades of decline, as the life drained out of a demobilized labor movement.

The last major social movement wave occurred in these three countries in the late 1960s and early 1970s. Civil rights, antiwar, student, and women's movement activism (to a greater or lesser degree in each country) spilled over into labor unrest, wildcat strikes and new workplace demands, and vice versa. In Britain and Germany -- as in Italy and France -- the labor movement was revitalized and strengthened by this upsurge of social movement activism. In Britain, unions grew rapidly and became more active in both economic and political arenas; but they did not use their new power to build effective, cohesive institutions. As a result they found themselves suddenly vulnerable when Thatcher came to power and political and economic circumstances

turned against them. In Germany, unions rode the crest of wildcat strike waves and used the momentum to push successfully for new codetermination legislation, to strengthen the position of both unions and works councils. In the United States, by contrast, a "members-only" brand of business unionism combined with an ideological anti-communism to isolate much of the private sector labor movement from the social movements of the 1960s. The opportunity for revitalization was to a large extent blocked, leaving labor to fall off into another two decades of decline and decay.

In the late 1990s, now 25 years from when the last social movement wave subsided, all three labor movements find themselves in need of renewal. In the U.S., the situation is downright desperate -- and that desperation in a context of weak institutionalization has yielded significant efforts to experiment and innovate, with new strategies focused on rank-and-file mobilization and social movement unionism. In the United Kingdom, unions, shell-shocked after 18 years of Toryism, are once again hopeful, with Labour in power and the European Union's social dimension ever closer. While advocates of social partnership take the high road toward Europe and labor-management collaboration, new American-style organizing activists take the low road of grass-roots mobilization. Organizers share the American vision of social movement unionism, viewing rank-and-file mobilization as the necessary ingredient to activate institutional rights and bring new life to Britain's tired unions. German unions, by contrast to both British and American, have stayed strong through the 1980s and 1990s by way of strong institutions -- and so far show little interest in pursuing the kinds of organizing and mobilization strategies now building in the U.S. and U.K., in spite of currently declining membership.

To move beyond these three cases, for future research, the evidence presented here supports several hypotheses, valid for institutions of representation (based on the workplace, but perhaps beyond as well, at least in adapted form) in political democracies:

(1) **Social movements shape institutions.** This generalization appears to be widely applicable in very different ways: some social movements, for example, have a transforming effect while others are limited to a more modest incorporating effect.¹⁹ More specific work is needed here on the conditions under which institutional change is great or small and occurs in particular ways, along with the varieties of social movements that generate particular kinds of change; and finally what kinds of institutions are more or less susceptible to social movement driven change, and how the interaction between social movements and institutions shapes specific types of change. The four additional hypotheses below address these questions to a certain extent, as suggestions of causal relationships drawn from the findings of this paper.

(2) In particular, **social movement waves (across a range of progressive issues) can revitalize labor movements, unless revitalization is blocked by institutionally entrenched (labor) leaders or barriers.**

(3) In the labor arena, **social movements shape institutions by way of revitalized labor movements (mobilized themselves into social movements or as part of a broader social movement cycle).**

¹⁹ See Guigni 1998 for a general discussion of the effects of social movements, in three broad processes: incorporation, transformation and democratization. The author notes the past neglect in social movement research of the effects of the movements, in the emphasis on causes and the study of processes, and calls for new work in this area (social movements as independent variables rather than dependent variables) -- exactly what is being attempted here.

(4) New or reformed institutions of representation will themselves stagnate and decline over the long run, unless revitalized through popular protest and participation.

(5) Labor institutions are vulnerable to attack by employers or governments when the institutions are new and not yet consolidated, or when the institutions are old and stagnant, unreformed by popular forces of revitalization.

These hypotheses are drawn from evidence in three countries. Although the various historical periods of social movement activity raise the number of cases considered to nine or ten, the arguments here require testing against experiences in many more political democracies. Studies of labor and other social movement uprisings in France and Italy in the late 1960s, for example, would likely confirm the central "social movements shape institutions" proposition, while also adding to our knowledge about the conditions under which particular kinds of change occur (i.e. concerning the four additional hypotheses and others yet to be developed as well). For French labor, to cite an obvious possibility, inter-union contention could well be added as one way in which revitalization can be blocked by labor leaders (hypothesis 2).

Taken together, the general argument and accompanying hypotheses offer a synthetic perspective on social movements and institutional change, one that would not emerge from working in only one area or the other. Bringing the study of social movements and institutions together offers rich possibilities for theoretical breakthroughs and advances in our knowledge of political, economic and social interaction (Clemens 1998).²⁰

²⁰ Note the parallel here to the synthetic perspective developed by Locke and Thelen (1995), that calls for new and rich interaction between contrasting approaches of historical institutionalism and political constructionism. While the former emphasizes the stabilizing effects of institutions, the latter looks at political and social processes of change -- but neither is complete without consideration of the other. The same is true for institutions and social movements, which can be seen as a variant of the Locke and Thelen call, or vice versa.

Social movements, we have seen, shape institutions, especially institutions of democratic representation such as industrial relations. This has occurred time and again in the past, in different eras and countries. When the opportunity is seized by determined actors, the power of mass popular protest can revitalize, reform or transform institutions in ways that strengthen citizen, worker and union rights. As mass membership organizations, however, unions are particularly prone to decline, especially if institutional anchors are inadequate, in the long periods between collective action upsurge.²¹ The cure, argue today's American and British organizing activists, is a renewed social movement unionism that seeks to mobilize the rank and file -- for its own sake in organizing drives, bargaining efforts and political campaigns, but also to help call forth the next broad social movement wave.

That social movements shape institutions is important precisely because of the powerful effect that institutions have, in the long periods between social movement waves, in shaping behavior. And behavior does tend to stay within institutional channels, at least until severe crisis and/or institutional decline and decay set in. Then institutions need renewal; and the contribution of periods of popular unrest and mobilization is to sweep behavior out beyond the constraints of existing institutions, to make accelerated progress and reform possible.

²¹ And in these periods of decline, the labor movement is commonly written off, even by the most sympathetic of scholars (Tilly and Tilly 1998, p.231). See, for example, Touraine's (1986) epitaph for the labor movement, at least as a social movement. By contrast, see Kelly (1998, pp.126-32) for an historically cyclical analysis that predicts the coming of a social movement-type period of labor upsurge and mass protest.

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