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What Has Happened to the U.S. Labor Movement? Union Decline and Renewal

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ABSTRACT

For many years, US trade unions declined in union density, organizing capacity, level of strike activity, and political effectiveness. Labor's decline is variously attributed to demographic factors, inaction by unions themselves, the state and legal system, globalization, neoliberalism, and the employer offensive that ended a labor-capital accord. The AFL-CIO New Voice leadership elected in 1995, headed by John Sweeney, seeks to reverse these trends and transform the labor movement. Innovative organizing, emphasizing the use of rank-and-file intensive tactics, substantially increases union success; variants include union building, immigrant organizing, feminist approaches, and industry-wide non–National Labor Relations Board (or nonboard) organizing. The labor movement must also deal with participatory management or employee involvement programs, while experimenting with new forms, including occupational unionism, community organizing, and strengthened alliances with other social movements.

INTRODUCTION

In 1995, the American Federation of Labor—Congress of Industrial Organizations (AFL-CIO), the body that unites most United States unions into a feder-

ated organization, experienced its first contested election, in which the insurgent slate won, and the victors, led by John Sweeney as president, announced their intent to transform the labor movement (Sweeney 1996, Welsh 1997). Only rarely does a massive institution directly and publicly confront the spectre of its own demise; even more rarely does a bureaucratic organization, albeit one with social movement origins, attempt rejuvenation through a return to its activist roots. This moment of critique and attempted reconstruction prompts a similar response from social scientists, including sociologists, who have devoted surprisingly little attention to the labor movement.

As a discipline centrally concerned with processes of institutional functioning, social movement activism, and class differentiation and domination, this relative neglect is striking. Even scholars who study class or the labor process tend to neglect the importance of group processes of struggle, "focusing on atomized individual workers as the unit of analysis" (Lembcke et al 1994:117). This emphasis has both impoverished sociology and led labor studies "to recede from the intellectual scene, principally becoming a professional area for training union officials and negotiators" (Lembcke et al 1994:114). But outstanding work of the past ten to fifteen years exemplifies the rewards of a renewed focus on the labor movement; four recent collections are especially notable as introductions, each including the work of both academic and labor scholars (Bronfenbrenner et al 1998, Fraser & Freeman 1997, Friedman et al 1994, Mantsios 1998; for a review of earlier work, see Freeman & Medoff 1984 and Cornfield 1991).

Unions provide a laboratory for the analysis of a variety of social phenomena. Thirteen million members are in AFL-CIO unions, including over five million women, two million African Americans, and one million Latino/as, with many additional members in nonfederated organizations like the National Education Association. Even at the present time, strikes involve some 300,000 members per year, and unions successfully organize more than 250,000 workers yearly, with perhaps an equivalent number involved in unsuccessful organizing campaigns. These actions offer social movement scholars an underused resource: the opportunity for systematic study of widely practiced, and often highly risky, forms of collective action. At the same time, labor studies and the labor movement can only profit from contact with sociology's broader contextualization and more explicit theorizing.

The overriding reality that frames the recent history of the labor movement and the social science literature we examine is a dramatic change in the relations between business and unions. Until recently, the dominant scholarly perspective assumed the existence of a postwar "accord" between management and labor, an arrangement whereby business accepted unions and unions became the de facto allies of management, helping to regulate and coopt worker discontent (Aronowitz 1973, Burawoy 1979, Fantasia 1988, Piven &

Cloward 1977). For many critics on the left, the accord meant that unions had lost their oppositional character, while capital valued the benefits conferred by a unionized workforce.

This understanding has been shaken by events of the late 1970s and early 1980s, when corporate forces assumed a far more confrontational stance, and unions found themselves under relentless attack. The vehemence of the employer mobilization suggests that the accord may never have been as fully accepted by capital as many had supposed, that instead capital may simply have recognized the strength of labor and concluded that certain kinds of opposition were not (then) feasible.

The labor movement has responded to this assault in a variety of ways. Some approaches call for a new militancy, supported by innovative and aggressive organizing to confront employer opposition, while others seek ways to recreate the accord and reestablish unions as valued partners. This essay considers directions for the future of the movement by examining explanations for union decline and initiatives for labor's revitalization.

UNION DECLINE

The fact of union decline is beyond dispute. Private sector union density (the percentage of the labor force in unions) declined from 39% in 1954 to 10% today. Decline in membership strength has been accompanied during the past two decades by a larger loss of efficacy. From 1969 to 1979, strikes involved more than 950,000 workers in every year; from 1987 to 1996, by contrast, despite a larger labor force, strikes never involved even half a million workers. Many more strikes were broken, with employees losing their jobs. From 1945 to 1980, union wage settlements almost always involved wage increases; thereafter, unions frequently made concessions on both wages and benefits (Griffin et al 1990, Moody 1988:165-91, Wrenn 1985). Politically as well, unions had diminishing clout, in part because of increasing Republican dominance, but even more so because unions exercised less and less leverage within the Democratic party.

Five major perspectives, found both within the labor movement and among scholars, attempt to explain such changes. These focus respectively on (*a*) demographic changes, (*b*) the role of the union itself as an institution, (*c*) the state, especially the legal system, (*d*) globalization and neoliberalism, and (*e*) the employer anti-union offensive.

Demographic Factors

Even with no change in unions or the legal climate, union strength would decline if unions were strong in population groups and sectors of the economy

that were shrinking. Depending on the time period studied, the methodology used, and the comprehensiveness of the factors taken into account, analysts believe that structural and compositional factors account for 20% to 60% of the decrease in union density (Dickens & Leonard 1985, Farber 1990, Freeman 1985, Goldfield 1987, Western 1997). Many of the significant factors are widely discussed and easily understood: geographic shifts from the Rustbelt to the Sunbelt, occupational shifts from blue collar to white collar, and changes in the gender distribution of the work force. Other factors are less obvious: Western's (1997:120) analyses indicate that the tremendous growth in the US labor force explains nearly 9 percentage points of the 15% postwar American union decline, because a rapidly growing labor force diminishes union density unless unions make huge efforts to organize new workers. Although Western provides probably the best examination of these factors, he himself prefers institutional explanations, criticizing the assumption of the econometric approach that "the key agents are workers and employers, rather than unions." This leads, he says, to an institutionally "thin view of labor movements," which fails to recognize the central role of "organizing effort and the active construction of shared interests" (1997:103).

The Union Itself

If, as Western suggests, unionization results from active effort, then the labor movement must bear a significant share of the blame for its own decline. Goldfield (1987:208) defines the problem as a lack of will: "Unions can put out the necessary effort to win when they have to" but "most of the time... do not put out this sufficient effort." An AFL-CIO report similarly argues, "instead of organizing, unions hunkered down" and "collectively chose the shortsighted strategy of trying to protect current contracts of members instead of organizing new members" (AFL-CIO 1996:5). In consequence, the most dynamic sectors of the economy, including service occupations "employing large numbers of women and people of color," as well as "the growing ranks of professional, technical, and white collar employees, except for those in the public sector," were "left nearly untouched by union activity" during the postwar decades of labor's greatest strength (Bronfenbrenner et al 1998:5–6).

The flawed record of unions vis á vis women and racial minorities is reflected not only in failures of organizing, but by an internal reluctance or inability to address issues raised by the feminist and civil rights movements. Women's presence as union members, for example, falls short of their presence in the labor force as a whole, while gains in leadership have been "quite modest" in relation to gains in membership (Milkman 1985:302, Melcher et al 1992, Cornfield 1993, Roby 1995). More fundamentally, Milkman argues, women have been organized not as women, but "as members of occupational groups which happened to be largely female in composition," with the result

that women were "now squarely *in*, but generally still not *of* the labor movement" (Milkman 1985:302). To the extent that men and women differ in preferred cultural styles and forms of leadership, unions have tended to reflect and to value male (often macho) approaches (Cobble 1993, Feldberg 1987, Sacks 1988).

While the late 1960s saw the emergence of the League of Revolutionary Black Workers as a rank-and-file protest movement (Geschwender 1977), more recent responses such as the Coalition of Labor Union Women and the Coalition of Black Trade Unionists have been largely concentrated among elected officials and staff, focusing, in the case of CLUW, on placing more women in leadership positions "without challenging the basic structure or character of the labor movement" (Milkman 1985:305).

Labor became increasingly distant from other social movements, and unions were not seen—either by unions themselves or by social movement activists—as a primary means of addressing the issues raised by the civil rights, feminist, and environmental movements. Instead these concerns were primarily addressed through new legal rights, governmental regulation, new social movement organizations, and class action lawsuits. Unions participated in these processes but were not generally regarded as crucial actors.

The decline of organizing in the postwar era coincides with an increased focus on contract negotiation and the enforcement of work rules through the grievance system, both of which led to an increase in union staff. Within this framework, the union's shop-floor presence was expressed primarily through its negotiation of work rules and their enforcement through the grievance procedure. Grievances were virtually the only way for workers to address working conditions and conflicts with supervisors within a Taylorist organization of production; the grievance procedure accomplishes this through a multi-step, quasi-judicial process that strengthens the role of staff and attenuates workers' involvement (Spencer 1977). Burawoy (1979:110) notes the individualizing effect of the grievance process: "Each time a *collective* grievance or an issue of principle outside the contract, affecting the entire membership... is raised" the union representative responded "Have you got a grievance? ... If you haven't, give the floor to someone else."

The limitations of the staff-driven union were also evident in politics. Form's (1995) detailed study of Ohio demonstrates that "most union officials think they have a political education program, but most members are not aware of it" (p. 255). Four-fifths were not aware of their union's political action program (p. 251), and very few members were involved in electoral and party activities. Croteau (1995) argues workers hold many progressive political views, but—for a variety of reasons, with the weakness of unions one of the most important—workers doubt their ability to have a political impact and hence see little point in getting involved.

Proponents of an institutional explanation of union decline emphasize that internal factors rendered unions less likely to devote energy and resources to the task of organizing, and less likely to present to potential members a vision of a dynamic, compelling movement organization. This is, however, an interactive process; unions did not devote more energy and resources to organizing in part because of the powerful barriers to effective organizing that originate outside of the union itself, barriers rooted in labor law and in the vigor and resourcefulness of employer opposition to unionization.

The State and Legal System

The United States has not had a social democratic or labor party, and the legal frame creates more difficult conditions for unions here than in virtually any other democracy. The stated purpose of the New Deal industrial relations system was to institutionalize relations between employers and workers and thus provide them with a mechanism, collective bargaining, for resolving differences with minimal disruption (McCammon 1990, 1993, 1994). Unions are part of a legal regime that shapes and channels worker organization and activism through specification of legally permissible and impermissible modes of collective action and through the law's very definition of workplace representation.

Schizophrenia is the dominant characteristic of US labor law. For union recognition, American labor law grants/guarantees workers the right to "self-organize" via the formation of unions, a right realized through the federally mandated and supervised representation election that establishes a particular union as the sole legally recognized bargaining agent for that workplace (or bargaining unit). At the same time, the law protects the right of employers to influence and intervene in this process: "Unique among industrial democracies, US labor law allows employers actively to oppose their employees' decision to unionize" (Comstock & Fox 1994:90, Tomlins 1985), and a series of court and administrative decisions have further narrowed employee-union rights while expanding employer rights (Brody 1997, Gross 1995). A similar split operates in regard to strikes: Workers are guaranteed the right to strike and may not be penalized for doing so, but employers are guaranteed the right to maintain production during a strike and may hire permanent replacement workers. Thus, workers may not be fired for engaging in a strike, but they may be permanently replaced—an academic distinction at best (Fantasia 1993).

Globalization and Neoliberalism

The US legal system creates uniquely unfavorable conditions for organizing or striking, but this framework takes on greater significance in the context of two 1970s changes—a capitalist offensive that involved both political mobiliza-

tion and relentless hostility to unions (Clawson &Clawson 1987), and a complex of economic changes generally referred to as globalization, but which also includes a hegemonic neoliberal discourse and the ideological triumph of the market over all alternative forms of structuring activity.

Western (1997) finds that, in advanced industrial societies, through the 1970s, the trajectory of union strength varied from one country to another. In 13 of the 18 countries studied, for example, union density increased during the 1970s—with the United States the most notable exception. As globalization, the market, and neoliberalism took hold in the 1980s, however, union power weakened in almost all advanced industrial societies. An important contributing factor was the fragmentation of labor markets, as bargaining moved from an industry to a company level, or from a company to a plant level, with workers increasingly competing against one another (Moody 1988). Silver (1995) confirms a sharp drop in labor unrest in core countries in the 1980s but shows that this is paired with a slight rise in labor unrest in the semiperiphery and a sharp rise in the periphery; she argues labor movements are weakened in areas of capital emigration and strengthened in areas of capital in-migration.

Globalization hurts unions in at least two ways. First, "a growing proportion of core workers are now in direct competition with semiperipheral labor"; second, "as the state's ability to manage its share of the world economy declines, movements that rely on state power suffer as well" (Boswell & Stevis 1997:291, 289). Capital's operations are vastly more globalized than those of unions, whose efforts at international solidarity have been fragmentary and, so far at least, largely ineffective (Boswell & Stevis 1997, Borgers 1996).

Floating exchange rates, the increased power of the International Monetary Fund, and de-regulation were politically instituted, as was the current culturally dominant understanding that these are technologically mandated, beyond human control, exogenous to politics, and in effect the only rational way to organize almost any activity. Once instituted, however, these forms exercise a substantial independent effect, constantly reinforced by a pervasive effort to maintain and extend neoliberal interpretations (Tilly 1995, Moody 1997). Under floating exchange rates, state policy is driven primarily by financial flows, not job markets. The world system is considerably more polycentric than it was forty years ago; neither production nor labor markets are confined to national borders. Although the United States is one of the economies least vulnerable to world markets, it is perhaps the most thoroughly dominated by neoliberalism. Out-sourcing, privatization, and the growth of part-time and contingent employment are often as significant as "globalization" per se. Together these processes pose enormous problems for labor unions, whose very existence *necessitates* the restriction and regulation of labor markets. In order to succeed, unions *must* raise the price of labor above what would exist if conditions were left entirely to capital and the market.

Employer Offensive

Although these changes are world-wide, the level of employer hostility to labor is unique to the United States. This hostility is found in many areas—decertifications, concession bargaining, and strikes, for example—but is most marked in organizing campaigns. The 1970s saw the emergence of systematic attempts by employers to maintain "union free" workplaces through delays, "information campaigns," and outright intimidation (Friedman et al 1994). One early indicator of increasing employer resistance to organizing was a decline in the proportion of elections where employers simply agreed to hold the election, without contesting the process through the National Labor Relations Board. "In 1962, 46.1 percent of all NLRB elections were conducted as consent elections," contrasted with only 8.6% in 1977 (Prosten 1979:39). Delay typically represents both a tactic and an indicator of a larger management strategy, most often associated with the use of consulting firms for systematic anti-union campaigns.

Studies conducted by Bronfenbrenner (1993, 1997) and by Bronfenbrenner & Juravich (1998) give the most comprehensive picture of such campaigns. Looking at NLRB elections in both 1986–1987 and 1994, Bronfenbrenner & Juravich (1998:22–23) find that 87% of employers used outside consultants, while 64% held five or more captive audience meetings, in which the company requires all employees to listen to anti-union presentations during work hours—a level of access, within a coercive atmosphere, that cannot be equaled by union organizers, who are are barred from company property and can talk to workers only away from the job. Bronfenbrenner & Juravich found, moreover, that 76% used one-on-one meetings with supervisors, who were trained by the outside consultants to query the worker about his or her views, make the anti-union case, and demand a response.

Finally, in what is surely the most devastating action an employer can take, 28% discharged one or more workers for union activity. Similarly, Weiler's analysis of NLRB data show that in 1980 the odds were one in twenty that a union supporter would be fired for supporting an organizing drive (Weiler 1983:1781), and even in cases where employers are ruled to have illegally fired a worker, they can, using the appeals process, delay reinstatement for up to three years (Weiler 1983:1795). Moreover, "of employees who did go back, nearly 80% were gone within a year or two, and most blamed their departure on vindictive treatment by the employer" (Weiler 1983:1792). Levitt's (1993) memoir, *Confessions of a Union Buster*, a detailed narrative of years of systematic anti-union activity by a leading (and now repentant) management consultant, gives a sense of these tactics in operation, tactics which lead Geoghegan (1991:255) to conclude: "an employer who didn't break the law would have to be what economists call an 'irrational firm.'"

The chilling impact that such coercive tactics exert on workers' right to organize may be seen in their effects on representation elections. Bronfenbrenner & Juravich (1998) find that union win rates were much lower when the employer used more than five aggressive tactics (32%) than when the employer used five or less (48%); a logit analysis shows that "the probability of the union winning the election declined by 7 percent for each aggressive antiunion tactic the employer used" (p. 32). As Seeber & Cooke (1983) concluded, on the basis of an earlier state-by-state analysis of NLRB data, using the proportion of consent elections as a proxy for employer resistance, this resistance is "the salient factor in the recent decline in union organizing success" (p. 43; see also Farber 1990, Fantasia 1993, Freeman & Kleiner 1990). One study argued that employer resistance did not matter (Getman et al 1976), but this study has been subjected to devastating criticism (Dickens 1983). Increasingly, employers continue the same tactics *after* the union wins an election, so that even if the union "wins," 20 to 25% of the time no contract is ever negotiated (Cooke 1985, Prosten 1979, Weiler 1984).

Employer hostility is most visible during organizing drives (or strikes), but Kochan et al (1986) compellingly argue that this is only a fraction of the problem (p. 79). Citing Dickens & Leonard's (1985) finding that "union coverage would still have fallen if unions had won 100% of the elections held since 1950," Kochan et al locate the causes of union decline in a more fundamental and far-reaching management strategy: operating within the collective bargaining framework at unionized worksites while simultaneously using expansion over time to create a nonunion sector supported by new modes of personnel management. Guided by an informal rule of thumb that "no plant which is unionized will be expanded onsite" (quoted in Kochan et al 1986:263), employers have channeled investment into nonunion production sites, which offer a technological edge as well as a wage and benefit differential over the increasingly obsolescent unionized units. In this account, corporate power lies principally in its control over investment decisions and personnel innovation, rather than the ability to engage in short-term, case-by-case manipulation of labor law.

THE FUTURE OF LABOR

On the most obvious level, labor's challenge is clear: Simply to maintain their current proportion of the workforce, unions must organize 300,000 workers a year; to gain significant ground unions would need to organize a million a year (Rothstein 1996a). The enormity of the task suggests it will not be accomplished incrementally through a superior replication of present practice (but see Shostak 1991).

Each stage of capitalism—whether we call it a social structure of accumulation or a regulatory regime—has been associated with a characteristic form of union. The craft system of the late nineteenth century spawned the American Federation of Labor and a set of craft-based unions; the mass production (Taylorism, Fordism) of the mid twentieth century is associated with the Congress of Industrial Organizations and industrial unionism. Social movement theorists argue that such large-scale transformations are contingent on major shifts in the structure of political opportunities, the incentives for collective action, and the ability of economic and social institutions to inhibit resistance (Tarrow 1994, Piven & Cloward 1979). Probably only two things are certain. First, although labor history is a rich and necessary source of insight, *if* there is a new surge of unionism, it will take a different form (or forms) from the past. Second, institutional transformation does not appear de novo, but rather emerges as a synthesis of previously existing initiatives and experiments, successful practices and apparent failures. In this section we attempt to identify contemporary sites of innovation and proposals for change, examining the strikes of the 1980s, emerging models of organizing, attempts to revitalize unions as activist organizations, and the conceptualization and development of new forms of organization, both inside and outside unions as they are presently constituted.

Strikes in the Eighties

The strike is part of an established repertoire of collective action; its success requires solidarity by a large fraction of the workforce, at a considerable economic cost, by people usually operating close to the margin, for an open-ended period of time. Roughly from 1948 to 1975, the available form in the United States was a strike officially declared by the union and acceded to by management, involving workers withholding services and picketing, with the picketing usually symbolic but widely honored (in an indication of the cultural legitimacy and counter-hegemonic recognition accorded unions), and the resolution a compromise depending on which side could (economically) outlast the other.

That form was challenged in the late 1970s by an employer offensive built around hiring scabs, restoring production, and systematically working to break the union (Clawson et al 1982). Union busting responses to strikes were well under way by the time President Reagan fired PATCO workers, but that action, and labor's failure to respond effectively, legitimated what had been a minority tendency.

Unions responded in a variety of ways, none completely effective. As noted earlier, the sheer volume of strikes dropped dramatically, and unions developed creative alternatives to the strike using brief in-plant actions to build worker solidarity and pressure the company to settle (Moody 1988:238).

But some unions chose militant confrontation. Two strikes in particular—the Arizona miners' strike against the Phelps Dodge Company and the strike of packing house workers against Hormel (the P-9 strike)—were the focus of extensive media coverage and produced a voluminous literature, both journalistic and scholarly, including two books on the Phelps Dodge strike (Kingsolver 1989, Rosenblum 1995) and four (plus a feature length documentary film) on P-9 (Hage & Klauda 1989, Green 1990, Rachleff 1993, Schleuning 1994).

Taken as social movement events, these strikes displayed innovative mobilization strategies that often galvanized their locals to creative displays of militancy. The P-9 strike is the exemplar, with its use of community mass meetings, demonstrations, and outreach to other trade unionists, both regionally and nationally. Two practices are especially noteworthy. The corporate campaign sought to broaden the struggle by pressuring the financial institutions that supported the company, involving members more actively in the strike and building public support by taking the workers' case to the community and the media. Equally noteworthy in these strikes was the emergence of forms of women's activism that went beyond the traditional auxiliary function to include study groups, direct action campaigns, and community leadership (Schleuning 1994, Kingsolver 1989).

These strikes were also important because of the way in which they were made to represent the labor movement. For many observers, the P-9 local appeared as a model of inventive working-class activism that demonstrated the potential of union action. But the best known strikes of this type, including P-9, were defeated, so that union struggles were increasingly identified as acts of isolated resistance, dead-end actions, doomed to failure no matter how energetic their struggles. When a union won such a strike, as at Ravenswood (Juravich & Bronfenbrenner 1999), the margin of success appeared to depend on the national and local union both fully supporting a militant struggle (both P-9 and Phelps Dodge involved major conflicts between the local and national), combined with a somewhat more vulnerable ownership structure. Nonetheless the victory was limited in character and came at a high price. Finally, these strikes raised the issue of how best to respond to demands for concessions: When is it more effective to resist all demands for lowered wages and loss of benefits and work rules, and when is it advisable to make a strategic retreat in order to save the union as an institution and the collective bargaining framework itself.

Another union response involved a new strategy: espousing a nontraditional issue that mobilizes new constituencies and combining that with a classic strike to increase pressure on the employer. Probably the most notable examples of this in the 1980s were strikes (at Yale University, San Jose, and Contra Costa County, California) focused on the issue of comparable worth and

women's pay. In each case, the strike was preceded by a long period of agita-
tion, education, and explicit attempts to build community and political support
(Blum 1991, Johnston 1994, Ladd-Taylor 1985), and the pressure to settle
came as much from a successful public relations campaign as from economic
disruption. The 1997 UPS strike, focused on part-time and contingent work,
was another noteworthy incident; we do not as yet have a scholarly study.

Models of Organizing

Because of the unremitting and aggressive hostility of so many employers to
unionization, and because the law permits employers to actively intervene in
the election process, the fact that a majority of workers at a given site want
representation is no longer sufficient to achieve certification, despite the intent
of federal labor law. Bronfenbrenner (1994) found, for example, that 73% of
the time unions did not file for an election until a majority of the unit was
signed up —and nonetheless only 43% of the campaigns were won.

What is the likelihood that that will change, and where would change come
from? Piven & Cloward (1977:36–37) argue that "Protest wells up in response
to momentous changes in the institutional order. It is not created by organizers
and leaders ... Protest movements are shaped by institutional conditions, and
not by the purposive efforts of leaders and organizers." (See also Tarrow 1994,
McAdam 1982.) In contrast, Voss & Sherman (1997), focusing not on periods
of mass insurgency but rather on union organizing today, argue that the key to
both the level of organizing activity and the use of innovative tactics is pres-
sure from above, typically from the national union, not an upsurge from be-
low—workers get mobilized because an organizer activates and channels
them, and local unions undertake organizing because the national union pres-
sures and rewards them for doing so. We would argue both analyses are cor-
rect: To use the Kuhnian analogy, Piven & Cloward identify what is crucial to
the key periods of activity that bring paradigm shifts; Voss & Sherman show
what happens in between, in periods of what might be called normal science.
The current period, we would argue, is one of normal science, but the normal
science of today's unions is in active search of a new paradigm and is experi-
menting with innovative forms.

One early step by the AFL-CIO was the creation of the Organizing Institute
(OI) to train organizers, many of them recent college graduates (Foerster
1996). OI training heavily emphasized housecalls—organizers and union ac-
tivists visiting workers in their homes (away from employer interference)—
and focused on professional organizers willing to travel anywhere for a
campaign and then move long distances for the next campaign. In opposition
to this, Early (1998) has argued for reliance on local organizers, many of them
rank-and-file workers, rooted in their communities.

Bronfenbrenner & Juravich's (1998) random sample of organizing campaigns in 1986–1987 and 1994, examining both employer and union tactics, stresses that "it takes more than housecalls." Employers' antiunion tactics reduce the union win rate; a change in labor law, or enforcement of existing law, would obviously benefit unions. But even in the absence of such changes, which do not appear imminent, union tactics matter, and success depends on using a wide range of different forms of worker involvement: "The probability of the union winning the election increases by as much as 9 percent for each rank-and-file intensive tactic the union uses" (p. 32). As contrasted with the house call model, this approach emphasizes the fostering of social networks throughout the worksite and looks beyond the certification vote toward the building of an activist union through its emphasis on leadership development and worker involvement.

This research has been widely discussed in union circles and influenced leading organizers and locals but has not been widely incorporated into practice: "In 1994 only 15 percent of the lead organizers surveyed ran comprehensive campaigns that used more than five rank-and-file-intensive tactics" (Bronfenbrenner & Juravich 1998:29). This may be explained by Voss & Sherman's (1997) finding that "fully innovative" locals shared three characteristics: a perception of the seriousness of union decline, pressure for organizing from the national union, and the presence in the local of organizers with social movement experience gained outside the labor movement.

Rank-and-file intensive tactics, however, may take many different forms. We examine four case studies, each of them among the 15% that use more than five rank-and-file tactics, to indicate some of those possible forms. First, Fantasia's (1988) study of a hospital workers' organizing drive explicitly focuses on the use of a "union building," or rank and file intensive approach, and shows the process by which the organizer facilitates the active mobilization of workers into the organizing process. Markowitz (1998) supplements and extends this by contrasting two campaigns that sharply differed in the extent to which they involved the workers in the organizing process, and the consequences of this for workers' relation to the union, and the meaning of union, after the organizing drive ended. Both find that rank-and-file intensive organizing campaigns create a new culture among workers, developing their abilities and transforming their political understanding.

Second, Delgado (1993) examines what is often seen as an overwhelming barrier to organizing: a workforce composed primarily of undocumented workers. Contrary to expectation, he found that, at least for Los Angeles area Latino workers in light manufacturing in the mid 1980s, fear of discharge was a more significant obstacle than fear of deportation. The campaign's success depended not only on the normal strengths of union building approaches, but also on the mobilization of ethnic solidarities between the workers and the La-

tino organizers, and the creation of community, especially through drinking and (company sponsored) soccer games. Studies of California show that even in the more hostile climate of the 1990s, immigration status, although it is one additional factor to be considered, by no means prevents organizing and continues to offer sources of strength as well as vulnerability (Milkman 1999). Kwong (1997) reports a very different experience for Chinese undocumented workers in New York; although they too can be organized when unions make the effort, their fear of deportation is much higher.

The campaigns to organize Harvard clerical workers provide a third example of innovative organizing, this one self-consciously based on the fact that most of the workers organized, and most of the organizers, were women (Hoerr 1997). Much union organizing raises the level of confrontation; at Harvard the aim was to reduce the level of fear. Thus, the union's central slogan was that "it's not anti-Harvard to be pro-union," and on the day of the voting, union supporters surprised Harvard by decorating the campus with thousands of colored balloons, to create a festive, implicitly "feminine," atmosphere—a tactic that Harvard protested as an unfair labor practice. These gendered differences in style may help explain Milkman's (1992) finding that if a workplace is predominantly male, union organizing is likely to succeed; as the proportion of women increases and the workforce becomes more mixed, the likelihood of organizing success drops significantly; as the proportion of women increases still further, the highest levels of success are attained when the workforce is predominantly women.

A fourth instructive case is Los Angeles Justice for Janitors (Waldinger et al 1998, Fisk et al 1999), probably the most widely discussed campaign of the past twenty years. Successful and creative in at least two major ways, its first innovation was the insistence that it is not enough to organize 1 or 2 or 10 worksites; unless the union can organize a substantial proportion of the total industry, it cannot significantly affect wages and working conditions.

Second, the campaign used the strategy of organizing outside the NLRB framework, in response to employers' ability to frustrate labor law. This meant that the union ignored the formal employers, the cleaning contractors who technically hired the workers, and instead targeted the building owners who in fact determined wage rates. Cleaning contractors typically had short-term contracts with building owners; success in organizing one or another of them would simply have meant dismissal by the building owner and replacement by a competitor. Moreover, running a "nonboard" campaign meant that the union did not need to win 50.1 percent of the votes in an election, and the campaign did not attempt to do so. It was instead based on a high level of commitment by a militant minority of workers, many of them mobilized in their ethnic communities as well as their workplaces, combining massive civil disobedience with an aggressive corporate campaign. The lead organizer for the campaign has

explicitly developed this as a theory of a new way to organize; his suggestions have stimulated active debate (Lerner 1998).

Union, at Work and as Institution

The terms "union" and "labor movement" capture a contradiction. The "union" is an institution, a legally constituted collective bargaining agent that represents workers in complex economic and juridical relations with employers and government. The "labor movement" is a more fluid formation whose very existence depends on high-risk activism, mass solidarity, and collective experiences with transformational possibilities. Given a capitalist economy, the union's long-term survival depends on an ability to deliver wages, benefits, and a systematized defense of workers' everyday workplace rights. But, as the last two decades have demonstrated, the sustained opposition of employers means that the presumed legitimacy of the union, its taken-for-granted character, ultimately depends on the existence of a labor movement, an ability by unions to constitute and reconstitute themselves as social movements.

Many contemporary workers have no experience of labor militance; they understand the union primarily as a servicing institution rather than a vehicle for collective action. In response, labor movement reformers have called for a rejection of the "servicing model" in favor of an "internal organizing" or "union-building" approach to revitalize dormant locals.

This approach envisions a greater involvement of workers in the basic operation of the union with a decreasing reliance on staff (Banks & Metzgar 1989, Conrow 1991). Within a literature that is still largely prescriptive, Fletcher & Hurd's (1998) study stands out as a critical analysis of current best practice. The locals studied involved workers in new roles as grievance handlers, organizers, and political activitists, but successful implementation required intensive efforts at education and consensus-building, thus challenging the initial expectation that the move away from servicing would produce a more economic use of time and resources and a reduction in staff burnout. As one of the people they interviewed reported, "It is a myth that the organizing model will free staff; you constantly have to train members to do things you could do faster yourself" (p. 43). Finally, by differentiating locals that emphasized internal activities such as grievance representation from more externally oriented locals that prioritized organizing of nonunion sites, Fletcher & Hurd argue that evaluation of participatory models must include consideration of the ends to which participation is directed. Thus conceived, internal organizing raises "larger questions about the strategic direction of the entire labor movement" (53).

Strategic questions for labor are also raised by the emergence of participatory management systems. Such programs range from quality circles, volun-

tary or involuntary, to sites where the work process itself is organized around a team system of production. As management's major initiative to transform workplace relations, employee involvement programs in both organized and unorganized sites represent a challenge to labor that may rival the more flagrant attempts to combat unionization described earlier.

Such programs are characterized by their emphasis on group process, cultivation of nonadversarial relationships, and solicitation of workers' input, all grounded in the assertion of a unity of interest between management and workers (Parker 1985, Parker & Slaughter 1988). Workers often welcome the promise of a greater voice in the production process, as well as opportunities for skill enhancement, a more humane workplace atmosphere, and a heightened respect for their contributions (Smith 1996, Milkman 1997, Graham 1995). But while some employee involvement programs have provided workers with a voice, however modest, such expectations are more often disappointed. Milkman finds a polarization of skills rather than an overall upgrading, with many workers experiencing greater deskilling. In many cases, employee involvement at unionized worksites has resulted in speedups and increased workplace stress (Juravich 1998), leading once hopeful workers to conclude that "management simply could not be trusted" (Milkman 1997:174).

Because they involve discussion of mandatory subjects of bargaining (work-load, hours, grievances) in a management-controlled setting, these programs become a form of company union and thus violate current labor law. In 1994, President Clinton's Commission on the Future of Worker-Management Relations (Dunlop Commission) recommended relaxing prohibitions against company unions, a goal long sought by the business community in order to legitimate and expand employer-dominated participation programs (Kochan 1995:353, Juravich 1998). Possible implementation of such a proposal is an especially serious threat to organizing efforts, given the widespread use of participatory schemes to preempt or resist unionization, a point made by Grenier's (1987) ethnography of a total quality management program and by Rundle's (1998) survey of NLRB election campaigns, which found that employee involvement (EI) programs are often established during and in response to union organizing drives and are highly effective in helping to defeat them.

How then should organized labor respond to employee involvement systems? In practice, most unions have accepted workplace participation with varying degrees of enthusiasm. In Tom Juravich's (1998:85) informed estimate, "In many unions the employee involvement staff is larger, with more resources and institutional power, than the organizing staff." Advocates of total rejection emphasize the programs' character as a "conscious attempt to undermine existing union organization" (Graham 1995:195, Parker 1985, Parker & Slaughter 1988) and to shift "the balance of power in industrial social relations" (Fantasia et al 1988:469). Research indicates that unionized settings are

actually more efficient than nonunion workplaces with employee involvement
(Kelley & Harrison 1992), but companies fiercely resist unionization and ac-
tively promote EI. Programs offer a management-controlled means to connect
to workers as a collectivity and to supplant informal work groups, a traditional
source of solidarity, with a management-dominated team structure that uses
peer pressure to maintain work discipline rather than to promote resistance
(Shaiken et al 1997, Graham 1995). The image of a unified team works to deny
the possibility that workers' interests differ from management's; as Parker has
noted, QWL training manuals portray a world in which "solutions... are never
disadvantageous to workers" and "poor lighting is usually the answer" (1985:
16). Thus, employee involvement programs appear as efforts to move toward
what Burawoy (1985) terms hegemonic management systems and away from
"despotic" systems more likely to incite workers' resistance.

Against this, some academics who maintain associations with both labor
and management advocate the institutionalization of certain types of extra-
union labor-management representation systems. Heckscher argues that
"*some* independent structure of employee voice remains essential," that "the
present system, as codified under the National Labor Relations Act of 1935, is
inadequate" and that "existing unions probably cannot drive the change"
(Heckscher 1996, pp. xiii–xiv). Rogers & Streeck (1994, 1995) argue for a sys-
tem of works councils, to supplement unions with "a 'second channel' of in-
dustrial relations" whose purpose is "to give workers a voice in the governance
of the shop floor and the firm, and to facilitate communication and cooperation
between management and labor on production-related matters, more or less
free of direct distributive conflict over wages" (Rogers & Streeck 1994:97).

These scholars see their proposals as related to, but distinct from, current
management schemes. Although these scholars support the continued pres-
ence of already-existing unions as collective bargaining agents, they empha-
size the need to provide other workers a "voice"—even if that voice is less than
a union. Their own accounts suggest that such more autonomous arrangements
historically emerge as a product, rather than a cause, of workers' empower-
ment and are unlikely to develop at a time of labor weakness. Such proposals
were indeed considered by the Dunlop Commission, but Kochan (1995:355)
reports "the problem was that, aside from some academics, there was no
constituency in favor of this!", with business representatives opposed and
"lack of strong endorsement by labor" (p. 363). One indication of the extent to
which unions have lost control of the framing of public debate on labor issues
is that discussion of labor reform has focused on such proposals and even more
so on management's wish to remove restrictions on company unions (the
Team Act), rather than on the labor law reforms advocated by unions.

Some forces within the labor movement support at least a critical engage-
ment with existing management-initiated participation schemes, arguing for

their potential to heighten workers' control and consciousness. In Banks & Metzgar's (1989) influential formulation, employee involvement should be treated as a form of "union organizing on a new terrain," used as an opportunity "to enhance worker and union power" (p. 12). Best-case studies suggest that unions can have significant influence over the unilateral character of these programs and can even use them to advance workers' interests. But Juravich (1998) warns that, in most programs, management's strategic goals "become paramount" and go unchallenged by an alternate union agenda. Thus, he calls for "systematic evaluation of these programs and their impact on workers and their unions" (p. 87), placed within the context of broader labor movement strategies and concerns.

New Forms

Any discussion of the future of the labor movement is necessarily speculative. Twin starting points help frame the discussion—who is (and is not) covered by labor law, and recent changes in the character of work, especially in the most dynamic sectors of the economy. Current labor law is designed to protect long-term, full-time, nonsupervisory, rule-bound, workers with a single employer; that is, "the rights of a worker who is fast disappearing" (Carre et al 1994). Employment is increasingly likely to be part-time and contingent; even professionals frequently work as consultants. White collar and service work frequently, though by no means always, involves less differentiation and more familiar interaction across employment boundaries, and service workers often operate in a triangular relationship with managers on the one hand and clients, customers, students, or patients on the other. It is increasingly unclear who is a "worker" as more and more people are reclassified as some form of "manager" and often identify as such, even when their duties are little changed. These trends especially affect women workers; Cobble (1994:291) estimates that "the current legal and institutional framework of the NLRA disenfranchised more than half of the current female workforce... Women are less organized than men in large part because they have less opportunity to participate in choosing a union."

Appropriate to the form of production that produced it, industrial unionism is unsuited to many post-industrial workplaces; they demand new forms of employee organization and representation. We conclude by briefly indicating some of these possibilities—occupational organizing, community-based actions, and connections to other social movements.

Cobble (1991) and Kimeldorf (1999) describe the multi-employer bargaining strategies of early twentieth century unions—waitstaff and dockworkers—trades in which rights and benefits were linked to the occupation, rather than to a specific employer. During periods of strength, the union regulated

wages and conditions in the industry, operating on a larger field than any employer; workers set performance standards, and the union at least attempted to control the labor supply. Building trades unions continue to operate with such an industry- or occupation-wide framework; efforts by the International Brotherhood of Electrical Workers exemplify the use of industry-wide approaches to restore union influence in construction work (Lewis & Mirand 1998, Condit et al 1998). Some approximation of Cobble's "occupational" or Wial's (1994) "network-based" unionism was also a foundation of the Los Angeles Justice for Janitors campaign.

Such cases shift the focus of bargaining from the individual employer to an industry-wide structure, but presume that involved workers are unequivocally union members. Other models go farther, seeking to provide some form of union-like involvement for workers who may be unwilling or, given present realities, unable to participate in collective bargaining relationships (Bonacich 1999). The Garment Workers Justice Centers operated by UNITE are one attempt to create such a form (Ness 1998); these centers are open to all garment workers and their families, whether or not any of them are union members, and provide classes (say, in English as a second language), a social space, and legal help (with citizenship, employer violations of minimum wage and overtime regulations, etc). A variant of this could also be used by professional and technical workers in what Heckscher (1996) terms associational unionism, "an open professional association with a willingness to pressure employers" (xx) that occupies the space somewhere between a current union and professional association. Such organizations could serve as a bridge to full unionization, as in the case of the National Education Association; alternatively they could continue as associations offering services and advocacy.

The primary US union form is organized around an employer and a work site, but community-based unions also have a long history and active present (Lynd 1996, Brecher & Costello 1990), institutionalized in the Central Labor Council (CLC), which includes representatives of each of the unions in a city or other geographic area. Although most CLCs were weak or moribund, the New Voice AFL-CIO leadership made it a priority to revive them, for example by—for the first time—bringing together representatives of CLCs from around the country (Gapasin & Wial 1998). CLCs are an obvious organizational vehicle for the occupational unionism discussed above, for political mobilization, and for a variety of innovative new forms of organizing, from multi-union campaigns to community card check recognition, whereby a Central Labor Council, Jobs with Justice chapter, or other group creates a Workers' Rights Justice Board composed of ministers, elected officials, and respected community leaders. Employers are then pressured to agree to forego normal NLRB procedures and to recognize the union if the Workers Rights Justice Board certifies that a majority of the workforce have signed union

authorization cards. [Several Canadian provinces permit card check recognition; it appears inconceivable that Congress would authorize such a labor law reform in the United States—(Weiler 1984.)]

The third and final form of alternative labor movement structure is one that breaks down the boundaries between labor and other movements, one that in many ways transcends "the union" as a form. To some degree this has always been the case—many of the key union victories depended on community-wide mobilizations and support. Consider boycotts. Because union members cannot legally picket stores or restaurants that carry the products of a struck employer, existing labor law coerces labor to work with coalitions that transcend the union.

Community organizations are not subject to the nation's labor laws, and recently the Supreme Court ruled that the First Amendment staunchly protects the boycotting activities of such organizations. "Thus, Ochoa Perez of LA-MAP (Los Angeles Manufacturing Action Project) may find new reasons for appreciating the strategic value of East LA's soccer associations and country-of-origin clubs" (Forbath 1997:140). More generally, many kinds of boycotts and pressure campaigns achieve their impact not because of the strictly labor dimension, but through association with some other cause (the environment, women's rights); even labor issues are often understood outside of a union framework (as in anti-sweatshop campaigns [Rothstein 1996b]). Thus, both legal requirements and the need to reach a broader public are pushing unions to build broad coalitions with other groups and movements.

New forms of union, and a new labor movement, will not be created easily. LA-MAP is a case in point. In the early 1990s, several exciting organizing campaigns triumphed in the Los Angeles area—Justice for Janitors, a militant strike and self-organizing campaign by largely Mexican-American drywall workers (with many of the key leaders coming from a single small Mexican town), and others (Milkman 1999). In response to these successes, nine unions each pledged seed money to initiate LA-MAP, which incorporated in one project many of the progressive innovations widely discussed in the labor movement as the basis for renewal and transformation. The intent was strategic: a multi-union effort to organize entire industrial sectors, rather than simply isolated "hot shops," so that it would be possible to bargain wages and working conditions for the industry as a whole. It was community based, targeting the key manufacturing corridor in Los Angeles, which positioned it to tap into family, neighborhood, church, and ethnic networks and establish connections with social movement and community groups. But this bold effort to create a next generation labor movement foundered as (with the exception of the Teamsters) the unions that had pledged initial seed money withdrew their support when the time came to commit the much larger sums needed to make the project viable (Delgado 1999).

A successful LA-MAP might have served as the catalyst for a dramatically transformed regional labor movement, given its use of innovations widely regarded as vital to the future of labor. It is not surprising that this hugely ambitious effort did not succeed and that it was a source of internal union conflict. Unions are understandably reluctant to embark on bold and untested initiatives given that most successful social movements are preceded by a long string of failed attempts (Weinbaum 1997). Even perceptive analysts conclude that the failure of these attempts demonstrates that change—at least major change, a new paradigm—is impossible. When and if the movement takes off, analysts look back to its precursors and show how previous efforts had laid the groundwork and shown the possibilities.

At this point, no one can know the future of the labor movement. We have reviewed many of the issues and activities likely to be significant, but the future will hold numerous surprises. Labor activity, for example, has concentrated on manufacturing and low-wage service work, but much of the employment growth has been in highly educated and white collar employment. The new forms within the labor movement often emphasize the community, ethnic group, occupation or profession, moving away from workplace relations as the source of worker solidarity and the strike as labor's major strategic weapon. A new surge of labor activity, should it develop, might return to an emphasis on workplaces and strikes, might move to community and occupational forms, or might develop an as-yet-unanticipated form incorporating and transcending both. Labor's future is contested not only between labor and capital; struggles within unions will determine the character of union leadership and the strategies taken in future activity, just as happened in the 1930s (Stepan-Norris & Zeitlin 1989). Both labor activists and scholarly analysts are self-consciously seeking new directions; the field is vibrant and innovative, both practically and intellectually.

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