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Rank-and-File Participation in Organizing at Home and Abroad

Abstract

[Excerpt] We know that we need labor law reform. But it is also clear that this is not all we need; nor can we expect to achieve legal reform simply by electing Democrats. That strategy did not work in 1978-79 or in 1993-94, and it will not work in the future. In the face of inevitably powerful and well-organized business opposition, even the most well-financed and articulate lobbying campaign for labor law reform can fail. What was missing in 1978-79 and in 1993-94 and is urgently needed now is the pressure of a massive social movement, mobilized to transform and democratize the American workplace.

The potential is there for such a movement, fueled by falling real wages, growing income polarization, and a widespread desire for expanded voice in the workplace (Appelbaum and Batt 1994; Commission on the Future of Worker-Management Relations 1994b; Kochan 1995; Levine 1995). But the potential will not be realized unless people are allowed and encouraged to participate fully in the building of their own union organizing drives, union mobilization efforts, including labor-community coalitions, and grassroots political campaigns.

This chapter presents case studies of success and failure in union organizing campaigns in the United States and Germany to support the cross-national – and thus to some extent universal—validity of this argument. Comparative analysis is especially useful in developing and testing causal relationships. If, for example, rank-and-file participation can be shown to have similar effects in organizing efforts in contrasting institutional and cultural contexts, the explanatory power of the hypothesis suggested here may well be significant (thus meriting further and more extensive testing). Germany affords the context of a comparable advanced industrial society but one with very different traditions and institutions of industrial relations (such as codetermination and comprehensive collective bargaining) and historically strong unions facing a parallel need for contemporary revitalization.

Keywords

industrial relations, labor law, reform, labor movement, union organizing, United States, Germany

Disciplines

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Comments

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Chapter 7

Rank-and-File Participation in Organizing at Home and Abroad

Lowell Turner

The dramatic change of leadership at the AFL-CIO in the fall of 1995 occurred in a context of major new efforts aimed at revitalization of the American labor movement. The new leaders and their majority coalition have promised to unleash labor's "social movement" potential by shifting new resources into both union organizing drives and grassroots political campaigns. At the same time, John Sweeney has offered business leaders a "social compact" for economic growth and labor peace if unionism is accepted and labor given a place at the table.¹ Together, these developments offer hopeful signs of new life for organized labor in America.

The rebirth of a long-declining labor movement will not occur overnight, however. It will require patience, persistence, and a fundamental transformation in the attitudes and strategies of many union leaders and activists. Above all, this transformation requires rank-and-file participation.

We know that we need labor law reform.² But it is also clear that this is not *all* we need; nor can we expect to achieve legal reform simply by electing Democrats. That strategy did not work in 1978–79 or in 1993–94, and it will not work in the future. In the face of inevitably powerful and well-organized business opposition, even the most well-financed and articulate lobbying campaign for labor law reform can fail. What was missing in 1978–79 and in 1993–94 and is urgently needed now is the pressure of

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1. See, for example, Greenhouse 1995.

2. The argument is persuasively made and well documented in Friedman et al. 1994.

a massive social movement, mobilized to transform and democratize the American workplace.

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This chapter presents case studies of success and failure in union organizing campaigns in the United States and Germany to support the cross-national—and thus to some extent universal—validity of this argument. Comparative analysis is especially useful in developing and testing causal relationships. If, for example, rank-and-file participation can be shown to have similar effects in organizing efforts in contrasting institutional and cultural contexts, the explanatory power of the hypothesis suggested here may well be significant (thus meriting further and more extensive testing). Germany affords the context of a comparable advanced industrial society but one with very different traditions and institutions of industrial relations (such as codetermination and comprehensive collective bargaining) and historically strong unions facing a parallel need for contemporary revitalization.

The case studies examine parallel organizing drives, two each in the United States and Germany. Although four case studies do not constitute proof, these cases are highly suggestive concerning the impact of and potential that could result from expanding rank-and-file participation in union organizing and contract campaigns. The findings are also consistent with some of the best contemporary U.S.-based research and analysis on union organizing (see, for example, Bronfenbrenner 1993; Johnston 1994; Hurd 1997).

The U.S. Cases

Tultex

Since the late 1970s, the Amalgamated Clothing and Textile Workers Union (ACTWU) had tried on five occasions to organize at Tultex, a large sweatshirt manufacturing plant in Martinsville, Virginia, that in 1994 employed twenty-three hundred employees, 55 percent of them black.³ After four failed attempts, persistence finally paid off in a two-to-one union certi-

3. The Tultex and DuPont case studies presented here are based on interviews conducted with key union organizers active in leadership roles in each campaign.

fication election victory in 1994, followed by the consolidation of an active local (UNITE Local 1994) and the negotiation of a strong first contract in early 1995. The key elements of this important victory were a massive flow of information to educate the workforce about what the union could offer as well as to counter management's antiunion campaign; extensive mobilization of union supporters within the workforce, based on solid groundwork laid during previous organizing campaigns; and focused and strategic use of union resources, including an extensive yet targeted house call campaign, to win over swing voters.

After close union election defeats in 1989 and 1990 (48 percent for the union in 1989 and 46 percent in 1990), ACTWU gave up on Tultex for a few years. Above all, rank-and-file supporters were demoralized and unwilling to carry on after the failure of their major, risk-taking efforts. And the company showed savvy, setting up teams and joint committees to offer workers the promise of voice in lieu of unionization.

After two or three years, however, in response to new cost-cutting pressures, the company forgot its earlier promises and eliminated the joint committees along with pay bonuses and certain shift premiums, thus effectively cutting take-home pay. As anger among the workers mounted, the union sent in probes in April and May 1994, surveying workers to test the "heat." The heat was there, although the continuing demoralization of former workforce activists from the earlier failed campaigns was apparent. Otherwise, conditions were ripe, and in June, the union initiated yet another organizing campaign.

Given the initial demoralization of the workforce, the campaign got off to a slow start, and the union considered abandoning the drive in the first week. But after a strong core of seasoned ACTWU organizers visited the homes of potential rank-and-file leaders, the petition drive began to pick up steam. Critical to the turnaround was a major deployment of ACTWU resources (especially the use of fifteen to twenty union staff members experienced in "reading" the potential for participation on the part of rank and filers), the mobilization of rank-and-file activists to get signatures and subsequently keep the campaign going, and expanded coverage of the organizing drive on local television.

Experts from the union's Comprehensive Campaigns Department came in to help gain media coverage and to counter the company's antiunion message. A local maverick cable station began to cover the campaign, prodded by the union to get the story out. The company also used the cable station to promote its side of the story, and soon the whole town was watching nightly coverage and competing prime-time ads. For the union, such exposure was invaluable, from talk show discussions that included unionized workers from a nearby towel-manufacturing plant to film clips

showing the construction of an expensive lakefront vacation home for a Tultex executive juxtaposed with the shacks of employee families facing company cutbacks. Through the medium of local television, the union promoted an active campaign of information and publicity and entered in a powerful way into the conscious life of the community.

The contribution of Comprehensive Campaigns was important in keeping the company at bay and in enabling rank-and-file and staff organizers to push the organizing drive forward. For example, through the media, the union exposed the role of a black consulting firm from North Carolina hired to convince black workers to vote against the union. That checks had been written for black ministers in earlier campaigns was exposed on cable TV; and this time, the union made a major effort to win the support of local ministers. Company efforts to divide black and white workers were effectively countered.

In the course of the petition drive and subsequent election campaign, union staff and rank-and-file activists conducted more than one thousand house calls in which they talked to workers and their families face-to-face, winning people over. Past experience at Tultex was a valuable guide: rather than the blanket house calls that the union had conducted in 1989 and 1990, the visits were well targeted. Visits were focused neither on those who had signed union cards in 1989, 1990, and 1994 (and were thus considered safe union voters) nor on those who had never signed (and were thus considered likely antiunion voters) but on those who had signed once or twice but not all three times—swing voters. In addition, house calls were made to potential rank-and-file leaders and activists to get these folks to carry much of the workload through their own active participation. The strategy worked: the August 1994 NLRB election resulted in an overwhelming 1,321 to 720 union victory.

ACTWU wasted no time in building on the victory, and by early 1995 the new membership had ratified the first union contract at Tultex. In the face of solid rank-and-file support for the union, the company backed down quickly from its adversarial stance and agreed to a particularly strong contract (from the union point of view) that granted ACTWU (now UNITE) representatives unparalleled access in the mill, good communication with management and with the workforce, and the beginnings of a largely cooperative labor-management relationship. And as an important spin-off of this successful effort, the union quickly organized another Tultex plant with six hundred workers, located a forty-minute drive from Martinsville.

The ingredients in this important union victory offer important lessons for other organizing drives: union persistence after earlier defeats, a massive flow of information (including the use of local television as well as extensive house call visits) to support union demands and counter management oppo-

sition, and the mobilization and participation of experienced union organizers and active rank-and-file leadership.

DuPont

As organizers for the United Mine Workers of America (UMWA) put it these days: "We're coming down out of the coalfields." As the use of automation has expanded in the coal mining industry, along with alternative sources of energy generation, UMWA membership numbers have fallen dramatically with the total number of employed coal miners. Nonetheless, the industry has experienced continuing union commitment and activism, resulting in dramatic victories, such as the Pittston strike, under the most adverse circumstances. That prolonged, militant, and successful strike in particular once again catapulted the UMWA into prominence within the labor movement: members in their camouflage suits and with high spirits have been visible morale boosters at union-led demonstrations (in Washington and elsewhere), while past UMWA president Richard Trumka now shares governance of the AFL-CIO as secretary-treasurer on the recently elected Sweeney slate. In part as a spin-off of the long and spirited Pittston campaign, UMWA organizers have moved "down out of the coalfields" of Appalachia to play increasingly active roles in other organizing campaigns.

One recent effort took place at a DuPont chemical plant in Martinsville that employs 550 workers. Facing growing worker dissatisfaction regarding pay and working conditions, a local, unaffiliated company-oriented union at the plant approached the UMWA regarding merger talks. Although the UMWA could have simply accepted the merger, UMWA officials thought it was important for the workers to vote their union in. The UMWA conducted a card-signing campaign from July to October 1994, resulting in the collection of signatures by 80 percent of the workforce. Important in the successful petition campaign was the extensive use of house call visits, a new tactic for the UMWA.

The company counterattacked, however, and highly effectively. Using the same cable television channel ACTWU had used during the Tultex campaign, along with in-plant TV monitors, DuPont broadcast a steady stream of film clips showing past incidents of violence against and by strikers in the coalfields. Company managers told captive workforce audiences that this was the kind of thing they could expect in Martinsville if they voted the UMWA in. Many of the workers who had signed cards got scared; when elections were held in November 1994, the UMWA lost to a new company-oriented union by 276 to 218 (with 36 votes for no union at all).

The UMWA credits its strong card-signing effort and its 218 election votes to the more than eight hundred house calls union organizers and rank-and-file activists made in the course of the campaign. For the union,

this is clearly the way to go in future campaigns. But obviously, the house calls themselves were not enough.

Why did the UMWA lose this election? First, the union did not want to get involved in a media/television campaign. The Tultex experience suggests that this was probably a mistake. Second, and most important, unlike ACTWU, the UMWA was a new presence in town, a relatively unknown quantity to most of the workforce, with no history of active participation in the plant; it was unable to counter DuPont's campaign on its own turf. When the company showed films of violence in the coalfields, workers had insufficiently close rapport or relations of trust with union organizers to believe the union side of the story. In their house calls and other campaigning, UMWA organizers explained that although it had sometimes been necessary to use aggressive tactics in the past in the face of company violence, UMWA members were not conducting themselves in this way anymore and the union had no intention of bringing such tactics to Martinsville. Although true, this argument did not carry enough weight, given the newness of the UMWA-workforce relationships and the intensity of the company's propaganda campaign.

What is the solution? From this defeat, UMWA organizers have drawn the following lessons: they need to get to know the DuPont workers better, establish an ongoing union presence, build relationships of trust, and engage DuPont workers as active participants in union programs to build the rapport and trust necessary to neutralize the effects of antiunion management tactics in the future. This is exactly what the United Mine Workers have done in the wake of this election defeat: a UMWA local union has been established in Martinsville with a significant number of DuPont workers as members. The new local has offered benefits through the AFL-CIO union privileges program, provided attorneys for compensation cases, sent several workers from the plant to the UMWA's organizing school, and plans to engage in other organizing efforts in the Martinsville area. Hoping to build on past defeats as ACTWU did at Tultex, the UMWA aims to turn defeat into victory by developing trust and encouraging union participation at the DuPont plant, building toward the next certification opportunity in 1998, when the current contract expires.

The German Cases

In the United States, with its growing income polarization, use of aggressive antiunion tactics by corporations, and largely nonunion South, important organizing battles still need to be won in traditional manufacturing industries. By contrast, in Germany, as in much of northern Europe, manufacturing industries are largely organized. Whereas union membership density in the United States has dropped to 15 percent in the 1990s, levels in Germany

remain at well over 30 percent, even in the face of job loss and declining union membership rolls. As employment has shifted toward service and white-collar occupations, German unions have maintained membership density not so much by organizing new workers as by deepening membership levels in manufacturing industries, where they were already strong and are now even stronger (Armingeon 1989). There is a limit to this strategy, however. If German unions are to stave off the decline in numbers faced by British, French, and American unions, they must shift their organizing focus to service, white-collar, professional, and technical employees. Thus, efforts by contemporary German unions to do so provide a functional equivalent, or "contextual comparison" (Locke and Thelen 1995), for the American cases presented above.

The two case studies offered below examine union organizing campaigns during the early 1990s at two American computer companies in Germany: DEC, where the metalworkers union succeeded beyond its expectations, and IBM, where union efforts fell short.⁴

The laws, institutions, and practices of industrial relations are, of course, different in important ways in the United States and Germany.⁵ The most significant differences are that collective bargaining in Germany typically takes place on a regional/national basis for entire industry sectors, between industrial unions and employers associations (in contrast to union-company bargaining in the United States); and German firms with five or more employees are required to have elected works councils, which have legal rights to information, consultation, and codetermination in specified management decision-making processes, whereas there are no such mandated bodies or employee rights in the United States. In spite of these differences, the cases presented here are unusually comparable: at DEC, the company did not belong to the employers association and thus the union could negotiate only a company-level agreement, while at IBM the company subdivided the firm and pulled much of it out of the employers association so as to pursue its cost-cutting goals; and, in the absence of an initially strong union presence, the works councils at both firms functioned in many ways parallel to the company-oriented union discussed in the DuPont case above.

Digital Equipment Corporation (DEC)

With only a small manufacturing presence in Germany, Digital employs mostly white-collar and highly skilled employees. Most work in software

4. I learned of these cases from Witich Rossmann, an IG Metall staff member involved in both the DEC and IBM campaigns, who wrote up these cases for a paper presented at a Cornell conference in October 1994. For more details on these cases as well as an analysis of the broader contemporary German industrial relations context, see Rossmann 1995.

5. For comparisons of industrial relations in Germany and the United States, see Turner 1991 and Wever 1995.

development, technical services, sales and distribution, and administration—many of the modern occupations that German unions must learn to organize. On the heels of a major cost-cutting and downsizing campaign in the early 1990s, the company offered IG Metall (the large metalworkers union that organizes the German auto, steel, machine-tool, shipbuilding, and electronics companies, including DEC and IBM) an opportunity to learn by doing.

In the spring of 1992, Digital announced a wave of layoffs. The union responded by denouncing the company plan (the terms of which would have to be negotiated with the elected works council), calling instead for long-term business planning, no layoffs, downsizing through attrition, retraining, transfers, reduced working time, and work sharing. IG Metall also launched a union membership drive (at DEC-Germany, the union membership rate was less than 5 percent, including 10 percent at the main DEC location in Cologne) and called a first brief “warning strike” in Cologne in April 1992.⁶

Although only 10 percent of DEC-Cologne employees belonged to the union, 80 percent participated in that first warning strike. Additional warning strikes and protest actions followed at Cologne and elsewhere in Germany between November 1992 and the beginning of a full-fledged strike in June 1993. Management’s continued refusal to consider union demands coupled with a major union organizing effort led to a rise in membership levels from 5 to 30 percent nationwide at DEC and from 10 percent to more than 50 percent at the main location in Cologne.

When a strike vote was held in 1993, 92 percent of the union members at DEC participated in the vote, and 85 percent voted for strike authorization. In typical German fashion, the strike started out small at DEC locations in Berlin, Bremen, Hannover, and Hamburg, spreading after a few days to the main location in Cologne. Only at the end of the first week did management finally agree to negotiate. The settlement that was reached surprisingly quickly at the end of the second week included new job security provisions and an agreement to follow the terms of a typical regional-level IG Metall contract and in general far exceeded the expectations of the DEC workforce.

In poststrike discussion and analysis, IG Metall credited the organizers’ grassroots, participatory approach for this first dramatic organizing and strike success in the German computer industry. An open information policy and effective communication structures, both before and during the strike, were particularly important. As IG Metall organizer Witich Rossmann put

6. Warning strikes in the German system typically last anywhere from twenty minutes to a full day and are designed to demonstrate union strength in bargaining situations.

it: "Traditional union communication, characterized by a selective and hierarchical information policy, is unsuitable for qualified workforces in the computer industry. Strategic goals must be subject to discussion and alteration at all times" (1995:19). Elected white-collar works councilors (most of whom joined the union) participated actively in both the organizing campaign and the strike, cooperated closely with the union, and subjected their own policies to open rank-and-file discussion and votes. Finally, IG Metall, in a bid to modernize the union's internal structure, gave local organizers and activists not only support but broad autonomy to develop plant- and company-specific policy.

The mobilization of participation (including information, consultation, and codetermination) inside the workforce and union made possible this first upsurge of unionization in the German computer industry. A very different and more traditional approach yielded a much less favorable result at IBM.

IBM Deutschland

Unlike DEC, IBM in Germany did belong to the appropriate employers association. Although unionization levels were low in early 1992, its thirty-one thousand employees were nonetheless covered under the terms of collective agreements. In response to market forces similar to those facing DEC and in a drive to achieve flexibility and cost cutting, IBM launched a restructuring campaign, moving large parts of the company into independent spin-offs and out from under the umbrella of collective bargaining agreements. The explicit intent, articulated in 1992, was to carve out union-free areas of the company and to replace collective agreements with separate plant agreements negotiated with local works councils.

In 1992 and 1993, downsizing was accomplished through voluntary retirements, thus minimizing workforce opposition. The DEC strike in 1993 had a mobilizing effect on the IBM workforce, however, resulting in a campaign to raise union membership (which rose from less than 5 percent to 11 percent by the end of 1993 for IG Metall; a parallel rise occurred in a separate white-collar and competing union, DAG).

Dual unionism proved to be a major obstacle to workforce mobilization at IBM. At most workplaces covered by collective agreements in the metal and electronics industries of Germany, IG Metall is the sole or clearly dominant union. Given the history of weak unionization at IBM, however, the role of the alternative white-collar union—DAG, an independent union unaffiliated with the central labor federation, DGB—took on prominence. DAG was much more willing than IG Metall to sign separate plant agreements, in lieu of existing industry-level collective agreements. Elected works councilors at IBM were divided among IG Metall and DAG members and

those belonging to no union. Together, DAG and nonunion works councilors formed a majority, thereby offering management negotiators a more conservative and company-oriented approach.

Given these divisions on the works councils and in the workforce, no unified labor strategy was developed at IBM (as it had been at DEC) in response to company restructuring initiatives. While IG Metall demanded that the company adhere to the industry collective agreements (and was unable to develop company-specific demands), IBM pushed its plans forward through negotiations with works council majorities consisting of DAG members and nonunionists, who together established a collective bargaining committee. Negotiations with the company took place in secret, with no mobilization or involvement of the workforce.

In early 1994, a new company-specific collective agreement was reached to replace existing industry-level (IG Metall) agreements. The new agreement strengthened the hand of the company in its drive toward having separate plant agreements and negotiating with individual employees; at the same time, the agreement included important workforce concessions on salary, bonuses, and working time (weekly working time was increased from thirty-six to thirty-eight hours, thus reversing at IBM IG Metall's largely successful campaign elsewhere in the German metal and electronics industries for the thirty-five-hour week).

The story at IBM is by no means over. IG Metall continues to represent the company's manufacturing workers, while pushing for expanded influence and running candidates in works council elections elsewhere in the company. DAG claims that its broadening of collective bargaining coverage to new areas such as software lays the groundwork for a new and improved industry agreement. But the IBM workforce remains for the most part uninvolved in these events, as, largely unorganized and participating only little in the operations of unions or works councils, workers pursue individual career paths.

Limited workforce involvement, a restricted flow of information, and a top-down union approach to strategy and negotiation (on the part of both IG Metall, which kept to a strict and inflexible union line, and DAG, which held secret negotiations for a company- and concessions-oriented agreement) resulted in a weak and largely ineffectual unionization campaign at IBM in the early 1990s.

Conclusion: No Substitute for Participation

The evidence presented here suggests the importance of informed, hands-on rank-and-file involvement in union organizing campaigns, at home and abroad, in a variety of institutional settings, in traditional and modern indus-

tries alike. Broader data on both the United States (Bronfenbrenner 1993; Hurd 1997) and Germany (Armingeon 1989) point in the same direction.

There is a rather extraordinary convergence among contemporary labor movements in various societies toward expanded participation at the workplace and in the union. We see this today in Germany, a society whose comprehensive collective bargaining coverage and workforce codetermination rights have forced companies to take the "high road" (of high-wage, high-productivity production) but where unions are currently under pressure to organize new industries as well as to hold on to past gains in an increasingly open and integrated market. We see it in the United States, where the absence of adequate institutional protection has enabled many companies to take the "low road" (of low-wage, union-free production) and new labor leaders campaign for resurgence and a new social movement unionism based on mass mobilization.

To mention one more inspiring and particularly revealing example, we see it also in South Africa, a new democracy where strong unions have demanded and the African National Congress-led government is implementing German-style codetermination legislation (including mandated company-level works councils), along with a structure of national-, regional-, and local-level tripartite councils, to promote labor-inclusive relations of social partnership. As in the United States and Germany, the mobilization of rank-and-file participation, in the union as in the community and workplace, has become necessary both for the stabilization of democracy in turbulent times and for the expansion of economic citizenship.

Given the long-term decline of the American labor movement, it will be some time before labor here is ready to claim the extent of full social, political, and economic inclusion that South African unions are currently demanding in their transformational society. The key to the South African success lies in a history of active, social movement unionism: largely black unions, with more than 50 percent membership density, mobilized in the battle against apartheid and now in the transformation of society. Unlike business unionism or a servicing model of unionism, social movement unionism is dependent on active rank-and-file participation, a mobilization of involvement that, if encouraged rather than suppressed, can carry over into expanded union, workplace, and political democracy (Johnston 1994). This is true today in South Africa, as it has been in the past and can be in the future, in both Germany and the United States.

The South African context is, of course, very different from that of either Germany or the United States. The point to be emphasized here, however, in cross-national comparative analysis, is that labor movement revitalization and inclusion, based on expanded rank-and-file participation, appear

both appropriate and necessary in the contemporary era in a variety of contrasting cross-national contexts.

Case studies of union organizing success and failure at home and abroad suggest that ongoing and extensive rank-and-file participation, rather than a faucet to be turned on and off by employers or unions, is a necessary ingredient for the revitalization of contemporary workplaces, communities, and labor movements.