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With 282,00 members in 1945, 683,000 in 1985, and 375,000 members in 1994, trade unions have been the single most significant mass institution in New Zealand society throughout the post-war era. They remain, therefore, the best organisations in a position to give voice to workers' industrial and political concerns at workplace and national levels. This chapter considers the continued relevance of trade unions and their strengths and limitations, both theoretically and in practice. The chapter starts with a theoretical discussion of the role of unions as organising institutions and of union officials as bargaining agents who are both part of the labour movement but also separate from the working class. The second section turns to the practice of New Zealand unionism since 1945. Particular attention is paid to the political strategies pursued by employers and union officials, culminating in an analysis of the industrial and political paralysis which has gripped the leadership of the Council of Trade Unions (CTU) since its foundation in 1987.

The Politics of Unionism

Why Trade Unions?

Broadly, there are three major interpretations of the role of unions — the unitarist, the pluralist and the radical or Marxist. The unitarist perspective, which has become increasingly prevalent since the enactment of the Employment Contracts Act, suggests that the interests of employers and employees are one and the same and that unions, as 'third parties', interfere in the natural order of business life. Both workers and bosses benefit from thriving businesses, the former with job security and higher wages, the latter with profits and the ability to invest in further growth (Brook, 1990).

To the extent that unions gain a foothold, blame can be attached to one of two culprits — poor managers or agitators. By communicating badly, managers can unwittingly give employees the wrong message and 'upsets' may result. This is all the more likely if malevolent individuals, the 'agitators', are at work. Such agitators use a combination of misinformation, deceit, hard work and charisma to sour relations between employees and employers, thereby creating the conditions for union growth.

Unitarists see the 'labour market' as constituting mutually beneficial exchanges between employers and employees in which both exercise 'freedom of choice'. Workers should be free to decide how and under what conditions to sell their labour power and whether or not to join unions or to engage the services of unions as their bargaining agents. Relations between workers and employers, as freely-trading individuals, should be governed not by statute law but by the law of contract, a case most influentially put by Epstein (1984). The resulting 'freedom of contract' therefore enables employers and employees to deal with each other as equals in the pursuit of their common goals. Such was the blueprint for industrial relations set down by the New Zealand Business Roundtable (1987) and New Zealand Employers Federation (1987).

While some writers from this tradition pretend to care for the interests of employees and even on occasion unions themselves (suggesting that their only concern is to improve the effectiveness of unions), the kernel of the unitarist view is strongly anti-union. The unitarist view is that unions and conflict are essentially illegitimate, dysfunctional or the sign of an underlying pathology in what is essentially a harmonious relationship between employer and employees.

The unitarist view has been the subject of strong criticism over the decades. Although the labour contract has the appearance of being freely entered into by two independent actors, worker and employer, there is an acute imbalance in power between the two parties which is either not recognised, or is consciously hidden, by the unitarist approach. There are a variety of manifestations of this imbalance, which have their origins in the employment relationship itself as well as in the state, the judiciary, the media, and control over prevailing ideologies. The key factor is that for the worker, the freedom of the labour market is the freedom to work or live in poverty. The worker cannot for any length of time hoard her labour power waiting for the price to rise or for their bargaining opponent to give way. Employers, by contrast, usually have reserves of capital to fall back on. The worker cannot usually afford to call upon the services of legal advisers to advise her on how best to gain leverage in bargaining. And in the case of disputes with her opponent, the worker cannot usually rely on assistance from the courts or agents of law enforcement who respect first and foremost rights pertaining to property, not the right to a job and a decent livelihood. If the last should be in doubt,

simply consider the last occasion on which police were used to assist picketers during a strike, rather than hinder them.

The second major approach to unionism is pluralist or institutionalist. This starts from the premise that society is divided into a series of interest groups which are in a constant state of tense co-operation. Tension, because interest groups are formed by individuals with their own needs coming together to advance their interests on a collective basis in opposition to other social groupings. Co-operation, because ultimately society has to function collectively, and interest groups, while fighting to improve their own situation within the greater polity, must acquiesce to the greater needs of unity against external threat or internal implosion.

In the field of industrial relations, pluralists view conflict as being endemic within the system, as wage earners, through their trade unions, try to increase wages, reduce hours or otherwise improve their lot in the face of opposition from employers who have a vested interest in enhancing profits and managerial prerogatives. Battles over 'shares of the pie' result. Pluralists therefore regard trade unions as legitimate, and industrial conflict merely the expression of competition between parties of roughly equal strength. However, they emphasise, conflict should not be taken 'too far', for otherwise 'the economy' will suffer. Pluralists therefore urge the state to step in to establish a framework whereby union affairs and industrial conflict can be managed. Thus the key task for the pluralist approach is how best to manage conflict through mechanisms such as collective bargaining, conciliation and arbitration, works councils, wages boards and the like. This is where the connection between pluralism as a political philosophy and social democracy as a governmental practice is most apparent.

The problem with the pluralist analysis is its insistence that the various parties have roughly equivalent power, a notion that cannot be sustained in practice. Some of the same criticisms of the unitarist analysis also apply to the pluralist: while workers are undoubtedly stronger when banded together in unions, they still face capital from a position of weakness because, like the individual worker, they have little control over the major economic decisions taken by business and the government. By encouraging unions to be 'restrained' in their demands, the pluralists overlook this basic difference in power. Furthermore, the more uncertain the economic environment, the more the pluralist analysis comes to resemble the unitarist because at its core, the pluralist approach also accepts that the interests of labour and capital are the same. In conditions of business hardship, the space for workers to put their own demands on business is reduced drastically by an insistence by both unitarists and pluralists that unions be 'reasonable'.

The final interpretation, and the one which will be adopted in this chapter, is the radical or Marxist, which denies that society is organised on the basis either of the invisible hand or of a plethora of roughly equally balanced 'interest groups'. Rather, it starts from the premise that there are two major classes in capitalist society – the capitalist and working classes. The former constitutes a ruling class on the basis of its effective control of the major forms of production, that the two classes have mutually antagonistic interests, and that the tension between the classes is not of a type that can forever be contained by institutional forms.

Within this broad arena, trade unions come into being to partially redress the power imbalance recognised by the pluralists. However, rather than seeing unions as simply being one of several 'interest groups', Marxists set the workplace into its broader socio-political context and argue that unions are basic combat institutions of a class and provide a means whereby workers begin to organise and act independently as a class to combat capitalist exploitation. While pluralists are concerned with channelling conflict into safe procedures, and warn against a tendency by unions to go 'too far', Marxists celebrate workers' struggle against employers, but at the same time lament that union struggle on its own does not go far enough. Marxists argue that unions are by their very nature profoundly contradictory institutions, being part of capitalism but also containing within themselves the potential for its supersession. Unions negotiate the terms on which labour power is exploited, rather than seeking to end exploitation. They organise workers by trade, occupation, industry or region, not on a class-wide basis. Trade union consciousness is therefore limited usually to advancing the interests of particular sections of the class, and trade union action never spontaneously leads to revolutionary challenges to the capitalist order as a whole.

The Role of Union Officials

The fact that unions are essentially self-limiting capitalist institutions has a profound effect on the behaviour of trade union officials. Collective agreements or awards are a form of 'industrial legality' and represent a gain for the working class because they reduce the arbitrariness of capital (Gramsci, 1920, p. 93) but, by the same token, the legality and formalisation of collective bargaining can be used by trade union officials as a platform from which to promote their own interests counterposed to those of the rank and file membership.

The American union movement affords the clearest case of the alienation of union officials from the members that they represent. Mills described the American labour leader as 'a business entrepreneur in the important and specialised business of contracting a supply of trained labour' (1948, p. 6). While New Zealand unions have never been so marked by corruption as their American counterparts, the difference is only one of degree. Amongst all senior union officials in New Zealand there is a tendency to defend their unions in ways that emphasise their own expertise rather than mass mobilisation. They seek to insulate themselves from pressure from below, fearful of losing their jobs which entitle them to a privileged existence in terms of income, working conditions, social prestige and opportunities for social advance, when compared to the membership at large. Most importantly, conservative industrial tactics are encouraged by employers and governments who promote moderation in union aims and methods. System-breaking demands are replaced by those that can be met without jeopardising union-employer relations. As a result, union officials become firm defenders of the established system of bargaining, and compromise comes to be seen as a desirable end in itself. The union official therefore becomes, in Mills' famous phrase, 'the manager of discontent' (Mills, 1948, pp. 8–9).

This approach to trade union officials (what has been called the 'rank and file perspective') can be defended against three common criticisms. One objection is that it oversimplifies internal processes and that in practice there is no such thing as a united rank and file union membership with common interests counterposed to those of full-time officials. Divisions between members may be just as significant as those between members and their full-time representatives. However, while it is true that the membership of most unions is fractured along a number of lines, the logic of even the most basic industrial action is to promote unity in practice. There are innumerable historical examples that indicate this phenomenon. For example, those unions which established barriers to entry on the basis of sex or race in their early days now appear to have abolished these obstacles. There are no longer any separate tailoresses' and tailors' unions, for example. The trend is also indicated in the struggles of workers of both sexes and from a host of different national and racial backgrounds. For example, the industrial campaigns in the meatworks in the 1960s and 1970s threw together Pakeha, Maori and Pacific Islanders. Such is the multi-national and multi-racial nature of most contemporary working classes that all modern strikes, if they are to be successful, require workers to set aside their prejudices and to work together in order to forge a common fighting organisation. In the course of industrial campaigns a collective consciousness emerges which gives meaning to the idea that the 'rank and file' is not a term devoid of analytical use.

A second criticism of the rank and file perspective is that union officials are prevented from becoming a conservative and unrepresentative stratum because they must respond to membership sentiment. If they do not respond to such sentiment, they stand the chance of being turned out of office and replaced by those who are more in tune with membership wishes. It is certainly true that there are limits to the conservatism of trade union officials, based on their need to respond to membership pressure. Precisely because trade unions themselves are contradictory institutions, trade union officials 'perform a dual role, both shackling their members to the system and bringing home limited benefits within it' (Anderson, 1967, p. 277). Faced with pressure from below, they may seek to repress the threat in order to preserve the status quo in form and substance or they may attempt to accommodate to it, to change the form of relations within the union and between the union and employers, in order to preserve the substance of leadership dominance. This may involve taking a more militant stance towards management and adopting measures designed to co-opt those within the union promoting a more aggressive industrial strategy.

However, the fact that full-time officials are forced to respond to pressure from below does not remove the pressure from capital and state. Caught between these powerful social forces, the full-time official tends to vacillate, for as Hyman argues, 'his task is to sustain a delicate balance between grievance and satisfaction, between activism and quiescence' (1971, p. 37). Officials play an inherently conservative role for the reasons already outlined, but such conservatism is mediated by the

relative pressure from bargaining partners and rank and file members. Their conservatism is therefore contingent and historically determined.

The final criticism of the rank and file perspective appears the most damaging. There is no evidence from surveys that full-time officials incline to conservatism and an emphasis on proceduralism at the expense of industrial action or that rank and file members can be regarded as more militant or more prepared to endorse bold industrial action than their leaders (Kelly (1988, p. 178). But this is to misinterpret the criticism. The argument, is not that officials are always conservative, rank and file members always militant. Rather, it is suggested that the conditions of existence of both groups do have a strong impact on their consciousness and thereby on their activity, such that in periods of sharp conflict, the actions of workers and those of full-time officials can diverge quite dramatically from their attitudes as revealed in surveys. Thus there is the phenomenon of union members voting for the National Party being more prepared to engage in militant industrial action than Labour or Alliance union officials.

In order to understand why this can occur, it is important to consider the volatile nature of working class consciousness and the factors that shape it. Gramsci has provided the most useful theoretical approach for understanding the complex nature of working class consciousness. He argues that the worker's

theoretical consciousness can indeed be historically in opposition to his activity. One might almost say that he has two theoretical consciousnesses (or one contradictory consciousness): one which is implicit in his activity and which in reality unites him with all his fellow workers in the practical transformation of the real world; and one, superficially explicit or verbal, which he has inherited from the past and uncritically absorbed (Gramsci, 1971, p. 333).

To paraphrase: the more abstract and distant the issue under consideration, the more that workers' attitudes, as revealed in surveys, are influenced by the 'common-sense' ideas of society at large. The explicit consciousness of most workers may therefore be quite conservative, for such 'common-sense' ideas are invariably supportive of existing social relations. By contrast, the more that the issue is concrete and personal, and the more that it bears upon their immediate relations with their fellow workers, the more likely are workers to respond to opinion pollsters on the basis of their own life and work experience. The answers that workers give in such circumstances are more indicative of their implicit consciousness, and often stand quite at odds with accepted social mores.

Many unionised workers with experience of industrial action share a common frame of reference whose elements form a basic class consciousness. These include: the need for workers to stick together, an antipathy to the boss and those who would break strikes, a suspicion of the role of police on picket lines, and an understanding that workers can only protect what they have (or improve on it) by being prepared to fight. Such notions are especially likely to come to the fore in periods of collective industrial action, when workers are engaged in what Gramsci called 'the practical transformation of the real world' (1971, p. 333). It is only by recognising the contradictory elements of working-class consciousness that can explain why trade unionists questioned in surveys say that they think unions in general are too powerful or too ready to strike, but do not feel the same about their own union.

Industrial action by trade unionists has a powerful effect in stimulating workers' consciousness of the identity and power of their class. The struggle of rank and file union members has a tendency to break from the legal channels sanctioned by full-time officials, not least because members have no material attachment to the formal procedures of industrial relations. Thus, once mobilised and once conscious of the issues at stake, rank and file union members can be rapidly driven into industrial action extending well beyond what their full-time officials are willing to sanction. Sharp swings of membership sentiment can occur with great rapidity, from docility and acquiescence to aggression and confidence and back again, and it is in the fluidity of members' ideas that they stand in contrast to full-time officials.

The consciousness of full-time union officials is not subject to the same major fluctuations. In contrast to rank and file workers, such officials, even those with a dedicated commitment to advancing working-class interests, have no collective interest in breaking established union-management relations for it is on these that they depend for their very existence. The power of full-time officials rests in the last instance on their specialised role as negotiators over the terms on which labour is exploited. In the event of a strike full-time officials are forced to consider what effect this action has on the distribution of power within their union. Does it threaten the bargaining relationship with the

employers and the officials' role in it, or does it strengthen it? This factor helps explain their industrial timidity at critical moments. In this sense, the differing positions of rank and file members and full-time union officials with respect to capital and state lend the former an intrinsic tendency to shatter industrial routinism and the latter a tendency to reinforce it.

Trade Unions: the New Zealand Experience

Thus far the argument has been couched at a relatively abstract level. What follows uses the Marxist framework developed to this point to shed light on developments in New Zealand unionism since 1945.

The Domination of Labourism and Arbitration, 1945-1966

In order to understand the specific nature of New Zealand trade unionism as it stood in 1945 and how it evolved over the following decades, it is critical to situate it in the context of its relationship with the state and the Labour Party. The political agenda of the Labour Party has always been reformism, not revolution. Reformist politics can be understood as a theory and practice which 'create defensive barriers against the naked exploitation of capitalism but at the same time accept the possibility of social change within the existing framework of capitalist society rather than seeking through revolutionary means to overthrow it' (Darlington, 1994, p. 14).

The formation and electoral success of the Labour Party in the early part of the century consolidated a particular form of capitalist class rule in New Zealand based on the incorporation of trade union officials into the political process, rather than their exclusion. This has discouraged radical demands and actions that might jeopardise Labour's electoral chances. The closeness of connections between the Labour Party and leading trade unions officials was evident with the formation of the FOL in 1937 as a result of pressure from the Savage government. Labour in turn amended its rules giving the unions large block votes in party conferences. This in turn allowed the party leaders more control over fractious conferences because it concentrated decision-making in a few hands. In the period during and immediately after the Second World War, Federation leaders were involved to an unprecedented degree in Government affairs, culminating in their involvement in the tripartite Economic Stabilisation Commission and the appointment of the Federation's president to the position of Minister of National Service, later Minister of Labour. In return, the higher levels of the union bureaucracy gave unstinting support to wage control and work intensification arising out of the war effort. As Olssen comments, 'the Federation thus became a means of disciplining the labour force on the government's behalf' (1986a, p. 24).

Even after the fall of the Labour Government in 1949 and the advent of more than two decades of almost uninterrupted conservative rule, the state interventionist agenda made a place for the union officialdom. State mechanisms were established to minimise explicit class antagonisms and these were in turn underpinned by full employment and economic growth (Wilkes, 1993, p. 200). Critical to the role of the union officialdom was the arbitration system which affected the internal politics of New Zealand trade unions in a variety of ways. According to Walsh

This system offered a glittering array of benefits to participating unions: for registered unions the state guaranteed their coverage rights against potential rivals, obliged employers to negotiate with them, gave easy access to compulsory arbitration by state tribunals, ensured the application of resulting awards to all workers in the occupation or industry concerned and accepted a responsibility to enforce the award upon all employers. From 1936 the state also guaranteed membership and thus revenues for registered unions (1991, p. 1; see also Chapter 11).

Membership in the private sector grew strongly under state protection and by 1945, there were 282,000 members of registered and state sector unions, representing 59.6 per cent of the workforce. Table 1 indicates that growth continued at a steady pace throughout the two post-war decades as membership increased to just under 450,000 members.

Insert Table 7.1 about here

State protection did not come without strings, however, and unions were required to accept an extensive range of statutory restrictions upon their structure and activities. The outcome was that unions were for the most part 'arbitrationist in character, created by the system and dependent for their existence upon the protections it offered' (Walsh, 1991a, p. 1). Such unions tended to be small, covered poorly-organised workers and had precious little in the way of workplace representation. State-sponsored compulsory unionism led to union officials becoming lazy for, as Peetz and others comment, 'unions had been able to demand fees from a captive membership and had thus been under no obligation to perform' (1993, p. 266). Employers, as well as conservative union leaders, were keen supporters of compulsory unionism, because it gave a power base to conservative leaders of industrially passive unions. It also allowed governments to break more militant unions by deregistering them and establishing tame unions in their place (Roth, 1973, p. 80).

There were also, however, a minority of unions, chiefly industrial unions in the export-industry sectors (waterside workers, seafarers, miners, freezing workers) and also drivers, who were opposed to the wage-fixing elements of the Arbitration Court and made advances in wages and conditions through industrial action. While the arbitrationist unions looked to the protection afforded by the arbitration system, the mobilisational unions preferred to rely on their strategic location, high levels of membership solidarity and commitment, and effective leadership (Brosnan et al., 1990, p. 99). Such unions had a better developed workplace structure of delegates and stewards and consistently chafed against the industrially passive politics of the arbitrationist unions.

For a large part of this century, therefore, New Zealand unions have been divided in their approach and general philosophy, and these tensions came to a head in two historical periods: with the rise of the Red Federation of Labour in the years before the First World War (Olssen, 1986b), and in the post-war industrial upsurge which culminated in the formation of the Trade Union Congress (TUC) and the 1951 waterfront lockout (Barnes, 1987, Roth, 1986). On both occasions the pro-arbitration union leaders sided with the conservative government and employers to crush the threat posed by the anti-arbitrationist unions, in the process killing off the Red Feds in 1913 and the TUC in 1951. As a result of their victory in 1951, the leaders of the arbitrationist unions were able to consolidate their domination in the FOL and used this control to rewrite the Federation's constitution, thereby making the Executive more remote from rank and file control (Roth, 1973, pp. 137-8). This in turn led to a fifteen year period of industrial quiescence within the New Zealand labour movement (see Table 1). Although, as may be seen from Table 1, union membership grew significantly in this period, actual coverage ('union density') fell from nearly 60 per cent of the workforce in 1945 to just over 50 per cent twenty years later.

The Working-Class Upturn, 1966-1977

In line with many other western countries, the New Zealand labour movement began to stir again in the mid- to late 1960s (see Table 1). The major factor responsible for this was a desire by New Zealand workers to improve their living standards in circumstances of labour shortages, alongside a long-term decline in the wages share of national income (Roper, 1990b). Increasing union pressure was demonstrated by the rise of over-award payments from 8 per cent of award rates in 1947 to 30 per cent in 1965 (Roth, 1978, p. 47). Then in 1968, when the Arbitration Court made a nil general wage order (the benchmark against which all increases in award wages were determined), this led to a collapse in union confidence in the Court and a decision by the leaders of all major unions to engage in direct action to win pay rises through collective bargaining. According to Brosnan et al. (1990), the mobilisational model of unionism advocated by traditionally militant unions now came to the fore, most obviously amongst public-sector workers, such as public servants, nurses, postal workers, and teachers. The overall effect was an explosion in strike activity from just under 22,000 working days lost in 1965 to 277,000 by 1970, peaking at nearly 500,000 in 1976. The strike wave was characterised by a sharp increase in the number of strikes — 145 stoppages in 1966, 313 in 1971 and 562 in 1977 — and an increase in the average number of workers involved in each strike. Approximately 12 per cent of the entire New Zealand workforce took some form of industrial action in 1969-1970, and this figure was topped by the 19 per cent who took action in 1976, the highest levels of working class participation in strike activity for the entire twentieth century until this point (see Deeks et al., 1994, p. 374).

The union offensive led to strong gains in membership. Union coverage rose to 55.6 per cent by 1975, as total private and public sector membership increased sharply from 450,000 to more than 600,000 (Table 1). Compositional trends that had been gathering pace in the union movement over the post-war decades now accelerated, with the result that public-sector unionism increased by more

than 50 per cent, alongside rapid growth in the manufacturing and distribution industries (Roth, 1973, p.162) (Table 1). At the same time, the traditional strongholds of militant unionism, the railway workers, the seamen and the mineworkers, were losing ground as their industries were restructured and further mechanised.

Government and employers undertook a variety of sometimes quite contradictory steps to push back the working-class offensive. The general position of the Employers' Federation was for a continuation of the policies that had served them well in previous years — centralised wage bargaining and the continuation of compulsory unionism (Roper, 1990b). However, this became increasingly untenable. The election of the Muldoon Government in 1975 and his attempted imposition of an austerity drive and a twelve month wages freeze did not halt the industrial push but rather inspired a wave of protest action, resulting in a tactical government retreat on the wage freeze in 1976-1977.

The failure of Muldoon's wages freeze led to a crisis of confidence within employer ranks by the late 1970s. Statutory wage controls of the type experimented with throughout the decade had either failed to rein in industrial action or had been actively broken by the unions. Nor had collective bargaining worked — indeed, it had generated wages breakouts of an uncontrolled nature. The failure of Muldoon's interventionist style of government, most particularly his second attempt at a wages freeze in 1982-1984, led to employer desertion of the National cause and a turn to Labour and the politics of Rogernomics.

The Ruling-Class Counter-Offensive, 1984-1995

(i) Overview

The factors behind, and the content of, the ruling-class offensive against New Zealand's working class under the stewardship of the fourth Labour Government have been described extensively elsewhere (Roper, 1993a). Of most importance for this chapter is the fact that at the heart of the neo-liberal market-driven orthodoxy of the fourth Labour Government lay the notion that high levels of welfare benefits and strong trade unions were to blame for the problems faced by New Zealand capitalism, a belief also held firmly within the ranks of the successor fourth National Government.

Under both the fourth Labour and National Governments, organised labour was dealt several damaging blows. The emergence of mass unemployment, deregulation, and the impact of competition all hit the traditional bastions of militant unionism hard. In the core areas of mining and transport, Labour Government policy hastened a process that had been underway for some years. The meatworkers union, the major surviving base of militant blue-collar unionism, was devastated during the 1970s and 1980s by mechanisation, the export of live sheep, and a deliberate strategy by the major companies to move away from large works in the major metropolises to smaller satellite works in small towns and country areas. Likewise, public-sector unionism was hard hit under the impact of Labour's State-Owned Enterprises Act 1986 which facilitated the corporatisation and sell-off of all major state-owned commercial operations.

The result was a decline of union membership for the first time since the Depression of the 1930s. After peaking in 1981 at 520,000, registered (private-sector) membership declined thereafter, while state sector union membership peaked in 1985 at nearly 193,000 and then fell precipitously by 1989 to 162,000 (see Table 1).

The ruling class offensive against unionism was met first by a slow recovery in industrial action in the early 1980s, a sharp explosion in 1985-1986, and then a collapse which developed into a rout by the early 1990s (Table 1). The increase in the strike rate in the early to mid-1980s in New Zealand runs counter to the trend in most other western nations at this time, but despite the impressive burst of activity, the underlying characteristic was one of retreat (Roper, 1990b). There was a steady decline in the number of industrial disputes, falling back from 562 in 1977 to 291 in 1981, and 215 in 1986. The wave of industrial conflict in 1985-1986 evident in Table 1 was due not to an outbreak of aggressive strikes in a wide variety of workplaces and industries, a feature of the 1960s, the number of workers involved in the 1986 strike peak was actually one half that of 1976, but to an employer offensive. Disputes over redundancy payments became common and in some sectors lockouts became significant. The bitterness of these disputes is indicated from the lengthening of the average dispute, from a typical two to three days in the previous years, to thirteen days in 1986.

The retreat of the labour movement and a pressing need to drive productivity up and costs down faster than hitherto led to a shift of sentiment within employer ranks towards a deregulationist agenda. Key elements of the new agenda were voluntary unionism, enterprise bargaining, pay

increases to be based on company 'capacity to pay' rather than on relativities or the cost of living, the removal of 'restrictive work practices', the introduction of youth rates, the elimination of national awards, the introduction of anti-strike legislation and the reduction of non-wage costs of employment (such as sick pay, maternity leave and accident compensation levies) (*The Employer* April, 1986, pp. 1–4).

Legislation introduced by Labour and then the National Government realised many of these goals. The Labour Relations Act 1987 was the first significant step in undermining the framework of national awards. While restoring compulsory unionism, it also prohibited unions from seeking access to enterprise bargaining (second-tier agreements) while still maintaining award coverage for the affected workers. Although relatively few unions deserted the award system (Harbridge and McCaw, 1991), this provision clearly encouraged a process of union and award fragmentation as stronger groups of workers were encouraged to opt out of awards, leaving their defence in the hands of weaker unions and non-union workers. The fourth Labour Government thereby paved the way for the ultimate abolition of awards by its successor. The State Sector Act 1988 further undermined unions by scrapping job tenure in the public sector and reducing other long-established conditions of employment.

The Employment Contracts Act (ECA) 1991 represented the complete enactment of the agenda of the New Zealand Business Roundtable with devastating results for organised labour. Organising on the job was made immensely more difficult as employers now had the right to refuse to negotiate with an employee's chosen bargaining agent, to use lockouts to force concessions, and to replace striking workers with blacklegs (Douglas, 1993a). Union membership fell sharply as a result, from 600,000 to 375,000 between May 1991, when the Act took effect, and December 1994. Union coverage therefore fell back — from 41 per cent of the workforce to 23 per cent (*The Independent*, 14 July, 1995, pp. 34–5) (see Table 1).¹ Entire unions, such as the Clerical Workers Union, collapsed, while membership fell by 50–75 per cent in the agriculture, construction and wholesale and retail industries in the Act's first three years. Union decline has been most evident in the private sector, with state sector membership declining by 'only' 13 per cent, one-half the rate of decline across the labour movement at large (Harbridge et al., 1995).

(ii) Reaction within the Labour Movement

The ruling class offensive of the 1980s and 1990s met with two responses within the union movement, organisational restructuring and, much more significantly, a new political strategy.

Organisational Restructuring

At the peak level, the decline of the blue-collar and the rise of white collar unionism through the 1970s and 1980s eventually led to pressure for unity between the Federation of Labour, comprising private-sector workers, and the Combined State Sector Unions, with an exclusively public-sector membership. The result, the Council of Trade Unions with 530,000 affiliated members, was formed in 1987, on the fiftieth anniversary of the foundation of the FOL, and took over responsibility for developing general union policies and providing overall leadership to the labour movement. The CTU picked up some unions which had not been members of either federation but also lost some of those which had been members of the FOL in the past, chiefly in the transport and maritime unions but also electricians and timber workers.

The CTU and the fourth Labour Government were keen proponents of union amalgamation, the former proposing in its key 1988 document *Strategies for Change* that the union movement be restructured around fourteen key industry unions (Council of Trade Unions, 1989). As a result of the provision in the Labour Relations Act 1987 requiring unions to have at least 1,000 members, the number of unions halved from 223 to 112 between 1986 and 1989. The ECA, by strangling union finances, further encouraged this trend, and the number of unions slipped by the end of 1994 to eighty-two. Only ten unions had more than 10,000 members by this time, but these ten covered 70 per cent of total union membership.

A further organisational trend has been the evident attempt by some unions to shift their focus away from the centralised structures typical of the arbitrationist days to a decentralised structure capable of dealing with the requirements of local bargaining and contract negotiations. With the shift of wage determination away from arbitration or multi-employer industry bargaining to enterprise level bargaining in the 1970s and 1980s, the lack of workplace structures in some unions had become a liability, and the ECA simply further highlighted this fact. According to Peetz et al.,

This change in bargaining level has required a far greater degree of participation and responsibility by branch officials and workplace delegates than had previously been the case. It has required a much greater emphasis on direct bargaining with individual employers and a closer, more responsive relationship between union officials and their membership ... In many instances the function of bargaining has had to pass from paid officials to local delegates (1993, p. 268).

However, as will be seen, this drive towards 'closer, more responsive relationships' between officials and members is limited by the overall political agenda of the CTU.

The Adoption of Strategic Unionism

A key feature of CTU strategy in the final years of the fourth Labour Government was its adoption of the 'strategic unionism' model first pursued by the Australian Council of Trade Unions (ACTU) across the Tasman. The ACTU had been in close partnership with the Australian Labour Government since the signing of the Accord in 1983. The Accord philosophy embodied what became known by the late 1980s as strategic unionism, which involved a commitment by unions to forsake workplace industrial action in return for access to political power in the national capital. The purpose of the latter was to lobby government to improve working-class living standards through job creation and expanded welfare, superannuation, and pensions. A critical argument behind strategic unionism was that unions had to move away from arguing over the distribution of the proceeds of production to intervening in the process of production itself and, at the national level, in economic policy processes which were the ultimate determinant of employment opportunities for union members. This required that unions took responsibility for increasing productivity and cutting wage costs.

Consequently, Australian unions agreed in the 1980s to cooperate in massive industrial restructuring of core industries, in return for their involvement in consultation with employers and government representatives over the shape of industrial relations, industry and economic policy. Australian union strategy was developed along these lines in the seminal document *Australia Reconstructed* in 1987 which paved the way for the transition away from an award system to enterprise bargaining.

Key to the implementation of ACTU strategy was reciprocity, that is, agreement by the Australian government and major employers to incorporate union leaders in the policy process rather than to exclude them. In terms of many of its original goals as regards living standards and social equity, the Accord failed the interests of Australian unionists, but in terms of the process it was a partial success — there was extensive consultation by the government with the peak union body, and union-busting was an exception as an employer strategy, rather than the rule. This laid the basis for the outstanding longevity of the Accord process throughout the period of the Hawke and Keating Labour Governments.

In New Zealand, the CTU sought to pursue a similar strategy. It promoted what it called a 'third way' between the rival capitalist strategies of unbridled free markets and Muldoonite centralism, 'shifting bargaining away from occupation and towards enterprise and industry, changing work methods, negotiating around improvements to productivity, and recognising the need for modern, internationally competitive production systems' (Council of Trade Unions, 1991, p. 23). The Engineers Union went furthest in attempting to implement such a strategy and sold itself to employers as being 'responsible' and amenable to major changes in established working methods and reductions to conditions of employment.

Unlike the ACTU, however, the CTU had much less success in pursuing a corporatist strategy. Influenced by the Business Roundtable and Treasury, the fourth Labour Government refused to consult with the union leadership in any significant economic policy decisions (Bray and Walsh, 1995). In effect, the CTU leadership had nothing to sell which the government and employers did not feel they could take by virtue of the industrial climate and their perception of the CTU's inability to discipline its affiliates.

The failure of CTU strategy was best illustrated by the debacle over a proposed Compact with the Government, a document which provided for union endorsement of wage restraint in return for a commitment by the government to involve the CTU more closely in developing its macroeconomic policies (Council of Trade Unions, 1988a). The CTU leadership kept discussions within a tight-knit group of senior officials and politicians and expended extensive resources on promoting the case for the Compact within the wider union movement. All of its endeavours were in vain, however, as the Compact was ultimately scuppered by government and employer indifference, and its successor, the Agreement for Growth, signed in April 1990, was a much more limited document, representing

merely the preparedness by the CTU leadership to accept further wage cuts under a re-elected Labour Government in return for a vague commitment by the Government to involve the CTU in economic planning. The defeat of Labour in 1990 ensured that this Agreement was never tested.

At the same time as the CTU was facing continued rebuffs by the Labour Government, working-class dissatisfaction with the government was growing. Dannin has pointed to the crux of the CTU's problem.

The CTU's formal and institutional alliance with Labour left it unable to criticise Labour when it privatised government agencies and deregulated industries. In turn, by failing to keep faith with its membership and by failing to promote their interests within their party, the CTU became estranged from its membership and allies and thus weakened. A large number of the public looked to the CTU for leadership and heard nothing (1995, p. 39).

The exclusion of the CTU from decision-making processes in Wellington was replicated at workplace level by an anti-union offensive by employers. Although some formal recognition was given by a small number of employers to union involvement in workplace reform initiatives, such employers were clearly in the minority. Only the Engineers Union appears to have sustained continuing relationships with a minority of large employers such as Fisher and Paykel. However, the assistance offered by the union at such workplaces is such as to call into question the continuing independence of the union itself. Furthermore, the urgency of restructuring meant that even these efforts were easily over-ridden. The Fortex meatworks in Dunedin, for example, was a model of workplace reform but was closed down by its owners as a cost-cutting measure in the early 1990s.

(iii) The Battle over the ECA

The failure of New Zealand's labour leaders to defend working-class living standards and even the basis of unionism itself was most evident in its strategy in the battle over the Employment Contracts bill in the period between its tabling in late 1990 to its enactment in May 1991. At the time of its enactment, the bill was widely opposed and the National Government itself was extremely unpopular after only six months in office. The key task for the CTU was that of mobilising opposition to the bill in a public and politically-damaging fashion to the government. Central to this was the organisation of a general strike amongst all unionists. Such action was a step that could have forced the government to back down and, perhaps paradoxically, the only form that would attract solid support from the largest number of workers. That a general strike would have hurt National's business backers is evident. But economic uncertainty and an aggressive employer mentality meant that any strategy based on partial actions, involving only small groups of workers, was bound to fail as workers stayed at work fearing victimisation.

The willingness of the majority of workers to participate in a general strike is clear from events as they unfolded in the first four months of 1991. Public servants, engineers, teachers, nurses and health workers, seafarers, harbour workers, steelworkers, railway workers, shop assistants, cleaners, caretakers and security guards all took action, ranging from stop-works to strikes against the bill. Marches and rallies took place in the capital and all major regional centres. It has been estimated that participation in such action involved between 300,000 and 500,000 New Zealanders, with 50,000 working days lost in strike action in the first week of April 1991 (Dannin, 1995, p. 83). According to Roper there was not 'a single instance amongst the major unions of workers failing to endorse, and by very large majorities, strike action where they were balloted' (1995, p. 270).

The missing element in the whole campaign was leadership as workers did not have the confidence or the networks to organise a general strike from below. Central co-ordination by the established union leadership was needed but the CTU leadership failed in this task. The CTU strategy was effectively limited to organising a massive publicity campaign, highlighting the drawbacks of the bill. This was certainly effective in raising awareness of its dangers, but what action workers were to take in response was left completely unspecified (Dannin, 1995, pp. 76-81). Enamoured of strategic unionism and convinced of a need to move away from 'old-fashioned' forms of union action (most notably strikes), the leadership of the CTU actively sought to demoralise those pressing for a general strike, and at a Special Affiliates Conference in April 1991, the majority of union officials present voted against a national general strike, preferring to endorse a strategy of organising a public petition to protest at government actions and mounting regional campaigns with each region deciding for itself the appropriate action. Faced by the most aggressive onslaught by capital and the state for a full century, the CTU leadership continued to believe that it was facing merely a minor upset in a basically

harmonious relationship. The failure of the CTU leadership to lead led to a collapse of morale within the union ranks. While other groups sought to fill the vacuum caused by the desertion of the CTU from the field of battle, they were too small, lacked industrial clout or, in some cases, were consciously marginalised by the CTU leadership, leaving the way clear for the bill's progress into law (Dannin, 1995, pp. 74–8).

The failure of the CTU's political strategy in the late 1980s and early 1990s had an impact on the organisational structure of the union movement. In 1993, a left-wing rival peak federation, the Trade Union Federation (TUF), centred on the Manufacturing and Construction Workers Union, was formed as a result of dissatisfaction with the CTU and its failure to resist attacks by the National Government. By 1995, however, the TUF had made little ground in attracting individual unions to its ranks, with twelve affiliated unions and coverage of 23,000 workers in comparison to the CTU which remained the dominant union federation with twenty-seven member unions and 300,000 members. Outside both federations were forty-three non-aligned unions with 56,000 members.

Conclusions

The experience of New Zealand unions since 1945 lends support to the notion that trade union officials represent a conservative layer within the union movement. Indeed, a recurring theme of New Zealand's union history is one of former militant union leaders first being tamed by, and then becoming active supporters of, the industrial and political establishment. During the 1930s and 1940s, figures such as Bob Semple, Tim Armstrong, Paddy Webb, Jim Roberts, Angus McLagan, Ken Baxter and Fintan Patrick Walsh, who were in the first wave of industrial militants, all rejected their pasts and became committed to wartime mobilisation, work intensification and the drastic curtailment of union rights and living standards in their capacities as Ministers of Labour or leading figures in the FOL. Many even pressed for the continuation of restrictions after war's end. In New Zealand's Red Purge of 1946-1952, these former militants actively campaigned for the smashing of renegade unions, such as the carpenters and waterside workers. In more recent times Tom Skinner, FOL president in the 1960s and 1970s, was knighted for his services, and Ken Douglas, formerly militant unionist in the Wellington drivers union, has sought solace in the CTU's utopian 'third way'.

The understanding by New Zealand employers and governments that such union leaders could be trusted lay behind their decision to incorporate them into the management of industrial relations matters. The post-war settlement was shattered, however, by the working-class offensive of the late 1960s. A sea-change in employer opinion forged in adverse economic circumstances of the 1970s and 1980s then led to the final destruction of the post-war settlement with the decision to marginalise and then dismantle the entire apparatus of unionism in the latter period. The failure of New Zealand's union leaders to fend off the ruling class offensive means that the bitterness widely prevalent amongst workers both union and non-union, concerning the effects of the decade-long New Right offensive, finds no outlets. The demoralisation and pessimism abroad amongst union leaders, obsessed by their chase for 'a quality economy in a quality society' (Council of Trade Unions, 1993, p. 3), prevents them from campaigning for a fair share of the benefits of the recovery for members, less still from mounting a major assault on the government.

Table 7.1

Year	Private Sector Trade Unions	Public Sector Trade Unions	Total Trade Union Membership	Trade Union Density	Working days lost
1945	229103	53345	282448	59.63	66629
1946	247498				30393
1947	260739				102725
1948	271100				93464
1949	275977				218172
1950	275779	58713	334492	56.95	271475
1951	272957				1157390
1952	283496				28123
1953	290149				19291
1954	299254				20474
1955	304520	69186	373463	56.51	52043
1956	307031				23870
1957	317137				28186
1958	324438				18788
1959	327495				29651
1960	332362	82191	414553	54.71	35683
1961	324747				38185
1962	332801				93157
1963	334128				54490
1964	346857				66834
1965	353105	95132	448237	50.94	21814
1966	362760				99095
1967	366884				139490
1968	364872				130267
1969	366523				138675
1970	378465	115019	493484	50.63	277348
1971	386275				162563
1972	394748				140672
1973	427692				271706
1974	436623				183688
1975	454991	150000	604991	55.64	214632
1976	464453	160000	624453		488441
1977	473432				436808
1978	486533				380605
1979	506963				381896
1980	516297				373496
1981	519705				388086
1982	527797				330028
1983	527545				371774
1984	485484				424921
1985	490206	192800	683006	43.5	756432
1986	489763				1329054
1987					366300
1988					381700
1989	486483	162342	649875	44.7	193300
1990			610265		330900
1991			603118	41.5	99032
1992			428160	28.8	113742
1993			409112	26.8	23770

1994			375906	23.4	38300
1995			362200	21.7	53352

Sources: Roth (1973 and 1978); Brosnan et al. (1990); Harbridge and Hince (1992); and Crawford, Harbridge and Hince (1996).

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Other literature on this topic

Literature on the theory and practice of trade unionism in Western democracies has a history as long as that of trade unionism itself. One of the best recent summaries is provided by Kelly (1988). Most industrial relations textbooks summarise the unitarist/ pluralist/ radical typology, but for the original exposition, see Fox (1973). The unitarist perspective has been well-represented in New Zealand in recent years by publications from the Business Roundtable and the Employers Federation. See for example, the NZ Employers Federation 1990 charter (*The Benefits of Bargaining Reform*) and publications by Business Council lawyer Penelope Brook (1989; 1990). These arguments are echoed in a "pop" version by writers such as Coddington (1993). Ellen Dannin has exposed the flimsy basis of these works in a series of publications - see, for example, Dannin (1992 & 1996).

The classic literature on trade union officials is summarised in Hyman's short 1971 pamphlet and more recently in Kelly (1988). The notion that union officials constitute a conservative force in the labour movement has been challenged by the later Hyman (1979), Zeitlin (1989a; 1989b), and Heery and Kelly (1994). Their arguments have been critically evaluated in Bramble (1993).

There is also a rich literature on New Zealand unionism. Olssen and Richardson (1986) and Olssen (1986a) have summarised some of the main historical landmarks between 1880 and 1940, while Roth (1974 & 1978) authored some of the key texts in the area. Roth (1974: 64-83) and Sinclair (1976, Chapters 21 & 22) also furnish brief but useful accounts of the effect of the Cold War inside the New Zealand labour movement.

Roper (1990) and Boston (1984) have summarised union strategies from the late 1960s to the early 1980s, while Bray and Walsh (1992 & 1995) have traced the relative success of the strategies of the Australian and NZ union movements in the 1980s. Australian literature on the ALP-ACTU Accord is extensive and includes Singleton (1990) and Ewer et al (1991). The shift to strategic unionism within leading circles of the NZ union movement evident in two key CTU documents, *The Need for Change* (1988) and *Strategies for Change* (1989), can be tracked in Campbell and Kirk (1983), Harris (1988), and Harvey (1988). Policy documents from and presidential addresses to successive CTU conferences also provide a record of the CTU's own assessment of its strategy (see CTU, 1991; 1993; Douglas, 1991; 1993).

The best critical account of CTU strategy between 1987 and 1994 is provided by Dannin (1995), who also provides accounts of the extent and prevalence of workers' resistance to the Employment Contracts Bill in early 1991, as does Heal (1994). *People's Voice* has been a sustained critic of CTU strategy since the peak body's formation, most particularly at the time of the Compact and in the battle against the ECA.

See Plowman and Street (1993), Roper (1993), Kelsey (1995) and Murray (1996) for studies of the power of the Business Roundtable. For employer analyses of the fourth Labour Government's industrial relations legislation, see Business Roundtable (1986) and NZEF (1987). For academic accounts of this legislation, see Walsh (1989), Dannin (1992), and Deeks et al (1994).

Douglas (1993) and Dannin (1995b) have provided useful analyses of some of the problems facing unions under the ECA, while Anderson (in press) has tracked the effect of recent Employment Court decisions.

The policies of traditional employer body, the NZ Employers Federation, towards New Zealand's unions are recorded in its magazine *The Employer*.

¹ Harbridge et al. (1995) provide another estimate of union density in this period (65 per cent and 43 per cent in May 1991 and December 1994 respectively) but the method for calculation of these figures is not consistent with earlier density figures.