



LEADING FROM THE REAR? A THEORETICAL ANALYSIS OF THE CONTINGENT BUREAUCRATIC CONSERVATISM OF THE NZCTU LEADERSHIP

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Abstract

Since it was established in 1987 the NZCTU has consistently failed to successfully oppose and defeat any of the major policy initiatives of the fourth Labour Government or the current National Government, even though these policies have clearly been detrimental to the interests of workers. In particular, during the period leading up to the passage of the ECA in May 1991 the NZCTU leadership failed to organise and lead the kind of generalised strike action that would, at the very least, have forced the National Government to substantially amend (if not withdraw) the legislation. In the industrial relations literature there have been remarkably few attempts (apart from the self-justifications of those involved) to address the key question which this raises: why has the NZCTU leadership acted in such a conservative and timid manner in response to economic, social and industrial relations policies which are essentially pro-capitalist and anti-worker? Explanatory accounts of the conservatism of the NZCTU leadership, if they are to be convincing, must combine theoretical analysis of the contingent bureaucratic conservatism of fulltime trade union officials in the industrial relations systems of advanced capitalism with systematic historical research which disentangles the concrete interplay of economic, class, ideological and political forces specific to any particular dispute. This paper outlines the theory of the contingent bureaucratic conservatism of fulltime trade union officials, considers some of the major criticisms of this theory, and then argues that a qualified version of this theory is essential to making sense of the role played by the NZCTU leadership in industrial relations.

The NZCTU was established as a united national trade union federation at its inaugural conference in October 1987 bringing together, for the first time, the overwhelming majority of private and state sector unions. In terms of membership numbers and coverage as well as organisation and resources, the new federation was potentially the most powerful in New Zealand's labour history (Brosnan et al, 1990: 102, 124-125). Yet despite the evident potential power of the new federation, the NZCTU has consistently failed to successfully oppose and defeat any of the major policy initiatives of the fourth Labour Government or the current National Government, even though these policies have been clearly detrimental to the interests of workers. In particular, during the period leading up to the passage of the ECA in May 1991 the NZCTU leadership failed to organise and lead the kind of generalized strike action that would, at the very least, have forced the National Government to substantially amend (if not withdraw) the legislation.

In the industrial relations literature there have been remarkably few attempts (apart from the self-justifications of those involved) to address the key questions which this raises:

* Why has the NZCTU leadership acted in such a conservative and timid manner in response to economic,

social and industrial relations policies which are essentially pro-capitalist and anti-worker?

* In particular, why did the NZCTU, despite the massive scale of working class opposition to the Employment Contracts Bill, completely fail to force the government to make any significant changes to the legislation?

The central argument in this paper is that we cannot begin to answer these questions without reference to the theory of the contingent bureaucratic conservatism of fulltime union officials (also known as the rank and file perspective). Of course, bureaucratic conservatism is not the only factor which must be considered when investigating the course of particular industrial disputes and therefore it is always important to analyze the wider historical context of a dispute (state of the economy, prevailing balance of power between employers and workers, dominant economic orthodoxy, policy agenda of the government, and so forth). Hence explanatory accounts of the conservatism of the NZCTU leadership, if they are to be convincing, must combine theoretical analysis of the contingent bureaucratic conservatism of fulltime trade union officials in the industrial relations systems of advanced capitalism with systematic historical research which disentangles the concrete interplay of economic, class, ideological and political forces specific to any particular dispute.

This paper outlines the theory of the contingent bureaucratic conservatism of fulltime trade union officials, considers some of the major criticisms of this theory, and then argues that a qualified version of this theory is essential to making sense of the role played by the NZCTU leadership in industrial relations.

The contingent bureaucratic conservatism of fulltime trade union officials

Following the identification of the trade union officialdom as a conservative social layer in the Webbs' classic *Industrial Democracy* which was published in 1897, there have been many attempts to explain the evidently conservative industrial and political practice of fulltime union officials.¹ These span a wide range of intellectual and ideological perspectives from the revolutionary socialism of the classical Marxists to the liberal pluralism of British and American political science. Max Weber's analysis of bureaucracy and Robert Michels' study of the 'oligarchic tendencies of modern democracy' have been the major non-Marxist intellectual influences on the debate concerning the conservative propensities of the trade union officialdom. Within the Marxist tradition there have been a number of different interpretations of the contingent bureaucratic conservatism of union officials by Marx and Engels, Lenin, Luxemburg, Gramsci and Trotsky. A comprehensive review of this literature is not possible within the limited confines of this paper (for useful reviews of the Marxist literature see, Clarke and Clements, 1977; Hyman, 1971; Kelly, 1988). Rather the paper will articulate and apply the theory of the bureaucratic conservatism of union officials developed within the Marxist tradition by, among others, Bramble (1993), Callinicos (1995), Cliff and Gluckstein (1986), and Richard Hyman (1971; 1975) in his early work.

Why do union officials act in a conservative and timid manner in industrial relations? For Michels the conservatism of union officials reflected their desire to maintain the power and privileges of leadership dominance within their organizations. In *Political Parties* he argued that oligarchical tendencies characterize all large scale organizations, whether trade unions or political parties, for three sets of reasons. First, there are the 'technical and administrative causes' of leadership dominance which arise because of the 'mechanical and technical impossibility of direct government by the masses' (1962, Part I). Second, there are psychological causes of leadership dominance' which arise because there exists a 'natural greed for power' amongst leaders and 'the desire to dominate ... is universal' (Ibid., pp.205-6). In addition the masses are grateful to, and tend to venerate, their leaders. Third, there are 'intellectual factors' which underpin leadership dominance. Leaders are generally intellectually superior to the led and consequently the latter are dependent on the former. The dominance of the leadership rests on the 'incompetence of the masses' (1962, p.107-14).

Not surprisingly in view of the conservative implications

that this kind of analysis has for industrial and political practice, Marxists have attempted to provide a more sophisticated analysis of leadership dominance within trade unions which recognizes, not only the mechanisms which underpin leadership dominance, but also the mechanisms which can, in specific historical conjunctures, undermine it. The most fundamental reason for the conservatism of fulltime union officials is the fact that their role in conducting negotiations and making compromises with employers is dependent upon the continued existence of a social and economic system (capitalism) which centrally involves the subordination and exploitation of the workers they represent.² Trade unions play a vital role in defending workers interests within capitalism because they ameliorate this subordination and exploitation³, but generally they do nothing to seriously challenge it. In particular, union officials will do everything in their power to avoid a 'head to head' confrontation with employers and the state in the form of a general strike. Of course this general theoretical analysis tells us very little about the actual behaviour of union officials in particular industrial disputes: it cannot explain why in some disputes officials are prepared to sanction strike action while in others they do everything possible to avert it.

As Bramble (1993) makes clear, the theory of the contingent bureaucratic conservatism of union officials rests on a number of core propositions. First, stable collective bargaining in advanced capitalist societies requires the development of a separate and specialised layer of fulltime officials within unions who negotiate the terms and conditions of employment of union members. The bargaining functions of union officials are institutionalised and codified by the state in order to maintain the stability of capital-labour relations. Second, fulltime union officials are divorced from rank and file members by conditions of work and pay, location in a bureaucratic hierarchy, and possibly geographic isolation. Third, this layer of officials develop an interest in maintaining their own relatively privileged position within the industrial relations system. Such officials will defend their own interests when they are threatened by employers, government or by their own members who refuse to recognise their legitimacy and authority. It is naive and unrealistic to assume that the interests of rank and file members, and the interests of the officials who represent them, will necessarily coincide. In fact, union officials will often not hesitate to sacrifice their members' interests in order to maintain their own.

Fourth, rank and file control over officials varies tremendously between individual unions, but generally it is weak and the effective accountability of officials to their members is minimal. Generally, it is extremely difficult for union members to remove unpopular high ranking officials even in unions where these officials are formally elected.

Fifth, the loyalty of union officials to established bargaining relations leads them to support formal procedures associated with arbitration, mediation and collective bar-

gaining and often to condemn industrial action, especially that which is not within its control. Fulltime union officials therefore constitute a conservative layer in terms of industrial practice, both in the demands that they are willing to sanction and in the methods that they are prepared to endorse in the pursuit of given demands. Because union officials' primary role within capitalism is collective bargaining, involving negotiation and compromise, they will, unless subject to severe rank and file pressure, seek to avoid generalised strike action. Officials are solidly committed to reformism and during periods in history when the continued existence of capitalism is threatened by the emergence of a revolutionary movement they do everything in their power to undermine the movement and defend the existing system.

Finally, the bureaucratic conservatism of union officials is historically contingent because as a distinct social stratum, officials are subject to changing economic conditions and contradictory and conflicting sets of social forces. Officials are subject to pressure from below from their rank and file members and from above by frequently hostile employers and by government which generally sides with employers in significant industrial disputes.

Let us consider this in a little more depth.⁴ First, it is important to recognise that the tendency of fulltime officials to pursue a relatively conservative industrial practice is dependent upon the willingness of the members to support continued industrial peace in relations with employers. For the most part rank and file members at least acquiesce in, if not actively support, their officials' industrial practice. However, a shift of mood among rank and file members, either before or during an industrial dispute, may bring these members into conflict with their union leaders and the latter's workplace supporters. Rank and file pressure can force fulltime union officials to respond. The specific form that such a response may take is indeterminate. In some circumstances fulltime officials may seek to suppress the threat from below in order to preserve the status quo in form and substance. In others, they may seek to accommodate the pressure from below in order to preserve the substance of leadership dominance. This may involve taking a more militant stance against employers.

Unions are also subject to pressures from employers and the state, particularly during periods of economic crisis when employers are under pressure from declining profit rates and the state is under fiscal pressure. Declining profitability, particularly when labour productivity is not growing, places employers under acute pressure to cut labour costs. When the state is under fiscal pressure it is more likely to adopt a militant stance in negotiations with its employees. In short, the less favourable the economic environment, the more pressure that is placed on union officials by employers and the state to accept sacrifices in members' wages and conditions in order to maintain the underlying viability of the system. Because of their loyalty to the capitalist system, it is likely that officials will acquiesce to employer demands.

To sum up. Fulltime trade union officials constitute a distinctive social stratum in capitalist societies with its own interests. Because of the bargaining functions that they perform within the industrial relations system, and because of their conditions of work and isolation from the rank and file, union officials tend towards conservatism in industrial practice — particularly during large scale industrial disputes. It is important to recognise that the tendency towards bureaucratic conservatism within trade unions is precisely a *tendency*. There have been, and will continue to be, significant exceptions. Furthermore, bureaucratic conservatism is historically *contingent* since union officials are subject to contradictory, conflicting and changing sets of social, economic and political pressures.

Criticisms of the theory

The theory of the contingent bureaucratic conservatism of fulltime trade union officials, commonly referred to as the 'rank and file perspective', has been subject to extensive criticism (Heery and Fosh, 1990; Heery and Kelly, 1990; Hyman, 1989, ch.6; Kelly, 1988, ch.7; Zeitlin, 1987, 1989a, 1989b). The critics have argued that: i) the conservatism of fulltime union officials cannot be explained by reference to the specific nature of officials' working lives nor their involvement in collective bargaining; ii) there is no clear divergence of interests between the trade union officialdom and the rank and file; iii) there is no clear dividing line between the 'officialdom' or 'union bureaucracy' and the rank and file; iv) union officials are, contrary to the claims of rank and file, actually responsive to the wishes of rank and file members; and v) fulltime officials do not necessarily tend to conservatism and rank and file members to militancy. In this section of the paper these criticisms will themselves be subject to critical scrutiny.

Kelly (1988) argues that the conservatism of fulltime union officials cannot be explained by reference to the specific nature of officials' working lives which generally involve higher pay and greater employment security than that experienced by union members, geographic and organizational isolation from rank and file members, and the power and prestige associated with union leadership. In particular, the higher rate of pay that some officials get relative to the workers that they represent cannot be a factor explaining officials' conservatism since high paid workers can be industrially militant and low paid workers quiescent (*ibid.*, pp. 161-65).

In response the more sophisticated rank and file accept that there is no mechanical relationship between high or low wages and high or low rates of industrial militancy amongst sections of the workforce. Rather, they argue that, regardless of whether or not an official earns more than rank and file members, the overall effect of official working conditions is to isolate them from those they represent (Bramble, 1993, pp. 17-21). As Callinicos observes:

[the official] is removed from the discipline of the shop floor, from its dirt and dangers, from the immediate

conflicts with the foreman and manger, from the fellowship of his [or her] workmates, to the very different environment of an office. Even if he [or she] is not paid more than his [or her] members, his [or her] earnings no longer depend on the ups and downs of capitalist production... If a plant is closed, the official who negotiates the redundancies will not get the sack. Constantly closeted with management, the official comes to see negotiation, compromise, the reconciliation of capital and labour as the very stuff of trade unionism. Struggle appears as a disruption of the bargaining process, a nuisance and an inconvenience, which may threaten the accumulated funds of the union (cited in Cliff and Gluckstein, 1986, p.27).

The point is that it is not simply the high salaries of union officials in national leadership positions that predisposes them to conservatism in industrial practice, but rather that this is the overall effect of their working conditions (geographic and organizational isolation, lack of accountability, commitment to established bargaining procedures, and so forth).

Critics of the theory of bureaucratic conservatism argue that the rank and filist perspective is empirically unfounded because there is no clear dividing line between the 'officialdom' and the rank and file. The internal organizational hierarchies of unions are highly complex and there is a high degree of variation in organizational structure between individual unions; consequently the division between the officialdom and the rank and file is blurred. Further, the interests of the union officials and of the rank and file are not uniform and both are divided internally as well as against one another (Hyman, 1989, p.158; Kelly, 1988, pp.154-155; Zeitlin, 1989a, p. 49). Rather than there being a clearly defined bureaucracy separate from a coherent and conscious rank and file, intra-union relations are highly complex, with shifting interest groups and bureaucratic tendencies apparent at many levels. In this vein Hyman has argued that "the problem of 'bureaucracy' denotes not so much a distinct stratum of personnel as a relationship which permeates the whole practice of trade unionism" (1989, p.158).

In reality it is true that there is no simple and clear cut distinction between the rank and file and the union officialdom. Unions have complex bureaucratic organisational structures which can encompass ordinary rank and file members, unpaid workplace delegates, elected regional executive members, regionally based paid organisers, and fulltime national officers (President, Vice-President, Secretary, etc). The demarcation problems involved in distinguishing between the union officialdom and the rank and file arise when one moves down the union hierarchy to regional organizers, elected unpaid regional office holders, and workplace delegates.⁵ In general, the tendency to bureaucratic conservatism is stronger the higher up the union hierarchy (although, obviously, there are exceptions). For example, regional organizers are more likely to be responsive to rank-and-file demands than national

officers. However, regional organizers are typically bureaucratically appointed and are dependent for their positions on the continued patronage of the national leadership. This paper is primarily concerned with the conservatism of the NZCTU leadership, and there can be no doubt that the members of the NZCTU's National Executive, and other national officers of unions who are based in Wellington, are 'union bureaucrats' in the classical sense.

The rank and filists argue that, despite the organisational complexity of some unions, and the existence of other sources of intra-union conflict, there is still a discernible divergence of interests between the working-class membership of trade unions and fulltime office based officials (Bramble, 1993, p.17). This divergence of interests arises because the driving force of economic activity in capitalist society is, given the competitive war which is waged on both commodity and capital markets, the necessity of firms to remain profitable. Profit in capitalist society is the principal, but not the only, phenomenal form assumed by surplus-value. Surplus-value is the monetary form of the social surplus product specific to a capitalist society. In other words, workers produce a surplus product over and above their own subsistence needs, and the exchange-value of this surplus product is equivalent to surplus-value. The surplus-value produced by workers in capitalist production is appropriated by capitalists by virtue of their exclusive ownership (in the sense of effective control) of the means of production.⁶ Hence the divergence of interests between rank and file union members and union officials arises because "the task of trade unions... is to defend workers' interests within capitalist relations of production, within the wages system. The unions exist to improve the terms on which the worker is exploited, not to put an end to exploitation." (Cliff & Gluckstein, 1986, p.26)

Agreements reached between unions and employers through collective bargaining within capitalism, even where such agreements involve substantial improvements in wages and conditions, only have a marginal impact on the overall process of surplus-extraction (and hence never fully realize workers' interests). The interests of union officials are inextricably linked to the continued maintenance of legislation codifying agreements reached through collective negotiation of the buying and selling of labour power, which in turn depends upon the continued subordination and exploitation of workers within the production process. In short, collective agreements may be reached with employers which do reflect, to a limited and partial extent, workers' desire for higher wages and better conditions of employment. But they can never more than partially encompass workers' interests because workers have fundamental interests (inter alia securing the full 'fruits of their labour', distributing this according to need rather than profit, and democratic workplace control) which are essentially anti-capitalist.

Zeitlin argues that the rank and filist perspective is inadequate because there is 'pervasive evidence' that fulltime

officials are actually responsive to the wishes of rank and file members, with the result that it has been possible "to keep internal tensions within tolerable bounds" (1989a, pp.58-9) This criticism has some force against simplified versions of the rank and file perspective, but not against those which recognise that the conservatism of officials is *contingent* because they are subject to contradictory and conflicting social forces, the relative weight of which can change rapidly over time. In unions with a high degree of internal democracy and rank and file participation in union affairs, or during industrial disputes where the rank and file is placing considerable pressure on their officials to act, the officials may be responsive to rank and file demands. But the weight of historical evidence suggests that during large scale industrial disputes union officials tend to adopt a more conservative posture than the rank and file (see for example, Bramble, 1993; Callinicos & Symonds, 1985; Cliff & Gluckstein, 1986; Harman, 1988; Moody, 1988; Kerry, 1980; Robertson, 1988).

Perhaps the most common, and apparently damning, criticism of the rank and file perspective, is the claim that fulltime officials do not necessarily tend to conservatism and members to militancy. This appears to be a powerful criticism because it is obviously not the case that members are always more militant than officials. Indeed, much of the time it is true that rank and file union members are passive, quiescent and content to support the position of their officials. Ideologically, the majority of the membership make actually be more conservative than the officialdom. It is difficult to articulate a sophisticated response to this, particularly important criticism, in the limited confines of this paper (Bramble provides the definitive response, 1993, pp.27-33).

In response three brief points are worth emphasizing. First, workers' structural location within the economic structure of capitalism means that they are subject to periodic attacks by employers on their wages and conditions of employment. Rank and file workers experience these attacks much more immediately than union officials who are shielded from them for the reasons outlined above. Second, related to this,

many unionized 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' (Bramble, 1993:30).

Third, during large scale industrial disputes workers' consciousness changes very rapidly over short periods of time. Bramble argues in this regard that:

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 fulltime 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 members can be rapidly driven into industrial action extending well beyond what their fulltime 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' consciousness that they stand in contrast to fulltime officials (Ibid., p 31).

As this makes clear, much criticism of the rank and file perspective is misdirected. This perspective recognizes that in most unions, most of the time, the rank and file members may be passive, quiescent and ideologically more conservative than their officials. However, during large scale strikes, and *a fortiori* during periods of generalized strike action, union officials' commitment to the formal procedures of collective bargaining, negotiation and compromise with employers leads them to seek to avert 'head to head' confrontation with employers and the state. At the same time, when engaged in large scale collective action even ideologically conservative workers can become radicalized in a very short period of time and support forms of industrial action being actively discouraged by ostensibly 'left wing' officials.

It must be acknowledged that socialist explanations of 'sell outs' by union officials that focus on their political allegiances of union officials, or their predisposition to personal corruption, are unsatisfactory. They typically invoke a conspiratorial rather than sociological form of explanation. This criticism is sound but it does not seriously undermine the rank and file perspective because this perspective does not explain sell-outs by reference to personal deficiencies of individuals.

Finally, the rank and file perspective has been criticised for focusing excessively on internal conflict within unions and failing to place sufficient weight on the frequently hostile external social, economic and political context in which unions have to operate. Once again this criticism is wide of the mark. Rank and file members readily acknowledge that when considering any specific dispute, particularly where the union has lost, it is important not to focus exclusively on the role of the union officials. It is necessary to place the dispute within a wider societal and historical context (see for example, Roper, 1990).

Relevance of the theory to the NZCTU

The theory of the contingent bureaucratic conservatism of the union officialdom both explains, and is empirically corroborated by, the largely timid, passive, conciliatory,

and conservative response of the NZCTU leadership to the succession of attacks on its members by the fourth Labour Government and the current National Government. While it is not possible to provide a detailed empirically grounded account of the performance of the NZCTU leadership from 1987 to the present, it is possible to make a number of general observations.

First, industrially the NZCTU leadership has repeatedly emphasized the need for negotiation and compromise within the formal procedures of collective bargaining, while demonstrating a complete distain for industrial action. On numerous occasions the larger unions affiliated to the NZCTU have negotiated collective agreements with employers which maintain the union's role as the workers' representative in collective bargaining at the expense of major concessions on pay rates, conditions of employment, and redundancies. In other words, union officials have been prepared to sacrifice the interests of their members in order to preserve their own mediating role in the industrial relations system. Further, the NZCTU has consistently failed to co-ordinate and lead widespread strike action in opposition to either the specific attacks of militant employers or the pro-capitalist, anti-worker policies of the Labour and National governments.

Second, politically the NZCTU leadership pursued a social democratic 'corporatist' strategy emphasizing cooperation with, rather than opposition to, the fourth Labour Government. This strategy was pushed by the leadership in the conflict surrounding the proposed Compact between the NZCTU and the Labour Government which culminated in the notorious 'Growth Agreement' reached six weeks prior to the 1990 general election.⁷ Following the election of the National Government in 1990 the NZCTU leadership has constantly emphasized its preparedness to work cooperatively with the government, and astonishingly in October of 1991 invited a National Prime Minister, Jim Bolger, to speak at its biennial conference.

Third, even in terms of its formal structure the democratic accountability of the NZCTU leadership to its rank and file members is minimal. Unlike the FOL which held annual conferences, the NZCTU only holds conferences on a biennial basis. The President, Vice President and Secretary/Treasurer are only subject to election once every four years (less frequently than the Prime Minister!), there is no effective constitutional mechanism enabling rank and file NZCTU members to remove the President or Vice President from office for inadequate performance, there is no constitutional requirement for union officials to vote in accord with the wishes of the majority of their members in special meetings of affiliates, nor is there any constitutional requirement that affiliated unions be internally democratic (NZCTU, 1994, pp.49-73).

The performance of the NZCTU leadership in response to the introduction of the Employment Contracts Bill (and associated changes in the eligibility criteria for welfare benefits) constitutes a classical case of bureaucratic con-

servatism. It was widely recognized from the outset that the central provisions of the Employment Contracts Act would fundamentally undermine union membership and coverage, organization, collective action and bargaining power.⁸ The ECB was introduced in conjunction with significant reductions in benefit rates and the introduction of much harsher eligibility criteria (Boston and Dalziel, 1992). Early in 1991 the popularity of National, as reflected in opinion polls, declined to an historic low for a governing party. In this context, during the early months of 1991 there was a remarkable, and largely spontaneous, growth of working class opposition to the legislation. The overwhelming weight of the available evidence suggests that a clear majority of rank and file union members supported generalized strike action in order to force the government to amend or withdraw the bill. This is clear from the scale of the protests against the bill (the largest since 1981), the size and mood of mass stopwork meetings, opinion polls which highlighted the unpopularity of the ECB, and the results of union ballots endorsing nationwide strike action (Heal, 1994, ch.5; and Heal in this volume).

The NZCTU leadership has, rather like a scratched record, subsequently claimed that there was insufficient rank and file support for a 24 hour general strike in opposition to the ECB; but it has not produced a scrap of reliable evidence to support this claim. There is not a single instance amongst the major unions of workers failing to endorse, and by very large majorities, strike action where they were balloted.

A 24 hour general strike on its own would not have been sufficient to force the government to amend the legislation.⁹ But a successful general strike would have raised workers' confidence and could have been followed by further generalized strike action and mass protests. In the face of such opposition it is likely that the government would have, at the very least, modified the legislation in order to diffuse the situation (it was subsequently forced into U-turns on some of its initiatives in superannuation and health). Consequently, the decision of the Special Affiliates conference held on the 18th of April 1991 represents one of the darkest days in New Zealand's labour history. The national office holders in major unions block voted against the Service Workers' amendment calling for a 24 hour nation-wide strike, even though the majority of rank and file members in these unions would have endorsed and supported such action. Instead of promoting strike action to defeat the legislation, the NZCTU leadership constantly emphasized compromise, negotiation, conciliation and the powerlessness of workers. It was a 'sell out' of considerable political and historical significance. If the National Government had been defeated on this issue, then it would have effectively slowed down the continued implementation of the policy agenda of the New Right.

Finally, the argument in this section of the paper raises an apparent anomaly: if the distinctive interests of the union officialdom rest in the maintenance of their role in collective bargaining, and the ECB undermined collective bar-

gaining, then why didn't NZCTU leadership oppose the ECB more forcefully? The major reason is that the positions, power and salaries of the members of the NZCTU National Executive were in no way directly threatened by the ECB. The union officialdom is not homogeneous and there is a differentiation of interests within it. In essence, in failing to coordinate a nation-wide campaign of generalized strike action in opposition to the legislation, the NZCTU leadership was sacrificing the interests, not only of the rank and file, but also sections of the union officialdom.

What is to be done?

First, in response to the NZCTU's continual emphasis on the powerlessness of workers, it must be emphasized that workers do have the capacity to win major concessions from employers and the state through strike action. By comparison, policy submissions to the current government are an exercise in futility and simply waste limited union resources.

Second, while it is the case that workers have the collective capacity to force employers and the state to make major concessions, this is dependent upon the extensive mobilization of the rank and file and the degree of rank and file pressure on their officials. As we have seen, officials generally want to settle disputes as soon as possible, even if this involves reaching agreements which make unnecessary concessions to employers. Consequently, rank and file activists need to constantly argue for the maximum degree possible of rank and file involvement in the organizing of the strike and in the negotiation process. In view of its past track record, the intervention of the NZCTU leadership in any particular dispute should be viewed with supreme distrust.

Third, the NZCTU requires thorough democratization. Conferences should be held annually, national office holders should be subject to annual re-election, and so forth. Fourth, during the 1990s there has been a significant revival in strike activity internationally. There has also been a revival of strike activity in New Zealand from the low point following the introduction of the ECA in 1991. It is time the NZCTU started to build a campaign of political and industrial action in order to force the government to, at the very least, amend the ECA.

Fifth, without suggesting that changing leading personnel will have anything other than a marginal impact on the bureaucratic conservatism of the NZCTU leadership, the current office holders have shown themselves to be staggering inept in opposing militant employers and anti-working class policies and they should be replaced. Sixth, the promotion of business unionism and workplace reform by the Engineers' Union (the most right-wing and reactionary in New Zealand) and the NZCTU leadership must be vigorously opposed by rank and file activists.

Finally, the revitalization of the union movement in New

Zealand is ultimately dependent upon a major revival of rank and file activity and militancy. This is, in turn, will only happen in the context of a major upsurge in working class struggle. The task for rank and file activists and socialists is to help build that struggle while simultaneously highlighting the propensity of union officials to sabotage it.

Conclusion

The primary objective of this paper has been to highlight the relevance of the theory of the contingent bureaucratic conservatism of trade union officials to the study of industrial relations in New Zealand. Specifically, the theory provides a convincing explanation of the timidity, conservatism and ineffectiveness of the NZCTU leadership's responses to the attacks of militant employers and anti-working class policies. It is simplistic and false to assert that 'officials always sell out' their rank and file members. One of the major strengths of the theory is its capacity to identify not only the mechanisms which can, in specific historical conjunctures, undermine it. By recognising that the bureaucratic conservatism of union officials is *contingent*, the theory provides an analytical framework of considerable sophistication and explanatory power which can be used to guide historical and empirical research in the related fields of industrial relations and labour history.

Future research

The struggle against the ECA in 1991 ranks alongside the 1890 Maritime Strike, 1913 Waterfront Strike, and the 1951 Waterfront Lockout as one of the most significant in New Zealand's labour history. Up to this point, Heal's MA thesis constitutes the most detailed historical account of the struggle for and against the ECA. While this work makes an invaluable contribution, there remain many avenues open for further research into the 'making of the ECA'. There is a need for detailed historical accounts of the struggle in the various regions, that is regional case studies.

Alternatively it would be useful to obtain accounts of the struggle focusing on the roles played by particular unions, focusing not just on the officials in these unions but also the rank and file. Adopting this kind of detailed case study approach might make it possible, if supplemented by in depth interviews with rank and file union members, to trace the way in which rank and file sentiment changed during the early months of 1991.

Heal's research could also be usefully supplemented by a more detailed account of the changing position of the NZCTU leadership and 'inside' accounts of the response of employers (NZBR & NZEF) and the National Cabinet to the spontaneous upsurge of working class anger early in 1991. More generally future research is required in both labour history and industrial relations which adopts a rank and filist perspective.

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Notes

¹ The term 'conservative' is used to designate attachment to the existing patterns of social, economic and political relations associated with advanced capitalism. Whenever working class struggle has seriously threaten the continued existence of capitalism (for example, Germany 1918-1923, Italy 1919-1920, France 1968) trade union officials have consistently defended capitalism. 'Conservatism' with respect to industrial practice refers to commitment to negotiation and compromise rather than struggle.

² The term 'exploitation' is used here in the Marxian sense. Workers are exploited because they produce a surplus product over and above that required to meet their basic needs for subsistence which is appropriated by a dominant capitalist class (for references see Roper, 1993).

³ Richard Hyman observes in this regard that: "Because the economic power of capital - reinforced by a battery of legal sanctions - is so great, the amount of control which can be exercised by employees as individuals is extremely limited. Only when they band together in common action can they begin to make serious inroads into the dominance of the employer." (1975:32)

⁴ The following paragraph paraphrases Bramble, 1993: 39-40.

⁵ If one must draw a demarcation 'line' between the rank and file and the union officialdom, then a key consideration is whether or not a position is paid or unpaid, and if it

is paid then by whom (in Britain some shop stewards are paid by their employer while working fulltime on union business). As a general rule all fulltime paid union officials form part of the union bureaucracy, but it must be recognized that the bureaucracy, like the rank and file, is not homogeneous.

⁶ For a more detailed outline of this argument and extensive references, see Roper, 1993:12-21.

⁷ For an account that is sympathetic to the NZCTU position see Harvey, 1992. For a critique see Heal, 1994, ch. 3.

⁸ This has been borne out by subsequent research focusing on the impact of the ECA. Numerous references could be provided here. For a representative sample see the contributions to Harbridge, 1993 and the *New Zealand Journal of Industrial Relations*, vol. 16, no. 2 .

⁹ Given the breadth and depth of popular opposition to the government at the time, it is possible that key sections of the workforce may have stayed out longer than 24 hours.

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