

Union Densities, Business Unionism, and Working-Class Struggle: Labour Movement Decline in the United States and Japan, 1930-2000

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[Trade union leadership produces] bureaucratism and a certain narrowness of outlook.... [Trade union leaders tend to overvalue] the organization, which from a means has gradually been changed into an end in itself, a precious thing, to which the interests of the struggles should be subordinated [, eventuating in an] ... openly admitted need for peace which shrinks from great risks and presumed dangers to the stability of the trade unions.¹

It is not a case of *either* this *or* that. We must, at every point, see *both* ... the strength of trade unions *and* their parasitism upon capitalist growth.... [T]he equilibrium (which is an equilibrium *within* capitalism) is precarious. It could be tipped backward towards authoritarianism. But it could also be heaved *forward*, by popular pressures of great intensity, to the point where the powers of democracy cease to be countervailing and become the active dynamic of society in their own right. This is revolution.²

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UNION DENSITY — that is, the percentage of workers who are members of unions — is now in constant decline in the industrialized west. In the United States, the de-

¹Rosa Luxemburg, *The Mass Strike, the Political Party and the Trade Unions* [1906], in Mary-Alice Waters, ed., *Rosa Luxemburg Speaks* (New York 1970), 214-215.

²E.P. Thompson, "Revolution," in Thompson, ed., *Out of Apathy* (London 1960), 300-301 (emphasis in original).

Wythe Holt, "Union Densities, Business Unionism, and Working-Class Struggle: Labour Movement Decline in the United States and Japan, 1930-2000," *Labour/Le Travail*, 59 (Spring 2007), 99-131.

cline began in 1953, while in Japan, it began in 1975.³ These nations are not exceptional. Economist Gerald Friedman demonstrates that “by 1995, ... union membership was declining steadily in 12 of 16 [capitalist] countries.”⁴ By comparing the recent working-class histories of the United States and Japan, this paper will postulate the chief reason for the decline.

A Note on the Meanings of Union Density

This paper emphasizes solely the facts of a general decline in western union density, and the specific declines in the United States and Japan. Other perspectives on union density may tell other sorts of stories. For example, the decline has been steep in some of these nations: the US has gone from the mid-30 per cent range in 1953 to single digits today, while Australia, France, and the UK have seen union density drop by half or more than half from peaks, respectively, in 1988, 1975, and 1974.⁵ However, in other industrialized nations there has been a levelling off or only a slight decline: Canada has been in the 30 per cent range since 1983 (with a slight rise in the early 1990s and a slight dip in the later 1990s),⁶ while Sweden and Denmark have each declined from about 86 per cent only to about 82 per cent from their peaks, respectively, in 1993 and 1994. As can be seen, union density also varies tremendously from one nation to another. It is likely that, as is true in Canada, a slower decline or level membership numbers mean that worker solidarity and union leadership are stronger, but factors local to each national economy must also have importance in shaping these differences. France, for example, is a nation very conscious of worker rights and the social wage, where a strike by the transportation workers' union can paralyze the nation, and where (as is occurring in Paris as I

³See Kim Moody, *An Injury to All: The Decline of American Unionism* (London 1988), 3-4; Andrew Gordon, *The Wages of Affluence: Labor and Management in Postwar Japan* (Cambridge 1998), 147-148; Gerald Friedman, “Has the Forward March of Labor Halted? Union Growth and Decline in Comparative and Historical Perspective,” paper presented at the Southwest Labor Studies Association conference, Berkeley, CA, 10 May 2003; (used here by permission of the author), 1, and Table 1.

⁴Friedman, “Forward March Halted,” 1. While Friedman did not include Ireland and Spain in his analysis, he notes that union density also peaked in those nations in 1980. See his n. 1. Friedman further notes that since about 1980 in most of these nations, vote totals for socialist and communist parties have declined, while strikes have attracted a declining percentage of the labour force.

⁵Numbers in this paragraph, except where otherwise noted, are derived from Friedman, “Forward March Halted,” Table 1. Note that Friedman’s data series in no instance extends into the 21st century, so that the figures of 82 per cent for Sweden and Denmark are from the years, respectively, of 1998 and 1997.

⁶Bryan D. Palmer, *Working-Class Experience: Rethinking the History of Canadian Labour, 1800-1991*, 2nd ed. (Toronto 1992), 354; Commission for Labor Cooperation, “Recent Trends in Union Density in North America” (August 2003), 1.

write) workers regularly join in mass protests and demonstrations — but it has since World War II had the lowest union density of any industrialized nation.⁷

Theories of the Cause of Decline

On the surface, academics agree on the cause of this drop-off. Since humans are rational decision-makers, unions diminish in density when they do not serve the needs of their working-class membership.⁸ Just beneath the surface, however, controversy roils. What counts as the “needs of the working class,” and consequently what fails to serve those needs, is a matter upon which academics divide sharply, because of broad differences in their assumptions.

One group of academics has as its fundamental assumption that workers’ needs are those of individual consumers. Thus, workers can freely choose to join unions and do not have collective economic interests deeply adversarial to the collective interests of employers. Workers, in this view, willingly subordinate themselves to business managers and make their company’s production goals their own, in order to help in the creation of a better consumer standard of living, and because they prefer not to take entrepreneurial risks, not having “an effective will to power.”⁹ Thus, unions exist to allow workers/consumers to force a sometimes recalcitrant management to allocate to them a bigger piece of the economic pie: better wages, benefits, and working conditions.

Structuralists in this interpretive school attribute the decline in union density to slower economic growth rates and rising unemployment (workers can no longer afford union membership), to the demise of heavy industries and the rise of the service sector (it is more difficult to form and maintain unions in service industries), or to “expanded foreign trade which has undermined the bargaining position of many unions.” Behaviouralists in the group explain the decline as related to the success of capitalism. Management has adequately rewarded workers; capitalism has won in the competition with socialism. The worth of individualism over collectivism is es-

⁷“Over two million French have taken to the streets in incendiary revolt against becoming subject to ‘employment at will’ — a [legal] status that the 92% of American private sector workers not protected by a union contract accept quietly without protest.” Robert Fitch, interviewed by Michael D. Yates, “What’s the Matter with U.S. Organized Labor: An Interview with Robert Fitch,” <http://mrzine.monthlyreview.org/yates300306.html> (posted 4 April 2006). Fitch points out that, even though actual union membership is low, “over 90% of the [French] work force is covered by a union contract.”

⁸“Unions tend to grow and expand when they are seen as active protectors and militant representatives of employees.” James B. Atleson, “Confronting Judicial Values: Rewriting the Law of Work in a Common Law System,” *Buffalo Law Review*, 45 (1997), 435-456, quotation from 454.

⁹Selig Perlman, *A Theory of the Labor Movement* (1928; New York 1970), 239. See generally Mark Leier, *Red Flags and Red Tape: The Making of a Labour Bureaucracy* (Toronto 1995), 19-22.

tablished; the collapse or subversion of most hardline left-wing governments is explained; and mass consumer culture emerges as superior in its attractions and benefits to alternative political economies.¹⁰ Both subgroups see all of this as natural and inevitable, just as they see employer antagonism to unions as perfectly understandable (but not worker antagonism to employers). Since the 1970s employer success has been the most significant cause of union density decline, as employers serve worker needs better than unions.¹¹

An opposing analysis — with which I associate myself — has as its fundamental assumptions that people like and need respect, self-responsibility, and community; that they work cooperatively and collectively in groups in order best to reproduce the species, with collective responsibility to and within social bodies; and that democracy, or mutual collective self-governance, best satisfies these needs. To those having such assumptions, capitalism is undemocratic and exploitative, so workers tend to oppose the oppression, the stress, the lack of dignity, the enforced hierarchy, and the lack of control over their work, their lives, and their communities which characterize work in capitalism. Thus, unions are an economic necessity since individuals cannot successfully oppose owners.

Explanations derived from this analysis for the decline of union density include a mix of three factors: a great rise in strength and heavy-handedness among

¹⁰Friedman, “Forward March Halted,” 3 (source of quotation). See generally Henry S. Farber, “The Decline of Unionization in the United States: What can be Learned from Recent Experience,” *Journal of Labor Economics*, 8 (1990), S75-S105; Bruce Western, *Between Class and Market* (Princeton 1999); Walter Galenson, *The American Labor Movement, 1955-1995* (Westport 1996); Dan Clawson, *The Next Upsurge: Labor and the New Social Movements* (Ithaca 2003); Leo Troy, *Beyond Unions and Collective Bargaining* (Armonk 1999); Charles C. Hecksher, *The New Unionism: Employee Involvement in the Changing Corporation* (New York 1988); Jelle Visser, “The Strength of Union Movements in Advanced Capitalist Democracies: Social and Organizational Variations,” in Marino Regini, ed., *The Future of Labour Movements* (London 1992), 17-52; Paul Weiler, “Promises to Keep: Securing Workers’ Rights to Self-Organization Under the NLRA,” *Harvard Law Review*, 96 (1983), 1769-1827; Weiler, “Striking a New Balance: Freedom of Contract and the Prospects for Union Representation,” *Harvard Law Review*, 98 (1984), 351-420. The classic statement is by Walt Whitman Rostow, *The Stages of Economic Growth: A Non-Communist Manifesto* (Cambridge 1967). See also, Daniel Bell, *The Coming of Post-Industrial Society: A Venture in Social Forecasting* (New York 1973).

¹¹For the United States, see Richard B. Freeman and James L. Medoff, *What Do Unions Do?* (New York 1984); Richard B. Freeman, “Contraction and Expansion: The Divergence of Private Sector and Public Sector Unionism in the United States,” *Journal of Economic Perspectives*, 2, 2 (1988), 63-88; William T. Dickens and Jonathan S. Leonard, “Accounting for the Decline in Union Membership, 1950-80,” *Industrial and Labor Relations Review*, 38 (1985), 323-334. For Japan, see Richard B. Freeman and Marcus E. Rebick, “Crumbling Pillar? Declining Union Density in Japan,” National Bureau of Economic Research, *Working Paper Series* (May 1989), also published in *Journal of Japanese and International Economics*, 3 (1989), 578-605.

the owners and managers of business since the 1970s; a loss of state support for collective bargaining and unionization; and a decline in union militancy.¹² My position in this paper is that the latter factor is the most important in the mix. Union membership has declined in the last quarter-century chiefly because unions have increasingly fallen into the pockets of capital, have responded to structural shifts and employer/government assaults by acting more like managers and owners than like militant and upset workers, and thus have failed to come close to serving the inherently oppositional needs of their members.¹³

Separate Exceptionalisms: The United States and Japan

Many academics make the claim that, each in its own way, the Japanese and United States labour forces are unique and exceptional. These supposed exceptionalisms usually frame the debates over the decline of union density in each country, making it much easier for the triumph of capitalism and the decline of trade unions.

In both countries, a devotion to consumer lifestyles and a high degree of education in the workforce is said to have destroyed any taste the workers may have had for revolution or a supposedly consumer-goods-challenged socialist way of life. Unions have been accepted in both as a part of the mainstream. In other industrial nations (mostly in Europe, but including Israel, Australia, and Canada) unions have produced or supported socialist or social-democratic parties which have enjoyed periods of governance, greatly affecting the economy, and unions and workers thus have some separation from the rest of the populace. However, acceptance in the US and Japan has been as a regular interest grouping within the two-party system (in the US), or as a junior partner in an informal, corporatistic junta system which manages politics and the economy (in Japan).

In the US, this story stipulates that there has been a century and three-quarters of increasing prosperity which has undermined the growth of strong radical parties. The high point of American socialism was the 6 per cent of the vote received by Eugene Debs for the presidency in 1912, and both Communists and Socialists have

¹²See Michael Goldfield, *The Decline of Organized Labor* (Chicago 1987); Kate Bronfenbrenner, "Employer Behavior in Certification Elections and First-Contract Campaigns: Implications for Labor Law Reform," in Sheldon Friedman et al., eds., *Restoring the Promise of American Labor Law* (Ithaca 1994), 75-89; Palmer, *Working-Class Experience*. Dan Clawson, vigorously in favour of labour's freedom, sees its future as necessarily tied to the liberation of other "segments" of the population, breaking down the supposed barriers between "work" and "community" or "the family." Clawson, *Next Upsurge*.

¹³Gerald Friedman's conclusions reinforce mine. He recognizes the importance both of loss of support for unions from friendly governments (especially socialist ones, but including left-liberal governments such as the New Deal/Great Society in the US), and of the structural factor of a lack of rapid economic growth stimulating and allowing workers to join unions. But most important, for Friedman, is the decline of mass strike activity by unions. Friedman, "Forward March Halted," 5-12.

been moribund since about 1945. This widely held story concludes that the US has become, exceptionally, a *classless society* where radical philosophies supposedly never gained much of a lasting adherence, especially among workers.

Japan has had two short-lived Socialist governments (one in the 1940s, another at the end of the 20th century) and has active Socialist and Communist parties, but they are not strong and are growing weaker; socialist government has been a distinct failure by any measure. Add to this the four unique benefits which management has supposedly awarded to Japanese workers — union recognition; lifetime employment for industrial workers; worker-management cooperation through worker councils; and traditionalistic cooperation within families whereby the wife happily manages the home and the family while the husband contentedly works long hours at the plant — and Japanese exceptionalism seems all too evident.

For both nations, exceptionalism can be restated: each nation has a story of a working class which does not exhibit (or has outgrown) class consciousness, where workers no longer engage in an unending, bitter struggle with capital over control of the means of production, if they ever did.¹⁴

*Worker Resistance, Management Counterattack, Top-Down Unionism
Capitalism Causes Workers to Resist Exploitation*

An alternative story is told in this paper. Workers subjected to different economic circumstances, and with different intensities of fear and solidarity, different kinds and quality of leadership, and different cultures, have differing histories. But capitalism is the same everywhere: shorn of traditional safety nets such as skill, supportive communal ways, and a cultural sense of mutual human responsibility (as existed even in feudalism's openly classed society), "labor ... must still sell its capacity to work to an employer [for wages] and must still work as part of a collective effort organized by capital, largely on terms set by capital."¹⁵ The very nature of the capitalist production process divides the world of work into two different and op-

¹⁴Japanese exceptionalism is assumed and touted in Toshiaki Takibanachi and Tomohiko Noda, *The Economic Effects of Trade Unions in Japan* (New York 2000), and is assumed but critiqued in Freeman and Rebeck, "Crumbling Pillar?"; Tsuyoshi Tsuru and James B. Rebitzer, "The Limits of Enterprise Unionism: Prospects for Continuing Union Decline in Japan," *British Journal of Industrial Relations*, 33 (1995), 59-92. Discussion of American exceptionalism can be found in Sean Wilentz, "Against Exceptionalism: Class Consciousness and the American Labor Movement," *International Labor and Working Class History*, 26 (1984), 1-24; Eric Foner, "Why is There No Socialism in the United States," *History Workshop*, 17 (1984), 57-80. Good left-wing discussions of exceptionalism may be found in Gerald Friedman, *State-Making and Labor Movements: The United States and France, 1876-1914* (Ithaca 1998); Ira Katznelson and Aristide Zolberg, eds., *Working-Class Formation: Nineteenth-Century Patterns in Western Europe and the United States* (Princeton 1986).

¹⁵Moody, *An Injury to All*, xix.

posed socioeconomic interests, capital and labour, which continually war over the surplus created by labour. Moreover, the capitalist is overwhelmingly concerned with profits, not with human emotions or needs, and requires a hierarchical ordering and full owner control of the production process.¹⁶ To this end, wage workers in capitalism tend to be belittled, robbed of dignity as well as skill, stressed to the limit, and ultimately dehumanized, rendered into a cost, mere cogs in the machinery of production.¹⁷ There is nothing democratic about the organization of business in the capitalist world. Owners demand absolute control, and, as Adam Smith recognized, owners always have much greater power than any individual worker, and they usually have the state on their side too, so they have by far the upper hand in this struggle.¹⁸

Wage workers in capitalism — whether they have a job or need one — resist this control of their work lives, not wanting to let capitalists arrogate the surplus to themselves. They desire and often demand a share of workplace control, recognition of their human dignity, and life within a connected community. Humans highly value respect, dignity, courage, and skill at work; humans want and accept responsibility for themselves and their perceived community; humans tend to oppose and resist oppression; and humans favour community and participatory democracy. That is because, over the course of human history, such values and activities have been efficient: they have worked best to perpetuate humans and to make human existence more enjoyable. For most of our species history, we have survived in groups which — actually by material socioeconomic necessity but appearing to be so through longstanding choice and custom — encouraged caring, sharing, and loving while discouraging violence, greed, theft, and egocentric alpha dominance.¹⁹

¹⁶One US worker summed up these truths this way: “There are two things management wants to keep: all the money and all the say-so.” Interview with C.P. Ellis, in Studs Terkel, *American Dreams: Lost and Found* (New York 1980), 210.

¹⁷See Harry Braverman, *Labor and Monopoly Capital: The Degradation of Work in the Twentieth Century* (New York 1974); Stephen Marglin, “What Do Bosses Do? The Origins and Functions of Hierarchy in Capitalist Production,” *Review of Radical Political Economics*, 6 (1974), 33-60.

Robert Schrank’s testimony in the 1950s demonstrates the ubiquity of these class differences. Schrank moved from union leadership into management. He reported “missing the old companionship, the wonderful conversation of all my friends.... The management world was a circumspect one full of innuendo, nuance, correct dress, ... carefully choreographed behavior ... little or no spontaneity, no feelings ... zero sensuality.... Workers become strangers to many managers and are seen only as an extension of a piece of machinery in which capital investment has been made.” Robert Schrank, *Ten Thousand Working Days* (Cambridge 1978), 138-139.

¹⁸Adam Smith, *An Inquiry into ... The Wealth of Nations* (1776; New York 1976), Book I, ch. viii, “Of the Wages of Labour,” paragraphs 11-15, 83-85.

¹⁹The biocultural political anthropologist Christopher Boehm notes that, for about 99 per cent of our species existence, humans lived in hunter-gatherer bands and then in tribes, and

Thus, being human, workers often fight against the exploitation inherent in capital, whether they have a recognizable class consciousness of the dimensions of the fight or not.²⁰ However, being human, workers usually understand the odds against them, and a decision to fight against great odds requires support: comrades in the struggle, leadership, organization, and most importantly, hope, that is, a

(judged by the hundreds of such groups observed in the last quarter-millennium) “every last group” of them has been “politically egalitarian.” Violence, murder, and warfare occur among hunter-gatherer bands, but the social organization of each band “deliberately excludes any alpha role and makes its decisions by consensus. Along with tribes, which are larger and more recent but politically similar, these bands are so deeply committed to egalitarianism that their leadership is never very strong, let alone coercive. Yet they govern themselves rather well.” Christopher Boehm, “Global Conflict Resolution: An Anthropological Diagnosis of Problems with World Governance,” in Richard W. Bloom and Nancy Dess, eds., *Evolutionary Psychology and Violence* (New York 2003), 203-237 (quotations from 204 and 209). I am indebted to Bill Lipe for this reference. The noted biologist Luca Cavalli-Sforza, who has lived with the most successful remaining hunter-gatherer group, the pygmies of central Africa, finds precisely the same characteristics in their existence. Luigi Luca Cavalli-Sforza and Francesco Cavalli-Sforza, *The Great Human Diasporas: The History of Diversity and Evolution*, trans. Sarah Thorne (New York 1995), 2, 3, 7-8, 15. Staughton Lynd reminds me that the work of Thorstein Veblen is permeated with descriptions of the democratic culture of small communities which characterize most of human history.

²⁰Edward Thompson, in a famous passage, notes the processual nature, the constant formation and re-formation, and the relatively late growth of its self-consciousness, which constitute the experience of class: “[C]lasses do not exist as separate entities, look around, find an enemy class, and then start to struggle. On the contrary, people find themselves in society structured in determined ways (crucially but not exclusively, in productive relations), they experience exploitation (or the need to maintain power over those they exploit), they identify points of antagonistic interest, they commence to struggle around those issues[,] and in the process of struggling they discover themselves as classes, they come to know this discovery as class-consciousness. Class and class-consciousness are always the last, not the first, stage in the real historical process.” E.P. Thompson, “Eighteenth Century English Society: Class Struggle without Class,” *Social History*, 3 (1978), 149. As emphasized by another great Marxist, the ancient historian Geoffrey de Ste. Croix, class is “a relationship[,] ... the collective social expression of the fact of exploitation.... [T]he division of society into economic classes is in its very nature the way in which exploitation is effected, with the propertied classes living off the non-propertied ... [by] the appropriation of part of the product of the[ir] labour ..., whether by compulsion or by persuasion or (as in most cases) by a mixture of the two.” G.E.M. de Ste. Croix, *The Class Struggle in the Ancient Greek World* (Ithaca 1981), 43; de Ste. Croix, “Karl Marx and the History of Classical Antiquity,” *Arethusa*, 8 (1975), 26 (quotations combined).

Perhaps we need to be shuttered less by the supposedly formulaic requirements and restrictions of Marxist ideology, in order to know class and class struggle when we see it. Compare Peter Linebaugh and Marcus Rediker, *The Many-Headed Hydra: Sailors, Slaves, Commoners, and the Hidden History of the Revolutionary Atlantic* (Boston 2000); Allan Kulikoff, *The Agrarian Origins of American Capitalism* (Charlottesville 1992).

sense that the battle can be won.²¹ Howard Kimeldorf has shown — in one of the most important books available today — that workers in the US have understood capital's exploitative oppressiveness as a practical matter, and have gone on strike or taken other job-related action, when an opportunity has presented itself. Kimeldorf shows that the same groups of workers moved from a union with an ideology of left-wing radicalism (the Industrial Workers of the World), into a union with an ideology of right-wing accommodationism (the American Federation of Labor), and back again, in order to strike or otherwise oppose the employers who oppressed them and to obtain the dignity, responsible work conditions, and economic floor that they wanted and needed.²² Ideology meant much less to these workers than overcoming the workplace exploitation they perceived to be against their material interests, and the most important thing was to obtain support to achieve their hope, that is, to organize together with comrades, leaders, and a strategy of job actions — no matter what label or ideology was attached to their organization.

US workers have been persistently radical in the sense of opposition to capital at the point of production, with their activity “marked by levels of mobilization, intensity, and violence second to none ...[;] the rank and file ... can hardly be described as conservative.”²³ The tendency of this practical radicalism, or anarcho-syndicalism, has been collectivistic and democratic. Even in today's era of globalized downsizing and heavy management attack on jobs and benefits, with employer power and employer ruthlessness striking fear into workers' hearts, some workers — who could have been only described as having middle-class and politically conservative views the moment before — have risen up to demand community ownership of mills abandoned by corporate owners rushing to gobble more profits by moving overseas, and they have joined with churches and many other non-ideological community members in such actions.²⁴ Surveys show that Ameri-

²¹See Ernst Bloch, *The Principle of Hope*, trans. Neville Plaice, Stephen Plaice, and Paul Knight, 3 vols. (1947; English ed., Cambridge 1986) (I am indebted to David Rollison for this reference); Staughton Lynd, *Living Inside Our Hope: A Steadfast Radical's Thoughts on Rebuilding the Movement* (Ithaca 1997).

²²Howard Kimeldorf, *Battling for American Labor: Wobblies, Craft Workers, and the Making of the Union Movement* (Berkeley 1999). Compare also James Gray Pope's concept of “jurisgenesis,” in which US workers, resisting the exercise of illicit power over them from the instant of its exercise, have repeatedly created worker-centred senses of rights and empowerment, waiting for the moment that they can successfully be used against employer domination. Pope, “Labor's Constitution of Freedom,” *Yale Law Journal*, 106 (1997), 931-1041.

²³Kimeldorf, *Battling for American Labor*, 4 (quotation) and 172 n.16. The hugely successful May Day 2006 *huelga general* of migrant Hispanic (and other allied) service workers in the US demonstrates once again the power of bottom-up rank-and-file worker mobilization and resistance to capitalist exploitation.

²⁴Staughton Lynd, *Fight Against Shutdowns: Youngstown's Steel Mill Closings* (San Pedro 1982); Carrie Greenwald and Dorie Krauss, “Shout Youngstown!” (1984) (documentary).

can workers — while middle class in outlook and expectations — *today* prefer cooperation to conflict, want dignity and for their voices to be heard, would join useful unions in an instant (but shy away from fear of management's power and ability to retaliate), and — if they had the opportunity — would run the business (in conjunction with management) better than management can do alone.²⁵

Despite their middle-class consumer *attitudes*, “[a]utonomous self-activity, direct action at the point of production, and an emphasis on workers’ control” has persistently characterized US workers.²⁶ The only thing which stands in the way of this practical radicalism is lack of perceived opportunity, but “[e]conomic hardship makes people open to new ideas.”²⁷ As a practical matter, US workers oppose their own exploitation by capital, exhibit class antagonisms, and act upon them when they see a chance to advance their interests.

US Workers Rebel Against Capitalist Control, 1933-1947

These truths were most evident in the US during and immediately after the Great Depression of the 1930s and World War II.²⁸ America’s workers rose up against the

²⁵See Richard B. Freeman and Joel Rogers, *What Workers Want* (Ithaca 1999).

²⁶Kimeldorf, *Battling for American Labor*, 14. See also Yonatan Reshef and Sandra Rastin, *Unions in the Time of Revolution: Government Restructuring in Alberta and Ontario* (Toronto 2003), 243 n. 4 (citation omitted): “Although, according to a national poll, Albertans are the most accepting [amongst Canadians] of the right of managers of profitable companies to lay off employees and outsource in-house operations, in practice Albertans do not automatically support profitable companies pursuing greater profits at the expense of employees.... [When 10,000 Safeway workers struck in May-June 1997,] customers largely stayed away and sales revenue fell by more than half.”

²⁷Staughton Lynd, “The Genesis of the Idea of a Community Right to Industrial Property in Youngstown and Pittsburgh, 1977-1987,” *Journal of American History*, 74 (1987), 927. The worker/writer Harvey Swados noted in 1957: “The worker’s expectations are for better pay, more humane working conditions, more job security. As long as he feels that he is going to achieve them through an extension of existing conditions, for that long he is going to continue to be a middle-class conservative in temper. But only for that long.” Swados, “The Myth of the Happy Worker,” *The Nation*, 185 (17 August 1957), 65-69, quotation from 65.

²⁸Worker rebellion was also evident in the US prior to the Great Depression. See American Social History Film Library, “1877: The Grand Army of Starvation” (1987); David Montgomery, “Workers’ Control of Machine Production in the Nineteenth Century,” *Labor History*, 17 (1976), 485-509; Dana Frank, *Purchasing Power: Consumer Organizing, Gender, and the Seattle Labor Movement, 1919-1929* (Cambridge 1994); Patricia Cayo Sexton, *The War on Labor and the Left* (Boulder 1991); Jeremy Brecher, *Strike!*, rev. ed. (Boston 1998).

There is a rich literature in American labour history which tells a story different from that recounted in this section of the paper. See David Brody, “The Emergence of Mass-Production Unionism,” in Brody, *Workers in Industrial America: Essays on the Twentieth Century Struggle* (New York 1980); Robert H. Zieger, *American Workers, American Unions, 1920-1985* (Baltimore 1986); Melvyn Dubofsky, “Not So ‘Turbulent Years’: A

increased hardships caused by economic dislocation and by concomitant business practices which sped up work, lowered pay, and pressed workers to their limits. Throughout the industrial belt and even in the south and west, workers in large and small industries organized local unions and, in many places, formed local socialist governments, in a huge if disorganized grassroots movement.²⁹ A massive wave of strikes paralyzed the nation in 1934, including a militant dockworker strike shutting down the whole west coast, a strike of 800,000 textile workers mostly in the supposedly unorganizable south, and general strikes in Toledo, Minneapolis, and San Francisco/Oakland.³⁰ Melded together largely by organizers from prior radical labour movements and from the Communist Party,³¹ and sparked by the sit-down strike tactic in which workers mimicked a socialist organization of industry by occupying great factories, workers in heavy industry organized, struck repeatedly, and thoroughly frightened an already intimidated American mainstream dominated by industrialists and their professional allies.³²

Worker self-activity continued through and after the war. Despite a wartime no-strike pledge by labour's leaders, "[i]n 1944, ... more workers went on strike than in 1937." One of the greatest strike waves in US history, in 1945-1947, included hundreds of thousands of workers in a wildcat strike movement and post-war general strikes in Oakland, Lancaster (Pennsylvania), Stamford (Connecticut), and Akron.³³

New Look at the 1930s," in Charles Stephenson and Robert Asher, eds., *Life and Labor: Dimensions of Working Class History* (Albany 1986), 205-223. In my view, there is the same difference in fundamental assumptions between the authors of these works and most of the authors I cite in the succeeding footnotes as there is in the works dealing with the needs of workers cited in n. 8-11.

²⁹Staughton Lynd, "Introduction," in Lynd, ed., *"We Are All Leaders": The Alternative Unionism of the Early 1930s* (Urbana 1996), 1-18. See also Jonathan D. Rowe, "Entrepreneurs of Cooperation," *YES!* (Summer 2006), available at <http://www.yesmagazine.org/article.asp?ID=1464> (through cooperation, unemployed workers help rebuild US economy during depression); Marcelo Ballve, "The Silent Revolution," *Orion* (July-August 2006), available at <http://www.orionmagazine.org/pages/om/06-4om/Ballve.html> (Argentinian workers take over abandoned plants, get them restarted).

³⁰Irving Bernstein, *A History of the American Worker 1933-1941: Turbulent Years* (Boston 1970), 217-315; George Stoney and Judith Helfand, "The Uprising of '34" (1995) (documentary about the textile strike).

³¹See Judith Stepan-Norris and Maurice Zeitlin, *Left Out: Reds and America's Industrial Unions* (Cambridge 2003).

³²See Bernstein, *American Worker*; Lynd, "Introduction."

³³Lynd, *Living Inside Our Hope*, 85 (quotation); Nelson Lichtenstein, *Labor's War at Home: The CIO in World War II* (Cambridge 1982), 133-35; Lichtenstein, "The Unions' Retreat in the Postwar Era," in Steven Fraser and Gary Gerstle, eds., *The Rise and Fall of the New Deal Order 1930-1980* (Princeton 1989), 124; Alvin Gouldner, *Wildcat Strikes* (Yelow Springs 1954).

Phoenixlike, US workers had risen from apparent slumber to a place of social importance, irritating those in power, through a concerted and mostly bottom-up rebellion against their oppression. Most of the workers in this burst of solidarity unionism and local socialism organized themselves, producing a form of grassroots democracy.³⁴ Union membership rose precipitously, and a new national union organization, the Congress of Industrial Organizations [CIO], took its place alongside the AFL. Both were amalgamations of powerful industrial and (for the AFL) craft unions. Fear of worker-led radical social transformation wrung from Congress a National Labor Relations Act [NLRA], recognizing unions' right to exist as well as to strike, guaranteeing collective bargaining, outlawing company unions, and establishing a Labor Board to hear worker complaints. Workers also won a Fair Labor Standards Act, establishing a minimum wage and guaranteeing increased pay for overtime.³⁵ More importantly, workers and their unions became players in aspects of national politics, feared and respected by their employer opponents, not least because of radical tactics such as sit-down strikes, slowdowns, and wildcat strikes (many of them on the shop floor). Radical worker organizers continued their activity as union stewards on the shop floor, putting merciless pressure on employers on behalf of aggrieved workers, often winning more than was stated in the contracts. Withholding one's labour, collectively, paid off in many ways. In 1947 it seemed worthwhile for a US worker to be in a union.

Precisely the Same is True for Japanese Workers, 1945-1960

Despite their living in what appear to be very different cultural and historical circumstances, Japanese workers have exhibited the same tendencies as their US counterparts: resistance to capitalist oppression through collective worker organization, strikes, sympathy strikes, and demonstrations; and demands for democracy and dignity — that is, class rebellion.³⁶

³⁴See Howard Zinn, Dana Frank, and Robin D.G. Kelley, *Three Strikes: Miners, Musicians, Salesgirls, and the Fighting Spirit of Labor's Last Century* (Boston 2001); Bruce Nelson, "'Pentecost' on the Pacific: Maritime Workers and Working-Class Consciousness in the 1930's," *Political Power and Social Theory*, 4 (1984), 141-182.

³⁵James Gray Pope, "The Thirteenth Amendment Versus the Commerce Clause: Labor and the Shaping of American Constitutional Law, 1921-1957," *Columbia Law Review*, 102 (2002), 1-122; Kenneth Casebeer, "Unemployment Insurance," *Boston College Law Review*, 35 (1994), 259-311.

³⁶In agreement with me, and articulately opposed to any notion of Japanese worker exceptionalism, is Joe Moore, ed., *The Other Japan: Conflict, Compromise, and Resistance Since 1945*, new ed. (Armonk 1997), especially Moore's own chapters, "Production Control: Workers' Control in Early Postwar Japan," 4-48, and "Democracy and Capitalism in Postwar Japan," 353-393. Other studies upon which I rely heavily are Gordon, *Wages of Affluence*; Christena L. Turner, *Japanese Workers in Protest: An Ethnography of Consciousness and Experience* (Berkeley 1995).

Japan emerged from feudalism to industrial capitalism quite late, in the last third of the 19th century, but (at least insofar as elite opinion was concerned) the change was adopted emphatically and enthusiastically. Some of the great feudal families became titans of industrial capital, almost overnight, and — known as the *zaibatsu* — took their place within Japan's ruling coalition of magnates, intelligentsia, the military, the aristocracy, and the imperial entourage.³⁷ It was not long before Japanese workers were joining unions, forming socialist political parties, striking, and resisting the violence and indignity the ruling coalition threw at them.

A ruling elite more authoritarian than its counterparts in Europe and America hit back hard at organizing workers. Strikes were outlawed in 1900 and the Social Democratic Party was disbanded in 1901. A surge in labour organization and radical parties took place following World War I and workers staged an increasing number of strikes, peaking in 1919. Japan moved towards militarism beginning in the 1920s. Special police were established to curb militant activities; it became illegal in 1925 to advocate the abolition of private property; in 1938 the military government replaced unions with “patriotic associations”; and the national labour federation was dissolved in 1940. Trade union leaders and radical politicians were jailed. The *zaibatsu* worked hand in hand with the military, as the nation embarked upon a program of military and industrial control of the western Pacific and south-east Asia.³⁸

The most important period in the history of Japanese workers was ushered in by the total defeat of the military/*zaibatsu* imperialist program in the late summer of 1945. The victorious occupying power, the United States, had been stung by Pearl Harbor, four bloody years of total warfare, and a war that it came close to losing, so that initially it trusted the Japanese military and the *zaibatsu* much less than it did unionists and radical politicians. The jails were opened to let out labour and political leaders, while attempts were begun to institute land reform and to break up the large *zaibatsu* industrial holdings. The *zaibatsu* as well as military personnel were severely restrained politically. The United States attempted to force upon Japan its own liberal type of supposedly democratic industrial relations. Unionization of workers was encouraged, and Japan was required to accept national labour laws

³⁷Capitalists and their mainstream academic representatives deny, of course, the existence of a business/government ruling junta in Japan, any vicious intent much less any exploitation by the *zaibatsu*, and even the existence of the successors of the *zaibatsu*, called the *keiretsu*. See Yoshiro Miwa and J. Mark Ramseyer, “The Fable of the Keiretsu, and Other Tales of Japan We Wish Were True” (Harvard John M. Olin Discussion Paper No. 471, April 2004), available at <http://www.law.harvard.edu/programs/olin_center/>. My thanks to Ken Rosen for this reference.

³⁸Freeman and Rebeck, “Crumbling Pillar?,” 25 n. 2; Kazuo Nimura, *The Ashio Riot of 1907: A Social History of Mining in Japan*, trans. Terry Boardman and Andrew Gordon, ed. Andrew Gordon (Durham 1997); Andrew Gordon, *The Evolution of Labor Relations in Japan: Heavy Industry, 1853-1955* (Cambridge 1988); Gordon, *Labor and Imperial Democracy in Prewar Japan* (Berkeley 1991).

modelled upon the NLRA. Shocked and frightened, the *zaibatsu* themselves went on strike, refusing to run their factories while simultaneously looting the national treasury and wartime stockpiles. Production plunged to 10 per cent of what it had been in the 1930s and unemployment surged to a staggering ten to thirteen million out of eighteen million nonagricultural workers. Disappointing harvests in 1946 and a poor rationing system only deepened the overweening issues of starvation and social dislocation.³⁹

The Japanese working class rose to the occasion in what might be the finest hour of any working class in any capitalist nation, paralleling the similarly spontaneous development of communal soviets by the Russian people in 1905 and 1917, and workers' occupation of factories in Berlin and Turin in post-war 1921. In 1945-1947 in plant after *zaibatsu*-struck plant — “acting in disregard of capitalist legality” and “taking direct action at the point of production” — 150,000 Japanese workers seized and occupied their factories, adopted democratic governance measures, organized production, bartered for material and products with one another, and got the economy working again. Though often led by left-wing workers or union leaders, this socialist rebellion occurred more as a matter of fending off social collapse than as an implementation of socialist ideology. As historian Joe Moore says, workers took over in order “to realize security and dignity in their personal lives.... [P]rofits and wages ceased to be the sole object of operations, and social needs assumed first place.” “[P]opular sentiment for root-and-branch democratization of Japanese society gathered force day by day,” as millions of other Japanese joined factory workers to struggle in the streets to achieve equality and democracy. “[T]he labor movement fought for and got extensive control over such fundamental areas of enterprise policy as hiring and firing, decisions on what to produce and how to produce it, and discipline.”⁴⁰

³⁹Moore, “Production Control”; Gordon, *Wages of Affluence*, 4-6, 7-11, 28-42, 85-96, 100-115, 154, 184-191. See generally Joe B. Moore, *Japanese Workers and the Struggle for Power, 1945-1947* (Madison 1983).

⁴⁰Moore, “Production Control” (quotations from 7, 5, 34); Moore, “Democracy and Capitalism,” 356-361 (quotation from 359). “The breaking down of barriers to democratic rights and economic justice produced a phenomenal burst of popular initiatives that ... momentarily threatened to ... turn into a socialist revolution.” Moore, “Democracy and Capitalism,” 361. Epitomizing the spontaneous, democratizing, and dignity-seeking nature of the uprising as an angry accusation made to a plant manager by a theretofore meek woman. During the workers' takeover of a coal mine in February 1946, two high-ranking mine managers were “forced to listen to the bitter personal attacks of the miners and their wives for treating the workers brutally,” according to the eyewitness account of worker Takeo Nishimura. “A lone woman stood and ... began to cry in mortification[, saying:] ‘Managers, please look at this. It’s the guts of a pumpkin. While you were eating rice every day and drinking sake, there was no rice ration for us.... [A]re you human? ... [W]hat kind of a thing is it that you are snatching away the things we eat, that you are raising pet horses and dogs and letting them eat white rice? The coal-mining pitworkers are leading more miserable lives than dogs. We worry

Aghast, the occupying United States reversed its policy in mid-1946, allowing the *zaibatsu* (and eventually elements of the military) to resume political activity, helping *zaibatsu* to regain business ownership, importing large amounts of food to eliminate one basis of the rebellion, and stifling the popular movement with a stern message of disapproval joined with a naked threat to use US troops to put it down. When this did not stem the tide, the US occupation flatly prohibited the nationwide general strike workers had called for 1 February 1947. A short-lived Socialist ministry in summer 1947 was undercut by the US occupiers, aided by the revived Japanese industrialists.⁴¹

The Cold War was simultaneously under way. Korean War *matériel* purchases by the US rescued Japan's economy, and the US-backed right-wing Liberal Democratic government vigorously counterattacked. Revising the new labour laws to eliminate the right of public employees to unionize, the Liberal Democrats directly allied with the *zaibatsu* and busted the left-led unions with a round of red purges — in June 1950 12,000 workers were fired for being communists. Under this pressure, union density dropped from a peak of 56 per cent in 1949 to 36 per cent in 1953. These efforts helped to terminate the occupation and operation of industrial plants by the workers and their unions, channelling them into the less openly revolutionary class opposition embodied in strikes, street demonstrations, and huge marches.⁴²

By no means did the bourgeois counterattack terminate the desire of Japanese workers to control industrial production, however. Opposition was open and broad-based. The period 1947-1960 “saw intense and often violent conflict between” and their political allies, on the one hand, “and a broad social movement focused on industrialists labor and the leftist parties.”⁴³ Workers now attempted to replace the enterprise unions typical in Japan since the 19th century with industrial unions⁴⁴ or strong union federations. In 1955 they began *shunto*, the annual spring

about getting something to eat every day, every day....’ Unable to go on, she broke down in tears.... It was probably the first time in her life she had spoken in front of people.” Nishimura, *Jinmin Saiban no Shinso* (15 April 1946), 33, trans. and qtd. in Moore, “Production Control,” 22-23.

⁴¹ Moore, “Democracy and Capitalism,” 356-361.

⁴² Moore, “Democracy and Capitalism,” 361-364; Gordon, *Wages of Affluence*, 9-10. Japanese union density is conveniently found in Tsuru and Rebitzer, “Limits,” 463.

⁴³ Moore, “Democracy and Capitalism,” 364-371 (quotations from 364); John Price, “The 1960 Miike Coal Mine Dispute: Turning Point for Adversarial Unionism in Japan?,” in *The Other Japan*, 49-73.

⁴⁴ “Enterprise unionism” means that workers in a given firm or business are all in the same union, no matter what their skill or assignment, while workers in a business making the same product are in a separate and unrelated union. “Industrial unionism,” in contrast, joins all workers in a given industry, while “craft unionism” links all workers in a single skill. Enterprise unionism fosters worker identity with the company rather than with other workers (the

wage struggle, in which all unions and all workers joined together to demonstrate and to demand wage increases. Union density during this period of strife held steady at 34-35 per cent.⁴⁵ “The 1950s was the decade of the knock-down drag-out strike.... The years from 1957 to 1961 saw the greatest number of workdays lost to strikes of any time” except 1952 and the post-war period.⁴⁶ From 1946 to 1965 the number of labour disputes and the number of Japanese workers involved in them steadily increased. “The fact is that sharp class struggle continued in Japan right into the 1960s.”⁴⁷

In 1960, the reactionary government of Prime Minister Nobusuke Kishi⁴⁸ decided to try to terminate the rebellion via massive escalation. In league with *zaibatsu*, the government used strong force to smash a long-running strike of militant coal miners at the Miike colliery of Mitsui, Japan’s largest coal producer. As with miners everywhere, the Miike workers had a long history of collectivism and activism. They notoriously dealt with grievances through direct action on the shop floor, ignoring the grievance process, and on the bargaining table in 1960 was their proposal to have “workers in each [mine] ... exercise direct control over bargaining and strike actions.” Police in large numbers descended on the colliery, ending the strike but killing a worker in the process.⁴⁹

The nation was outraged by this violent suppression. Despite its success in ending the strike, the hard-line Kishi ministry was forced to resign in disgrace. Labour and management proved to be fed up with class struggle. The new, more liberal government of Hayato Ikeda pressed for an end to violence and *zaibatsu* anti-union autocracy, suggesting a “compromise” with Japan’s militant workforce which he called the program of “peace and democracy.” Though it took several years to be implemented, Ikeda’s proposal proved to be a major turning point in

worker takeovers of companies in the 1945-1947 period ironically had the same effect), and thus greatly aids worker competitiveness rather than worker solidarity.

⁴⁵Tsuru and Rebitzer, “Limits,” 463 (in fact, union density held steady through 1975). For *shunto*, see Price, “1960 Miike Coal Mine Dispute,” 69.

⁴⁶Gordon, *Wages of Affluence*, 9-10, 104 (quotation).

⁴⁷Price, “1960 Miike Coal Mine Dispute,” 69. An excellent television documentary shows the kinds of violent confrontations which occurred during this period, including the Miike strike. See Alex Gibney, “The Pacific Century: Part 5, Reinventing Japan” (1992). I am grateful to Joong-Jae Lee for his gift of this film to me.

⁴⁸Kishi was an apt symbol of Japan’s autocratic business history. He had been imprisoned by the US occupation in the 1940s for his notorious role in exploiting Manchuria as a part of the Tojo government. Moore, “Democracy and Capitalism,” 366. Many politicians who were part of Japan’s pre-1945 imperial conquests became leaders of the post-1947 period of economic expansion. See John Lie, “War, Absolutism, and Amnesia: The Decline of War Responsibility in Postwar Japan,” *Peace and Change*, 16 (1991), 302-315.

⁴⁹Price, “1960 Miike Coal Mine Dispute,” especially 51, 69-70 (miners’ shopfloor militance). Despite the violence of the years 1947-1960, few workers were actually killed. The miner’s death at the Miike colliery was a stunning occurrence for Japan.

Japanese labour history, as will be detailed below. It seemed good to be a union member in Japan in 1960.

Capitalist Opposition to Unions

While these two accounts of labour history in the United States and Japan tell of the successful assertion of oppositional, class interests by labour and its allies, it would be incorrect to conclude from them that workers or unions thereby became dominant or powerful. The position of workers in capitalism is always tendentious, and when they are effective in organizing, opposition to worker power increases.

The owners of capitalist businesses always want total control of work and the workplace, and even when they receive the benefit of labour peace and union cooperation (as occurred in the US after 1947, and as occurred in Japan after 1960), they do not like unions.⁵⁰ Since skilled workers have an economic basis for their resistance and usually form the locus of opposition, owners seize the skills (devolving them upon white-collar engineers and business school grads) and dumb down the workplace through the introduction of an assembly-line-like organization, which divides production into tiny, mindless, boring physical movements. Treated as property, as cogs in a great industrial machine, workers feel disempowered and alienated from work, from each other, and from the labour process itself.⁵¹

⁵⁰“[E]mployer resistance [to unions, in the US,] has never dissipated.” Employers do everything they can to discourage unions, both inside and outside the law. Their pressure is relentless, workers believe they will be fired or otherwise retaliated against for pro-union activity, and even one of four unions which won certification finds a stone wall when it comes to reaching agreement on a contract. James B. Atleson, “Law and Union Power: Thoughts on the United States and Canada,” *Buffalo Law Review*, 42 (1994), 477-482, 488-490 (quotation from 477); Weiler, “Promises to Keep.”

⁵¹This is captured by Charlie Chaplin in the first reel of “Modern Times” (1936), where his worker character is crazed by mindless assembly-line work, fights the other workers instead of the boss, and is swept into the machinery himself, becoming an incongruous cog. See also California Newsreel, “Clockwork” (1988) (chilling documentary about assembly-line work).

Harvey Swados said of the assembly line: “It is not simply status-hunger that makes a man hate work that is mindless, endless, stupefying, sweaty, filthy, noisy, exhausting, insecure in its prospects and practically without any hope of advancement.” Swados, “Myth of the Happy Worker,” 67. Robert Schrank put it this way: “Managers and engineers tend to lose their concern about people because of their total preoccupation with ‘the product’ ... [and their] consequent neglect of human needs ... could fill case-history books with stories of management’s insensitivity to workers.... Workers become strangers to many managers and are seen only as an extension of a piece of machinery in which a capital investment has been made.” *Ten Thousand Working Days*, 141.

For a classic instance of the installation of the assembly line to deskill workers, see Stephen Meyer, *The Five Dollar Day: Labor Management and Social Control in the Ford Motor Company, 1908-1921* (Buffalo 1981), 9-36. See generally Braverman, *Labor and*

In neither the US nor Japan did labour law actually become neutral; it continued to favour owners and capital.⁵² While the open use of police, the militia, and the armed forces on behalf of owners has generally ceased, the governments of the US and Japan have remained much friendlier to business than to labour. Most importantly, mainstream culture aids in putting down worker organization. It labels as natural and normal business, profits, permanent hierarchies of power, markets, and competitiveness, and it is permeated by a subtext of lesser competence and ineffable laziness in workers and the poor. Workers are portrayed as consumers, as individuals, as members of minority groups — but almost never as workers. Unions are often portrayed as corrupt, inefficient, and useless. Almost unchallenged are bosses' claims of the need for undemocratic hierarchy at work and absolute dictatorial authority on the work floor.⁵³

Given these social and cultural advantages, capitalist hegemony over workers and the workplace may bend, but it seldom breaks. What triumphs the working class gained in Japan in 1945-1960 and in the United States in 1930-1947 were blunted and undercut.

Japanese Workers' Compromise: Miracle or Manacle?

With a decade and a half of militance culminating in the Miike incident in 1960, as we have seen, Japanese workers exerted enough social force that the weary *zaibatsu* and the government changed direction. The Ikeda government offered a basis for a new, supposedly more worker-friendly policy, its "peace and democracy" program. The economic and cultural strength of capital in Japan rendered this "compromise" unequal. Even though the compromise reflected the mainstream's hard-earned fear of collectivized worker revolt, many benefits were relatively weak and easily revoked when economic times got harder.

Monopoly Capital; Bertell Ollman, *Alienation: Marx's Conception of Man in Capitalist Society*, 2nd ed. (New York 1973).

⁵²For the US, see Karl Klare, "Judicial Deradicalization of the Wagner Act and the Origins of Modern Legal Consciousness," *Minnesota Law Review*, 62 (1978), 265-339; James Atleson, *Values and Assumptions in American Labor Law* (Amherst 1983); Staughton Lynd, "Ideology and Labor Law," *Stanford Law Review*, 36 (1984), 1273-1296. In Japan, "The law and its interpretation by the nation's ruling bureaucrats inhibited the growth of ... union[s] that challenged [industry] so vigorously in the 1950s and promoted the ultracooperative unions that emerged in later years." Gordon, *Wages of Affluence*, 183-84, 198 (quotation); see also Anthony Woodiwiss, *Law, Labour, and Society in Japan: From Repression to Reluctant Recognition* (London 1992); Daniel Foote, "Judicial Creation of Norms in Japanese Labor Law: Activism in the Service of — Stability?," *UCLA Law Review*, 43 (1996), 635-709.

⁵³Moore, "Democracy and Capitalism," 357; David F. Noble, *American By Design: Science, Technology, and the Rise of Corporate Capitalism* (New York 1977).

Unions were finally given actual recognition and benefits. Workers in heavy industry were paid a premium (compared to the rest of the Japanese workforce) and often were granted large bonuses at years' end.⁵⁴ Union workers were awarded "lifetime jobs," so their pay raises became dependent upon seniority and loyalty rather than upon skill or excellence at work. The blue collar-white collar distinction was abolished, increasing union strength. "Quality control circles" allowed industrial workers to have some important inputs into production.

Union recognition was watered down in several ways, however. Only heavy industry in Japan is thoroughly unionized, so the compromise hardened an important workforce division.⁵⁵ The unions, as a part of the compromise, gave up their longstanding push for industrial unions and strong union federations, leaving intact the existing anti-solidarity enterprise unions.⁵⁶ Management-supported worker social "clubs" began to appear in most companies. These "clubs" opposed union militance and favoured company dominance of production. Moreover, joint labour-management councils took over or duplicated some union functions, and acted somewhat like "company unions."

Other portions of the compromise proved equally problematic for workers. The "quality control circles" gave them no control over production, nor any overall responsibility for it. Even the premium wages paid in heavy industry remained low relative to time worked and to the pay received by workers in similar positions in Europe, Canada, and the US. The bonuses, representing a significant part of overall annual compensation, were optional, depending upon company profitability and efficiency, so union workers got little guaranteed pocketbook boost out of the compromise, while non-union workers actually lost ground.

In return, the unions accepted their weakened and duplicated but now legal position, agreed that their members would work long and hard, and ceased to advocate for worker control of the workplace.⁵⁷ *Shunto* became the locus for top-down nationwide pattern bargaining. Unions also accepted a form of the old "harmonious familism" which had on the surface characterized pre-war *zaibatsu* autocracy: while men were working overtime in the factory, women gave up hope of such jobs

⁵⁴For the importance of bonuses in large industrial firms, see Tsuru and Rebitzer, "Limits," 467-470; Freeman and Rebeck, "Crumbling Pillar?," 14.

⁵⁵In 1995, 99 per cent of those Japanese firms employing more than 5000 workers were unionized, while only 25 per cent of those employing between 50 and 99 workers were unionized. Also, while heavy industry is unionized, the manufacturing, service, and small-firm sectors are not. Moreover, the majority of newly established firms, of whatever size or variety, are non-union. Takibanachi and Noda, *Economic Effects*, 25, 32, 49.

⁵⁶See n. 44.

⁵⁷"The establishment of cooperative unions ... marked a dramatic turnabout from the earlier stance of Japanese unions." David Kucera, "Labor-Management Relations in Twentieth-Century Japan: A Review Essay," *International Labor and Working-Class History*, 58 (2000), 286.

and were relegated to managing the children, the domestic economy, and an essentially fatherless home. Wearing by a decade and a half of bitter, costly class struggle rife with defeats, most unionized male Japanese industrial workers eventually adopted this compromise, while women and non-industrial workers had little choice.⁵⁸

The compromise has been, in fact, more like defeat in many ways. Unions have become flabby and accommodationist. Workers not in heavy industry took the brunt of the fallout. Most bourgeois women in Japan, if they have a job at all after child-rearing, work at menial, time-consuming if “part-time” jobs for half the pay of a male while retaining their full-time job keeping house and family for an absent *sarariman* (salary-man) husband.⁵⁹ People sicken and die from industrial pollution.⁶⁰ As part of the junior partnership with the United States Japan assumed after 1947, Japanese agriculture became disfavoured by the government, food imports from the US burgeoned (with wheat officially encouraged over home-grown rice), and the countryside emptied as farmers and their children streamed into industry, becoming the mainstay of a huge part-time temporary workforce.⁶¹ Lifetime employment and raises based upon longevity — for the one-quarter to one-third who toil in giant enterprise — are economically supportable only because of a large, ill-paid, mostly temporary (but never publicized) part-time workforce at the huge bottom of Japanese industry. What poverty there is “is concentrated in those parts of the population ... most discriminated against in education and employment — *burakumin* [hereditary outcasts], Koreans, Ainu, and many women.” Overworked guest workers and native day labourers often live “close to the [economic] margins in densely packed high-rise concrete housing blocks” or worse, and must take terri-

⁵⁸Moore, “Democracy and Capitalism,” 356-360, 363-373, 387; Gordon, *Wages of Affluence*, 131-144, 157-173, 177-178, 187-188, 197-202. “The idea of obtaining willing consent through warmly paternalistic and cooperative familism was more honored in the breach than in practice, but it has run like a bright thread through the ideology of management for nearly a century.” Moore, “Democracy and Capitalism,” 358.

⁵⁹Moore, “Democracy and Capitalism,” 354, 372-373; Gordon, *Wages of Affluence*, 177-179, 191-192; Reiko Atsumi, “Dilemmas and Accommodations of Married Japanese Women in White-Collar Employment,” in *The Other Japan*, 272-287. “Discrimination against women is rooted in contemporary Japanese industrial relations,” as firms are still “in fear of their future job-leaving.” Thus it is not surprising that studies show women among those who think unions not very efficacious. Takibanachi and Noda, *Economic Effects*, 81 (quotation), 142 (quotation), 165, 52. Year-end bonuses average 26 per cent of annual salary for men, 13 per cent for women. Tsuru and Rebitzer, “Limits,” 488-489 n.18.

⁶⁰“Ishimure Michiko’s ‘The Boy Yamanaka Kuhei,’” trans. Christopher Stevens, in *The Other Japan*, 132-144.

⁶¹Moore, “Democracy and Capitalism,” 370, 373; Kazuoki Ohno, “Japanese Agriculture Today: The Roots of Decay,” in *The Other Japan*, 176-198.

ble safety risks at their jobs, all of which is just as much a part of the “economic miracle” as is lifetime employment.⁶²

The compromise has in the long run not proved viable for even privileged industrial workers. Overwork is endemic, and weak unions have not been able to make much of an inroad. Industrial workers often work overtime and on weekends, many not taking their paid holidays. “Careful estimates in the early 1990s placed annual unpaid overtime per employee [at] ... two to five weeks of unpaid labor!” Seventy per cent of Japanese workers say that “they work too hard at the expense of their personal and private lives,” essentially removing them from their families. “Management by stress (*kaizen*) has ... reached the breaking point ... putting their famed loyalty to the enterprise at risk.” Some workers have died from overwork (*karoshi*).⁶³ Workplace accident rates have risen dramatically.⁶⁴

With the oil shock of 1973, the “need” for more efficiency (following the model of classical economics) became paramount, and the weaknesses of the compromise became more evident. Wage increases have become much harder to obtain. Slowly but surely merit has overtaken seniority in wage determination, undermining one of its pillars.⁶⁵ Moreover, lifetime employment has also begun to crumble. Workers have often been forced to take early retirement or to “transfer” from a large industrial firm to its worse-paying, likely non-union small subsidiary or subcontractor. Firms now engage in much more subcontracting, bring in labour-saving technologies, and hire more low-paid, part-time women and men, including illegal workers from abroad marshalled by the *yakuza*⁶⁶ — and part-timers in Japan are rarely included in the union. And many industrial jobs go overseas, to cheap-labour locations in nearby Asian countries. More workers are actually being

⁶²Moore, “Democracy and Capitalism,” 371, 373 (quotation), 374 (quotation); Ken’ichi Koyabashi, “Japanese Style Labor-Management Relations and Employment and Industrial Relations in Small and Medium Enterprises,” *Journal of International Economic Studies*, 1 (1985), 53-71; John Lie, “The ‘Problem’ of Foreign Workers in Contemporary Japan,” in *The Other Japan*, 288-300; Yuki Tanaka, “Nuclear Power Plant Gypsies in High-Tech Society,” in *The Other Japan*, 251-271; Brett de Bary, “Sanya: Japan’s Internal Colony,” in *The Other Japan*, 80-95.

⁶³Moore, “Democracy and Capitalism,” 386 (quotation); Takibanachi and Noda, *Economic Effects*, 56-57 (quotation from 56); Gordon, *Wages of Affluence*, 182-83 (quotation). One of the workers who died from overwork was Prime Minister Keizo Obuchi, in 2000: he “had been working fifteen-hour days for months without a single day off when he fell into a coma and died.” John Nathan, *Japan Unbound: A Volatile Nation’s Quest for Pride and Purpose* (Boston 2004), 62-63.

⁶⁴Gordon, *Wages of Affluence*, 147-148.

⁶⁵Gordon, *Wages of Affluence*, 163-167, 212.

⁶⁶*Yakuza* are organized crime rings. The *yakuza* amass and oppress cheap immigrant and rural-derived labour for the dangerous construction, toxic clean-up, day-labour, and other low-end-rung jobs which support the whole Japanese economy. Lie, “‘Problem’ of Foreign Workers”; Tanaka, “Nuclear Power Plant Gypsies”; de Bary, “Internal Colony.”

let go: virtually unknown twenty years ago, unemployment is rising.⁶⁷ Since unions bought into the compromise, is it any wonder that union density has dropped steadily in Japan since 1975?⁶⁸

Despite union weakness, workers have protested these results, and continued organized activity demonstrates that, as Kimeldorf argues, practical pragmatic working-class opposition to capitalist exploitation continues.⁶⁹ Social protest also occurs in other ways. One recent book notes alarming trends which appeared after the Japanese “economic miracle” became obviously unravelled in the mid-1990s. While a single report of heightened, disturbing changes must be accepted provisionally, the book notes “a nationwide epidemic of juvenile crime.... [C]hildren between the ages of eleven and fifteen ... are increasingly the perpetrators of the most

⁶⁷ Moore, “Democracy and Capitalism,” 378-390; Rob Steven, “Japanese Investment in Thailand, Indonesia, and Malaysia: A Decade of JASEAN,” in *The Other Japan*, 199-243; Lie, “‘Problem’ of Foreign Workers”; Gordon, *Wages of Affluence*, 150-156, 165-172, 183-184, 188-190, 194, 207-208, 211-212.

⁶⁸ Tsuru and Rebitzer, “Limits,” 463.

⁶⁹ Japanese workers have not lost sight of their decade and a half of proto-socialist activity. A few Japanese workers in the 1980s were still successfully using the tradition of workplace takeovers, resisting firm bankruptcies which would put them out of work and occupying and occasionally running their companies for extremely long periods of time. Turner, *Japanese Workers in Protest* (reporting in detail on two worker takeovers of bankrupt firms in 1980-1981). In 1991 and 1992 surveys of non-union Japanese workers, 52 per cent of those who were able to check more than one reason for joining a union, and 21 per cent of those who could check only one reason, believed that, respectively, “a union can stop employers’ one-sided or selfish management policy which ignores or abandons employees’ demands or hopes” and “unions can help check the unilateral decisions of management.” Takibanachi and Noda, *Economic Effects*, 43; Tsuru and Rebitzer, “Limits,” 476. It is clear that Japanese workers still wish to have a democratic say in management decisions.

Acting outside what they considered a tired and unresponsive union structure, workers themselves have begun to speak out, resisting mandatory overtime, suing for relatives worked to death (*karoshi*), and protesting forced retirement. Gordon, *Wages of Affluence*, 184-191. Moreover, many have not agreed with the compromise their unions accepted. When sufficiently provoked, they still rise up. See Gordon, *Wages of Affluence*, 184-191; Turner, *Japanese Workers in Protest*, 12; Kenneth J. Ruoff, “Mr. Tomino Goes to City Hall: Grass-Roots Democracy in Zushi City, Japan,” in *The Other Japan*, 320-342 (some workers have dropped old leftist rhetoric, but still work for democratic and equitable social and economic relations).

Moreover, Japanese workers have opposed business in other ways: the women’s movement has for decades challenged sexist business practices and the low wages and part-time status usually allocated to women in Japan, while a strong environmental movement emerged in the 1970s and continues to oppose capitalism’s ecological degradations. Moore, “Democracy and Capitalism,” 376-377, 380, 389; Gordon, *Wages of Affluence*, 184-185, 190-193; Ichiyo Muto, “The Birth of the Women’s Liberation Movement in the 1970s,” in *The Other Japan*, 147-171.

violent and perverted crimes.” There has also been a huge increase in unmanageable children at school, and in the numbers of children who simply refuse to go to school or even to leave the house. “[S]tudents have lost their motivation to perform under competitive pressure.” Divorce rates have soared, as have those of alcoholism and domestic violence. In 1998, the suicide rate in Japan jumped 35 per cent, and more than 30,000 Japanese have committed suicide each year since then — 80 per cent of them male employees between the ages of 40 and 55. Layoffs and downward work transfers seem to be at the heart of this surge: “the men and women who leave their employers ... are in general angry, disoriented, and above all, ashamed.”⁷⁰ To the extent that this is good reporting, Japanese society has been rocked by the personal and familial deprivations and attacks inherent in the compromise and its increasingly anti-worker aftermath.

US Unions: Similar Compromise, Similar Results

The Japanese story of a management-dominated, failing compromise with unions and union-led workers should sound familiar to American ears. A similar compromise, also unfavourable for workers and also crumbling today, was achieved between management and unions in the US during and after the burst of militant worker activism of 1930-1947.⁷¹ As with the *zaibatsu*, American management initially refused to recognize the legitimacy of unions (or the NLRA) and there followed a bloody period of radical activity — in the streets and in the plants — coupled with continued autocracy by management. After receiving sufficient bludgeoning from workers aiming for more dignity and more control of production (and with the aid of wartime War Labor Board worker-friendly policies⁷²), US management grudgingly acceded to the reformist Act by recognizing and bargaining with unions.

Bargaining, however, has meant a regime of contractual legalism, in which unions have become the guarantors of continued production rather than being the champions of their members' distress.⁷³ Their guaranty position is ensured by sanc-

⁷⁰Nathan, *Japan Unbound*, 28-44, 62-102 (quotations from 28, 32, 77). I am indebted to Ken Rosen for bringing this book to my attention.

⁷¹For the story told in this section of the paper, see Moody, *An Injury to All*; Goldfield, *Decline*; Paul Buhle, *Taking Care of Business: Samuel Gompers, George Meany, Lane Kirkland, and the Tragedy of American Labor* (New York 1999); Nelson Lichtenstein, *State of the Union: A Century of American Labor* (Princeton 2003); James Green, *Taking History to Heart: The Power of the Past in Building Social Movements* (Amherst 2000), 227-280.

⁷²See James B. Atleson, *Labor and the Wartime State: Labor Relations and Law During World War II* (Champaign 1998); Lichtenstein, *Labor's War at Home*.

⁷³For excellent analyses of union stewards and other officers as cops for bosses, see Martin Glaberman, *Punching Out & Other Writings*, ed. Staughton Lynd (Chicago 2002), especially 2-92; Stan Weir, *Singlejack Solidarity*, ed. George Lipsitz (Minneapolis 2004), especially 109-148, 256-274, 281-337.

tions — union officials face heavy fines and even jail time for failure to stay within the bounds of industrial legality. Strikes became prohibited except at the end of contracts, while slow-downs, sit-downs, wildcats, and sympathy strikes (the sorts of activity which best epitomize worker class solidarity) remain illegal. Grievances are to be resolved through legalistic grievance procedures, not by job actions on the floor, not by shop stewards persistently attempting to win every shopfloor disagreement — and most worker complaints no longer receive any solution at all. Unions ceded to management total control of production, confining themselves to narrow economic issues. The AFL and the CIO cooperated with a Cold War government in the late 1940s by purging left-wingers (the very people who had done much of the organizing in the 1930s and the shopfloor battling in the early 1940s).⁷⁴ Dues check-off guaranteed union hierarchies that they would be funded, and attendance at union meetings began to dwindle.⁷⁵

Unlike the openly radical leaderships of unions in Japan during the rebellion of 1945-1960, neither the AFL nor the CIO was ever controlled by radicals. Neither CIO nor AFL leadership ever approved of their own workers' class-based radical tactics, so union compromise with management was much easier. While the US economy rode high to dominate an essentially competition-free Cold War world from the late 1940s until OPEC's oil crisis of 1973, management was able to concede to unionized workers a great deal in economic terms. As in Japan, top-down pattern bargaining ensued, in which, after usually token strikes, giant industrial unions won major wage increases, health insurance, vacations, pensions, coffee breaks, and other benefits for their members.⁷⁶ However, also as in Japan, only heavy industry was

⁷⁴While the most active, most democratic, and most worker-oriented industrial unions in the US were those headed by radicals, and these unions got the best contracts for their members (see Stepan-Norris and Zeitlin, *Left Out*), they still participated in the legalistic regime of bargaining and restricting worker mutual self-activity.

⁷⁵Comparison with Canada is instructive. Canada cannot be called "exceptional," as have been the US and Japan. Socialist politics and labour-oriented parties have been ordinary, as in Europe, and such parties have at times won the vote in various Canadian provinces. Advocacy of socialism has persisted in organized form outside dictatorial, centralized Leninist parties. When wartime strike activity pushed the Canadian government to legalize unions and collective bargaining in 1948, Canada — as happened in Europe — adopted the social wage too. Health insurance, family allowances, holidays, unemployment insurance, workers' compensation, pensions, and eventually medicare were given by law to all Canadian citizens. However, legalization has put upon often more feisty and worker-oriented Canadian union leadership the same pressures to become enforcers of workplace discipline as in the US and Japan. "[I]ndustrial unionism [was restructured] away from its mobilizing movement-oriented character of the early 1940s and into its legalistic, business form of the post-war period." Palmer, *Working-Class Experience*, 241-263, 278-284, 298-305, 333-336 (quotation from 284).

⁷⁶Even with these successes, worker compensation remained distinctly lower than that of the bourgeoisie. As Swados pointed out in 1957: "The average [US] automobile worker[,] ... one

unionized, by and large, so workers in other sectors of the economy received less, often much less. With union bosses doing the bargaining, union members found little reason to identify as workers. This helped most US workers primarily to see themselves as and to appear to be consumers, homeowners, parents of college students — and members of a gender or a religious or ethnic group.

As in Japan, all matters of workplace standards and routines were left to the bargaining process — no social wage was enacted (beyond the Fair Labor Standards Act). Industry even went through periods in which “quality control circles” or similar devices were used to give workers the illusion of participation in important workplace decisions and of having their human dignity recognized. The relative weakness of union leadership, and the relative strength of capital’s government allies and a suffocating individualist (rather than familist, as in Japan) capitalist culture, was memorialized in the failure of industrial unions to ask for lifetime employment.

When the oil shock came in 1973, US businesses overnight became aggressively competitive and “efficient.” As in Japan, they jettisoned the compromise in a resurgence of workplace autocracy, union-busting,⁷⁷ and neo-liberal downsizing and outsourcing. Threatening to move jobs into non-union venues, they demanded an end to all that workers had gained since 1947 — high wages, insurance coverage, vacations, pensions, even the minimum wage. Not threatened with losing their jobs, cowed, bewildered, and in total denial, US union leaders have not fought back hard. Dissenters within some unions rebelled but failed to gain control; nevertheless, in some giveback disputes, workers defied their leaders even amid the restrictive economic conditions and harshly punitive anti-union and worker-unfriendly actions of corporations, and went on strike, some for considerable periods of time.⁷⁸ Most of the strikes have only postponed the givebacks, however. US union

of the best-paid factory workers in the country[,] ... is earning less than the starting salaries offered [for jobs in management] to inexperienced and often semi-literate college graduates without dependents.... Does this make him middle-class as to income? Does it rate with the weekly take of a dentist, an accountant, a salesman, a draftsman, a journalist?” “Myth of the Happy Worker,” 68. For a classic analysis of a token strike, see William Serrin, *Company and the Union: The “Civilized Relationship” of the General Motors Corporation and the United Automobile Workers* (Boston 1973).

⁷⁷See Martin Jay Levitt, *Confessions of a Union Buster* (New York 1993).

⁷⁸See Barbara Kingsolver, *Holding the Line: Women in the Great Arizona Mine Strike of 1983* (Ithaca 1989) (copper workers strike for fifteen months); Stephen Franklin, *Three Strikes* (New York 2001) (three simultaneous strikes in Decatur, IL, last for a combined six years, during 1993-1995); Julius Getman, *The Betrayal of Local 14: Paperworkers, Politics, & Permanent Replacements* (Ithaca 1998) (papermill workers in ME strike for seventeen months, 1987-1988); Barbara Kopple and Bill Davis, “Out of Darkness: The Mine Workers’ Story” (1990) (documentary film about lengthy 1990 coal miners’ strike); Tom Juravich and Kate Bronfenbrenner, *Ravenswood: The Steelworkers’ Victory and the Revival of American Labor* (Ithaca 1999) (lengthy strike of steelworkers); Toni Gilpin et al., *On Strike For Re-*

leadership has essentially acquiesced not only in givebacks but in owners' downsizing of plant, with concomitant outsourcing and plant or job relocation to non-union locales overseas, to non-union southern and western states, or to non-union subcontractors. Unions in the US have rapidly become socially marginal.⁷⁹

While unionized workers have been unable to mount any effective protest, workers at the bottom remain unorganized and disrespected as they struggle to make it through the day, and the working class struggles against staggering consumer debt and a bloated, empty, crushing lifestyle.⁸⁰ Union density in the US began its continuous plummet in 1953.

*Bottom-up Democracy, Not Business Unions
Union Density Drops Primarily Because of Business Unionism*

Union density in Japan and the US — and by parity of reasoning, in the western industrialized world — has fallen for many interrelated reasons. Cold War purges

spect: The Clerical and Technical Workers' Strike at Yale University, 1984-85 (Urbana 1995); David Wellman, *The Union Makes Us Strong: Radical Unionism on the San Francisco Waterfront* (New York 1995); Rick Fantasia, *Cultures of Solidarity: Consciousness, Action, and Contemporary American Workers* (Berkeley 1988); Moody, *An Injury to All*, 303-330; Clawson, *Next Upsurge*.

⁷⁹In Canada, where workers have fought back more fiercely against wage-cutting, downsizing, and outsourcing, neoliberal governments (including those headed by Conservatives, Liberals, and even New Democrats) have legislated worker losses and defeats. See Leo Panitch and Donald Swartz, *The Assault on Trade Union Freedoms: From Wage Controls to Social Contract* (Toronto 1993); Reshef and Rastin, *Unions in Revolution*, 9-14, 17-30, 38-43, 56-57, 91-113, 188-190, 212-213 (neo-liberalism called "neoconservatism"). While union leaders in Canada have generally proved stronger and more member-oriented than their US and Japanese counterparts, in British Columbia in 1983 and 2004 and in Ontario in 1997, when worker protest against neoliberal governmental cutback policies seemed to be gathering popular support and possibly escalating towards a local general strike, union tops capitulated and stanching the protest activity. Bryan D. Palmer, *Solidarity: The Rise & Fall of an Opposition in British Columbia* (Vancouver 1987); Reshef and Rastin, *Unions in Revolution*, 94-96, 104-110, 125-129 (see also 134-152 ["Days of Action" local general strikes against the Harris Ontario government, 1995-1998, never escalated to a provincial general strike largely because union leaders could not imagine success]); Bryan Palmer, "Teachers, Bureaucrats, and Betrayal: Halloween in Harrisland," *Canadian Dimension* (January-February 1998), 29-32; David Camfield, "Neoliberalism and Working-Class Resistance in British Columbia: The Hospital Employees' Union Struggle, 2002-2004," *Labour/Le Travail*, 57 (Spring 2006), 9-41.

⁸⁰See Barbara Ehrenreich, *Nickle and Dimed: On (Not) Getting By in America* (New York 2002); John de Graaf et al., *Affluenza: The All-Consuming Epidemic* (New York 2002). For an excellent account of the utter failure of some defense workers in California to understand what downsizing and the failure of radical union activity meant for them, see Joan Didion, "Trouble in Lakewood," *The New Yorker*, 26 July 1993, 46-65.

decimated the activist, committed, and militant left wings of union membership.⁸¹ Hardline and often violent opposition by business owners to unions has persisted and grown, despite the legalization and supposed acceptance of unions in the post-war era. Business has strong allies, especially in government. A suffocating capitalist ideology suffuses the dominant culture. For many workers, their lives are so overwhelmed by capitalist initiatives that they seem only to exist from pain to pain and fragmentary pleasure to fragmentary pleasure. Business has proved powerful and effective in getting its way.

The only way workers can win against capital, however, is through organization.⁸² So these evidences of the strength of capital are not the most important reason for falling union density. Since trade unions have historically been the primary organizational method for satisfying the needs of oppressed workers, and since humans are rational economic beings, when their unions and particularly their union leaders fail them, this is chief among the reasons.⁸³ In a word, business unionism (as I will call it here)⁸⁴ fails workers, and union density drops.

While not all unions have been either business unions or bureaucratically organized — the Industrial Workers of the World, flourishing before and after World War I, being the best example⁸⁵ — the tendency in a capitalist world in which hierarchy is favoured and democracy opposed is for unions to become business unions. Collective bargaining is, by definition in a capitalist society, a substitute for class

⁸¹This occurred in Canada, too. Palmer, *Working-Class Experience*, 287-298.

⁸²Organization, however, may spring up spontaneously among rebels. Such has happened many times, including the Russian soviets of 1905 and 1917 (as mentioned in the text accompanying n. 39), the organizations of workers and soldiers which sprang up in post-war Germany in 1918-1920, the Hungarian uprising of 1956, the French rebellions in 1968, and the Polish Solidarity movement of 1980. See Hannah Arendt, *On Revolution* (New York 1963), 265-266; Martin Glaberman, "The Marxism of C.L.R. James," in Glaberman, *Punching Out*, 186.

⁸³Staughton Lynd critiques this paper by arguing that capital's power, its hardline muscle-flexing, is the most important factor in the drop in union density. He accurately points out that no union anywhere in the world — socialist or not — has succeeded in preventing plant relocation. My view is that unions are within the power of workers to build and to alter, while capital can always be assumed to work against the class needs of workers.

⁸⁴Labour historians have given different names to the phenomenon I focus upon. Many call it bureaucratization, see Leier, *Red Flags and Red Tape*, while others focus upon the ineffectiveness of labour leaders, see Camfield, "Working-Class Resistance," and one scholar calls it (at least in the craft unions which still dominate labour organization in the US) feudalistic clientism, see Robert Fitch, *Solidarity for Sale: How Corruption Destroyed the Labor Movement and Undermined America's Promise* (New York 2006). Lynd calls it both bureaucratization and business unionism. Lynd, *Living Inside Our Hope*, 189-205. For the reasons given later in the text — that is, the dominant characteristic of the phenomenon is that unions, especially union leadership, act as capital wishes for them to act — "business unionism" seems the best term to use.

⁸⁵Lynd, *Living Inside Our Hope*, 198.

struggle. The function of union leadership in such a regime is to arrive at contractual terms acceptable to business, and then to enforce the terms of the contract, not to continue to struggle. Business union leaders become managers of the workforce, stanching any strong class protest activity — and onerous civil and criminal penalties back up these management duties. Such leaders are functionally no longer part of the working class. Like management, business union leadership has no interest in democratic participation in decision-making by the workers.

The business union, dedicated to securing the privileged economic position of a relatively small aristocracy of labor, is opposed to mass organization and sees little to gain in acting as the spearhead of broader working-class interests.... The union must deny the workers' attempts to regain control at the point of production, or lose its legitimacy in the eyes of the employer and the state and its ability to secure economic concessions through collective bargaining.... [T]he union leader must minimize rank-and-file participation in union affairs ... because ... the contract commits the union to enforcing unpopular prohibitions on the workers' rights in most other areas [than economic rights,] such as discipline on the job.... In the end, unions are not particularly democratic organizations, much less revolutionary bodies.⁸⁶

In both the US and Japan, the characteristic organization of unions and of umbrella union organizations remains top-down and hierarchical. Union leaders, since legalization, have usually acted at critical moments as adjuncts of management.

Even this kind of unionism can retain adherents for a while. Unions are inherently ambiguous in capitalism, as evidenced by owners' undying enmity towards them. Unions, and even union leaders, do serve many of the needs of workers.⁸⁷ This is especially the case when a given union is the solidarity movement's only game in town, when worker militance is somewhat encouraged, and when the union's rhetoric and goals are gloriously democratic. Even in business unions, workers at times engage in class struggle — they strike, demonstrate, act together as

⁸⁶Moore, "Workers' Control," 40-41. "[D]emocracy in the industrialized world is in fact in direct conflict with the need of capitalism to pursue efficiency in production.... Efficiency ... speaks of democracy as mere mobilization of others for active participation in pursuit of goals decided upon and imposed from above." Moore, "Democracy and Capitalism," 353. In usual union activity today, democracy is almost nonexistent and the culture operates to oppose and attack democracy. All critique, dissent, and genuine participation in governance by workers is stifled, being viewed by union officials "as a sort of treason." Lynd, *Living Inside Our Hope*, 192. Labour's leaders come to believe "that the working class must be managed, that the masses cannot determine their own struggles." Leier, *Red Flags and Red Tape*, 34. What is forgotten, omitted, indeed treated by such leaders as anathema, are "principles of class politics, and rank-and-file committees dedicated to a program of class struggle." Palmer, "Teachers, Bureaucrats, and Betrayal," 32.

⁸⁷"When a union exists at [one's] workplace, ... [one] should join that union." Lynd, *Living Inside Our Hope*, 192.

workers for workers' goals, and feel solid. The actual experience of solidarity is even more important than union organization.

Strikes and demonstrations are particularly important. "[W]orkers have to get together and act with each others' support. Everyone has to combine their strength." In collective worker action, especially mass strikes, workers see their fellows taking great risks for mutual benefit, they take strong risks themselves, they meet with new comrades, they commit themselves to their project in a public and oppositional fashion, they experience the enmity of ownership and the comradeship of fellow workers — they can no longer ride a fence, because to be in a strike they have made a decision to take sides, they have openly opposed management, and the two-sidedness of class conflict is nakedly apparent. Strikers feel supported, uplifted; they are actually doing something towards making that better, more egalitarian, democratic world they long for.⁸⁸ One study recounts this effect in telling of the very first labour demonstration some elderly Japanese workers had ever been in: the demonstration "had a distinctly transformative impact on the consciousness of most workers," shifting them toward greater awareness of their identity as workers and toward an increasing comfort with collective protest.⁸⁹

Democratic, Bottom-up, Participatory Unionism Satisfies Workers' Needs

Strikes and other collective action can only go so far in an otherwise top-down union. What workers long for is the end of capitalist oppression, even if they do not consciously articulate it. Democracy and collective/individual self-governance are the implicit alternatives to what capitalism routinely offers. Continuing to take job actions in a union which promises democracy but acts just like the corporate bosses eventually produces working-class cynicism — it is too contradictory, too unrewarding, too disheartening. Joseph McCartin recognizes that one of the great failures of unions today is their dropping of the slogan/self-description/goal of "industrial democracy."⁹⁰

⁸⁸"Griselda can't stop smiling. Her dark eyes are glowing. She is full of life. She jumps to see what is going on at the front of the parade.... Now, she is marching, holding hands with people she has never met before. It doesn't matter — they are sisters and brothers of the struggle.... I am exultant, radiant, thrilled. I cannot stop chanting, shouting, 'so-so- solidarite, so-so-solidarite!'" J. Garcia-Orgales, "We Are Many More Than Two," *Our Times*, 20 (2001), 23, quoted in Kevin MacKay, "Solidarity and Symbolic Protest: Lessons for Labour from the Quebec City Summit of the Americas," *Labour/Le Travail*, 50 (2002), 21-72, esp. 32.

⁸⁹Turner, *Japanese Workers in Protest*, 179-99, 204-10, 216 (quotations from 198, 184); see also Friedman, "Forward March Halted," 5-6.

⁹⁰Joseph McCartin, "What Happened to Industrial Democracy? Looking Beyond the Rights-Based Defense of Organized Labor in the Workplace," paper delivered at the Southwest Labor Studies Conference, Berkeley, CA, 10 May 2003 (used here by permission of the author).

Democracy works for workers. The problem is the ideological culture of capitalism, which causes both workers and union leaders to place no confidence in workers or democracy. Christena Turner has produced a handbook on how well democracy works for workers, in the form of an investigation into worker consciousness in Japan. Turner moved to Japan, took jobs over a year's time at two plants where the workers were running the bankrupt businesses themselves, and watched and listened carefully to what was said and what went on. In the first of these two Japanese worker rebellions, democracy and democratic practices characterized the rhetoric and much of the reality of the way in which the committed left-wing union leaders interacted with the workers. As a direct result, the workers enthusiastically joined and pursued their risky rebellion for several years. When they finally won, however, it turned out that their leaders were only using them; no actually democratic worker-run plan was contemplated by the union leaders, who now became the shop's managers and ran it on top-down business principles rather than via the promised (and theretofore experienced) participatory democracy. The leaders had lied, because their abstract ideologies told them that, in a capitalist system, business *had* to be run in such a fashion, to be "competitive." They believed that democracy would not work. The previously united and militant workforce was crushed by this outcome.⁹¹

In the second struggle, at another worker-occupied bankrupt plant, union leaders similarly espoused democracy in the abstract. However (unlike the first plant), they had a very difficult time acting upon their beliefs because they thought — as members of elites in a capitalist culture usually assume — "[t]he average worker has no sense of social responsibility whatsoever."⁹² Thus, leaders controlled the agenda and the debate at union meetings, speaking first, leaving the workforce out of the planning of union activity, not including the workers in production decisions to a great extent either. As a result, workers who had been raised in Japan's pre-war autocracy and inured to hierarchy, and to the punishment usually meted out to those who breached "place" by attempting genuine participation,⁹³ were suspicious of

⁹¹Turner, *Japanese Workers in Protest*, 31-141.

⁹²"Many union leaders at various local and national levels expressed to me their feelings that 'the average Japanese worker' was egotistical, selfishly individualistic, and lacking in consciousness.... [O]ne ... [left-wing] leader complained, ... 'They have no concern with the labor movement itself or with strengthening their own unions.' ... The gap between themselves and the rank and file was both created and expressed in such perceptions. Because leaders widely believed this to be true, they felt that they must 'manage discussion' and lead it in a 'productive' direction." Turner, *Japanese Workers in Protest*, 176.

⁹³"The perception of themselves as ... powerless commoners, peasants, and workers, coupled with a concrete sense of their weakness within their unions, helped them explain their own political passivity.... Ultimately, the source of this feeling is the fear of losing their jobs." Turner, *Japanese Workers in Protest*, 173. Economic interests are thus (as ever) more important than ideology. The workers *felt* timid and pre-modern, but, as later events showed, those feelings disappeared and they acted democratically and in an assertive, modern fashion

the leaders and never really pushed for an actually democratic process. They stayed in the long fight to support each other, because they agreed with the goal of employee ownership, and perhaps because they experienced some real democracy when they engaged in strikes and demonstrations. But, when they too won after many years of struggle, the union leaders proved true to their earlier promises and instituted a democratic work process and democratic production control within a worker-owned “cooperative” company. While it is still difficult for workers to speak up, “[t]he equality of the union relationships does not permit the usual hierarchy of a company ... [and] [t]hey are self-consciously trying to ... create a ‘tiny socialism.’”⁹⁴ They needed, wanted, and liked democracy.

Too long have workers in capitalism laboured within two parallel crippling ideological assumptions about their own human nature. Capitalist ideology sees workers as stupid lazy fungible pieces of machinery. But Leninist socialist ideology also privileges bosses, requiring decisions and leadership from a tiny, educated, “aware” vanguard. American worker experience in the depths of the Depression and Japanese experience, particularly during 1945-1947 but also with regard to the bankrupt businesses labour took over in the early 1980s, demonstrates that democracy can work for unions: “in times of crisis, shopfloor committees and parallel central labor bodies will reach out to make contact with their counterparts elsewhere.”⁹⁵

We should be working for bottom-up participatory union democracy: horizontal organizing and solidarity unionism, as ably advocated by Staughton Lynd. “Horizontal organizing is organizing on the basis of labor solidarity; it is not relying on technical expertise ... nor yet on a bureaucratic chain of command but on the spark that leaps from person to person, especially in a time of crisis. It is solidarity unionism.”⁹⁶ The later Lenin of *What Is To Be Done?* thought it “absurd ... that in

when the opportunity to preserve their jobs in an assertive, modern way presented itself. They also fully understood at the time what democracy demanded, and that they were being deprived of it despite their leaders’ rhetoric.

⁹⁴Turner, *Japanese Workers in Protest*, 143-255 (quotation from 242).

⁹⁵Lynd, *Living Inside Our Hope*, 203-204.

⁹⁶Lynd, *Living Inside Our Hope*, 204. While in capitalism it is only by workers withholding their labour power that capital can be forced to take action or collapse, “unions” are more than bureaucratic organizations, and there is no deterministic necessity that participants in solidarity actions be composed solely of workers. Ad hoc shopfloor committees, the *soviets* spontaneously formed by Russian workers, peasants, and members of the armed forces in 1905 and 1917, the committees of the unemployed which sprang up in the US and Canada during the Depression, groups of retirees, and other social formations of people oppressed by capitalism are “unions.” Recent Canadian history gives excellent examples. “Solidarity” actions in British Columbia in 1983 and 2004 (see n. 78), and the Summit of the Americas anti-“free trade” protests in Quebec City in 2001 (see MacKay, “Solidarity and Symbolic Protest”), were fuelled by faculty and students, as well as by workers at the time identifying themselves not only as workers but also as citizens, as women, as minorities, as persons with

the interests of democracy all the workers must take part in the work of managing the unions.” But the early Lenin agreed with Alexandra Kollontai, Leon Trotsky, and Rosa Luxemburg (all reacting in opposition to *What Is To Be Done?*) that intellectuals and others should notice, accompany, and help workers who, in their own resistance to capitalist oppression, come to oppose existing undemocratic institutions and to propose democratic new ones. As Karl Marx said, “the emancipation of the working class would be the act of the workers themselves.” The early Lenin agreed that “the task of the party is not to invent in its head ... [what workers should do], but to *join* the labor movement to illuminate it, to *help* the workers in the struggle which they have begun themselves.”⁹⁷

Union density has been dropping steadily in Japan and the US precisely because top-down business unionism and self-serving union leadership do not do that. Such are the human needs of workers.

an alternative lifestyle or sexual orientation, as environmentalists, and the like. It is the living experience of people uniting and acting together against capitalist oppression which is crucial.

“I think the Wobblies [members of the Industrial Workers of the World] were right. I suggest that the One Big Union, based in local shopfloor committees and local committees of workers from all trades, spontaneously created and re-created by a horizontal process in which workers reach out to their counterparts in other places and other countries, is the organizational form required for effective response to the power of multinational corporations.” Lynd, *Living Inside Our Hope*, 198. “We are not limited to the options of students giving political instruction to workers (as suggested by Lenin), or workers, hard-pressed by earning a livelihood, generating a political ideology on their own. We can imagine a third model: students and workers cooperating as equals, horizontally, to bring about fundamental social change.” Staughton Lynd, “Edward Thompson’s Warrens: On the Transition to Socialism and Its Relation to Current Left Mobilizations,” *Labour/Le Travail*, 50 (2002), 175-186 (quotation from 183).

⁹⁷ Lynd, *Living Inside Our Hope*, 189-231, quoting Lenin in *What Is To Be Done* (published in 1902) at 210, Kollontai and Trotsky at 263 n. 24, Luxemburg at length at 212-216, Marx in *Critique of the Gotha Program* (published in 1875) at 207, and the early Lenin (in an unpublished work from 1896, written while Lenin was imprisoned) at 208-209 and 261 n. 12. Those scholars who have a more complicated and favourable view of Lenin essentially agree with this assessment. See Paul LeBlanc, “Luxemburg and Lenin on Revolutionary Organizations,” in LeBlanc, ed., *Rosa Luxemburg: Reflections and Writings* (Amherst, NY 1999), 95-96 (“Lenin sees the party not as *embracing* the working class, but as *interacting* with it for the purpose of influencing it to go in a revolutionary direction. For Luxemburg, ... the point is to blend into the working class as it exists, the better to contribute to its organic development as a revolutionary force.”) (emphasis in original); Glaberman, “Toward an American Revolutionary Perspective,” in Glaberman, *Punching Out*, 157 (“There is another weakness in Lenin’s views which has even more relevance for today.... [H]e did not always place sufficient emphasis on the role of the proletariat as initiator and inventor of new social forms. It is crucial to understand that the working class, in spontaneous eruption, is the architect of the socialist society.”).

I gratefully acknowledge the generous research support of my Dean, Kenneth Randall, and the University of Alabama Law School Foundation.

A very early version of this paper was generously critiqued by Jack Getman. Another version was delivered at the International Network of Transformative Employment and Labor Lawyers conference, in Kyoto, 28 March 2004, and at the Southwest Labor Studies Association conference, in Tucson, 1 May 2004. I am grateful to Hiroko Hayashi for suggesting the topic, and to Makoto Ishida for bibliographical aid and other support. I am also grateful for the valuable comments of Dianne Layden, Rochelle Gatlin, Jim Atleson, Marley Weiss, and David Brundage, and for the support given by Staughton Lynd and Ken Rosen, and particularly by Joong-Jae Lee, Jerry Friedman, and my editor, Bryan Palmer, all of whose bibliographical aid has been crucial. The remaining errors are all my own.

*I dedicate this paper to that most perceptive and comradely of fellow workers, Staughton Lynd — who lives the life he advocates, and who advocates democracy and the integration of the intellectual's life and work into working-class life. He has made my life and work much better, and he has contributed to the betterment of all. See the appreciation by Jim O'Brien, "'Be Realistic, Demand the Impossible': Staughton Lynd, Jesse Lemisch, and a Committed History," *Radical History Review*, 82 (2002), 65-90.*

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