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# Democratic dilemmas: union democracy and union renewal

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## Summary

This article examines the academic debate over union democracy and compares it with recent research on union renewal in the United States. The juxtaposition reveals that revitalization in US unions has not happened in the ways assumed in the literature on union democracy. Rather than being largely a bottom-up process, revitalization has contained a strong element of centralism and coordination. I suggest that union democracy has too often been framed in singular terms, as only involving the curbing of the illegitimate accumulation of power by union leaders. Yet a key problem faced by unions today – how they might best aggregate the interests of diverse workers and represent new constituencies – is also fundamentally a democratic concern, one that can be addressed only by broadening our understanding of union democracy.

## Résumé

Le présent article examine le débat académique sur la démocratie syndicale et le compare avec des études récentes sur le renouveau syndical aux États-Unis. Il en ressort que la redynamisation des syndicats américains ne s'est pas déroulée de la façon prévue par la littérature traitant de la démocratie syndicale. Plutôt que d'être un processus essentiellement ascendant, la redynamisation a comporté un puissant élément de centralisme et de coordination. L'auteur pense que la démocratie syndicale a trop souvent été formulée en des termes singuliers et envisagée uniquement comme un moyen de restreindre l'accumulation illégitime de pouvoirs par les dirigeants syndicaux. Pourtant, un problème majeur auquel les syndicats sont aujourd'hui confrontés, à savoir comment mieux rassembler les intérêts des différents travailleurs et représenter les nouveaux groupes d'appui, constitue fondamentalement une préoccupation démocratique, qui ne peut être abordée que par l'approfondissement de notre compréhension de la démocratie syndicale.

## Zusammenfassung

Dieser Beitrag befasst sich mit der wissenschaftlichen Debatte über Gewerkschaftsdemokratie und vergleicht sie mit jüngsten Forschungsarbeiten zur Erneuerung der Gewerkschaften in den Vereinigten Staaten. Dabei stellt sich heraus, dass die Wiederbelebung der US-amerikanischen Gewerkschaften nicht so verlaufen ist, wie in der Fachliteratur über Gewerkschaftsdemokratie angenommen wird. Tatsächlich beruht diese Wiederbelebung weniger auf einem Bottom-up-Prozess,

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sondern verdankt sich zu großen Teilen zentralistischen Ansätzen und einer guten Koordinierung. In diesem Beitrag wird die Ansicht vertreten, dass der Begriff der Gewerkschaftsdemokratie insofern häufig zu eng gefasst wird, als es dabei nur um die Eindämmung illegitimer Machtanhäufung von Gewerkschaftsführern geht. Eines der großen Probleme, das sich für die Gewerkschaften heute stellt, nämlich wie sie die Interessen verschiedener Arbeitskräfte am besten berücksichtigen und neue Zielgruppen vertreten können, ist ebenfalls grundsätzlich mit der Frage der Demokratie verbunden und kann nur bewältigt werden, wenn wir unser Verständnis der Gewerkschaftsdemokratie erweitern.

### Keywords

Union democracy, labour revitalization

Union democracy has been in the news in the US a lot lately – not only in such expected places as the pages of labour journals but also, surprisingly, in such reputed periodicals of the business elite as the *Wall Street Journal* and *Forbes Magazine*. The term has become a battering ram in several battles currently taking place in and around the US labour movement. In the fiercely fought political contest over labour law reform, employers gleefully hold up the banner of union democracy as legitimization for their ferocious opposition to proposed union-sponsored legislation that would lower the legal hurdle to unionization in the US.<sup>1</sup> And within labour's ranks, 'union democracy' is summoned with equivalent force by labour activists critical of recent developments in the two national unions at the forefront of efforts to revitalize the US labour movement.

Such publicity comes at a critical moment. Not only is the global economic crisis questioning the neoliberal argument that labour unions are obsolete and bad for the economy, but many Americans, and especially many young Americans, have begun in recent years to view the labour movement in more positive terms (Panagopoulos and Francia, 2008). Moreover, the US currently has a president more supportive of (and indebted to) labour than any other chief executive since Franklin Roosevelt. On college campuses, labour campaigns such as Justice for Janitors, the Immigrant Workers Freedom Rides and the Hotel Workers Rising have so altered student attitudes that, upon graduation, young progressives now routinely take jobs as labour researchers and labour organizers. Not since before the Vietnam War has there been such clear potential for an effective alliance between labour and the left in the United States. However, the way the current debate over union democracy is framed in both the labour and the business press threatens to undermine support for unions at the very moment when a more favourable era for labour seems within reach. Old views are being reinforced, whereby it is seen as a lost cause to fight for unions because they lead inevitably to oligarchy, and consequently to selling out workers. In my opinion, this is not accurate. On the contrary, I believe that the whole issue of union revitalization opens up democratic dilemmas to which there are no easy answers – and that these are not well captured in the way union democracy is typically debated today in the US.

The concept of social movement unionism<sup>2</sup> that has inspired many young Americans to become union organizers and researchers was originally applied to certain US unions in the mid-1990s. It

1 The Employee Free Choice Act would allow unions to bypass the state-sponsored union election process and instead allow for workers to have a union once a simple majority of employees sign authorization cards indicating they want a union. It would make US labour law more like that of Canada and more as it was in the period between the 1935 Wagner Act (National Labor Relations Act) and 1947 Taft Hartley Act (Labor-Management Relations Act).

2 Elaborated later in the article.

refers to a model of unionism that gives priority to organizing the unorganized, especially in the low-wage service sector, using strategies such as corporate campaigns that go beyond the point of production, stressing direct action as the source of collective power, and emphasizing social justice frames and progressive alliances. Today, however, social movement unionism in the US is evolving into two separate models: one that – following Sharpe (forthcoming) – might be termed as ‘worker-centred unionism’ and the other that can be called ‘leverage-centred unionism.’ Though both models give priority to organizing the unorganized, they are based on different visions and strategies. While worker-centred unionism focuses on individual empowerment and deliberative democracy, leverage-centred unionism stresses building enough associational power<sup>3</sup> within the union to make economic democracy viable. Competition between the two is helping to fuel the heightened attention given to union democracy, with both sides accusing the other of being undemocratic as they go about trying to win political support for their respective model of social movement unionism.

In this article, I examine the academic debate over union democracy, juxtaposing it with the research done in recent years on union revitalization. I will highlight the dilemmas raised by this juxtaposition and suggest a research agenda that might help activists and academics alike to understand the democratic dilemmas more fully and to take the debate over union democracy to a more helpful plane. Finally, I will look briefly at how the broader institutional environment might help shape democratic dynamics in US unions – and by extension how national labour market institutions might mould the prospects for union democracy elsewhere.

## Union democracy in US unions and the iron law of oligarchy

In the early years of the US labour movement, discussions on union democracy were linked to calls for industrial democracy. As Kaufman (2000), Summers (2000) and McCartin (2007) have recently argued, both institutional economists and labour activists believed it was a political and social necessity to inject democracy into industry if true democracy was to prevail in the nation. In 1914, Walter Lippman, the journalist and labour ally, wrote that ‘without democracy in industry . . . there is no democracy in America’, a sentiment as common among the ‘Knights of Labor’ in the 1880s as among labour activists fighting for the New Deal in the 1930s (Voss, 1993: 80–85). It was this larger ideal of industrial democracy that formed the basis for criticizing undemocratic practices in unions. However, during the 1940s and 1950s, as union density climbed to its all-time high in the United States, this link eroded and the issue of union democracy came to focus more narrowly in both activist and academic circles on what the German sociologist, Robert Michels, called the ‘iron law of oligarchy’.

Michels (1911) argued that all forms of organization, regardless of how democratic they may be at the start, will eventually and inevitably develop into oligarchies. As an organization increases in size, its bureaucracy will grow as well, with leaders and staff of the bureaucracy using their position to increase and entrench their powers, distancing themselves from the rank-and-file, and departing ever more from any ideals of democracy the organization might once have possessed.

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3 I borrow the term ‘associational power’ from Wright (2000), who makes a distinction between different types of workers’ bargaining power. Associational power refers to the various forms of power that result from the formation of collective organization of workers (most importantly trade unions and political parties). Associational power is above all derived from organizations’ strength of numbers. Wright contrasts it with structural power deriving from workers’ position in the economic system.

Most of the academic work on union democracy, especially in the US, has been oriented towards proving or disproving Michels' claims. Evaluation is fundamentally dependent on what is meant by democracy. US researchers have focused broadly on three aspects of union governance: constitutional democracy, behavioural democracy and participatory democracy. The first wave of academic studies on union democracy appeared in the 1940s and 1950s, a time of peak union density and influence in the US. At that time many researchers raised concerns about the extent to which unions guaranteed basic democratic processes to members in their statutes, including minimum standards for the conduct of elections, for the provision of information about union finances, and for the protection of local unions from trusteeships (Herberg, 1947; Taft, 1945, 1956). This first wave receded with the adoption of the Landrum-Griffin Act (Labor Management Reporting and Disclosure Act) in 1959 mandating these standards and implementing a system of enforcement by government monitors. Measured simply by the guarantee of basic constitutional rights, virtually all US unions are democratic.

Since the adoption of Landrum-Griffin, a number of academics have focused on constitutional provisions in their assessment of union democracy, often pointing to varying specific procedural criteria as key indicators. Some researchers, for example, emphasize the significance of district vs. regional or national elections (Gamm, 1979; see also Frenkel and Coolican, 1984), while others stress election by referendum rather than convention, or emphasize the potency of either local autonomy provisions or the strength of intermediate associations (Levi et al., 2009; Edelstein and Warner, 1976). Yet, as Jarley et al. (2000) demonstrate, this approach lends itself to very contradictory results, as there are few correlations between the different indicators highlighted by different academics. The resultant ranking of unions according to any one or two indicators tends to produce very different lists of which unions are more and less democratic.<sup>4</sup> Overall, however, this line of research yields a rather pessimistic assessment of union democracy. For example, while over 50 percent of unions elect executive board members by district, only 19 percent elect national officers by member referendum rather than conventions, and only 15 percent hold annual conventions (Jarley et al., 2000: 228).

Even when democratic constitutional procedures are in place, they do not by themselves necessarily guarantee that union leaders and staff will not take advantage of the power of incumbency and bureaucracy to erode democracy by forestalling electoral challenges and shutting out opposing views. As Michels put it, '[E]verywhere the power of elected leaders over the electing masses is almost unlimited. The oligarchical structure of the building suffocates the basic democratic principle' (1911). Thus, many researchers contend that behavioural indicators such as the presence of an institutional opposition (Lipset et al., 1956; Galenson and Lipset, 1960) or the turnover of union officials (Edelstein and Warner, 1976) are better indicators of union democracy than even the most apparently democratic union statutes.<sup>5</sup> The consensus in this 'behavioural' literature is also quite pessimistic: looking at leadership turnover, Edelstein and Warner show that few US (or British) unions have either close elections or any great turnover

4 See also Stepan-Norris and Zeitlin (1996) who develop a 'constitutional democracy scale' for CIO unions in the period from 1935 to 1948. It highlights especially non-discrimination clauses against communists or advocates of any other party.

5 European and Australian academics tend to also highlight membership participation as an important behavioural measure of union democracy but American researchers tend to de-emphasize it as a result of Lipset et al.'s caution that both authoritarian and democratic regimes can elicit high levels of participation. Recently, however, Levi et al. (2009) have called for more attention to be paid to membership participation in elections as an important indicator of union democracy.

of union officers (which, they argue, supports Michels' claims) while Lipset et al. single out just one union as being the exception to the general state of oligarchy in US unions: the case of the International Typographical Union (ITU). They argue that the ITU was able to counteract oligarchy because it was created by a group of local unions fiercely committed to local autonomy, it had a flourishing two-party democracy, and the organization of the printing trades generated a strong work community. However, according to Stratton (1989), even these supports were not enough, and the ITU became more oligarchical over time.

Somewhat less pessimistically, Stepan-Norris and Zeitlin (1996, 2002) use both constitutional and behavioural indicators to argue that many of the early CIO unions developed a vibrant democratic life, nurtured by ideologically driven communist organizers and sustained by a dedicated activist core. However, they also demonstrate that these exceptions to oligarchy were short-lived, destroyed by the anti-communist provisions of the Taft Hartley Act in the early Cold War years.

Beyond constitutional and behavioural indicators, several academics highlight membership participation as the crucial indicator of union democracy (Jarley et al., 2000; Levi et al., 2009; Stepan-Norris and Zeitlin, 1996, 2002; Strauss, 1991). But collecting valid indicators of membership participation is both difficult and subject to multiple interpretations, severely limiting its measurement value, particularly beyond the local level. Lipset et al., for example, caution that authoritarian nations have high levels of participation but that does not mean that leaders are accountable and responsive to their constituency. And Strauss (1991) reminds us that low levels of participation in union elections – or for that matter, low levels of attendance at local meetings – can indicate either that union members are alienated and uninvolved or that they are satisfied and believe that their leaders reflect their values and priorities. Research assessing participatory democracy is rare, often restricted to case studies, and typically limited to the local level. A notable recent exception is the national level study by Levi et al. (2009) of the International Longshore and Warehouse Union (ILWU). Levi and her co-authors construct their investigation as a shadow comparison to Lipset et al.'s study of the ITU, seeking to demonstrate that the ILWU had important participatory aspects going beyond those found in the ITU, and that these have impeded the development of oligarchy into the present. Especially important in Levi et al.'s account is the ILWU's protection of local autonomy and direct member voting on leaders, contracts and strikes in its statutes, and its low threshold for recall referendums on elected officials. But even then they argue that these were only of value because the longshoremen constituted a tight work community nourishing an ethos of participation and with a militant history. In their analysis, the importance of the tight work community among the longshore workers is reinforced by their comparison with the union's other divisions, which are made up of very heterogeneous groups of workers. The longshore division has much higher levels of electoral turnout over time and also a union culture in which democracy is much more central. Thus, Levi et al.'s research gives both an optimistic and a pessimistic conclusion about the possibilities of avoiding oligarchy and sustaining union democracy in US unions. Optimistically, their study suggests that union democracy can take various forms, and is not restricted to the two-party system of the ITU highlighted by Lipset et al. On a more pessimistic note, it states that the ILWU is a rather unique union. Even with its militant history and the provisions contained in its statutes, Levi et al. find that its non-longshore divisions are far less participatory, leading once again to the conclusion that, with very few exceptions, there is something like an iron law.<sup>6</sup>

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6 In recent ILWU elections, turnout in the non-longshore divisions has fallen to just below 8 percent, less than half that of the Teamster's Union, a union that few would characterise as an example of union democracy.

Thus far, I have reviewed studies that focus on internal union characteristics that facilitate or erode democracy. Several writers have also called attention to external and isomorphic forces that shape union governance, debating whether there is a fundamental conflict between union democracy and efficiency (Stein, 1963), or between unions' representative and administrative systems (Webb and Webb, 1896a, 1896b; Lipset et al., 1956). The American pacifist and socialist, AJ Muste, captured the tension most vividly when he wrote (in 1928):

The trade union seeks to combine within itself two extremely divergent types of social structure, that of an army and that of a democratic meeting . . . the members constitute an army but an army that elects its own generals . . . votes on the declaration of war and on the terms of armistice and peace... Imagine the conflict of the soul of a union official who must have the attitude and discharge the functions at one and the same time of both a general and a chairman of a debating society.

Most writers in this tradition agree that collective bargaining, especially when conducted in the modern context of expanded markets and large corporations, tends to have an adverse effect on representative systems, as the professionalization and specialization needed to negotiate and implement collective bargains is likely to increase the size and power of unions' full-time staff at the expense of members being directly involved in decision making (Lipset et al., 1956; Lincoln and Zeitz, 1980). Recently, Dimick (2009: 13) has challenged the view underlying much of this literature that there is any inherent incompatibility between bureaucracy and democracy, since – as Weber pointed out long ago – democracy can be used as a means of selecting goals while bureaucracy can operate as a means to pursue those goals. But Dimick nonetheless comes down on the side of others, arguing that, in the US, collective bargaining has tended to undercut union democracy. He does however offer a different explanation for this: rather than being an iron law, he believes that the specific procedures enshrined in US labour law promote the sort of excessive bureaucratization that stifles the vibrant work community needed to sustain participation in union's internal politics – and ultimately union democracy. In short, while calling attention to a different reason, he shares the pessimism of others, at least when it comes to his assessment of US unions as being relatively undemocratic.

The dominant problem highlighted in the literature on union democracy since the end of the 1940s is how the illegitimate accumulation of power by union leadership and staff might be prevented or counteracted. This is in marked contrast to the period before the 1940s when the debate over union democracy – and even the concern with union governance – was part of a broader effort to build industrial democracy (what we might today call economic or workplace democracy). In general, as the debate has narrowed to focus on proving or disproving Michels, the verdict has been harsh: with only a few exceptions, US unions have been judged as falling largely on the oligarchical side of the democracy/oligarchy divide. There was a period in the 1940s and 1950s when academics defined democracy as a set of minimum guarantees enshrined in union statutes. Using this criterion, almost every US union would have been deemed democratic. Since then, academics have moved on to stress behavioural and participatory criteria, concluding that only a very few unions are fully democratic. Coupled with the largely pessimistic assessment of the possibility of overcoming Michels' iron law is a belief that progressive change happens most frequently at the local or shop-floor level. Such change can only filter upwards when the inevitable opposition of an entrenched bureaucracy at the top is successfully countered. The conclusions are that local autonomy is good, that top-down initiatives are likely to run counter to rank-and-file interests, and that

bureaucracies stifle both democracy and innovation. However, as we shall see, recent studies on union revitalization challenge these conclusions.

### **Labour revitalization: the US ‘social movement unionism’**

Throughout the world, union density and influence have declined in most countries in recent decades. But in no other wealthy democracy has the decline come so close to threatening the very existence of the labour movement as in the United States. Union density in the US today stands at just 7.2 percent in the private sector and 12.3 percent overall, the lowest rate of any OECD country apart from France (US Bureau of Labor Statistics, 2010; Visser, 2006). Moreover, the US union density rate closely reflects the proportion of workers covered by collective bargaining agreements, in contrast to France where the proportion of workers covered by collective agreements reaches a massive 95 percent (Visser, 2006). It follows that the low density rate in the US indicates a greater demise of labour’s fortunes.

This demise makes efforts to revitalize unions imperative for US unionists. However, the decline was already well advanced before any efforts to reverse labour’s fortune were actually undertaken. Beginning in the 1990s and gaining momentum through the early 2000s, a small number of union activists, mostly working in service sector unions, began to experiment with a new model of unionism – often termed ‘social movement unionism’ – in an effort to trigger union renewal (Voss and Sherman, 2000; Turner and Hurd, 2000; Fantasia and Voss, 2004; Lopez, 2004). This model marked a radical shift from the business unionism that dominated most US unions in the second half of the 20th century, in at least three ways. First, it emphasized rank-and-file leadership and direct action as the source of collective power. Second, it stressed social justice, linking labour movement revival to a broader movement for expanded citizenship in the US and anti-corporate struggles internationally. Third, it introduced a new repertoire of social action, including corporate campaigns and alternatives, such as ‘card-check neutrality’<sup>7</sup>, to the state-sanctioned (National Labor Relations Board) union recognition process. A good example is the ‘Justice for Janitors’ campaign of the early 1990s, in which immigrant workers in non-unionized building service jobs were galvanized into action to achieve union recognition, ultimately winning concessions from employers against overwhelming odds.

While there is considerable debate over the extent to which different unions have fully adopted the new model, there is widespread agreement that social movement unionism requires significant change in the way unions work day to day, and in how they allocate their money, staff time and intellectual talent. Such change is never easy, especially for entrenched organizations. In the US labour movement, change was further complicated by its very decentralized structure. In the 1990s there was one umbrella union association, the AFL-CIO. Real power however lay with its 65 affiliates, and, in most of them, responsibility for organizing resided in local unions, many of which themselves operated with a great deal of autonomy. This is the reason why, to date, only a handful of national unions in the US have seriously attempted to implement social movement unionism. Even in these, many local unions have never launched the kind of comprehensive campaigns that are the hallmark of the model. One early adopter of this approach (SEIU, the Service Employees International Union) has however now become the fastest growing union in the United States, with a second one, (the hotel, restaurant, and garment workers union, UNITE HERE)

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7 Card check neutrality agreements include the provision that the employer will recognize the union without a costly and time consuming government-sponsored election if the majority of workers sign a petition or authorization cards indicating their support of the union.

achieving notable success in organizing hotel workers in an era when organizing increases have been notoriously difficult to win.

Several researchers have investigated why some unions have adopted a social movement approach and others have not, and this research intersects in important ways with the academic work on union democracy. In particular, a heated debate has taken place over the role of paid, specialized staff versus member activism in generating and sustaining social movement unionism and, in particular, in successful organizing campaigns. Research to date has focused more on comparing local unions and organizing campaigns than on why some national unions have turned to social movement unionism and not others. Despite this limitation, it is possible to draw at least preliminary conclusions, with these contrasting starkly in several respects to the view of progressive change prevailing in much of the union democracy academic literature.

One key finding in this literature is that change is often driven by strong coordination and centralism, rather than by bottom-up pressure. In their comparison of revitalized and non-revitalized locals (local unions<sup>8</sup>) in three different national unions, Voss and Sherman (2000) found that transformation took place most often in locals where a crisis opened the door to greater intervention by change-oriented national leaders. These leaders encouraged (and often subsidized) the hiring of staff, frequently college-educated, with experience in social movements outside of unions, and who tended to think innovatively about tactics. Although member participation is a key part of the social movement model and is considered essential for its long-term success, at least in the first wave of union renewal, in none of the 14 locals studied by Voss and Sherman was change initiated through bottom-up activism or pressure. Similarly, Martin's (2007) quantitative study of the organizing activities of 70 local unions concluded that where the influence of paid staff and the national union was greater, locals were more likely to use the tactics of social movement unionism in their organizing campaigns.

Milkman (2006) and Hickey et al. (2010) have explicitly researched the importance of top-down vs. bottom-up strategies in campaigns to organize the unorganized. Milkman compares four organizing drives among low-wage Latino workers in southern California, concluding that success depended upon a combination of top-down and bottom-up strategies; neither alone achieved success in the cases she analysed. Hickey et al. look more specifically at the role of rank-and-file union member activism in 32 published case studies of organizing campaigns in the US and the UK, concluding that although member activism was important in some cases, the role of paid union staff in directing and implementing organizing campaigns was universally important in all cases.

Sharpe (2004) provides important insights into why leadership-driven strategies play a crucial role in union renewal. She also presents a skilful analysis of the tensions that emerge between organizers and rank-and file workers in the course of a hard-fought unionization drive against a recalcitrant employer. She argues that rather than being thought of as an either/or proposition, democracy should be thought of as a goal or ideal that union campaigns can work towards. She points out that workers need to understand the basics of strategy and tactics before they can decide on the best course of action in any particular situation, and that organizers have the experience and knowledge to teach workers about strategic options, as well as about the vulnerabilities of the corporations for which they work. Similarly, Martin (2007) points out that the new repertoire of social moment unionism depends to a great extent on just the kind of skills and knowledge that professional staff have.

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8 Local unions in the United States are typically geographically based affiliates of national or international unions. They are equivalent to 'union branches' in the United Kingdom.

The research on union renewal in the US, in short, questions the rosy picture of bottom-up, worker-driven democratic change so prevalent in the academic work on union democracy. Member engagement and rank-and-file involvement are clearly important in their own right, but, to date, paid union staff, strong leadership and central coordination have played a more consistent key role in union renewal. This calls into question many assumptions and conclusions found in the literature on union democracy, especially the works highlighted earlier, stating that change is more likely to arise from local autonomy than from centralism; that staff interests tend to be opposed to rank-and-file interests and that bureaucracies suppress democratic innovation.

### *Democratic dilemmas*

The empirical research on union renewal that has taken place to date in the United States suggests that academics and activists should consider broadening their concerns about democracy in unions. First, it is important to recognize that change has not happened in US unions in the ways that have been assumed in the union democracy literature. This is a major dilemma when considering how unions might grow big enough potentially to foster greater justice and democracy in the larger economic sphere – the concern shared, as noted above, by both intellectuals and labour activists in the early years of the US labour movement.

Second is the issue of constituency and our understanding thereof, even if limiting ourselves to the question of how a constituency can choose leaders who will respond to their interests and whom they can hold accountable. Does a constituency consist of workers employed in a single plant or locality? Or of workers employed in a single labour market? Or of workers employed in similar work or for the same employers, wherever they are? With ever fewer corporations reigning over ever more workers' fates, this is becoming an increasingly pressing question.

As Sharp (forthcoming) notes, for decades the question of a union's constituency was self-evident in the US (and by extension for all academics researching union democracy): unions represented their existing members, and a union's resources were directed at bargaining and enforcing the contract with the members' employers. In the 1990s, however, leaders in unions adopting social movement unionism began to give priority to the organizing of new workers over a focus on providing union representation for existing union members already covered by union contracts. In the social movement model of unionism, the union's constituency does not just consist of workers already covered by a union contract but of the entire workforce within the industry the union represents. We need to ask how this shapes our understanding of democratic citizenship in unions. How, for example, should the interests and preferences of existing members be weighed against those of the entire workforce in an industry? Is it possible for union leaders to be held accountable to both?

Third, if we extend the notion of a union's constituency along the lines advanced in the 'social movement unionism' model, the question about how the different parts of the broadened constituency can be effectively integrated then becomes very important. How can the concerns and interests of longstanding local unions and their leaders be matched to the concerns and interests of newly organized workers, or even of those who have not yet won the exclusive rights of representation dictated by US labour law? Here we can return to the literature on union democracy, asking not only whether such procedural criteria as, for example, district elections or yearly conventions lead to greater leadership turnover (the standard question to date in the procedural democracy line of research on union democracy) but also investigating which procedures and what sort of intermediate structures (between the national leadership and the different parts of the expanded constituency) are best for integrating the diverse interests and concerns of different constituents.

In SEIU, one strategy has been the creation of ‘mega-locals’ or large-scale local unions, although they have been constructed more in an effort to reflect the organizational contours of their corporate opponents rather than out of any explicit concern about integrating diverse interests. These ‘mega-locals’ have been much criticized, particularly for the frequent use of appointed (rather than elected) leaders and for the voting rules used for deciding mergers, which pool the votes of all locals, thus allowing large locals involved in a merger to swamp the vote of small locals (see, for example, Clawson, 2008). The question arises about whether there are any ways of making these ‘mega-locals’ less a source of bitterness and more integrative of the diversity of the newly mixed constituency. No research has yet been done on whether some are working better than others or if some engage members to a greater extent, and, if so, why.

Finally, the recent history of conflict between SEIU and UNITE HERE, the two unions most associated with social movement unionism, is sobering and raises an additional potential trade-off, this time between growth directed at greater economic democracy in the nation, and worker empowerment directed at greater rank-and-file participation in the union. In the SEIU, the intensive organizing of the type fundamental to the success of the early ‘Justice for Janitors’ campaign has been less essential to the success of subsequent campaigns. Why? Because real power over janitors’ lives resides in global financial groups, meaning that even intensive rank-and-file organizing at the local level and strong community coalitions are not enough to yield success. Instead, corporate campaigns have grown increasingly central. Some in SEIU now believe that mere size, in combination with high-quality professional corporate research, can sometimes yield ‘win(s) without workers’ (quoted in Sharpe, forthcoming). The difficulty, of course, is that such success encourages staff to measure victory in terms of growth, making accountability to existing members problematic.

In UNITE HERE, in contrast, the focus is on developing rank-and-file workers into leaders. This is viewed as a precursor both to militancy and genuine worker participation in union affairs. UNITE HERE’s successes in developing rank-and-file leaders, however, have not been accompanied by significant membership growth. The two unions are now locked in bitter competition, often over the same jurisdiction, each clinging to its own vision of ‘social movement unionism’.

## Labour market institutions

Significantly, some of the democratic dilemmas faced by US unions intersect with key problems of union legitimacy explored by Dufour and Hege in this issue. They argue that there is a major legitimacy crisis in many western European countries because union legitimacy, previously constructed around the identities of core workers once predominant in the working class (most notably, male workers employed full-time in manufacturing) has not yet been replaced by any new global identities successfully challenging the old core identity. In their view, this leads to three possible strategic options for labour: to safeguard the institutions (counting on external legitimacy to shore up existing legitimacy); to base internal legitimacy on shrinking core groups, or to focus on diversity, with a priority given to the restoration of internal legitimacy through diversification and accepting the transformation of existing organizational modes of operation. They plainly favour the third option, which they envisage as a dialectical process involving both national leaders and local union groups, but they fear that the first option – relying on legal supports instead of organizing new members – is more likely.

The crisis of legitimacy upon which Dufour and Hege focus derives from the same shifts in workers’ demographic characteristics and occupational composition that have powerfully shaped union decline – and related efforts at union renewal – in the US. However, Dufour and Hege’s view

of the possible strategic choices for unions also highlights a stark contrast in the institutional frameworks of the different countries, possibly affecting both the relative importance of centralism for the process of renewal *and* the amount of mobilization likely to arise over the issue of union democracy. Considered from a US perspective, it is truly remarkable that Dufour and Hege are able to envisage union movements having the option of relying on legal protection to safeguard their position and to avoid having to organize new members. Simply put, no such option exists for US unions. Accordingly, it may be that the strong centralism and coordination vital for union renewal in the US have themselves been at least partially a reaction to larger institutional forces and might play different roles elsewhere.

Western (1999) has shown that labour market and state institutions are fundamental for explaining the growth and decline of post-war union movements. It seems likely that institutional contexts might also shape the dynamics of union renewal. Compared with western European countries, the US has very low density rates (especially in the private sector where union density is currently 7.2 percent, down from 25 percent in 1975). It also has none of the legal mechanisms common in European countries by which collective agreements are routinely extended throughout an industry to include firms with few if any union members. It furthermore has none of the other legal and social supports that give unions the official status of social partners.

Instead, the US has an exceptionally decentralized system of collective bargaining in which any form of union presence at a workplace depends upon monopoly representation and requires majority support (generally determined through a certification vote). There are high legal barriers to unionization, most notably through right-to-work laws prohibiting any form of compulsory unionization in a number of states. Alone among advanced industrial countries, the US has a system of elections for union certification that allows US employers to run anti-union campaigns as part of the organizing process.

Employers take full advantage of US labour law to mount fierce union avoidance campaigns when unionization drives are initiated, contesting and delaying elections, firing union activists without compunction, and hiring anti-union consulting firms. These anti-union campaigns, coupled with an institutional environment that is antagonistic to organized labour, heightens the need for skilled leadership and sophisticated research in union organizing strategies. Sharpe (2004), Martin (2007) and Hickey et al. (2010) all demonstrate the central role of paid union staff in directing and implementing the repertoire of social movement unionism in this hostile institutional environment.

In countries with different labour market institutions, union renewal can possibly be accomplished with less centralism and coordination, with the task of finding organizational structures to represent diverse interests being correspondingly different. However, as Dufour and Hege point out, it is also clear that the democratic dilemmas I have highlighted will have to be confronted in western Europe as well as the United States.

## Conclusion

Debates about union democracy in academic and public forums tend to be too narrowly focused to capture many of the significant dilemmas faced by unions as they seek to revitalize labour movements in the contemporary world. Democracy is often framed in singular terms, as only involving the curbing of the illegitimate accumulation of power by union leaders. Yet a key problem faced by unions today – how they might best aggregate the interests of diverse workers and represent broad constituencies – is also a fundamental democratic concern.

Union renewal, especially in the United States, has entailed a strong element of centralism and coordination. Union leaders and staff have played a progressive role in expanding the constituency

of unions to include the unorganized and in innovating new strategies for winning unionization campaigns. Yet, this renewal has rarely been the bottom-up process envisaged in much of the union democracy literature. In short, there are difficult trade-offs at the heart of efforts to revitalize unions. What sorts of organizational structures are best suited to representing the interests of diverse constituencies? What mechanisms and arrangements can be found to keep leaders accountable to existing union members while they simultaneously champion the interests of non-union workers? And to what extent does building greater economic democracy at a societal level depend on union members directly participating in the process of internal democratic discernment? These are pressing questions for all of us concerned with union democracy in the US labour movement.

Because union renewal elsewhere occurs in national contexts with different labour market institutions in place, there will be different democratic trade-offs. In all countries, however, the relationship between renewal and democracy is certain to be a fundamental concern of both academics and activists.

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