

Trade Unions and Civil Society

by Gary Johns

(An Address to the HR Nicholls Society XXIII Conference: *The Changing Paradigm: Freedom, Jobs, Prosperity*)

Introduction

The economist Colin Clarke, who among other distinctions, was the only Australian whose work was quoted in Keynes' *General Theory*, remarked to me when I was an economics student, and resident at Mannix College, Monash University, that the wages of Australian workers had little to do with the deeds of the trade union movement. They had to do with the economic factors in the generation of wealth (the guns, steel and germs view of economic advancement). He may have been right, and I unfortunately, lacked the presence of mind to ask if he thought unions had impeded the growth of wages. In the absence of his response, we can nevertheless observe that probably all successful modern economies have contained a free trade union movement. We can further observe that, from time to time, these associations have cooperated with governments to achieve mutual economic and social objectives. In other words, the role of trade unions cannot be so easily dismissed. They are significant actors in free societies, and it is best they are understood to be so.

The environment that confronts trade unions in 2002 is extraordinarily different to that which they faced at their origins, and in their heyday. The new environment consists of a political and intellectual consensus that competition, not protection, is the appropriate response to the challenges of a more highly integrated world economy. It consists of a legislative climate, less favourable to a union monopoly in workforce representation. It consists of a legislative climate more favourable to individual legal action, and to the legal intervention by other intermediaries, thus further undermining the trade unions' monopoly. It consists of macroeconomic management and a welfare state that reduces the risks that may result from working in the free market. It consists of an electorate less motivated by class politics, and where a great deal of political activism centres on post-material values and themes. Consequently, it also consists of a greater competition for political space from other political activists, particularly in the form of Non Government Organisations (NGOs).

The responses by the trade union movement to the new environment have been considerable. At times in the last twenty years, where the option was available, trade

unions have worked closely with government. At times, they have sought to build considerable head-office capacity, in order to equip them to operate in every area of government policy. At times, they have sought to restructure, principally through amalgamation, to achieve strength through fewer and larger unions. At times, they have sought to return to local activism and recruiting, particularly after a period of appearing to 'run the government'. And, at times they have had to rethink their political allegiance to the ALP, and to forge links with NGOs.

Civil Society

To understand trade unions and civil society, it is important to clarify the sense in which civil society is understood, and more important, the way in which political actors seek to use it. Trade unions—along with friendly societies and mutual cooperatives¹—are among our earliest manifestations of 'activist' civil society; they are original NGOs. They exist as a collection of private individuals seeking solutions to collective, as well as to individual, problems. However, and just like Australian political parties, they are also part of the system of government, the democratic institutions and the rule of law that helps keep us 'civilised'. The trade unions' preferred vehicle for advocacy depends on the extent to which trade unions share the ruling party's objectives for the labour market, and the impact of its chosen vehicle on its organisational strength. On the government's part, if the objective is free employment contracts, unions are unlikely to be a useful ally. If the object is the orderly conduct of employment relations, they may well be useful.

Ideologues use both concepts of civil society, 'activism' and 'government', as it suits their purpose. The political 'left' prefers the commanding heights of government to achieve their collectivist aims, and when successful, government and the state become, in their view, the true expression of the will of the people. When out of government, or when government fails them, the Left believe that the will of the people exists in civil associations. At these times, government is demonised as the instrument of corporations. The political 'right' also prefers the commanding heights of government, if only to keep them out of the hands of the Left. The Right like the idea of private association, however, because they are less instrumental and collective in their goals, civil associations under their stewardship generally have less political impact. For example, the Red Cross is quintessentially an organisation peopled by conservatives (the Right), and its objects are focussed on individual amelioration, not on system change. By contrast, the Australian Conservation Foundation, in latter years, has been overtaken by the Left and has vowed to change the economic and, it seems, the political system (in a way that places the environment first). They recently announced, that 'by 2050 Australia will be a civil society. There will be a high level of community engagement in decision-making processes, ... a higher level of trust ... with their decision-making institutions.'

¹ Lyons, M. 2001. *Third Sector: The Contribution of Nonprofit and Cooperative Enterprises in Australia*. Sydney: Allen and Unwin, 100.

Translated, this means that civil associations will overtake the state. A government of activists ensues! This position is at the extreme, one that cashed-up NGOs favour.

Trade unions are old players at positioning themselves in civil society, but they suffer the twin difficulties of having been part of government, and thus—as far as their competitors are concerned—part of the problem. Second, they have to service a membership, not just entertain a support base, as do advocacy NGOs and political parties. They carry some heavy ideological and structural baggage.

The Death of Labourism

Australian trade union ideology was never Socialist, it was Labourist. ‘Australian Labourism’s central principle was that the capitalist state could be managed to the advantage of working men by a combination of a strong trade union movement with a parliamentary Labor Party. In Australia, Labourism added three distinctive credos: protection, to keep out cheap goods; a White Australia policy, to keep out cheap labour; and a system of compulsory arbitration, to keep the fair employer fair.’² The latter, in particular, also stimulated the growth of trade unionism.

Among Labour thinkers,³ the belief that the capitalist state can be managed to the advantage of workers, albeit in a globalised economy, remains. In 2002, however, almost nothing else of Australian Labourism does. Working men, have become working men and women.⁴ To the extent that the culture of union solidarity was based on the male breadwinner, it is now long gone. Indeed, ‘workers’ no longer exist in a single dimension—as a unit of production, or in a single master/servant relationship with their employer—the consumer is now sovereign. The purpose of production is the satisfaction of the customer, not the producer. More workers have experienced self-employment⁵ and thus begun to understand the exigencies of employing labour and creating wealth. More workers are employed in small organisations,⁶ where the distance between performance and earnings is shorter than in a large one. More workers own capital, for a long time as homeowners,⁷ but more recently as recipients of redundancies and superannuation.

² Hagan, J. 1981. *The History of the ACTU*. Melbourne: Longman-Cheshire, 45.

³ Latham, M. 1998. *Civilising Global Capital*. Sydney: Allen and Unwin. Tanner, L. 1999. *Open Australia*. Sydney: Pluto Press.

⁴ Participation rate for females 55.2 per cent of workforce in 2000-1, up from 53.8 per cent in 1995-6. ABS, 2001. *Australia Now*, ‘Labour: The Labour Force’ (Year Book Australia)

⁵ 22 per cent worked in their own business, and this has been steady for the last 6 years, but own account workers has been growing faster than the labour force. ABS, 2001. *Australia Now*, ‘Labour Employment Arrangements’ (Year Book Australia)

⁶ Over the period 1989-90 to 1999-2000, the average annual rate of growth in numbers of businesses ranged from 0.1 per cent for businesses with 200 or more employees to 4.9 per cent per year for businesses with 1-4 employees. ABS, 2001. *Australia Now*, ‘Industry Overview: Number of Businesses and Employment by Size of Business.’

⁷ Between 65 and 70 per cent of households for the last 50 years. ABS, 2001. *Australia Now*, ‘Housing Special Article—Changing Tenure Status.’

Indeed, many have become investors, either indirectly through their superannuation funds, or directly through shares.⁸

This is not to argue that house ownership and share ownership are inconsistent with a large union presence. Australian home ownership has been consistently high throughout the period of decline in trade union density, and the nation with the highest level of individual share ownership, Sweden at 66 per cent, is the country with the highest level of union membership, at 91 per cent.⁹ Nevertheless, in recent decades, Australians appear to have chosen a path of high individual capitalisation and low collective action.

In 1976, over half (51 per cent) of all employees were members of a trade union, in 2001, less than one quarter (24.5 per cent or 1.9 million people) were members.¹⁰ Clearly, in the last quarter of the 20th century, trade unions have been losing members and/or recruiting only a small proportion of employees entering the workforce. There appear to be various factors contributing to the decline in union membership:¹¹ The open economy and the burden of increased competition have fallen on industries that were traditionally more unionised. The growth of employment has occurred in industries that have low levels of union membership. The rise in part-time employment has made recruiting more difficult. Since 1990, and Accord Mark VI, enterprise bargaining and a shift away from centralised wage negotiations, has diminished the role of unions, and changes in State jurisdiction legislation have made compulsory unionism more difficult. The *Workplace Relations Act* 1996 reduced the matters that could be covered by federal awards, and provided for individual Australian Workplace Agreements and collective agreements between employers and employees. Other changes included revised provisions for unions' right of entry to workplaces, restrictions on industrial action, and the banning of discriminatory action against non-unionists (removal of 'closed shops' or compulsory unionism) and unionists.

The open economy and its needs, and governments prepared to encourage the workforce changes they regard as essential to prosper in the open economy are the principal drivers of change. In addition, the consciousness of extracting an income from capital has changed the mindset of the 'wage labourer'. More workers have become knowledge workers, they have become valuable commodities—as opposed to industrial fodder—in their own right.

⁸ In the latter part of the 1980s, only 9 per cent of the Australian adult population held shares directly. By 1999, 41 per cent (5.7 million Australians) held shares directly. A further 13 per cent held shares indirectly, via a managed fund or personal superannuation (other than compulsory employer superannuation funds), taking the total to 54 per cent (7.6 million). ABS, 2001. *Australia Now*, 'Financial System Special Article—Equity Capital Raisings on the Australian Stock Exchange' (1999-2000).

⁹ OECD, 1997. *Employment Outlook*, 'Trade Union Membership as Percentage of Employees, Selected Countries', July.

¹⁰ Trade Union Members, Australia (Cat. no. 6325.0); Employee Earnings, Benefits and Trade Union Membership, Australia (Cat. no. 6310.0).

¹¹ Griffin, G. and S. Svensen, 1996. 'The Decline of Australian Trade Union Density', *Journal of Industrial Relations*, 38(4): 505-47. Bodman, P. 1998. Trade Union Amalgamations, Openness and the Decline in Australian Trade Union Membership', *Australian Bulletin of Labour*, 24(1): 18-43.

They are expected to think about the performance of the organisation, and their performance in it. In short, once the worker realised that his or her well-being depended on the contribution to the success of the enterprise, and not in screwing the enterprise, the game of industrial relations changed.

Despite these massive changes, trade unions are still the largest collection of citizens in any association, the biggest NGO. Unlike other NGOs—environmental, human rights—however, they are bound to represent the direct interests of their members, and they are accountable by means of the election of officials. Most of the largest NGOs consist of supporters and a collective of activists and professionals, who are not directly accountable, and who do not operate in the direct interest of, nor service their members or supporters. In these NGOs, scrutiny by the membership is less pressing, less accepted. One of the prices that trade unions have had to pay for their prominence is a high level of state regulation and scrutiny. The same cannot be said for NGOs in general.

The old certainties are less evident, and the workforce belief in the purpose and strength of unionism has diminished. A survey of workers' attitudes to trade unions, conducted by the NSW Labour Council, shortly after Labor's Federal 1996 defeat, found that while there was some residual commitment to unions based on the heritage of the movement, they were nevertheless, perceived to be 'dinosaurs.'¹² Trade unions find themselves in an alien environment; an open economy, a less regulated bargaining system, and competing in a market of interest groups, but with a smaller and less loyal membership. 'Coping with individualism of the new workforce will be the trade union movement's greatest challenge. Traditional collectivist notions will increasingly be seen by the workforce as reflecting the philosophy of a by-gone era.'¹³

Trade Union Responses

Government Relations

Trade unions have responded in one or more of three ways to the emerging environment. The first is the oldest, the safety of the government system. This avenue is not always available, it depends on the government of the day, the prevailing economic ideology and the strength of the trade union movement.

There have been times when both sides of politics have sought a close relationship with the trade union movement. Alternatively, there have been times when both, in turn, have disdained it. 'Menzies had remarked, when Prime Minister in 1940, that it was impossible to govern Australia efficiently without the consent of the trade unions.'¹⁴

¹² Costa and Hearn, 1997, Appendix 1, 265.

¹³ Costa, M. 1997. 'Union Reform: Union Strategy and the Third Wave.' In Costa, M. and M. Hearn, eds. *Reforming Australia's Unions*. Sydney: Federation Press, 20.

¹⁴ Hagan, 1981, 318.

Indeed, Harold Holt as Minister for Labour and National Service, established the 'Holt-Monk axis' during the 1950s. Holt struck an agreement with the ACTU, in particular its president, Albert Monk, that all trade union representations to the government were to come through the ACTU. Ministers were not to receive deputations from federal unions until the president of the ACTU had been notified.

The Whitlam Government, although close in many respects to the ACTU, particularly through the joint presidency of Bob Hawke of the ALP and the ACTU, failed to discuss its plan to introduce across-the-board tariff cuts in 1973, and the ACTU vigorously and successfully opposed the 1973 prices and incomes referendum. By contrast, the ACTU Accord with the Hawke Government in the 1980s was a model of cooperation, each side offering, and able to deliver, significant benefits to the other in pursuit of common policy objectives. The Hawke Government was attempting to engage the workforce in award restructuring and enterprise bargaining. The trade union movement offered the government a voice in the electorate that it would otherwise have not had. These objectives could not have been achieved by government fiat, or with the simple agreement of the Industrial Relations Commission. Workers had to be engaged in the process, which required that they be convinced of the worthiness of the cause.

Towards the close of this period, as the Assistant Minister for Industrial Relations, I attended a meeting of steel workers in Newcastle to discuss these questions. The meeting was coming along pretty well, until one worker asked, 'are you blokes interested in this stuff anymore?' It became immediately clear to me that although the government and the union movement had set a task for the workforce, to encourage enterprise bargaining, it had failed to continue to rally the team and encourage the players. In the twilight of the long Labor reign of 1983–1996, enthusiasm for the cause had dissipated. The ALP/ACTU Accord was the high point of union cooperation with the state. The unions used their considerable power to prepare the workforce for a more open economy. They helped weaken the addiction to what remained of the Labourist credo; protection and compulsory arbitration. In so doing, unions paid dearly for their role.

The prospects for close relations between the present government and the union movement are obviously poor; the Coalition seeks a freer employment market, unions desire protection. Nevertheless, governments do not operate at the level of the enterprise, so they do not have the same incentive as employers to foster local bargains. They also have larger objectives in mind, such as the maintenance of industrial peace, workforce training, controlling inflation and ensuring full employment. Employers often seek the assistance of government to achieve these objectives. The Coalition will not relinquish too many of the levers they now control in employment relations until they are sure that labour market reforms are a significant factor in the achievement of their objectives. In other words, the historical reliance of employment relations on a collectivised and formal legal process of conciliation and arbitration may be part of the problem, but no Commonwealth Government will relinquish its entire interventionist arsenal. The

portfolio still exists, the formal political elements, like the Australian Labour Advisory Council still exists, indeed, the industrial relations infrastructure remains largely in place. There may come a time when the electorate demands the use of such instruments. There may come a time when the government wants to appeal to the workforce through its representatives.

Restructuring and Reorganising

On the structural front, the number of separate unions fell from 295 to 132 in the period 1990–1996, mainly through amalgamation, but sometimes through absorption. For example, the National Union of Workers was as much an absorption by the Federated Storemen and Packers Union of lesser unions, as an amalgamation. In all, from 1989, six unions progressively merged into the one larger union. The six unions were established in the early part of the 20th century and some at least—United Sales Representatives and Commercial Travellers Guild (Est. 1888), Federated Millers and Manufacturing Grocers Union (Est. 1909), Commonwealth Foremen’s Association (Est. 1912)—were barely viable. So there was sense in bringing together these many small unions. The union membership of the union is now around 90,000.¹⁵ In contrast, while the Construction, Forestry, Mining and Energy Union is Australia’s main trade union in those industries, it is an amalgamation in name only. While it exists in three divisions, it is, in effect, three unions.¹⁶

Larger unions were the strategic response to declining numbers, they may also have hastened it.¹⁷ The standard critique of the period of amalgamation is that larger unions may be less responsive to workplace level issues and to individual member input. For example:

Trade union strategies in Australia have long relied on high levels of leadership prerogative and the use of highly researched argument placed before the country’s various tribunals. In such an environment the employment of analysts and legal advisers rather than organisers and recruiters has more often been the order of the day, with rank and file organisation and input into trade union strategies being minimal at best. This top-down approach has always had the potential to alienate members from the movement’s aspirations.¹⁸

These sentiments, and the generally accepted analysis of the causes of the decline in trade union density have sent unions back to basics—organising and recruitment. For many

¹⁵ National Union of Workers <http://www.nuw.org.au/historyandbackground.html>

¹⁶ Construction, Forestry, Mining and Energy Union <http://www.cfmeu.asn.au/>

¹⁷ ‘After overcoming a decade of post-amalgamation factional fighting and a rapid decline in manufacturing. We have arrived at the crossroads.’ from an address by AWU National Secretary Bill Shorten to the National Press Club. 20th February 2002. ‘Can Labour Win? New Directions for an Old Union.’ http://www.awu.net.au/media/media_releases/news57.html

¹⁸ Abbott, K. 1999. ‘Lessons for the Australian Trade Union Movement from the Industrial Relations Policy Experiences of Britain and New Zealand’, *Policy, Organisation and Society*, 18: 39-58.

years, trade unions had become more professionally staffed¹⁹ and more policy-oriented. Most particularly in the use of labour law firms as a training ground for union officials.²⁰ Wages, terms and conditions appeared to take a back seat. The movement pursued issues in the public arena increasingly outside the realm of work.

In terms of restructuring and reorganising, trade unions are now heading in two directions, organising and recruiting on the shop floor and chasing the new activists and their methods in the new NGOs. The irony in this of course, is that the trade union movement has in the past, often sponsored, or acted as the catalyst for many of the most successful NGOs. Australian unions have a combined revenue base of about \$500 million per year, and the ACTU believes that not enough of this is invested in organising and recruiting. Currently around 210,000 new union members are recruited each year in Australia. However, in order to maintain current membership levels unions must collectively recruit 285,000 members each year.²¹ In the long-term, union density will only increase if unions are active in areas where employment is growing, not declining. Those areas are call centres, computer services, tourism and hospitality, which are all increasing in employment—these are the industries attracting young people. The unions aim to establish delegates, activists and collective structures at every union workplace, educate and activate delegates to recruit, bargain and handle grievances. They aim to reallocate union resources to recruit and organise new members in workplaces and industries where jobs are growing and create an organising section in the union, with a coordinator and specialist organising teams. These are the aims of the *Organising: Unions@Work* program established by the ACTU in 1999. The difficulty of achieving any growth, however, is underlined by the fact that the program follows an earlier version, *Organising Works*, which commenced around 1993, with the aim of training young union officials and recruiters.

The ACTU *Unions@Work* campaign has also decided to ‘form strong alliances with other groups in the community.’ In other words, it feels the need to maintain its links with the post-materialist values of one section of its membership, the middle-class, particularly teachers. An example of this activity at an international scale is the Millennium Review of the International Confederation of Free Trade Union’s (ICFTU).²² The 2000 ICFTU Congress determined ‘to undertake the most radical review of the international trade union movement since trade unionism.’ It commissioned a survey of NGOs operating at an international level, and investigated the campaigning techniques used by them in pursuit of their objectives.

¹⁹ Bramble, T. 1995. ‘Deterring Democracy? Australia’s New Generation of Trade Union Officials’, *Journal of Industrial Relations*, 37(3): 401-26.

²⁰ ‘I came to the AWU in 1994, after working for a labour law firm’ Bill Shorten, 20th February 2002.

²¹ http://www.actu.asn.au/vunions/actu/about_us.cfm

²² Medforth, R. and P. Maguire, 2001. Lessons From The Campaign Strategies of Nongovernment Organisations. Unpublished analysis of the survey of NGOs by the International Confederation of Free Trade Union’s.

An analysis of that study, completed for Australian trade unions, argues that the public perception of trade unions is that they focus on labour rights only. It believes that trade unions have not been effective at defining their role in the broader social agenda. For example, often unions do not clearly explain their role in establishing and maintaining basic human rights (of which labour rights are only one component) to their own members, let alone a broader audience. It has only been recently that unions have had to justify many of their actions as union density has been in decline. Demonstrating their role in the broader social agenda has not been a priority.

These sentiments will serve to increase the divide between the two constituencies of the union movement and possibly ensure that unions become just another, albeit large NGO, rather than a representative of employees in the workplace. To this end, they will be of little use to their members and of no use to any government who, at some point, may want an avenue to speak to the workforce.

The Public Interest

Collective legal processes, which—like compulsory arbitration—determine employment relations, may be in abeyance, but individual ones are certainly not. The statutory scheme that ensures a redundant worker's entitlements at the collapse of a firm does not require the intervention of a union. Superannuation entitlements are guaranteed by statute. The right to sue an employer for unfair dismissal, or for discrimination on the job have been enhanced. Collective bargains, while still a strong part of the system of wage and condition setting, are nevertheless buttressed by minimum conditions, making those who wish to negotiate without union support more able to do so. The ability to sue for injury has ballooned. The statutes for health and safety are comprehensive and policed by the state. In a myriad of ways, statute has put trade unions out of a job. Workers may need lawyers, but they do not necessarily need organisers.

It is now easier for other collectives to intervene in more legal matters than was once the case. Some of these will impinge on employment relations. The High Court of Australia in, *Truth About Motorways Pty Ltd v Macquarie Infrastructure Management Ltd (2000)*²³ has widened the capacity of NGOs to take legal action against business. The consensus of the High Court in TAM v MIM was that the Parliament had the power to legislate to allow 'any person' or 'a person', or the like, to have standing under Commonwealth statutes. The Court stated that the Parliament may 'allow any person to represent the public interest and, thus, institute legal proceedings with respect to a public wrong.' It further observed that a number of laws had been enacted in recent years, which allowed proceedings to be brought, by any 'interested person' (for example, in certain laws relating to the environment, industrial relations and financial markets) or 'person affected'

²³ HCA 11 (9 March 2000).

(for example, in certain companies and securities, investment and environmental laws).²⁴ This widening of the law of standing could prove fertile ground for lawyers and NGOs to press their agendas through the Courts in environmental, industrial relations, companies and securities and anti-discrimination, as well as privacy, and finance and investment arenas.

A more recent ACTU agenda that responds to the fact that workers are not one-dimensional is that of shareholder democracy. That is, the desire of employees as shareholders to enforce certain obligations on corporations. This attempt to democratise the economy encompasses corporate governance, the social responsibility of corporations and ethical investment. ACTU President Sharan Burrow has argued that Australian companies be required to report on their performance on the so-called ‘triple bottom line’—economic, environmental and social performance.’ For example, ‘there should be statutory support such as Amnesty International’s human rights framework for Australian companies.’²⁵ This is, of course, the old protectionism dressed in new clothes.

These sentiments clearly support the Australian Conservation Foundation submission to the draft Financial Services Reform Bill asking for the compulsory details contained in a Product Disclosure Statement for a financial product (superannuation, managed investment, and life insurance products with an investment component) be expanded to include the following, ‘the extent (if at all) to which environmental, social or ethical considerations are taken into account in the selection, retention and realisation of investments’.²⁶ As far as I can ascertain, the *Financial Services Reform Act 2001* requires such disclosure of all financial products. This means that, other than for a nil return response, products will be screened in one or more of the following categories,

1. Environment—logging native forests, wood chipping, mining, air and water pollution, land degradation/salinity, genetic engineering, energy usage.
2. Human rights—exploitation of women and children, child labour, destroying indigenous culture/economies, racism/discrimination, and repressive regimes.
3. Community citizenship—aggressive trade, closure of rural services by banks, large retail outlets displacing small business, taxation payment.
4. Workplace practices—wages and conditions, hiring policy, safety, and education.
5. Animal welfare—fur products, animal testing, transport and enclosure issues.
6. Product integrity policies and practices such as offensive advertising.
7. Corporate regulatory compliance.
8. Corporate governance.

²⁴ Australian Chamber of Commerce and Industry, 2000. ‘High Court Empowers Social Action Groups’. http://www.acci.asn.au/index_key.htm

²⁵ Burrow, S. 2000. Whispers Outside the Bedroom Door: Making Working Australia’s Money Talk’. *The Sydney Papers*, The Sydney Institute, 12(4): 93.

²⁶ The submission was made on behalf of the following organisations: Australian Conservation Foundation, Environment Victoria, Friends of the Earth Australia, Greenpeace Australia, The Wilderness Society, John Poppins—Coordinator BHP Shareholders for Social Responsibility, The Ethical Investment Trust (A Community Aid Abroad/Oxfam Initiative).

9. Involvement in the manufacture, distribution, or promotion of products considered being socially harmful—gambling, alcohol, tobacco, and defence industry.

A good illustration of the contradictions inherent in these agendas is the CFMEU position on sustainable development and the Kyoto Protocol. On the one hand they mouth the environment litany, ‘increasingly [workers] want the assurance that their assets—whether their labour power or their savings—are being utilised in an environmentally sustainable manner.’²⁷ On the other hand, they argue that ‘sometimes it seems that the message from environmental groups is that the coal industry workforce should agree to be ‘phased out’ because the use of coal is too polluting. We reject that view because it is absurdly simplistic, environmentally unnecessary, unjust and unworkable ... As part of any effective global solution of the greenhouse issue there will be a continuing role for coal for many decades to come—and Australian coal is amongst the cleanest and cheapest to produce.’²⁸

Conclusion

The new environment and the trade union response, begs the questions, what is a trade union and what does a trade union do? Is a trade union official a human resources adviser, a political representative, an investment adviser, a human rights advocate, a lawyer, a tout for Ansett airlines²⁹, or someone who bullies the Governor-General?³⁰

The answer is not simple, because trade unions are not of a piece, their behaviour and rhetoric varies enormously. For example, the AWU sticks to core business. ‘Through the first independent survey of 2500 AWU members last month, ... members listed their top concerns as job security, workers’ entitlements, education and further training, and safety.’³¹ Similarly, ‘The TWU’s main priority is to protect and improve the livelihood of transport workers and their families.’³² These are very earthy pretensions with no regard to post-materialist agendas. Likewise, the SDA, which is the largest trade union in Australia with more than 230,000³³ members is very down-to-earth in its approach and

²⁷ John Maitland ‘Shareholders and the Non-Financial Agenda Workers Capital’ Presentation to The Politics of Shareholder Activism: A Centre for Corporate Public Affairs Conference
http://www.cfmeu.asn.au/national/int_issues/20011203_Activism.html

²⁸ ‘The greenhouse effect, targets and Kyoto Information for coal industry unionists.’ CFMEU Policy Paper/Backgrounder, Mining and Energy Division, October 1997.
<http://www.cfmeu.asn.au/mining-energy/policy/greenhou.html>

²⁹ The ACTU had worked closely with the Tesna (Lindsay Fox and Solomon Lew) bid for the Ansett assets.

³⁰ The Australian Teachers’ Union has recommended to state schools that they not invite the Governor-General to visit, based on his remarks about cases of sexual impropriety leveled at the church in his time as Archbishop of Brisbane.

³¹ Bill Shorten, 20 February 2002.

³² Transport Workers’ Union of Australia <http://www.twu.com.au/>

³³ Shop, Distributive and Allied Employees’ Association <http://www.sda.org.au/>

appeal, ‘good wages and conditions do not just happen. They come about only because unions work for them.’³⁴

By contrast, the AMWU’s agenda and rhetoric is megalomaniac. ‘If we are to build a safer and more secure world, we must fearlessly struggle for the implementation of core labour standards in all multilateral and bilateral trade agreements. We must work to fundamentally transform the WTO, the World Bank and the IMF so that social, environmental and humanitarian issues, not the interests of the corporations, dominate ... we must fight for a new world order.’³⁵

The most bizarre and ideologically destructive union, are the teachers. Only a teachers’ union president could make the following speech (post September 11), and not be stoned (*double entendre* intended!):

[W]e have identified the need to contribute to an anti-war and anti-racist movement in this country. The last Federal election and the tawdry politics, which preceded it, have sullied us all. John Winston Howard seeks to drag us back to the political correctness of the past—where the white, Christian and middle-class values dominated political thought and practice. When it was acceptable to be racist. When Tory parties were the beneficiaries of distant, foreign wars. Where the stranger was feared, not welcomed.

Our greatest power to resist this reactionary phase is in the curriculum. The way we work as public educators dedicated to producing a liberal, inclusive, anti-racist, non-sexist young generation can hold off the regressive tide. Our greatest hope is amongst the young. This is perhaps the most vital work of teacher-unionists in the immediate future. To build a better world in the hearts of our young.³⁶

When unions speak on political agendas it is unlikely they speak for most of their members, often they speak for a minority. The only issues on which they can speak with any confidence are workplace issues. The legitimacy with which unions have spoken at large about politics was always contested, but now it is without much weight at all. Moreover, the market place for the services they provide has changed. Others can do the job cheaper.

Trade unions will have to decide if they are to service their members’ immediate workplace needs, and deliver a service at a price which the customer is prepared to pay, or to become an advocacy NGO shouting anti-system slogans and relying on supporters,

³⁴ <http://www.sda.org.au/about.php3>

³⁵ Address By Doug Cameron National Secretary, AMWU International Metals Federation Congress, Sydney, November 11, 2001 http://www.amwu.asn.au/images/speech_cameron_imf.pdf

³⁶ Opening address by Denis Fitzgerald, Federal President, Australian Education ‘Union New Times, New Directions’ Annual Federal Conference, January 16—18, 2002 <http://www.aeufederal.org.au/Media/Speeches/presaddress2002.html>

or indeed to become another political party and rely on public funding. If trade unionism can reinvent itself, it will probably be as a collection of service providers rather than as a political force. It cannot persist as it is, falling between stools.