



Universiteit Leiden

Infertile Soils

Trade Unionism in Britain's Agricultural Environment, and the Ruralisation of its New Economy: 1970-2013.

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List of Abbreviations

2,4,5,T	2,4,5-Trichlorophenoxyacetic
A8 Nations	The 8 Nations which Joined the European Union in May 2004
AAWNTG	Agricultural and Allied Worker National Trade Group (of the TGWU)
ACP	Advisory Committee on Pesticides
ADHAC	Agricultural Dwelling House Advisory Committee
ALP	Association of Labour Providers
AMW	Agricultural Minimum Wage
ARoA	Annual Review of Agriculture -
AWB	Agricultural Wages Board (of England and Wales)
BME	Black and/or Minority Ethnic
CBI	Confederation of British Industry
CME	Controlled Market Economy
CNV	National Federation of Christian Trade Unions (of the Netherlands)
CoVE	Commission on Vulnerable Employment
DEFRA	Department of the Environment, Farming and Rural Affairs
EC	Executive Committee (of the Farmworkers' Union)
EFILWC	European Foundation for the Improvement of Living and Working Conditions
EFRA	Environment, Food and Rural Affairs Select Committee
ETI	Ethical Trading Initiative
EU-15	The First 15 Member States of the European Union
FPC	Fresh Produce Consortium
FNV	Federation Dutch Labour Movement
GEC	General Executive Council (of the TGWU)
GLA	Gangmasters Licensing Authority
HMSO	Her Majesty's Stationary Office
HSE	Health and Safety Executive
LBV	Landelijke Belangen Vereniging
LME	Liberal Market Economy
MAFF	Ministry of Agriculture, Fisheries and Food
NEC	National Executive Committee (of the Labour Party)
NBPI	National Board for Prices and Incomes
NFU	National Farmers' Union
NGO	Non Governmental Organisation
NMW	National Minimum Wage
NAAAW	National Union of Agricultural and Allied Workers
NUAW	National Union of Agricultural Workers
MP	Member of Parliament
OECD	Organisation for Economic Co-operation and Development
PLP	The Parliamentary Labour Party
PMB	Private Members' Bill
PR	Public Relations
PSPS	Pesticides Safety Precautions Scheme
Quango	Quasi-Autonomous Non-Governmental Organisation
RAAW TG	Rural, Agricultural and Allied Worker national Trade Group (of the TGWU)
REC	Recruitment and Employment Confederation
RoWiA	Report on Wages in Agriculture
SER	Social and Economic Council of the Netherlands
SJIC	Statutory Joint Industrial Council

SvdA	Dutch Foundation of Labour
TGWU	Transport and General Workers Union
TLWG	Temporary Labour Working Group (of the ETI)
TUC	Trades Union Congress
TUC CoVE	Trades Union Congress Commission on Vulnerable Employment
ULF	Union Learning Fund
URHSR	Union Roving Health and Safety Representatives
WAADI	The Placement of Personnel by Intermediaries Act (of the Netherlands)

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Chapter 1: Introduction.

1. The Incomplete Rejuvenation of Britain's Trade Union Movement, and Parallels between the 'New Economy' and British Agriculture.

From the 1970s onwards, Britain's weakened trade unions have attempted a *rejuvenation* of their *orientations* and *strategies*: chiefly in order to appeal to and represent *precarity-prone workers* in a more satisfactory manner than they had before. However, *this rejuvenation process has occurred in a piecemeal and uncoordinated manner*: orientations have only shifted partially, and certain rejuvenatory strategies have been far from effective.

An interwoven process has occurred alongside, and helped necessitate, this attempted rejuvenation: Britain's urban labour markets have become increasingly '*ruralised*'. That is to say, the British economy has been fundamentally restructured, and urban industrial relations in the '*New Economy*' have come to increasingly resemble those long found in British agriculture. Britain's *Farmworkers' Union* has had to contend with 'new economic' institutional conditions – namely the norms of small-employee firms and interpersonal and/or triangular relations between employers and workers – for an extended period of time.¹ It is therefore reasonable to assume that, from 1970 onwards, the Farmworker's Union would have utilised those orientations and strategies adopted by Britain's urban unions during their rejuvenation processes, but in a more systematic, coherent and effective manner, and from an earlier date.

To interrogate this assumption I pose the following research question: *in terms of form and effectiveness, how differentiated have the orientations and strategies of the Farmworkers' Union been, with regards to precarity-prone workers, when compared to the wider Trade Union Movement, and why?*

2. Operationalising the Research Question: the Shape of the Thesis to Come.

I raise a series of sub-questions in order to unpack this principle research question:

- i) Exactly what parallels are there between the operating environment of the New Economy and the traditional operating conditions found in Britain's agricultural sector?
- ii) How does one define 'precarity-prone workers', 'union orientation', and 'union strategy'?
- iii) From what academic perspective, and with what methodologies, will I conduct via?
- iv) What are the spatial and temporal limitations of this thesis?
- v) What sources shall I utilise?

The preceding five questions are addressed in this introductory chapter. Subsequently, three further sub-questions are asked. Namely:

- vi) What orientations and strategies have the Farmworkers' Union, and the wider Trade Union Movement, employed with regards to precarity-prone workers?

¹ The Farmworkers' Union is properly introduced in a brief intermediary section of this thesis, found between chapters two and three.

- vii) What causal mechanisms have been responsible for producing said orientations and strategies?
- viii) How effective have said strategies been in securing the Farmworkers' Union's, and the wider Trade Union Movement's, desired orientational goals, and why?

These questions are asked of the hegemonic mainstream Movement in chapter two, and regarding the Farmworkers' Union's actions in a variety of operational domains in chapters three through to six. Following the gathering of this information, this thesis' principle research question is answered in chapter seven. Likewise chapter seven considers the implications of this analysis for:

- ix) The Farmworkers' Union itself.
- x) The wider British Movement.
- xi) A trade union movement operating in a differentiated national economy, namely the Netherlands.

A summary of this thesis' finding, suggestions for further research and some personal concluding remarks are presented in chapter eight.

3. Britain's New Economy, Labour Precarity, and the Ruralisation of Urban Labour Relations.

This section details Britain's transition, from the 1970s onwards, to the proverbial New Economy. I discuss how such a transition has affected Britain's urban labour relations, and provide a new analytical perspective on the matter: by demonstrating how post-1970 economic restructurings can be thought of as the *ruralisation* of Britain's urban labour relations. In the process I introduce theories regarding 'labour precarity', to be utilised throughout this thesis.

In the early 1970s the Post-War economic expansions enjoyed by many industrial nations began to slow, stagnate and then recede. One had to look to the 1920s to find a comparable era of international economic instability.² Contingent events, such as the Oil Shocks, exacerbated international volatility and rampant inflation,³ while international product-market competition intensified due to the emergence of the New Industrial Economies and the increased, unchecked influence of Multi-National Corporations.⁴ In the ethereal name of *globalisation*, Keynesian economic orthodoxies came to be rejected.⁵ Coinciding with these trends, new technologies – of micro-processing and management methodologies – led to the eclipse of *Fordist* production techniques: product markets came to be increasingly differentiated and segmented; production-line processes were replaced by decentralised production and, vitally for this thesis, *the super-massive factories and relatively homogenised labour forces of Fordism gave way to smaller, normally*

² Jelle Visser, "European Trade Unions: the Transition Years". In: Anthony Ferner and Richard Hyman. *New Frontiers in European Industrial Relations*. Oxford: Basil Blackwell, 1994, pp. 80-107, pg. 82.

³ Richard Hyman, "Economic Restructuring, Market Liberalism and the Future National Industrial Relations System". In: Ferner and Hyman. *New Frontiers in European Industrial Relations*, pg. 8.

⁴ Visser, *European Trade Unions: the Transition Years*, pg. 96; Paul Marginson and Keith Sisson, "The Management of Employees". In: P. Marginson, P.K. Edwards, R. Martin, J. Purcell, K. Sisson, *Beyond the Workplace*, Oxford: Basil Blackwell, 1988, pg. 80-122.

⁵ Chris Tilly and Charles Tilly, *Work Under Capitalism*. Boulder, Westview Press, 1998, pg. 40.

privately-owned firms.⁶ Through such processes, numerous sectors of Britain's economy came to be fundamentally restructured along 'Post-Fordist' operating principles.

Of course systems of production are not monolithically evolutionary: different modes of production coexist side by side in the economy at any one time. One can even question the validity of the term 'Fordism' being applied to the hegemonic operating systems of Inter- and immediate Post-War economies: actual production-line Fordism occurred in only a limited number of firms during the mode of production's apparent height-of-influence, and even in these firms only a minority of workers were directly engaged in such operating procedures.⁷ It is best to interpret the pre-1970s hegemony of Fordism as an allegorically concept, describing a mode of production that balanced a high degree of alienation and lack of skill development with a job-for-life and the security of a living wage.⁸ Alternatively, Post-Fordism can be defined as the absolute prioritising of 'flexibility' within a firm⁹: all that had remained stubbornly solid finally succumbed, so as to melt into air.¹⁰

One cannot locate a 'typical' worker in Britain's New Economy: instead there has been a significant disaggregation of interests and positions within the working and middle classes.¹¹ This is due to the fact that 'flexibility' can be taken to mean many things with reference to labour: remit enlargement, effort intensification, and cost controls are all wont to be conflated under the catch all term.¹² Instead, New Economy workers can be differentiated by the degree of contingency in their position and by their occupational status and market power¹³: a freelance ITC consultant is likely to have a radically different experience in the workplace than a subcontracted cleaner on a zero-hours contract.¹⁴ Making sense of this differentiation, Atkinson suggests that one paradigm to rise in New Economies has been that of the "flexible firm"¹⁵: here, a core group, of permanently employed skilled workers and managers, enjoys a strengthening of contractual commitments, while a secondary peripheral group is

⁶ Tony J. Watson, *Sociology, Work and Industry: Third Edition*, London: Routledge, 1993, pg. 334; cf. Mancur Olson, *The Rise and Fall of Nations*, New Haven: Yale University Press, 1982; Phil Blackburn, Rod Coombs and Kenneth Green, *Technology, Economic Growth and the Labour Process*. London: Macmillan, 1985.

⁷ Keith Grint, *The Sociology of Work*, London: Polity Press, 1992, pg. 302.

⁸ For thorough appraisals of Post-Fordist production, cf. Paul Hirst and Jonathan Zeitlin, "Flexible Specialization Versus Post-Fordism Theory: Evidence and Policy Implications". In: *Economy and Society*, 1991, 20(1), pg. 1-156.

⁹ Cf. Michael Piore and Charles Sable, *The Second Industrial Divide*, New York: Basic Books, 1984.

¹⁰ Cf. Karl Marx and Friedrich Engels, *The Communist Manifesto*, Chicago: Charles H. Kerr and Company, 1908.

¹¹ Richard Hyman, "Trade Unions and the Disaggregation of the Working Class". In: Mario Regini (ed.), *The Future of Labour Movements*, London: Sage, 1992, pg. 150-169.

¹² Watson, *Sociology, Work and Industry*, pg. 346; Ben Rogaly, "Intensification of Workplace Regimes in British Horticulture: The Role of Migrant Workers". In: *Population, Space and Place*, 2008, 14, pg. 497-510.

¹³ Cf. Jamie Peck and Nik Theodore "The Business of Contingent Work: Growth and Restructuring in Chicago's Temporary Employment Industry". In: *Work, Employment and Society*, 1998, 12(4), pg. 655-674.

¹⁴ Sjoerd Goslinga and Magnus Sverke, "Atypical Work and Trade Union Membership: Union Attitudes and Union Turnover Intention Among Traditional versus Atypically Employed Union Members". In: *Economic and Industrial Democracy*, 2003, 24, pg. 290-312; Christopher Forde and Robert MacKenzie, "Getting the Mix Right: The Use of Employment Contract Alternatives in the UK Construction Industry". In: *Personnel Review*, 2007, 36(4), pg. 549-563.

¹⁵ John Atkinson, *Flexibility, Uncertainty and Manpower Management, IMS Report No. 89*, Brighton: Institute of Manpower Studies, 1984; John Atkinson, "Flexibility or Fragmentation? The United Kingdom Labour Market in the Eighties". In: *Labour and Society*, 1987, 12(1), pp. 87-105.

expanded and deflated at will, in response to environmental contingencies and peaks and troughs in production cycles.¹⁶

Those workers in periphery, contingent groups, with low occupational status and market power, have experienced a reversal of the “decommodification” of labour that supposedly occurred in the Inter- and immediate Post-War Eras.¹⁷ Work, for many, has become ‘*non-standard*’,¹⁸ in the sense that contractual relations no longer match the Fordist norms found in urban labour relations before the 1970s-initiated restructuring of the economy. *Part-time employment, temporary contracting, temporary agency working, ‘bogus’ self-employment and subcontracting* have become increasingly normalised in many areas of the economy. Indeed, in 2013 Britain is the only major European economy to have no far-reaching regulations that prevent or restrict the use of particular forms of non-standard contract.¹⁹

Regarding part-time employment: the proportion of Britain’s workforce on less than 30 hours per week increased from 21% in 1981 to 26.5% in 2000, making it one of the highest figures in Europe.²⁰ Regarding temporary contracting: the proportion of temporary fixed-term jobs in the economy rose from 4% of all full-time equivalent positions in 1981 to 8% in 2000, a relatively low figure by international comparisons, but significant nonetheless.²¹ Regarding agency work: a subgroup of the temporary labour force to have grown exponentially in Britain’s New Economy has been those workers supplied through private employment agencies. Unlike temporary labour in general, Britain has experienced a high growth of temporary agency work by international comparisons. The exact number of workers employed through employment agencies in the UK during the 2000s has been highly debated, with somewhere between 260,000 and 1.25 million workers a day being employed in such organisations. Regardless of this confusion, the matured industry has undoubtedly grown to be of massive influence in the UK: the industry staffed 10,000 offices across the UK as of 2008 – compared to 4,200 in the Netherlands, while the penetration rate of UK agency staff had been among the highest in Europe throughout the previous decade, at 4.5% in 2006 – compared to 2.5% in the Netherlands, with the mean average rate for the entirety of the EU being 1.8% in that year.²² Indeed, by 2006 the UK employment agency industry was the largest of its kind in Europe, partly due to the fact that the regulatory context governing the industry’s operation was relatively limited compared to other EU members, and that same year 12%, of businesses had

¹⁶ Cf. Catherine Hakim, “Core and Periphery in Employers’ Workforce Strategies: Evidence from the 1987 E.L.U.S. Survey”. In: *Work, Employment and Society*, 1990 4(2) for further discussions regarding core/periphery theories.

¹⁷ Cf. Rebecca Gumbrell-McCormick, “European Trade Unions and Atypical Workers”. In: *Industrial Relations Journal*, 2011, 42(3), pg. 293-310; Gøsta Esping-Andersen, *The Three Worlds of Welfare Capitalism*, Cambridge: Polity Press, 1990.

¹⁸ Patrick McGovern, Deborah Smeaton and Stephen Hill, “Bad Jobs in Britain: Non-standard Employment and Job Quality”. In: *Work and Occupations* 2004, 31, pp. 225-249.

¹⁹ Compare Britain with Spain, for example, which has long had statutory regulations preventing the use of temporary contracts in replacing permanent jobs: the only stipulations of the sort in Britain prevent the explicit use of temporary agency work as a strike breaking force. Cf. *Ibid.*

²⁰ Cf. McGovern, Smeaton and Hill, *Bad Jobs in Britain*; Hans-Peter Blossfeld and Catherine Hakim, *Between Equalization and Marginalization: Women Working Part-Time in Europe and the United States of America*, Oxford: Oxford University Press, 1997.

²¹ Cf. McGovern, Smeaton and Hill, *Bad Jobs in Britain*; Alison Booth, Juan Dolado and Jeff Frank, “Introduction: Symposium on Temporary Work”. In: *The Economic Journal*, 2002, 112, pg. 189-213.

²² N.B The penetration rate of agency work describes the number of full-time equivalent agency workers in relation to the total workforce of a country on any one day.

used agency work in some form.²³ Regarding ‘self-employed’ workers: 7% of the labour force was categorized as self-employed in 1980; this figure had risen to 11.6% by 2000. Clear evidence suggests that much of this increased self-employment is ‘bogus’, in the extent that many self-employed workers continue to work within hierarchical organisations, particularly in the construction industry, and their self-employed status merely denotes a informalisation and relaxation of contractual commitments, in their *de facto* employer’s favour.²⁴ Finally, regarding subcontracting: in 2010, 80% of businesses had subcontracted part of their business, often to an employment agency, signifying a fundamental restructuring of the methods by which firms fulfilled their labour requirements in the New Economy.²⁵ From the above we can see that in the New Economy, non-standard work has become fully normalised.

As mentioned, a vital development in Britain’s New Economy has been the increasing heterogeneity of the workforce. Ever greater proportions of traditionally socio-economically disenfranchised groups can be found in the workplace, most notably in the tertiary, service sectors: female and migrant labour being prime examples.²⁶ It is notable that *such groups have found themselves overly concentrated*

²³ Cf. Raymond-Pierre Bodin, *Wide-ranging Forms of Work and Employment in Europe: Review and Challenges for the Players*, Annecy: The Future of Work, Employment and Social Protection Conference, 2001; OECD, *Employment Outlook 1999*, Paris: OECD, 1999; European Trade Union Institution, *Survey of Legislation on Temporary Agency Work*, Brussels: ETUI, 2000; Peter Nolan and Gary Slater, “The Labour Market: History, Structure and Prospects”. In: Peter Edwards (ed.), *Industrial Relations: Theory and Practice*, Oxford: Blackwell, 2003, pg. 63 Goslinga and Sverke, *Atypical Work and Trade Union Membership*; Pernicka 2005; Edmund Heery, “The Trade Union Response to Agency Labour in Britain”. In: *Industrial Relations Journal*, 2004, 35(5), pp. 435-450; International Federation of Temporary Work Businesses, *Rationale of Agency Work: European Labour Suppliers and Demanders’ Motives to Engage in Agency Work*, Rotterdam: ECORYS-NEI, 2002, pg. 21; Jan Druker and Celia Stanworth, “Partnerships and the Private Recruitment Sector”. In: *Human Resources Management Journal*, 2001, 11(2), pp. 72-89, pg. 74; Neil Millward, Mark Stevens, David Smart and W.R. Hawes, *Workplace Industrial Relations in Transition*, Aldershot: Dartmouth Publishing, 1992, pg. 47; Keith Sisson and Paul Marginson, “Management: Systems, Structures and Strategy”. In: Edwards (ed.), *Industrial Relations*, pg. 167; International Federation of Temporary Work Businesses, *Agency Work’s Key Indicators: Penetration Rate of Agency Work*, Rotterdam: ECORYS-NEI, 2006; Trades Union Congress Commission on Vulnerable Employment (TUC CoVE), *Hard Work, Hidden Lives*, London: TUC, 2008, pg. 184; Mick Wilkinson, *New Labour, the Gangmasters Licensing Authority and the Woefully Inadequate Protection of Migrant Workers in the UK*, Hull: University of Hull Research Paper, 2010, pg. 5; European Foundation for the Improvement of Living and Working Conditions, *Temporary Agency Work in an Enlarged European Union*, Dublin: EFILWC, 2006; Edmund Heery, Hazel Conley, Rick Delbridge and Paul Stewart, *Beyond the Enterprise? Trade unions and the Representation of Contingent Workers*, Leeds: University of Leeds, 2000; Donald Storrie, *Temporary Agency Work in the European Union*, Dublin: EFILWC, 2002, pg. 1; Kate Purcell and John Purcell, “Insourcing, Outsourcing and the Growth of Contingent Labour as Evidence of Flexible Employment Strategies”. In Rodger Blanpain (ed.). *Non-standard Work and Industrial Relations*, The Hague: Kluwer, 1999, pp. 163–181; Department for Business, Enterprise and Regulatory Reform, *Agency Working in the UK: A Review of the Evidence*, London: BERR, 2008; Jamie Peck, Nik Theodore and Kevin Ward, “Constructing Markets for Temporary Labour: Employment Liberalization and the Internationalization of the Staffing Industry”. In: *Global Networks*, 2005, 5(1), pp. 3-26.

²⁴ Cf. McGovern, Smeaton and Hill, *Bad Jobs in Britain*; TUC CoVE, *Hard Work, Hidden Lives*.

²⁵ TUC CoVE, *Hard Work, Hidden Lives*, pg. 5

²⁶ Torben Krings, *Organised Labour and Migration in the ‘Global Age’: A Comparative Analysis of Trade Union Responses to Migrant Labour in Austria, Germany, Ireland and the UK*, Dublin: Dublin City University PhD Thesis, 2010; International Labour Organisation, *Policies and Regulations to Combat Precarious Employment*, Geneva: ILO, 2011; Leah Vosko, “Less Than Adequate: Regulating Temporary Agency Work in the EU in the Face of an Internal Market in Services”. In: *Cambridge Journal of Regions, Economy and Society*, 2009, 2, pp. 395-411, pg. 399; Sally Dench, Jennifer Hurstfield, Darcy Hill and Karen Akroyd, *Employer’s Use of Migrant Labour: Main Report*, London: The Home Office, 2006; Robert MacKenzie and Christopher Forde, “The Rhetoric of the ‘Good

in the employment relations as described above: for example, the otherwise laudable feminisation of the workforce has been, in practice, concentrated in these non-standard employment relations, so while females rose from composing 42% of the total workforce in 1980 to 47.3% in 2000, by this latter year 81.6% of all part-time workers were female.²⁷

While the workforce of the New Economy is radically heterogeneous, non-standard employment arrangements of this type are *prone* to be of an insecure nature, with no guarantee of continuous employment. Magnifying this insecurity, a series of common law decisions in the 1970s through to 2010s has meant that many non-standard labourers employed by new economic firms are considered as *workers*, rather than *employees*, in the eyes of the law.²⁸ For *workers*, protections against insecurity, such as holiday pay, maternity leave and safeguards against unfair dismissal, have been seen as absent according to common law, as is the freedom of association, which combined help to hinder the propagation of exploitative working conditions.²⁹

Additionally, the New Economy has seen a lengthening and complication of supply-chains. This has allowed for the unchecked proliferation of worker exploitation³⁰: many British employment laws require the identification of a single employer for action is to be taken, and these are often lacking in the *triangular employment relations* that typical much work in the New Economy.³¹ Other norms can be found in these non-standard contractual relations: for one, *non-standard workers have been disproportionately exposed to physical and economic risk factors in comparison to full-time, permanently employed workers*.³² Take temporary contract work, for example: it has been shown that workers on contracts of limited duration, in the UK,³³ and across Europe,³⁴ receive less pay and enjoy lower levels of job satisfaction than full-time, open-ended employees. Moreover, evidence shows that non-standard jobs are ill-suited stepping-stones for workers seeking full-time

Worker' Versus the Realities of Employers' Use and the Experiences of Migrant Workers". In: *Work, Employment and Society*, 2009, 231, pg. 142–159; Jon Dolvik and Jeremy Waddington, "Private Sector Services: Challenges to European Trade Unions". In: *Transfer*, 2002, 8, pp. 356-376, pg. 376.

²⁷ Cf. McGovern, Smeaton and Hill, *Bad Jobs in Britain*.

²⁸ Nicola Countouris and Rachel Horton, "The Temporary Agency Work Directive: Another Broken Promise?". In: *ILJ*, 2009, pp. 329-338, pg. 329.

²⁹ Indeed for many low-waged workers in the UK, legal protections are strictly limited to statutory health and safety legislation, European Union directives and, since 1998, the National Minimum Wage. Cf. Bob Hepple, *Rights at Work: Global, European and British Perspectives*, London: Sweet and Maxwell, 2005; International Labour Organisation, *Policies and Regulations to Combat Precarious Employment*; International Labour Organisation, *Report of the Committee of Experts on the Application of Conventions and Recommendations: General Survey Concerning Employment Instruments*, Geneva: ILO, 2010.

³⁰ Bridget Anderson and Ben Rogaly, *Forced Labour and Migration to the UK*, Oxford: Compass, 2005.

³¹ Vosko, *Less Than Adequate*.

³² J. Benach, D. Gimeno, and F.G. Benavides, *Types of Employment and Health in the European Union*, Luxembourg: Office for Official Publications of the European Communities, 2002, pg. 1-2; Storrie, *Temporary Agency Work in the European Union*, pg. 43.

³³ Booth, Dolado and Frank, *Introduction: Symposium on Temporary Work*; Alison Booth, Marco Franesconi and Jeff Frank, "Temporary Jobs: Stepping Stones or Dead Ends?". In: *The Economic Journal*, 2002, 112, pg. 189-213; Wilj Arulampalam, Alison Booth and Mark Bryan, "Training in Europe". In: *Journal of the European Economic Association* 2004, 2(3), pp. 346-360.

³⁴ OECD, *Employment Outlook 2002*, Paris: OECD, 2002; Lawrence Kahn, "The Impact of Employment Protection Mandates on Demographic Temporary Employment Patterns: International Microeconomic Evidence". In: *The Economic Journal*, 2007, 117(521), pp. 333–356; Arulampalam *et al.*, *Training in Europe*.

employment³⁵: non-standard workers are susceptible to being ‘locked’ into such employment relations on a long-term basis.

A well-established literature has taken such aspects of work to produce models of employment relations based on a spectrum of *precarity*. The concept of *precarious employment* encompasses notions of job instability and insecurity, a lack of employment protections, and a relationship’s propensity to include aspects of pecuniary and/or non-pecuniary exploitation. The following model has been operationalised throughout this thesis to define and assess ‘*precarious work*’ and ‘*precarity-prone workers*’.³⁶

A burgeoning body of work has identified a number of common indicators of precarious employment relationships. A labour relationship that includes some or all of the following features can be said to be particularly precarious. Such features listed below rarely, if ever, exist in isolation, and intertwine with one another to produce situations of precarious employment.³⁷

- a) *Violence (including sexual and threatened violence) and/or physical danger.*
- b) *Coercions to work, such as debt-bondage (economic) or the retention of identity documents (extra-economic).*

Economic and extra-economic coercions prevent workers from leaving unsatisfactory labour relations by economic, physical and/or psychological means.

- c) *Endemic over- or under-employment and/or job insecurity.*

In addition to the well documented health effects of overwork,³⁸ over-employment represents a degradation of a worker’s work/life balance: preventing

³⁵ Booth, Dolado, and Frank, *Introduction: Symposium on Temporary Work*; Booth, Franesconi and Frank, *Temporary Jobs*.

³⁶ Gerry Rodgers and Janine Rodgers, *Precaire Jobs in Labour Market Regulation: The Growth of Atypical Employment in Western Europe*, Brussels: International Institute of Labour Studies, 1989; Bridgit Anderson, “Migration, Immigration Controls and the Fashioning of Precarious Workers”. In: *Work, Employment, Sociology*, 2010, 24, pp. 300-19; Edna Bonacich, “Class and Race under Neoliberal Globalization: Whither (Or Wither) the Labor Movement?”. In: *Contemporary Sociology*, 2008, 37, pp. 1-4; International Labour Organisation, *Policies and Regulations to Combat Precarious Employment*.

³⁷ This model was principally adapted from the following sources: Anderson and Rogaly, *Forced Labour and Migration to the UK*; Wilkinson, *New Labour, the Gangmasters Licensing Authority and the Woefully Inadequate Protection of Migrant Workers in the UK*; International Labour Organisation, *Policies and Regulations to Combat Precarious Employment*; TUC CoVE, *Hard Work, Hidden Lives*. N.B In Britain the terms ‘precarious work’ and ‘precarious workers’ have been used interchangeable with ‘vulnerable work’ and ‘vulnerable workers’. This thesis heeds the advice of Anderson and uses the term ‘precarious work’, as the use of the alternative risks confining affected workers to the realm of victimhood, denying their agency and decision making processes. In fact I have gone further, and utilise my own term, *precarity-prone workers* when describing individuals, so as not to attribute precarity as being the intrinsic property of those affected, but of the employment relationship. Cf. Department of Trade and Industry, *Success at Work: Consultation on Measures to Protect Vulnerable Agency Workers*, London: DTI, 2007; Anna Pollert and Andy Charlwood, “The Vulnerable Worker in Britain and Problems at Work”. In: *Work, Employment and Society*, 2009, 23, pp. 343–62; Anderson, *Migration, Immigration Controls and the Fashioning of Precarious Workers*.

³⁸ TUC CoVE, *Hard Work, Hidden Lives*.

workers from anticipating, and planning for, the future,³⁹ and developing social interactions with the wider community which could otherwise be utilised to avoid precarious employment in the future.⁴⁰ ‘Precarious work’ also describes relations typified by underemployment and/or job insecurity, where workers are unsure as to whether their *de jure* or *de facto* contracts will be extended in the short and long-term. Such uncertainty puts both economic and physical strain on the worker, again unable to adequately plan for their future,⁴¹ which again forces workers to accept further precarious work in the short-term, further binding labourers to employers.

d) *The enforced ‘provision’ of accommodation by employers, often substandard in nature.*

The merging of the labour and housing markets extends control over workers from the workplace into their nominally private lives, and increases the inherent risks associated with leaving ones’ job: one faces the short-term loss of both income and home rather than ‘simply’ ones income. Resultantly, *employers can bind workers into indecent labour relations with the usage of tied-housing.*⁴² In addition tied-workers can be more easily compelled to work excessive hours,⁴³ further affecting their work/life balance and mental and physical wellbeing.

e) *Low-wages, the withholding of wages and/or unwarranted wage deductions or reductions.*

In addition to low hourly pay rates, workers in precarious employment can lose their wages in enforced ‘transactions’ with their employers and/or interested third parties. Low-waged work produces insecurity: employees unsure of their ability to make ends meet are more likely to enter and remain in precarious and exploitable labour relations, due to fear of underemployment and poverty.

f) *Lengthened and ambiguous supply-chains, and/or the presence of triangular employment relations.*

Subcontracting increases levels of job precarity: insecurity increases as supply-chains lengthen and ambiguous employment relations between subcontractors, franchisers and agencies come into being.⁴⁴ When it is difficult to determine who precisely is employing whom, exploitative labour relations are born as the employer and labour user’s moral, and legal, “responsibility” towards employees is perceptively

³⁹ Jean-Claude Barbier, Angéline Brygoo and Frédéric Viguier, *Defining and Assessing Precarious Employment in Europe: A Review of Main Studies and Surveys, a Tentative Approach to Precarious Employment in France*, Paris: ESOPE, 2002; Saulo Cwerner, “The Times of Migration”. In: *Journal of Ethnic and Migration Studies*, 2001, 27, pp. 7–36; Ali Ahmad, “Dead Men Working: Time and Space in London’s (Illegal) Migrant Economy”. In: *Work, Employment and Society*, 2008, 22(2), pp. 301–18.

⁴⁰ Citizens Advice Bureau, *Home from Home? Experiences of Migrant Workers in Rural Areas in the UK, and the Impact on Local Service Providers*, London: CAB, 2005.

⁴¹ International Labour Organisation, *Policies and Regulations to Combat Precarious Employment*, Ahmad, *Dead Men Working*.

⁴² Anderson and Rogaly, *Forced Labour and Migration to the UK*; Citizens Advice Bureau, *Home from Home?*

⁴³ Anita Chan and Robert Ross, “Racing to the Bottom: International Trade without a Social Clause”. In: *Third World Quarterly*, 2003), 24, pp. 1011-1028.

⁴⁴ International Labour Organisation, *Policies and Regulations to Combat Precarious Employment*.

subcontracted into oblivion.⁴⁵

g) Isolation from the community at large.

Isolation can be experienced economically and socially, physically and mentally. Such isolation is an aspect of precarious employment, but also acts as a force propelling workers towards further precarious employment in the future.

From the above factors, it should be clear that the cornerstone of precarious employment is found in the form of *overdependence*, which binds labourers to employers. When workers depend not on personal networks and symmetrical power relations, but on employers and labour users “for food and shelter, access to health care (and) information about their rights”, they are forced to lower their position in the labour market, leaving themselves poorly paid, insecure and unprotected as a result⁴⁶: forced to make themselves more “flexible” in the new economic parlance of organised capital.⁴⁷ Amalgamating the above factors, this thesis utilises the Trades Union Congress’ definition of vulnerable employment in order to define a precarious labour relation: being one that “*places people at risk of continuing poverty and injustice resulting from an imbalance of power in the employer-worker relationship*”.⁴⁸

With such overdependencies being observed in numerous contemporary studies, certain jobs in trans-national new economies – those particularly prone to producing precarious labour relations – have been described in a number of disparaging ways: the New Economy accordingly represents “3D employment”, being ‘Dangerous, Dirty and Degrading’⁴⁹; or else the “Brazilianization of the West”.⁵⁰ The authors of such sentiments rightly locate a number of common precarity-producing trends in new economies: shorter and more easily terminable contracts; and more unclear, informal and insecure employment relations as examples.⁵¹ In Britain, these systemic features have become particularly apparent in several key, generally low-waged industries: notably the *construction, contract cleaning and residential care sectors*.⁵²

⁴⁵ David Bacon, “The Wages of Death”. In: *American Prospect*, 2003, 14; Citizens Advice Bureau, *Nowhere to Turn: CAB Evidence on the Exploitation of Migrant Workers*, London: CAB, 2005.

⁴⁶ Anderson and Rogaly, *Forced Labour and Migration to the UK*, pg. 43.

⁴⁷ Bridget Anderson, “British Jobs for British Workers?: Understanding Demand for Migrant Labour in a Recession” In: *The Whitehead Journal of Diplomacy and International Relations*, 2010, 10, pp. 103-114.

⁴⁸ Anderson and Rogaly, *Forced Labour and Migration to the UK*, pg. 2. From such a definition it should be clear that all jobs involve some degree of precarity. Indeed, academics critical of the usage of ‘precarious labour’ as an analytical tool have argued that the term has been used woollily in its instrumentalisation. However the definition of precarious employment *should* be purposefully broad, as this allows for the examination of fineries and nuances within employment relations, without requiring the imposition of a moralising dichotomy between ‘good’ and ‘bad’ work. Cf. Klaus Dorre, Klaus Kraemer and Frederic Speidel, *The Increasing Precariousness of the Employment Society: Driving Force for a New Right-Wing Populism?* Chicago: Paper Prepared for Presentation at the 15th Conference of Europeanists, 2006; Leah Vosko, Nancy Zukewich and Cynthia Cranford, “Precarious Jobs: A New Typology of Employment”. In: *Perspectives on Labour and Income*, 2003, 15(4), pp. 16–21.

⁴⁹ Manolo Abella, “Migrant Workers’ Rights Are Not Negotiable”. In: ILO, *Migrant Workers: Labour Educations 2002(4)*, Geneva: ILO, 2002, pp. 1-5, pg. 2.

⁵⁰ Ulrich Beck, *The Brave New World of Work*, Malden: Blackwell, 2000, pg. 1-3.

⁵¹ *Ibid.*

⁵² Anderson and Rogaly, *Forced Labour and Migration to the UK*, chapter three.

These sectors, having expanded rapidly in recent decades, share a number of common base characteristics: all operate in highly competitive markets with accordingly strong pressures on capital to reduce costs and increase productivity.⁵³ Likewise, in each labour tends to represent a high proportion of total operating costs,⁵⁴ and work is often location and time-specific, requiring labour, rather than capital mobility.⁵⁵

Further structural similarities, that help to produce overdependence on the part of labourers, group these precarity-producing sectors together. For one, *low-waged industries in Britain's Post-Fordist New Economy have come to be highly fragmented*. Since 1970 large firms – those employing 1000 worker or more – have largely retreated from the economy, while *small-employer firms* – those employing 100 or less – have risen in number substantially.⁵⁶ While this trend has been felt internationally, the effects in Britain have been particular accentuated: as an example, Britain's temporary agency sector, which has a strong presence in all the sectors mentioned above, is “very fragmented” by international standards – whereas the largest five temporary agency firms in the Netherlands accounted for 69% of the total market as of 2009, Britain's top five accounted for just 20%, and of Britain's 6500 recruitment businesses that year, 65% consisted of just one office, and 53% employed just 2-5 full-time staff members⁵⁷

A further general development in these new economic sectors has been the flattening of authority structures, that has come hand-in-hand with the general reduction in the division of labour that has occurred⁵⁸: in contrast to the highly bureaucratised and impersonal authority structures of Fordism, *workers have come to work in close-proximity with managers on the allegorical shop-floor*. This has led to a *re-personalisation* of labour relations, with workers forced to maintain apparently cordial relations with employers, regardless of work conditions, for fear of dismissal.

Further diverging Post-Fordist employment models from the previous Fordist hegemony, an *informalisation* of employment relations has occurred, with greater proportions of the workforce being paid beyond the oversight of the State⁵⁹: worker vulnerabilities have been further compounded by the growth of the grey and black markets of the New Economy, where even legislatively enforced employment rights have proved difficult to secure.⁶⁰

Hand-in-hand with such patterns, the aforementioned new economic sectors share the ignoble characterisation of low union penetration, again differentiating them from their Fordist forebears. As such sectors have grown in size, the British Movement has shrunk: in 1983 just under 50% of Britain's workforce was unionised, by 2002 this figure had declined to 31%, with this number falling, at a less precipitous

⁵³ *Ibid.*, chapter three.

⁵⁴ *Ibid.*

⁵⁵ *Ibid.*

⁵⁶ Scott Lash and John Urry, *The End of Organised Capitalism*, Cambridge: Polity, 1987, pg. 103-5.

⁵⁷ James Arrowsmith, *Temporary Agency Work and Collective Bargaining in the European Union*, Dublin: EFILWC, 2009, pg. 8.

⁵⁸ Grint, *The Sociology of Work*, pg. 297.

⁵⁹ Beck, *The Brave New World of Work*, pg. 50; Gumbrell-McCormick, *European Trade Unions and Atypical Workers*.

⁶⁰ Cf. Bridget Anderson, Martin Ruhs, Ben Rogaly, and Sarah Spencer, *Fair Enough? Central and East European Migrants in Low-Wage Employment in the UK*, Oxford: Compass, 2006; Franck Düvell, “Paths into Irregularity: Legal and Political Construction of Irregular Migration”. In: *European Journal of Migration and Law*, 2011, 13, pg. 275-295.

rate, ever since.⁶¹

Due to these apparent oddities, these sectors, or at least, their standard employment relations, are perceptively ‘New’ according to multiple voices in the literature, as in differentiated from the immediate Post-War Era. While construction workers are hardly a new addition to the national economy, it’s an academic truism that across much of Western Europe the “European social model” of capitalist production de-commodified labour in the Pre- and immediate Post-War Eras, placing restrictions on Capital’s ability to hire and fire without reason and due course.⁶² Academics, making temporal comparisons, suggest that these low-waged sectors of the New Economy have become increasingly reminiscent of Victorian labour markets: relationships commoditised or ‘Victorianised’ in a manner unseen since the Nineteenth Century.⁶³

Such voices ignore idiosyncratic niches of the economy where labour relations stubbornly refused to de-commodify before and during the Post-War Era. *Britain’s agricultural sector is one such idiosyncratic niche*. Non-standard, particularly precarity-prone work, substantially differentiated from the single-employer, open-ended, wage-only paradigm of Fordism, was endemic in British agriculture from the birth of capitalism, as it was across the economy as a whole. Indeed, it has been well argued that certain aspects of agricultural production have historically prohibited the usage of “free waged labour” deemed typical of modern capitalism: unlike a Fordist production line, agriculture consists of an excess of production over labour time. Crops need to mature, calves need to gestate: accordingly agricultural labourers, if utilised as a “regularised”, waged, workforce would find themselves underemployed on both a seasonal and daily basis, diminishing the potential for capitalist profit.⁶⁴ Time and place dependencies, much like those found in the contemporary New Economy, historically discouraged a de-commodification of agricultural labour.

Accordingly, a notion that agricultural production had an anti-capitalist flavour was once rife within agrarian studies: in the Nineteenth and Twentieth Centuries it was normal to claim that agriculture had “a much different complexion than that found in industry proper”.⁶⁵ Marx saw family farmers, unable to fully capitalise their mode of production,⁶⁶ as a doomed class of petty producers, who would sink into the proletariat unable to compete with modern industry.⁶⁷ In the face of this prophesized subsumption, some later Marxian theorists romanticised the continued existence of small-scale, family-owned farms, treating them as a new rural proletariat.⁶⁸ Others cited their continued existence to be the product of a noble ‘self-exploitation’ by and of farmers.⁶⁹ However such theories treated ‘the farm’ as a self-

⁶¹ National Centre for Social Research, *British Social Attitudes: 19th Report*, London: NCSR, 2002.

⁶² Esping-Andersen, *The Three Worlds of Welfare Capitalism*.

⁶³ Edmund Heery, “Trade Unions and Contingent Labour: Scale and Method”. In: *Cambridge Journal of Regions, Economy and Society*, 2009, 2(3), pp. 429-442.

⁶⁴ Susan Mann and James Dickenson, “Obstacles to the Development of Capitalist Agriculture”. In: *Journal of Peasant Studies*, 1978, 5, pp. 466-81; Susan Mann, *Agrarian Capitalism in Theory and Practice*, Chapel Hill: University of North Carolina, 1990

⁶⁵ *Ibid.*, pg. 39.

⁶⁶ I.e. the total commodification of all factors of production, including labour power.

⁶⁷ Karl Marx, *Grundrisse*, London: Penguin Books, 1973.

⁶⁸ J.E. Davis, “Capitalist Agricultural Development and the Exploitation of the Propertied Labourer”. In: Frederick Buttel, and Howard Newby (eds.), *The Rural Sociology of the Advanced Societies: Critical Perspectives*, New Jersey: Allanheld and Osmond, 1980, pp. 133-53.

⁶⁹ A.V. Chayanov, “On the Theory of Non-Capitalist Economic Systems”. In: Daniel Thorner, Kerblay Basile and R.E.C Smith (eds.), *The Theory of Peasant Economy*, Homewood: George Allen and Unwin, 1966, pp. 1-28.

contained unit of analysis, and ignored how proto-capitalist agrarians utilised unwaged, highly exploitative, patriarchal controls over women and youths, repeatedly across time and space, in order to satisfy labour requirements unattainable from a regularised workforce.⁷⁰

An alternative, and/or supplant, to this unwaged exploitation of rural women and youths can, and has, been found in the form of the employment of a nominally waged, but purposefully precariatized workforce. So long as that labour is prevented from demanding stable and predictable employment patterns, agriculture has been capable of utilising a capitalist mode of production: however a marginalised, and therefore controllable, waged labour force is required. Agricultural labourers, in Britain and elsewhere, have historically found themselves performing monotonous and strenuous jobs⁷¹ for which they are overqualified⁷² and underpaid.⁷³ In order for this to be achieved, capitalised-agriculture has, throughout time and space, utilised as a principle labour reserve proletarians further discriminated against due to inequalities arising from their ethnicity, age, citizenship status and/or gender.⁷⁴ Precarity then seems to be an inbuilt historical function of agricultural production.

We can see such reliance in the experiences of rural migrant labour, often readily exploitable due to migrants' often tenuous residency statuses. Migrant labour has been perceived as vital to Britain's rural industries for a substantial period of time: agricultural employers regarded sojourners as "indispensable" in the middle of the 1800s.⁷⁵ Likewise, in 2006, an extensive survey found agricultural employers unequivocally reliant on migrant workers. In other low-waged Post-Fordist sectors, notably the construction, hospitality, care and cleaning industries, employers were found to utilise migrant labour *en mass*. However employers in these sectors believed vacant positions could be filled by native workers if need be. In contrast, many employers in agrarian industries argued their businesses simply could not survive

⁷⁰ G. Welty, "A Critique of A.V. Chayanov's Theory of the Family Labour Unit". In: *Comparative Rural and Regional Studies*, 1987, 1, pp. 18-36.

⁷¹ Ian Fitzgerald and Jane Hardy, *'Thinking Outside the Box': Trade Union Organising Strategies and Polish Migrant Workers in the UK*, Manchester: International Relations Association Conference, 2007.

⁷² Cf. Anderson *et al.*, *Fair Enough?*; Harald Bauder, *Labour Movement: How Migration Regulates Labor Markets*, Oxford: Oxford University Press, 2006; Forde and MacKenzie, *Getting the Mix Right*.

⁷³ Michael Piore, *Birds of Passage*, Cambridge: Cambridge University Press, 1979; Kavita Datta, McIlwaine, Cathy Evans, Yara Herbert, Jon May and Jane Wills, "From Coping Strategies to Tactics: London's Low-Pay Economy and Migrant Labour". In: *British Journal of Industrial Relations*, 2007, 45, pp. 404-432.

⁷⁴ William Friedland and Amy Barton, *Destalking the Wily Tomato: A Case Study in Social Consequences in California Agricultural Research*, New York: Cambridge University Press, 1975; William Friedland, "Technology in Agriculture: Labor and Rate of Accumulation". In: Buttell and Newby (eds.), *The Rural Sociology of the Advanced Societies*; William Friedland, Amy Barton and R.J. Thomas, *Manufacturing Green Gold: Capital, Labor, and Technology in the Lettuce Industry*, New York: Cambridge University Press, 1981; Linda Majka and Theo Majka, *Farm Workers, Agribusiness, and the State*, Philadelphia: Philadelphia University Press, 1982; H. Jayaweera and Bridgit Anderson, *Migrant Workers and Vulnerable Employment*, Oxford: Compass, 2008. These disenfranchised labour reserves have been exploited by economic and extra-economic means by agrarian employers, in order to extract optimal amounts of surplus value. Foreign migrants' labour has proved particularly useful in this profit-maximising endeavour, as the cost of reproducing the labour force is shifted outside of the employers' own social formation. Cf. Robert Miles, *Capitalism and Unfree Labour: Anomaly or Necessity?* London: Tavistock Publishing, 1987; Nestor Rodriguez, "'Workers Wanted': Employer Recruitment of Immigrant Labor". In: *Work and Occupations*, 2004, 31(4), pp. 453-73.

⁷⁵ Edward Collins, "Migrant Labour in British Agriculture in the Nineteenth Century". In: *Economic History Review*, 1976, 29, pp. 38-59, pg. 55.

without migrant labour.⁷⁶ In this same survey, agriculture was the only industrial sector in Britain where over half of employers reported a definite preference for migrant work over ‘native’ labour.⁷⁷ From this evidence, clear parallels can be seen between the agricultural sector and those totemic sectors of the New Economy, themselves disproportionately drawing from readily exploitable labour reserves.

While never an easy profession, agricultural work became *more* precarious in the 1830s, when industrialisation meant that the cottage industries, that had previously supplied rural families with secondary sources of income, wound down. Concurrently, the New Poor Laws of 1834 had a major effect on precarity: new legislation encouraged the extension of the purposefully grim workhouse system into the rural environment, and at the same time ceased all outdoor relief: facing the fields or the workhouses, agricultural labour reserves expanded, despite the fact that the industrial revolution was by this point in full swing. This pushed down rural wages and conditions across the country.⁷⁸ Resultantly, by the 1860s “low-wages, oppression, overcrowded cottages and hovels, disease and the workhouse at the end – these were the general lots of (Britain’s) rural worker”.⁷⁹

Clearly, Victorian agricultural work was a depressing experience. However, *clearly differentiating British agriculture from other sectors of the economy is the fact that the heralded decommodification of labour relationships never gained dominance in the agricultural sector in the Twentieth Century.* The workhouse aside, such features quoted above remained a constant feature of agriculture right up till the 1970s,⁸⁰ and indeed beyond. Focussing only on basic wages, farmworkers have “always been a prominent feature on (Britain’s) landscape of low-pay”⁸¹: governmental studies of rural environments found that in the 1860s entire families, including children as young as five, had to work the land in order to earn a rural household’s living wage⁸²; likewise, prior to WWI the farmworkers’ average weekly wage, worked over an abnormally long 58 hours week, put the industry firmly at the bottom of Britain’s low-pay league⁸³; while in 1969 the National Board of Prices and Incomes found farmworkers “by a fair margin the lowest paid body of workers of significant size in the country”.⁸⁴ Wages have remained low since the 1970s, with farmworkers being consistently poor “in that they lack the resources to obtain the types of diet, participate in the activities and have the living conditions and amenities

⁷⁶ To quote: “A farmer in East Anglia said he would close his business if he could not employ migrant workers. Another in the same region said that if they could not employ migrant workers it would “bring me to my knees”. One in the North East said that he would not have expanded his business without... migrant workers, and did not know what he would do without them. Comments such as “I don’t think we could run the business without them” were typical”. Cf. Dench *et al.* *Employer’s Use of Migrant Labour*, pg. 85.

⁷⁷ *Ibid.*, pg. 85.

⁷⁸ Reg Groves, *Sharpen the Sickle*. London: Merlin Press, 1949, pg. 24-5.

⁷⁹ *Ibid.*, pg. 30.

⁸⁰ John Clark, *General View of the Agriculture of the County of Hereford with Observation of the Means of its Improvements*, London, 1794; Wilhelm Hasbach, *A History of English Agricultural Labour*, London: Kings and Sons, 1908; Colin Pooley and Jean Turnbull, *Migration and Mobility in Britain since the 18th Century*, London: University College of London, 1998.

⁸¹ Marie Brown and Steve Winyard, *Low-Pay on the Farm: Low-Pay Pamphlet no. 6*, London: Low-Pay Unit, pg. 1.

⁸² Parliamentary Papers, *Sixth Report of the Children’s Employment Commissioners*, London: HMSO, 1867.

⁸³ Brown and Winyard, *Low-Pay on the Farm*, pg. 1; Cf. B. Seebohm Rowntree, *The Labourer and the Land*, London: J.M Dent and Sons, 1914, pg. 10.

⁸⁴ Cited in Kristine Mason O’Connor, *Joan Maynard: Passionate Socialist*, London: Methun, 2003, pg. 122.

which are customary or are at least widely encouraged or approved in the society to which they belong”⁸⁵: so that in 1982, 40% of adult male farmworkers, and greater numbers of females and youths, were paid below the European Social Charter’s Fair Remuneration Rate.⁸⁶

Exacerbating this poor take-home pay is the fact that agricultural workers have long lived in villages typified by a proportional lack of the social amenities enjoyed by urban populations.⁸⁷ During the height of the post-1970s economic restructurings, rural amenities, notably centres for legal and employment advice, remained under-resourced compared to urban geographies,⁸⁸ and further deteriorated in quality due to several decades of governmental cuts.⁸⁹ Adding salt to the wound, this under-resourced environment has been considerably, and consistently, more expensive to live in than urban environments over the past century.⁹⁰ These factors negatively affected agricultural workers’ social wages, and susceptibility to precarity, throughout the Twentieth Century: underserved by amenities and affordable public transport, agricultural workers’ physical isolation from the wider society was maintained, and geographically bound workers to the potentially precarious employment relations they entered in these areas.⁹¹

Clearly, particularly precarious labour relations have remained the agricultural norm throughout the entirety of the Twentieth Century,⁹² while they have only recently been reoccurring *en mass* in certain sectors of the New Economy. Over the last four decades capital has attempted, with remarkable success, to eliminate agriculture’s excesses of production time with the use of biotechnology.⁹³ Growing seasons have been augmented, and overall production time requirements have been gradually falling in line with labour time requirements. However, agriculture’s precarity and overdependencies failed to decline as a result of this

Critically, for the purpose of this thesis, *personalised relations between employer and employee, now common in the New Economy, were standard in*

⁸⁵ Peter Townsend, *Poverty in the UK*, Harmondsworth: Allen Lane, 1979, pg. 32.

⁸⁶ Worked out as 68% of a nations’ all-industry average wage. By 1986 over half the agricultural workforce earned below the Council of Europe’s similar ‘decency threshold’. Steve Winyard and Renée Danziger, *Poor Farmworkers, Rich Farms*, London: Low-Pay Unit, 1986, pg. 6; Steve Winyard, *Cold Comfort Farm: A Study of Farmworkers and Low-Pay*, London: Low-Pay Unit, 1982.

⁸⁷ Groves, *Sharpen the Sickle*, pg. 211.

⁸⁸ Labour Party National Executive Committee, *Rural Areas Working Group: First Discussion Document*, London: Labour Party, 1980, pg. 8; National Union of Agricultural and Allied Workers, *Outlook for Agriculture: Policy Document*, London: NUAAW, 1976, pg. 30; Renée Danziger, *Political Powerlessness: Agricultural Workers in Post-War England*, Manchester: Manchester University Press, 1988, pg. 3; Bob Wynn, *Skilled at all Trades: the History of the Farmworkers’ Union 1947-1984*, London: TGWU Frontline, 1993, pg. 167.

⁸⁹ Diane Holland of Unite, *Unite’s Response to the Department for Environment, Food and Rural Affairs Consultation on the Abolition of the Agricultural Wages Board (AWB) for England and Wales*, London: Unite, 2012.

⁹⁰ Price Commission, *Report on Fresh Food: Reference for the Period July to December 1974*, London: HMSO, 1975.

⁹¹ Dench *et al.*, *Employer’s Use of Migrant Labour*.

⁹² Tom Brass, “Medieval working practices? British Agriculture and the Return of the Gangmaster”. In: *The Journal of Peasant Studies*, 2004, 31(2), pg. 313-340; Rogaly, *Intensification of Workplace Regimes in British Horticulture*.

⁹³ David Goodman, Bernardo Sorj and John Wilkinson, *From Farming to Biotechnology*, London: Routledge, 1987; Dench *et al.*, *Employer’s Use of Migrant Labour*; Julie Guthman, *Agrarian Dreams: The Paradox of Organic Farming in California*, Berkeley: University of California, 2004; John Scott, *Seeing Like a State*, New Haven: Yale University Press, 1998.

agriculture throughout the Twentieth Century.⁹⁴ Not only have employment relations remained consistently personal, they have remained consistently personal on small-sized farms/firms, in terms of revenue and workforce. In 1982, the Ministry of Agriculture, Fisheries and Food (MAFF) found +70% of the agriculture workforce worked in firms of four persons or less,⁹⁵ while the rebranded Department of the Environment, Farming and Rural Affairs (DEFRA) found in 2011 that 88% of the agricultural workforce worked with less than five full-time colleagues.⁹⁶ Likewise, Small companies with annual turnovers of less than £100,000 made up the majority of firms in the industry as late as 2004.⁹⁷ The fact that, when favourable economic circumstances have allowed, small-scale farmers with close contacts with employees have experienced higher turnovers of staff than larger farms implies that this proximity has not been to the farmworkers' favour.⁹⁸ Another parallel between the traditional agricultural environment and the contemporary New Economy can be seen in the fact that *long topping-up of agriculture's full-time workforce has been a highly insecure, casual and seasonal workforce, often employed in tri-partite triangular contractual relationships highly reminiscent of new economic non-standard contracts*.⁹⁹

Farmworkers discussing their labour relations in 1981 could just as easily be describing the situation of a contract cleaner living in agency-provided accommodation in the 2000s: "you live next door to the boss (or manager) and you see him every day of the week. It's not like being in a big factory where you don't know who your boss is and you go home at 5 o'clock and switch off... it's like having a row with your wife or children. You can't be at each other all the time. You've got to be quite nice to them"; "if you put a farm worker into a factory... he immediately adopts a much more militant attitude than the one he had on the farm the week before".¹⁰⁰ Likewise Joan Maynard, of the Farmworkers' Union, could easily be describing a 'self-employed' Twenty-First Century construction worker when she stereotypes a typical agricultural labour relation on a small in the mid-Twentieth Century: where close and flattened working relations left farmworkers "lack(ing) the feeling of strength, solidarity and confidence which numbers bring. The boss is not some remote figure it is easy to dislike; he is the man who works beside you most days of the week".¹⁰¹ I therefore posit that, in recent decades, numerous sectors of Britain's New Economy have become increasingly reminiscent not only of Victorian labour markets, but also British agriculture, where low-pay, insecurity, isolation and

⁹⁴ Cf. A. Giles and W. Cowie, *The Farmworker: His Training, Pay and Status*, Reading: University of Reading, 1964, pg. 106-107.

⁹⁵ Ministry of Agriculture, Farming and Fishery, *Earning, Hours and Numbers of Persons, including the Report on the Wages and Employment Enquiry 1982*, London: HMSO, 1983.

⁹⁶ Cited in Alastair Hatchett, Anna Mayhew, Joe O'Donnell and Louisa Withers, *The Implications for the National Minimum Wage of the Abolition of the Agricultural Wages Board in England and Wales*, London: Incomes Data Services/Low-Pay Commission, 2011.

⁹⁷ Small companies with annual turnovers of less than £100,000 made up the majority of firms in the industry as late as 2004. Cf. Kalayaan, *Migrant Workers' Rights: The Passport Issue - Key Note Market Report 2004: Fruit and Vegetables*, London: Kalayaan, 2004.

⁹⁸ R. Gasson, "Turnover and Size of Labour Force on Farms". In: *JAE*, 1974, 25(2).

⁹⁹ Precision Prospecting, *Temporary Workers in UK Agriculture and Horticulture: A Study of Employment Practices in the Agriculture and Horticulture Industry and Co-Located Packhouse and Primary Food Processing Sectors*, Cambridge and Framlingham: Precision Prospecting, 2005.

¹⁰⁰ Mason O'Connor, *Joan Maynard*, pg. 307.

¹⁰¹ Joan Maynard, *A Hundred Years of Farmworkers' Struggle*, Nottingham; Institute of Workers' Control, 1974.

personalised employment relations have been operating standards since the Nineteenth Century at least¹⁰².

The insecurities that such environmental factors have produced and maintained have had a notable effect on the nature of organised labour found in Britain's rural environment. Despite the continuation of poverty wages, Britain's agricultural workforce, in the latter Twentieth and early Twenty-First centuries alike, generally "does not strike, has no restrictive practices, and does not watch the clock"¹⁰³: personalised and/or triangular employment relations, spread over a large numbers of small firms, have produced difficulties in developing *voluntary collective bargaining and other hegemonic Post-War forms of collective labour organisation*. Chapter two of this thesis demonstrates that a breakdown in the efficiency of these hegemonic Post-War operating strategies has plagued the urban Trade Union Movement from the 1970s onwards, this breakdown having been caused by a cocktail of related processes¹⁰⁴: *as is now the case in the New Economy, as has been the case in agriculture for a significantly longer period of time*.

Internationally, academics and union strategists who subscribe to the notion that transitioning to the New Economy represents the *Victorianisation*, or temporal back-shifting, of labour relations have suggested national trade union movements need to resuscitate forms of action long since marginalised to the fringes of Labourism as part of their rejuvenation processes¹⁰⁵: *unions struggling to survive in the operational paradigms of new economies have been told to look backwards in order to go forwards*. However, observations of temporally distant periods may hinder adequate assessments of the causal mechanisms behind, and effectiveness of, such identified *rejuvenatory* orientations and strategies. Instead of looking back to the orientations and strategies of unions operating in a temporally distant period's pre-Fordist operating environment, it is possible to look at those margins of the economy where labour relations stubbornly refused to decommmodify. Perhaps unions operating in these environments never needed to undergo a rejuvenation of their orientations and strategies, as the Movement's Post-War operating norms may never have achieved hegemonic status.

To build on this, a final parallel between the Farmworkers' Union's traditional operating environment and those now inhabited by the urban wing of the Movement can be found in the fact that rural human geographies, traditional dominated by landed and farming interests,¹⁰⁶ long-ago produced a socio-political environment hostile to trade unionism, much similar to those environments produced in the New Economy as the result of the decades of anti-union governmental policies seen since the 1970s.¹⁰⁷

This is not to say the agricultural sector is identical to certain new economic sectors, only back-shifted in time: while numerous sectors have exponentially grown

¹⁰² Danziger, *Political Powerlessness*, pg. 11.

¹⁰³ The Guardian, 27th October 1981, cited in Danziger, *Political Powerlessness*, pg. 123.

¹⁰⁴ From here on in and for the sake of parsimony, I at times refer to Britain's Trade Union Movement as 'the Movement', or so some variance there of.

¹⁰⁵ Dorothy Cobble and Leah Vosko, "Historical Perspectives on Representing Non-standard Workers". In: Francoise Carre, Marianne Ferber, Lonnie Golden, and Stephen Herzenberg (eds.), *Non-standard Work: The Nature and Challenges of Changing Employment Relations*, Champaign: University of Illinois, 2000; Ruth Milkman, *L.A. Story: Immigrant Workers and the Future of the U.S. Labor Movement*, New York: Russell Sage, 2006.

¹⁰⁶ Labour Party National Executive Committee, *Rural Areas Working Group*, pg. 8; Norton-Taylor, *Whose Land is it Anyway?*, Turston: Wellingborough, 1982, pp. 30.

¹⁰⁷ Cf. the second chapter of this thesis.

in size since the 1970s, agriculture has been experiencing a continuous and precipitous shrinkage since the dawn of industrialisation, in Britain and elsewhere.¹⁰⁸ In 1851 there were 1.48 million agricultural workers in England and Wales, a century later less than 0.7¹⁰⁹: in the following three decades this number fell further, so that by 1984 there were 122,000 full-time hired male workers, 11,000 full-time females, and 138,000 part-time, casual and seasonal workers in the industry.¹¹⁰ By 1993, Britain's agricultural sector, as a proportion of the entire workforce, was one of the smallest in Western Europe: 2.2% of all workers were employed on the land compared with a Western-European average of 11.4%.¹¹¹ Over the same general period, a clear trend for fewer and physically larger farms occurred.¹¹²

However, despite the counter directional trajectory of the agricultural industry, enough similarities remain between agriculture and low-waged industries in the New Economy to make my analysis pertinent: comparatively high levels of unemployment, compared to the immediate Post-War Era, have typified Britain's urban labour markets since the 1970s.¹¹³ This unemployment has helped bind New Economy workers into precarious labour relations for fear of the alternative. This has been the longer-term case in agriculture: rural environments have long suffered massive underemployment, with agricultural production one of only a few 'choices' available to rural workers.¹¹⁴ Wide underemployment had meant that, before and after the 1970s, "a substantial proportion of workers on the land are captive to the extent that they have accepted agricultural employment rather than chosen it".¹¹⁵ The *drift from the land* – that is the *depopulation of Britain's agricultural industry*, has primarily been brought about not due to labour mobility and the strategic actions of labourers seeking new jobs. Instead push factors – specialisation, mechanisation and chemicalisation – have outweighed pull factors in terms of their causal influence in this shedding of jobs.¹¹⁶ Clearly then, the pressures keeping precarity-prone workers in precarious work have been much the same in agriculture's declining, and the New Economy's expanding, sectors; both before, during and after the 1970s.

From the above juxtapositions, I define the *transition to the New Economy as the ruralisation of Britain's urban labour relations*: with this logic, it is reasonable to hypothesise that a strategically enabled union operating in Britain's rural environment, more acquainted with the precarious labour relations and inhospitable environmental conditions that have crept back into the rest of Britain's economy from the 1970s onwards, would have utilised perceptively 'sophisticated' or 'modern' operational-technologies, well suited to the emerging paradigmic environments of Britain's low-waged sectors, at an earlier date and in a more consistent manner than the mainstream Movement. According to this hypothesis: a union representing

¹⁰⁸ Richard Hyman, "Changing Trade Union Identities and Strategies". In: Ferner and Hyman (eds.), *New Frontiers in European Industrial Relations*, pp. 108-139, pg. 109.

¹⁰⁹ Ministry of Agriculture, Fisheries, and Food, *A Century of Agricultural Statistics: Great Britain 1866-1966*, London: HMSO, 1968.

¹¹⁰ Ministry of Agriculture, Fisheries, and Food, *Annual Review of Agriculture 1984*, London: HMSO, 1984.

¹¹¹ Wynn, *Skilled at all Trade*, 1993, pg. 248.

¹¹² *The Landworker*, March 1988.

¹¹³ Cf. chapter two of this thesis.

¹¹⁴ Labour Party National Executive Committee, *Rural Areas Working Group*, pg. 10; Winyard, *Cold Comfort Farm*, 1982, pg. 17.

¹¹⁵ Howard Newby, *The Deferential Worker: a Study of Farm Workers in East Anglia*, London: Allen Lane, 1979, pg. 165.

¹¹⁶ Danziger, *Political Powerlessness*, pg. 72.

British farmworkers would have had a significantly differentiated portfolio of orientations and strategies from the mainstream Movement at the onset of the 1970s; after which the mainstream Movement, reacting to the disabling of its previous *modus operandi*, would be the prime mover in any convergence of actions.

4. Enshrining the Strategic Actions of Actors: Anti-Deterministic Institutionalism.

Having demonstrated the compelling trans-temporal similarities between British agriculture and certain industries in the New Economy, this section discusses the analytical perspective this thesis takes when interrogating the above hypothesis.

This thesis grounds itself in the academic field of industrial relations. That is, the study of the socio-economic processes of control that shape and regulate work relations.¹¹⁷ In this academic school, three principle actors are traditionally identified as key: workers and their collective organisations; managers/employers and theirs; and State agencies.¹¹⁸ This thesis' focuses on these three groups as its principle industrial actors. I accept that in doing so this thesis constructs a pragmatically partial map of Britain's agricultural industrial relations. Of course, such a construction can be criticised for its simplicity: in a fractal society it is always possible to introduce additional, apparently key, actors into an explanatory theory.¹¹⁹ I response I would argue, like Przeworski and Teune, that explanatory theories must balance "generality, parsimony and accuracy"¹²⁰: the absolute accuracy of explanations needs to be balanced with a healthy respect for parsimony.

Modern theories of organised industrial relations often emphasize the determinant influence of institutional configurations when considering interactions between labour and capital.¹²¹ Union actions are relegated to a position of secondary importance, viewed as either ultimately derivative of institutional circumstance, or else as overwhelmed by asymmetrical powerful opponents.¹²² Such firm-centred

¹¹⁷ Richard Hyman, *Industrial Relations: A Marxist Introduction*, London: Macmillan, 1975, pg. 12.

¹¹⁸ John Dunlop, *Industrial Relations Systems*, New York: Holt, 1958.

¹¹⁹ How can you analyse industrial relations without considering philanthropists? The church? The self-employed? The unemployed? Such questions could run for an infinity, and micro-compartmentalise society to an incomprehensible degree.

¹²⁰ Adam Przeworski and Henry Teune, *The Logic of Comparative Social Enquiry*, New York: John Wiley, 1970.

¹²¹ Lucio Baccaro, Kerstin Hamann, and Lowell Turner, "The Politics of Labour Movement Revitalization: The Need for a Revitalised Perspective". In: *European Journal of Industrial Relations*, 2003, 9(1), pp. 119-133.

¹²² Take the influential 'Varieties of Capitalism' approach: here the capacity for contingent agency, if existent at all, has principally been conceived as residing with employers, managers and the firm, rather than organised labour. Expanding on the works of others, the Varieties of Capitalism literature has repeatedly demonstrated the numerous ways in which firms consciously create, mould and utilise economic markets for their own ends, rather than function as mere conduits of economic forces. Such perspectives have injected agency into the heart of what can be an overly determinist discipline and should be lauded thusly. Cf. Alfred Chandler, *The Visible Hand: The Managerial Revolution in American Business*, Cambridge: Harvard University Press, 1977; Alfred Chandler, "Organizational Capabilities and the Economic History of the Industrial Enterprise". In: *Journal of Economic Perspectives*, 1992, 6, pp. 79-100; Peter Hall and David Soskice (eds.), *Varieties of Capitalism: The Institutional Foundations of Comparative Advantage*, Oxford: Oxford University Press, 2001; Kathleen Thelen, "Varieties of Labor Politics in the Developed Democracies". In: Hall and Soskice, (eds.), *Varieties of Capitalism: The Institutional Foundations of Comparative Advantage*, Oxford: Oxford University Press, 2001, pp. 71-103; Nahee Kang, *A Critique of the Varieties of Capitalism Approach*, Manchester: International Centre for Corporate Social Responsibility, 2006; Ian Bruff, "What about the Elephant in the Room? Varieties of Capitalism, Varieties in Capitalism". In: *New Political Economy*, 2011, 16(4), pp. 481-50.

theories reflect contemporary societal power differentials: the past four decades have undoubtedly seen a trans-global eclipse of traditional working class organisations.¹²³

However, empirical observations, in Britain and elsewhere, reveal that many trade unions have developed innovative coping mechanisms in adjusting to the paradigms of the New Economy.¹²⁴ Certainly weakened, organised labour is still able to act independently, decisively and with implications to others, and needs to be studied as an independent variable. “Not bereft of independent influence”,¹²⁵ the scope for *strategic action* is still consistently available to trade unions, regardless of the considerable constraints they may find themselves in.¹²⁶ The study of *constrained* strategic actions is the study of the reciprocal connections between institutions and agency¹²⁷: in a world of “disorganised capital”,¹²⁸ there is such a multitude of competing and contradicting institutional forces that strategic choice *must* exist, not because of a lack of weakness of structural determinations, but the fact that such determinations are inherently contradictory.¹²⁹ Therefore, an ultimately anti-deterministic analytical framework is used in analysing the strategic actions of the Farmworkers’ Union and others, when assessing what orientations and strategies have been displayed, and why.

This is not to say that I conducted analysis from an anti-institutional perspective: gross socio-economic power differentials, between and within classes, characterise capitalist society,¹³⁰ and anti-institutional pluralism fails to recognise the marked and ingrained inequalities of condition and opportunity that are found in society at large.¹³¹ While it is certainly possible for unions to cooperate with the organised interests of capital, wages and conditions represent inherent and partially controllable costs for profit-maximising firms in ownership of the means of production: therefore unions repeatedly find themselves in diametric opposition to a

¹²³ Visser. *European Trade Unions: the Transition Years*.

¹²⁴ Robert Perrett, Miguel Martínez Lucio, Jo McBride and Steve Craig, “Trade Union Learning Strategies and Migrant Workers: Policies and Practice in a New-liberal Environment”. In: *Urban Studies*, 2012, 49(3); Edmund Heery, John Kelly and Jeremy Waddington, “Union Revitalisation in Britain”. In: *European Journal of Industrial Relations*, 2003, 9(1).

¹²⁵ Edmund Heery and Lee Adler, “Organizing the Unorganised”. In: Carola Frege and John Kelly (eds.), *Varieties of Unionism: Strategies for Union Revitalization in a Globalizing Economy*, Oxford: Oxford University Press, 2004, pg. 61.

¹²⁶ Peter Leisink, Jim van Leemput and Jacques Vilroxx, “Introduction”. In: Leisink, van Leemput and Vilroxx (eds.), *The Challenges to Trade Unions in Europe: Innovation Or Adaptation*, Cheltenham: Edward Elgar, 1996.

¹²⁷ Carola Frege and John Kelly, “Union Strategies in Comparative Context”. In: Frege and Kelly (eds.) *Varieties of Unionism*.

¹²⁸ Cf. Lash and Urry, *The End of Organised Capitalism*.

¹²⁹ Richard Hyman, “Strategy or Structure? Capital, Labour and control”. In: *Work, Employment and Society*, 1987, 1, pp. 25–55, pg 30. For more theorists that emphasize the continued importance of contingent actions, cf. Wolfgang Streeck, “The Uncertainties of Management in the Management of Uncertainty”. In: *International Journal of Political Economy*, 1987, 17(3), pp. 57-87; Horst Kern and Charles Sabel, “Trade Unions and the Decentralised Production: a Sketch of Strategic Problems in the German Labour Movement”. In: Regini, *The Future of Labour Movements*; Emma Cervano, *Trade Union Strategies Towards Atypical Work*, Madrid: Juan March Institute, Undated. All these theories subscribe, to some extent or other, to the notion of ‘strategic choice’ as described by Thomas Kochan, Harry Katz, and Robert McKersie, *The Transformation of American Industrial Relations*, New York: Basic Books, 1986.

¹³⁰ Alan Fox, “Industrial Relations: a Social Critique of Pluralist Ideology”. In: J. Child (ed.), *Man and Organisation*, London: George Allen and Unwin, 1973, pp. 207-215; Alan Fox, *Beyond Contract: Work, Power and Trust Relations*, London: Faber, 1974.

¹³¹ John Goldthorpe, *Order and Conflict in Contemporary Capitalism*, Oxford: Clarendon Press, 1984.

better resourced oppositional force.¹³² Hence, while the potential for union strategic action certainly exists in a disorganised capitalist society, the assessment of such potential has been, and is perhaps increasingly, sombre.¹³³ Clearly then, it is important to consider the extra-organisational institutional environment when assessing any union's actions.¹³⁴

Likewise, it is important to analyse a body's internal environment: some have made compelling accounts of how a union's organisational structures and component demographics have an instrumental effect on its displayed orientations and enacted strategies.¹³⁵ This above described union 'identity', or "opportunity structure",¹³⁶ serves to frame issues and problems for union leaders,¹³⁷ and indeed other societal actors,¹³⁸ and thus partially determines what forms of strategic action are considered legitimate and feasible in the eyes of union leaderships.¹³⁹ I will then consider a union's or Movement's internal institutions, its "inherited traditions which shape current choices (and) which in normal circumstances... reinforce and confirm identities",¹⁴⁰ when determining how and why they acted in the way they did.¹⁴¹ While intra-union institutions can be augmented and replaced,¹⁴² they often, in fact usually, persist for long periods,¹⁴³ and need to be considered in analysis.

Complementing this idea, others have argued that the dominant identities of individual unions, peak confederations and national movements are reflections of the specific contexts in which the organisations emerged and matured.¹⁴⁴ That is to say, labour movements are "creatures of their past circumstance"¹⁴⁵: the resultant identities have helped shape the agenda they chose to pursue, and the type of power resources that they have chosen to cultivate and apply.¹⁴⁶ Therefore, studying how and why unions have acted in the modern era, it is additionally necessary to refer to and

¹³² Wilhelm Baldamus, *Efficiency and Effort: An Analysis of Industrial Administration*, London: Tavistock, 1961.

¹³³ Hyman, *Strategy or Structure?*, pg. 30.

¹³⁴ In this thesis, the term 'institution' is defined as the *environmental settings in which industrial actors operate, and which pressure and constrain their decision-making processes*. Cf. Ron Bean, *Comparative Industrial Relations: An Introduction to Cross National Perspectives*, London: Routledge, 1985, pg. 1; Dunlop, *Industrial relations systems*.

¹³⁵ Dennie Oude Nijhuis, *Labor Divided: Union Structure and the Development of the Postwar Welfare State in the Netherlands and the United Kingdom*, Leiden: University of Leiden Doctoral Thesis, 2009, pg. 6; Richard Hyman, *Understanding European Trade Unionism: Between Market, Class and Society*, London: Sage, 2001; Hyman, *Changing Trade Union Identities and Strategies*.

¹³⁶ Frege and Kelly, *Union Strategies in Comparative Context*, pg. 38.

¹³⁷ Scott Hunt, Robert Benford and David Snow, "Identity Fields: Framing Processes and the Social Construction of Movement Identities". In: Enrique Laraña, Hank Johnston and Joseph Gusfield (eds.), *New Social Movements: From Ideology to Identity*, Philadelphia: Temple University Press. 1994, pp. 185-208.

¹³⁸ Tilly and Tilly, *Work Under Capitalism*, pg. 12.

¹³⁹ Charles Tilly, *From Mobilization to Revolution*, London: Longman Higher Education, 1978, pg. 151-59; Frege and Kelly, *Union Strategies in Comparative Context*.

¹⁴⁰ Hyman, *Changing Trade Union Identities and Strategies*; Richard Hyman, "Trade Union Research and Cross-national Comparison". In: *European Journal of Industrial Relations*, 2000, 7(2), pp. 203-32.

¹⁴¹ Oude Nijhuis, *Labor Divided*, pg. 6.

¹⁴² Indeed this augmentation is the crux of union rejuvenation theories, as described in chapter two.

¹⁴³ Bernhard Ebbinghaus and Jelle Visser, *Trade Unions in Western Europe since 1945*, London: Macmillan/Palgrave, 2000.

¹⁴⁴ Charles Crouch, *Industrial Relations and European State Traditions*, Oxford: Clarendon Press, 1993.

¹⁴⁵ Julio Valenzuela, "Labour Movements and Political Systems: Some Variations". In: Regini (ed.) *The Future of Labour Movements*, pp. 53- 101, pg. 95.

¹⁴⁶ Hyman, *Understanding European Trade Unionism*, pg. 1.

analyse inter and extra-union institutional arrangements in temporally more distant periods to that of our chosen periodisation.

5. Defining and Assessing Union 'Orientations' and 'Strategies'.

Having discussed the thesis' institutional but anti-deterministic perspective, the following section explains how this perspective is methodologically operationalised when I assess the orientations and strategies of the Farmworkers' Union and others.

To assess the underlying *orientations* of a union – *its hegemonic ideological positions* – rich qualitative research of primary and secondary sources, produced by the union in question and other industrial actors, needs to be conducted. It is a painless process to determine the *formal ideological agenda* of a union: well documented in publicly published conference minutes, programmatic declarations, bargaining submissions, press releases and the like.¹⁴⁷ As a first step in assessing a union's underlying position, the strength of particular *voiced* attitudes – that is, particular ideological positions – as expressed in such texts are noted.¹⁴⁸ However, even after conducting such intertextual analysis, it must be remembered that union leaderships are well aware of their prerogative to *formally* represent the disparate and perhaps incompatible interests of the workforce. To take analysis deeper, it is necessary to determine which ideological ambitions are more vigorously pursued, and which were neglected or abandoned, during the political exchanges of give-and-take that a union enters into with employers and the State.¹⁴⁹ To deal with this difficulty, critical and repeated readings of primary and secondary sources that detail the *actual practices* of a union allows for reliable and compelling assessments of a union's underlying *orientations* towards precarity-prone workers.

Assessing what *strategies* a union most regularly employs again requires rich, detailed study of the historic record. An analysis of union strategies differentiates between different modes of *contention* – the collective making of claims that, if successfully realised, affects the interests of both the claimant and others.¹⁵⁰ An act of contention is a purposeful performance: when determining the nature of each successive performance, a union has to its disposal an expansive *repertoire of*

¹⁴⁷ Wyn Grant, *Pressure Groups, Politics and Democracy in Britain*, London: Harvester Wheatsheaf, 1989, pg. 125.

¹⁴⁸ In analysing the underlying orientations of the Union over time, not only is the frequency and/or prominence of particular attitudes noted, texts are read for exemplary uses of:

- a) Rhetoric (e.g. highly charged statements)
- b) Hyperbole (e.g. '...literally the greatest...')
- c) Metaphor (e.g. migrants equalling an 'incoming tide')
- d) Emotive linguistic devices (e.g. appeals for shame or pity)
- e) Implied lexical associations (e.g. migrants being referred to as 'alien', and thus 'Other' by definition)
- f) Leading grammatical structures (e.g. use of the active/passive voice, use of reifying nouns).

This analysis is conducted in order to ascertain the strength and power of particular attitudes in relation to others. N.B debt is owed to Dijk's methodological vocabulary, cf. Teun van Dijk, "New(s) Racism: A discourse Analytical Approach". In Simon Cottle (ed.), *Ethnic Minorities and the media*, Buckingham: Open University Press, 2000.

¹⁴⁹ Cf. Alessandro Pizzorno, "Political Science and Collective Identity in Industrial Conflict". In: Colin Crouch and Alessandro Pizzorno (eds.), *The Resurgence of Class Conflict in Western Europe since 1968*, New York: Holmes and Meier, 1978, pp. 277-298.

¹⁵⁰ Roberto Franzosi, *The Puzzle of Strikes: Class and State Strategies in Post-War Italy*, Cambridge: Cambridge University Press, 1995.

contention from which to select¹⁵¹; like how band-members draw from their back catalogue when determining their set list, a union draws from historic approaches of contention. Tilly and Tilly believe this analogy only works when one conceptualises the repertoire as that of a jazz ensemble, rather than the sheet music of a military marching band: different modes of contention tend to overlap and merge with one another when actualised in practice.¹⁵² Therefore a single, simplistic, reading of union literature would reveal, if anything, too much information: disparate union branches from across Britain would of course develop localised campaigns of action often diametrically opposed in nature. To practically delimit the subject matter of my research, analysis focusses on those *enduring actions* that appeared to have been purposefully deployed in the pursuit of a particular orientational goal, and *have been repeated to a substantial degree over time*. Put simply: my analysis concentrates on the most commonly and purposefully deployed elements of a union's extensive repertoire of contention – these were viewed as coherent 'strategies' as opposed to individually isolated 'actions'. Of course, it is accepted and expected that a union's choice of strategy, and orientation, will vary over time.

6. Identifying the Causal Mechanisms that Help Determine a Union's Orientations and Strategies.

I need to assess the causal mechanisms responsible for producing certain union orientations and strategies if I am to adequately interrogate my principle research question and hypothesis. In order to unpack this research sub-question I draw from a number of theorists, in order to produce a qualitative methodology that allows this to be achieved.

As mentioned previously, I privilege the study of institutions, internal and external to a union, when assessing the processes that have either encouraged or discouraged the actualisation of particular orientations and strategies. A wide body of industrial relations literature has identified a number of formal institutional elements that have been shown to partially determine the actions of industrial actors. Key variable elements have been said to include: the centralised or decentralised nature of collective bargaining¹⁵³; the relative strength and coherence of employer organisations¹⁵⁴; the presence, or lack, of formal corporatist institutions in the national arena¹⁵⁵; and the nature of national and supra-national employment laws.¹⁵⁶ Such issues are taken into consideration during analysis. However, many industrial relations theorists have tended to focus their analysis on the strictly formal and codified institutions that shape and maintain job regulations.¹⁵⁷ Institutions certainly abide in such formal bodies, but also within intangible nexuses such as societal

¹⁵¹ Tilly and Tilly, *Work Under Capitalism*, pg. 239.

¹⁵² *Ibid.*

¹⁵³ Franz Traxler, Sabine Blaschke, and Bernhard Kittel, *National Labour Relations in Internationalised Markets: A Comparative Study of Institutions, Change, and Performance*, Oxford: Oxford University Press, 2001.

¹⁵⁴ Thelen, *Varieties of Labor Politics in the Developed Democracies*.

¹⁵⁵ Stefan Zagelmeyer, *Innovative Agreements on Employment and Competitiveness in the European Union and Norway*, Luxembourg: Office for Official Publications of the European Communities, 2000.

¹⁵⁶ Esping-Andersen, *The Three Worlds of Welfare Capitalism*; Franz Traxler and Martin Behrens, *Collective Bargaining Coverage and Extension Procedures*, Dublin: EFILWC, 2002.

¹⁵⁷ Bean, *Comparative Industrial Relations*, pg. 1.

cultures, which have been shown to shape the actions of industrial actors¹⁵⁸: customs, beliefs and existing social relations clearly need to be taken into account during my analysis.¹⁵⁹ I particularly recognise the influence of internal organising principles, which produce path dependencies on unions' strategic decisions.¹⁶⁰ In sum, *the influence of employer organisations and successive governments, and shifts in cultural attitudes are all considered, alongside internal union structures*, in order to locate unions within nexuses of controls and regulations.

Nonetheless, union identities produced by institutional conditioning can be changed over time, particularly during moments of crisis, such as those experienced by the Movement from the 1970s onwards. While stable institutions influence and regulate the actions of actors, so too do actors influence the formation and shape of institutions. Recognising the power of strategic actions, *the theoretical incentives and costs offered to a union from the use of various orientations and strategies are likewise assessed in the course of analysis*.

As are *the effects of contingent historical events*: just as strategically enabled actors internal to an organisation are able to augment said organisation's systems of control and regulation, so too can exogenous shocks from elsewhere.¹⁶¹ An awareness of all the above listed factors allows me to persuasively recount the causal mechanisms responsible for necessitating or inhibiting a union's use of particular orientations and strategies.

7. Assessing the Effectiveness of Particular Union Strategies.

I need to assess the effectiveness of identified union strategies if I am to adequately address my principle research question. This section discusses how a union's strategies can be assessed for effectiveness. First though, I demonstrate why this particular sub-stream of analysis enhances this thesis' academic and extra-academic value.

As mentioned, I expect my analysis to reveal the Farmworkers' Union to have utilised apparently cutting-edge rejuvenatory orientations and strategies at an early date, due to the once-idiosyncratic nature of Britain's agricultural sector. If this transpires to be true, analysis of the Farmworkers' Union's actions could enhance the strategic actions of strategists in the wider Trade Union Movement, leaving them able to *ascertain, from the Petri dish that is British agriculture, what, if any, strategies could reasonably be expected to be efficient and effective in operating conditions such as those now found in the New Economy*.¹⁶²

Measuring British union effectiveness, and the effectiveness of other societal pressure groups, has for decades been inadequately researched.¹⁶³ There are a number

¹⁵⁸ Augustine Ahiauzu, *Cross-Cultural Study of Job Regulation at the Workplace: a Framework for Analysis*, University of Aston Management Centre, Working Paper no. 234, 1982.

¹⁵⁹ Tilly and Tilly, *Work Under Capitalism*, pg. 12.

¹⁶⁰ Frege and Kelly, *Union Strategies in Comparative Context*, pg. 39.

¹⁶¹ The Oil Shocks of 1973, as described in this thesis' introduction, should give some indication of the importance contingent events can have in determining a *modus operandi* of an organisation. Looking at the Farmworkers' Union, it is recognised that contingent events external to the Union would have affected the level of incentives a change in orientation or strategy would have brought: for example, the promotion of a hard-line anti-unionist to the Executive Council of an employers' organisation may disincentivise the adoption of a cooperative approach to union action.

¹⁶² This point is expanded upon in chapter seven of this thesis.

¹⁶³ Paul Whitley and Steve Winyard, *Pressure for the Poor: The Poverty Lobby and Policy Making*, London: Methuen, 1987, pg. 111.

of reasons for this, not east the high degree of secrecy in which the British political system has traditionally operated in,¹⁶⁴ only slightly tempered with the passing of the 2000 Freedom of Information Act.¹⁶⁵ Such secrecy makes it difficult to definitively assess the effectiveness of lobbying approaches to union strategy, for example. One could simply try to match a union's formal policy ambitions with the state-of-the-field at some specified point in the relative future: a harmonisation of desired and end results could be taken to indicate the successful deployment of union strategy. However, such an exercise would involve a causal fallacy: even if a union wished to secure a particular ends with a particular means, and that particular ends were to come about, there would still be a need to established what role the union's actual actions played in this turn of events, and what roles were played by other institutions and actors. One could conduct research with an oppositional logic, and seek out statements from unions complaining about the effectiveness of its chosen strategies of contention. However, the act of complaint is in itself a strategy of contention: vocal dissent from an interested party – union or otherwise – cannot be interpreted as neutral observations.¹⁶⁶ Therefore such a mode analysis would have to be utilised cautiously.

There is no easy analytical mechanism that solves ultimately philosophical issues of cause and effect: only by grounding all analysis with rich contextual information, regarding key industrial actors and institutions in society, is it possible to make reasonable and plausible analysis regarding the degree of effectiveness of a union's choice in strategy.

To measure *why* particular strategies are effective, or not as the case may be, I adapt Grant's model regarding the effectiveness of pressure group activity.¹⁶⁷ Grant's definition of a pressure group – those organisations that “seek, as one of (their) functions, to influence the formulation and implementation of public policy”¹⁶⁸ – clearly encompasses the definition of a trade union, and other key industrial actors, such as employer organisations.¹⁶⁹ Therefore, analysing the effectiveness of union strategy with reference to the following model allows one to consider the institutional contexts and power resources at the disposal of a union, but also the institutional contexts and power resources of other groups that could either enhance or negate the effectiveness of particular union strategies. Drawing from Grant, and others still – taking a cue from Korpi and the Power Resource Theory of the welfare state, this thesis contends that, in order assess causal mechanisms of success and failure, a thorough examination of the differing resources available to oppositional industrial actors needs to be taken into account throughout all analysis¹⁷⁰ – I explain the varying (in)effectiveness of union strategies with reference to:

¹⁶⁴ Grant, *Pressure Groups, Politics and Democracy in Britain*, pg. 127.

¹⁶⁵ Cf. Act of Parliament, *Freedom of Information Act 2000*, London: HMSO, 2000.

¹⁶⁶ As demonstrated in chapter three of this thesis.

¹⁶⁷ Grant, *Pressure Groups, Politics and Democracy in Britain*, pg. 130.

¹⁶⁸ *Ibid.*, pg. 9.

¹⁶⁹ Grant's model was itself drawn from multiple academic sources, the authors acknowledged here: Robert Prestus, *Elites in the Policy Process*, Cambridge: Cambridge University Press, 1974; Philippe Schmitter and Wolfgang Streeck, *The Organization of Business Interests*, Berlin: IIM, 1981.

¹⁷⁰ Cf. Walter Korpi, *The Democratic Class Struggle*, Boston: Routledge/Kegan, 1983; Gøsta Esping-Andersen and Kees van Kersbergen, “Contemporary Research on Social Democracy”. In: *Annual Review of Sociology*, 1992, 18, pp. 187–208; Esping-Andersen, *The Three Worlds of Welfare Capitalism*.

1) The features of a union's proximate environment i.e. the domain a union seeks to organise or influence, in particular the characteristics of the (potential) members being organised and represented. Put simple, I consider the sociological nature of labour and life in the rural environment: perhaps socio-psychological cultures of deference towards workplace superiors proved inconducive to the actualisation of militant strike mobilization, for example.¹⁷¹

2) The resources available to a union, and other groups operating within the same domain. In particular:

- i) An organisation's internal group structures, such as decision making and conflict-reduction mechanisms.
- ii) Its marketable skills that encourage the attraction and retention of members.
- iii) Its membership mobilisation capabilities.
- iv) Its financial resources.
- v) Its staffing resources.
- vi) Its capability to legitimately sanction the activities of itself and others.

Put simple, the internal institutions of unions and other societal bodies, both contemporary and historic, are considered in assessing why strategies became effective, or not. Perhaps the Farmworkers' Union simply lacked the financial clout to offer enticing 'friendly society' benefits to its members, for example.¹⁷²

3) Finally, the features of the wider external economic, political and legal environment have to be considered. Namely:

- i) Public opinions and attitudes.
- ii) The ideological of the political party in office
- iii) Economic circumstances, such as trends in public expenditure.
- iv) Support or opposition from governmental departments.
- v) The shape and nature of formal and informal arenas of contention.

While point one considers economic and sociographic issues of a union's *immediate* environment, and point two considers internal constraints on a organisations' actions, point three considers wider institutions and contingent events that may affect the effectiveness of particular strategies: perhaps the existence of the National Minimum Wage (NMW) scuppered a union's recruitment drives from the late 1990s onwards, or a news-event caused a sudden shift in public discourses, facilitating the use of certain approaches, to give two hypothetical examples.¹⁷³

8. Spatially and Sectorally Delimiting the Scope of the Thesis.

Having determined the methodology with which I advance this thesis, I now consider its parameters. The public and private regimes governing agriculture in Scotland and Northern Ireland have long been radically differentiated from those in England and Wales. Furthermore, Britain's Farmworkers' Union has only had a

¹⁷¹ Cf. Grant, *Pressure Groups, Politics and Democracy in Britain*, pg. 130

¹⁷² Cf. *ibid.*, pg. 30.

¹⁷³ Cf. *ibid.*, pg. 30.

significant presence in Scotland and Northern Ireland since the mid-1980s. Therefore, a study of the northern nations would not have been particularly relevant with regards to this thesis' principle research question: therefore this thesis studies the Farmworkers' Union in only those regions of the UK covered by Westminster's Agricultural Wages Board: that is, England and Wales. The Agricultural Wages Board is introduced properly in chapter three of this thesis.

Now let us consider those economic sub-sectors grouped together in the rubric of 'agricultural production'. This thesis has asserted numerous sectors of Britain's urban labour market have become *ruralised* in recent decades, and have come to share similarities with the rural, agricultural labour market: namely atomised, small-employee workplaces with either personalised or triangular employment relations. However, during Britain's post-industrial transformations of the 1970s onwards, several sectors of the economy have bucked this trend and developed highly intensive, factory-based systems of production. Ironically, two of these counter-trajectory industries fall within the Farmworkers' Union' sphere of operation: namely, the horticultural and food processing sectors. While acknowledging the highly precarious nature of the work in these sectors, I believe that, strictly with regard to their large-employee firms and depersonalised employment relations, these rapidly industrialising, or perhaps '*urbanising*', sectors provide a complementary image to the pre-1970s environment of the urban Movement, rather than the contradictory image sought.¹⁷⁴ To filter out some of these industrialised firms, I again focus my analysis of the Farmworkers' Union in those sectors covered by the Agricultural Wages Board: this excludes poultry workers and others involved in 'secondary food production'.

Having made this sectoral delimitation, it would be reasonable, though ultimately wrong, to accuse this thesis of observational bias: by the selection of sources perhaps resultant analyses would end up confirming the thesis' hypothesis while ignoring key divergent facts in the historic record. Fortuitously for any naysayer, Westminster's Agricultural Wages Board covers horticultural workers. Work in this agricultural offshoot industry is virtually founded on the principle of industrialisation and factorisation.¹⁷⁵ So while this thesis primarily on open-air agriculture, an environment inconducive to pre-1970s forms of mainstream unionism, it does consider the Farmworkers' Union's activities in workplaces and sectors perhaps more to conducive to such modes.

9. Temporally Delimiting the Scope of the Thesis.

I focus on the period between 1970 and 2013. The starting date was chosen as the 1970s was a momentous decade for British trade union organisation. At this decade's outset the British Movement's Big Battalions – unions in the mining, steel and manufacturing sectors – still held great sway on the national scene. Yet all this was about to change: the Oil Crisis of 1973 is regarded as *the* symbolically crucial date that initiated the transition from Fordist to Post-Fordist economies the world over,¹⁷⁶ which prompted the eclipse of Post-War forms of collective action. As we shall see in the following chapter, it was the government-assisted declines of these densely-unionised sectors, the weakening of their respective unions and the

¹⁷⁴ Wynn, *Skilled at all Trade*, 1993.

¹⁷⁵ Precision Prospecting, *Temporary Workers in UK Agriculture and Horticulture*.

¹⁷⁶ Of course matters were not quite so simple, and the limitations of Fordist production principles operating within saturated markets were beginning to show before this time. Cf. Grint, *The Sociology of Work*, pg. 295.

concurrent growth of the *ruralised New Economy* over the subsequent two decades that coerced the Movement into cautiously adopting a piecemeal campaign of rejuvenation that has, in part, centred on the enhanced protection of precarious workers.

Accordingly, the turn of this decade was taken as this thesis' analytical starting point. Of interest is how the Farmworkers' Union, relatively well used to operating in an inhospitable terrain, behaved concurrently to the, until then, relatively privileged urban Movement's active participation in the alien crises of the 1970s and their full-on "cascade of decline" seen from the 1980s onwards¹⁷⁷: it was not until the 1980s that the first saplings of rejuvenation started to sprout in the urban Movement, and as seen in chapter two of this thesis, these saplings have not, until now, grown in a particularly impressive manner; analysis from the 1970s onwards will reveal whether the Farmworkers' Union's longer heritage of operating in an inhospitable environment resulted in a more coherent and purposeful actualisation of supposedly rejuvenatory orientations and attitudes over the same period.

By extending the periodisation up until the present day, the thesis is able to determine to what extent, if at all, the Farmworkers' Union has been affected by the wider Movement's rejuvenation processes, and *vice versa*. In addition, certain economy-wide institutional shifts of the 1990s, such as the introduction of the NMW in 1998, are likely to have fundamentally altered the validity and effectiveness of certain forms of collective action: accordingly a time-series running up to the present day enhances the applicability and relevance of the thesis' analysis.

10. Identifying and Selecting Sources.

When studying the agricultural sector, relevant trade union produced literature is utilised as the principle material of this thesis. The most prominent source is the Farmworkers' Union's monthly (later bimonthly) newspaper, the *Landworker*. First published in 1919,¹⁷⁸ and primarily written by the Farmworkers' Union's Executive Committee, it is safe to assume that the *Landworker* gives a good indication of at least the formal attitudes of the Farmworkers' Union, and a good indication of those strategies that the Union has prioritised. In addition, the *Landworker* has provided consistently detailed coverage of the Farmworkers' Union's Regional annual and National Biennial (later annual) Conferences, where priorities are decided, motions moved and passed, and much time spent in formally and informally discussing the perceived and desired identify of the Union: analysis of the *Landworker* therefore reveals some of the more subtle hegemonic and counter-hegemonic orientations and strategies found within the Farmworker's Union over time.¹⁷⁹ To further assess orientations and strategies, additional Union produced documents: conference minutes; programmes declarations; bargaining submissions; press releases,¹⁸⁰ and

¹⁷⁷ Visser, *European Trade Unions: the Transition Years*.

¹⁷⁸ Having replaced the short lived *Labourer*. Cf. Groves, *Sharpen the Sickle*, pg. 145, 233.

¹⁷⁹ Partially incomplete archives of the *Landworker* were accessed at the Trades Union Congress Library, held at London Metropolitan University, and the TGWU's Archive, held at the Modern Records Centre at Warwick University. During a two-week period in February these archives were visited, and digital copies of documents made for analysis at a later date. Some papers were missing from both of these archives: therefore personal contacts were used to obtain otherwise inaccessible issues.

¹⁸⁰ Cf. Grant, *Pressure Groups, Politics and Democracy in Britain*, pg. 125.

internal and external private correspondence from the Farmworkers' Union, are also analysed.¹⁸¹

To complement and cross-reference these sources, historic documents created by other societal actors are used. This allows for an analysis of the Union's interactions with other societal actors in meaningful acts of contention, as opposed to the Union's official, highly mediated and hence biased reportage of such events. Such sources include: governmental reports regarding annual negotiations on the Agricultural Wages Board; press releases and interviews given by the principle employers' organisation in the sector, the National Farmers' Union (NFU); internal policy documents and minutes from the Labour Party, and private correspondence to the Farmworkers' Union. Furthermore, sources created by the Citizen's Advice Bureaux, Low-Pay Unit and other NGOs are accessed according to need and validity.

Further complementing these disparate primary sources, secondary sources created by non-union actors are utilised. Descriptive biographies regarding key individuals in the Farmworkers' Union are referenced,¹⁸² as are the two 'official histories' of the Union: highly descriptive, but analytically light, accounts of the trials and tribulations of rural collective organisation from 1831 through to 1984.¹⁸³ Also utilised frequently is Danziger's *Political Powerlessness*: which while not studying the Farmworkers' Union *per se*, analyses British farmworkers in the Twentieth-Century up to the late 1980s, and often touches upon the actions of the Union. Supplementing these sources, I have conducted qualitative interviews with Chris Kaufman, a retired unionist who held numerous positions of high reasonability within the Farmworkers' Union throughout our periodisation,¹⁸⁴ and incorporate the contents of these conversations where appropriate.

The rejuvenation of Britain's urban unions has been well studied from a variety of perspectives. However, perhaps due to the Farmworkers' Union's apparent powerlessness, or the perceptively marginal role of agriculture in Britain's New Economy, the agricultural sector has been systematically under-examined in the literature focussing on union rejuvenation. Having said this, a few previous analytical studies focussing on the power resources of British farmworkers and/or the Farmworkers' Union have been produced; these are critically incorporated, fully referenced, into analysis where appropriate.

Of course the Farmworkers' Union has displayed contradictory orientations and strategies simultaneously, as certain elements within the Union contest the influence of others. I present an account of the underlying *modus operandi* of the Union: the *shifting hegemonic orientations and strategies*. Key divisions, debates and schisms within the Union will be detailed when relevant.

When studying the mainstream Movement's changing orientations and strategies, I conduct analysis through a wide lens, in order to identify an underlying *modus operandi* of the sprawling and often factitious network of unions in the UK. To produce a compelling account in a relatively succinct manner, secondary sources,

¹⁸¹ Archives of which were available at the same centres as listed above.

¹⁸² Cf. Mason O'Connor, *Joan Maynard*.

¹⁸³ In particular: Wynn, *Skilled at all Trade*; and Groves, *Sharpen the Sickle*. Groves and Wynn give rich accounts of the creation and maintenance of the organisational structures of the Union and are referenced frequently, to adequately explain the prominence of particular orientations and strategies and help fill some gaps in the primary sources accessible to myself.

¹⁸⁴ Kaufman has variably been the Union's chief researcher, chief negotiator on the AWB – cf. chapter three of this thesis, and the Union's Secretary for the latter 1990s and early 2000s.

produced by theorists investigating different streams of union actions, are analysed: the extensive union rejuvenation literature is drawn from particularly heavily, with the works of Heery and Hyman figuring particularly prominently throughout this thesis.¹⁸⁵ This is due to the fact that as they utilise anti-pluralistic approaches that still acknowledge the importance of strategic actions, I regard the works of Heery and Hyman as among the most persuasive of the burgeoning field of work focussed on the topic of union rejuvenation. In chapter two I use their analytical models to categorise the orientations and strategies of the mainstream Movement, and later apply these models to the agricultural environment.¹⁸⁶

When studying the wider economy, I concede that a degree of informed conjecture is utilised when determine what differentiated aspects of union actions can be taken as representative of the mainstream Movement's *hegemonic* orientations and strategies. In order to interrogate and adjudicate between often differing academic accounts of the mainstream Movement, original primary sources produced by actors within the Movement are analysed and cross-referenced with my secondary sources. Similarly, in order to compare the Farmworkers' Union's orientations and strategies with those of the wider Trade Union Movement, and determine the Farmworkers' degree of idiosyncrasy, references are made to primary sources created by individual urban-based union and the Trades Union Congress (TUC).¹⁸⁷ Unlike numerous Continental movements', Britain's sole peak union confederation – the TUC – has never exerted a significant degree of influence or control over its affiliated union, with its powers even more diffuse and slight before the 1990s. Despite the TUC's organisational limitations, most British unions send delegates to its annual conferences, and its changing constitution and internal discussions are good markers of shifting hegemonic tendencies within the movement.¹⁸⁸ As a final reserve of sources, I utilise reports of the Annual TUC conferences, minutes of its meetings, its internal correspondences, consultative documents and so forth.

11. The Shape of the Essay to Come.

The next six chapters form the principle analytical component of this thesis, where research questions (vi), (vii) and (viii) are asked of a variety of bodies in a variety of operational domains.

In order to ascertain the degree of idiosyncrasy displayed by the Farmworkers' Union, it is necessary to first make assessments of the orientations and strategies of the mainstream Movement, both before and after the 1970s. This occurs in chapter two, as does the introduction of the two analytical models with which I classify various modes of orientation and strategy.

Next, analysis turns to focus on the Farmworkers' Union. Such analysis is conducted via a *shifting thematic narrative*, focussing on various *operational domains* within which the Farmworkers' Union has acted. Firstly, a brief interlude is afforded between chapter two and three, where the Farmworkers' Union, in the various

¹⁸⁵ Most notably Heery, *Trade Unions and Contingent Labour: Scale and Method*; Hyman, *Understanding European Trade Unionism; Changing Trade Union Identities and Strategies*.

¹⁸⁶ If nothing else, this thesis contributed to the wider academic literature by applying Hyman and Heery's models to a field of study where they have not been applied before, producing novel and compelling analysis, to either complement or problematise these works.

¹⁸⁷ Cf. John Lovell, *A Short History of the TUC*, London: Macmillan, 1968.

¹⁸⁸ Again, the Modern Records Centre and the Trades Union Congress Library were used to access such documents, as was the TUC's expansive web presence.

nomenclatural guises it has inhabited throughout the years, is introduced. Next, chapters three and four look at the Farmworkers' Union's actions in operational domains that, for the mainstream Movement in the Post-War Era, had been hegemonically determined within arenas of voluntary collective bargaining: chapter three looks at how the Farmworkers' Union has dealt with issues regarding worker remuneration, while chapter four looks at its actions regarding quality-of-life issues – namely worker housing and health and safety regulation. Such issues have traditionally been thought of as *the* traditional, and morally privileged, domains of union activity: it is therefore vital to consider whether agriculture's idiosyncratic environmental conditioning caused the Farmworkers' Union's orientations and strategies to diverge from the mainstream Movement's in such matters.

Chapter five looks at various interactions between the Farmworkers' Union and the wider Movement during our periodisation: analysing whether the Union's orientations and strategies changed as it found itself increasingly bound to the mainstream Movement in financial and organisational terms. Following this, chapter six looks at the Farmworkers' Union's relationship with several emblematic features of the New Economy: a feminised workforce; non-standard contractors, and migrant labour. As shown imminently, key pillars of union rejuvenation theory rest on the notion that unions have needed to alter their orientations and strategies regarding these groups of workers in particular: it is therefore necessary to study whether agriculture's historic operating environment negated this necessity in the Farmworkers' Union's case.

Chapter seven ties the five preceding chapters together, and directly addresses this thesis' principle research question. Subsequently, the implications of this thesis' findings are laid out, with regards to the Farmworkers' Union, the wider British Movement, and the Dutch Movements. Concluding remarks are found in chapter eight.

Chapter 2: The Orientations and Strategies of the Mainstream Movement Regarding Precarity-Prone Labour: Before and After the Onset of the New Economy.

This chapter addresses research sub-questions (vi), (vii), and (vii) with regards to the hegemonic mainstream Movement. This is required so that the actions of the Farmworkers' Union can be compared with it, in order to determine its degree of idiosyncrasy.

A first section of this chapter briefly demonstrates why descriptive and historical, rather than theoretical or normative, analysis is needed to address such issues. Section two describes the orientations and strategies of the Movement up to and including the Post-War Era, so as to provide a base from which to analyse changes in orientations and strategies from the 1970s onwards. Section three describes the economic, political and discursive readjustments seen in Britain's industrial environments from the 1970s onwards, which threw the once stable operating norms of the Movement into a state of instability, and demanded a change of direction from it.

Sections four and five assess how the mainstream Movement's orientations and strategies have partially shifted since 1970. In the process the models of union rejuvenation to be utilised throughout this thesis, as developed by Heery and Hyman, are fully introduced. Section six deepens analysis by examining what causal mechanisms have allowed and encouraged this so-called rejuvenation. However, section seven demonstrates how and why this rejuvenatory trend has been partial and ineffective at best. Section eight gives a brief summary of the chapter's findings.

1. Unions and Precarity Prone Workers: The Inadequacy of Normative and Theoretical Perspectives.

This section briefly demonstrates why matters regarding union orientation cannot be resolved with reference to normative or theoretical models alone, and require rich historical study.

Altruistic accounts of the role of organised would imply that, with the growth of the New Economy, trade unions have had an obvious moral obligation to protect the interests of the precarity-prone workers found in the economy: accordingly, the protection of "workers at large", precarious and otherwise, is an inherent and talismanic "aim" of the Movement.¹

Indeed, normatively looking at alternative potential sources of employment-protection in Britain, there is good reason to say that due to the sheer lack of alternative advocacy, the union Movement should, historically and contemporarily, seek to protect the interests of precarity-prone workers.

An issue that has long differentiated Britain from its European peers is the absence of a singular governmental employment body with a broad remit to ensure employers comply even with their legal obligations to workers.² Instead of a single

¹ Wolfgang Streek, "Training and the New Industrial Relations: a Strategic Role for Unions?". In: Ferner and Hyman (eds.), *New Frontiers in European Industrial Relations*, pp. 250-269; Christopher Forde, "Temporary Arrangements: the Activities of Employment Agencies in the UK". In: *Work, Employment and Society*, 2001, 15(3), pp. 631-644, pg. 639-642; Celia Stanworth and Jan Druker, "Labour Market Regulation and Non-standard Employment: the Case for Temporary Agency Work in the United Kingdom". In: *International Journal of Employment Studies*, 2000: 8(13), pp. 3-25, pg. 7-11.

² Citizens Advice Bureau, *Nowhere to Turn*.

enforcement body, a disparate body of organisations, each with different and often competing purviews, regulates contemporary Britain's labour markets: H.M. Revenue and Customs oversees enforcement of the NMW while the Health and Safety Executive seeks to ensure the physical wellbeing of workers; local Authorities attempt to ensure compliance with issues regarding the employment of young persons while the UK Border Agency deals with issues of immigration restrictions. In the 2000s most of these bodies lacked the financial resources to act proactively, and in 2004 were found by the House of Commons to have comprehensively failed to cooperate with one another in their operations.³ Such a piecemeal, reactive system has allowed abuses of labour to fall through its numerous cracks, facilitating the continued presence of precarious labour relations in Britain: over the last half-century workplaces have been subject to substantially lower levels of governmental inspection than other EU member states, due to successive governments' ideologically determined attitude to the labour market.⁴ Therefore "dauntingly legalistic, adversarial" and toothless industrial tribunals have been the *de facto* first and last port of call for many workers seeking redress.⁵ Cuts in legal aid in the mid-2000s, from a national budget of £320 million in 2003 to £227 million in 2005, have effectively restricted all but the most economically independent workers from readily accessing these tribunals.⁶

In addition to failing to adequately enforce labour regulations, governments have consistently failed to provide *information* to workers regarding their employment rights. Over the last two decades funding for employment rights campaigns have been negligible: funding for the information campaign regarding the 1998 National Minimum Wage Act amounted to 2% of the budget for the Benefit Fraud Office's advertising department.⁷ Resultantly, by 2008 only 17% of workers claimed to "know a lot" about their employment rights.⁸ This information desert has allowed employers to propagate precarious, semi-legal employment relationships with relative impunity. Combine these above factors with the fact that Britain lacked a statutory minimum wage till 1998, and it is easy to ascertain why Britain has long had one of the high incidences of low-pay within the OECD.⁹ Surely a normative argument can be made from the above facts to that notion that precarity-prone workers affected by such conditions 'deserve' an improvement in trade union representation.

However, one can likewise make theoretical arguments to the effect that precarity-prone workers would be seen as posing an undercutting threat to the relatively empowered workers who traditionally made up the core memberships of British trade unions in the Post-War period: according to such accounts, unions would

³ House of Commons, *Gangmaster (Licensing) Bill – White Paper Debate 27th February 2004*, London: Hansard, 2004.

⁴ Andrew Geddes, Sam Scott and Katrine Nielsen, *Gangmasters Licensing Authority Evaluation Study – Baseline Report*, Sheffield: Sheffield University, 2007.

⁵ Citizens Advice Bureau, *Nowhere to Turn*, pg. 2.

⁶ TUC CoVE, *Hard Work, Hidden Lives*, pg. 52.

⁷ Likewise, no national campaign was launched with regard to the European Union's 1993 *Work Time Directive*. This allowed many employers to give the false impression that they could demand the signing of opt-outs as a condition of employment. Cf. TUC CoVE, *Hard Work, Hidden Lives*, pg. 42.

⁸ TUC CoVE, *Hard Work, Hidden Lives*, pg. 36.

⁹ M. Keese, A. Puyoyen and P. Swaim, "The Incidence and Dynamics of Low-Paid Employment in OECD Countries". In: Rita Asplund, Peter Sloan and Ioannis Theodossiou (eds.), *Low-Pay and Earnings Mobility in Europe*, Aldershot: Edward Elgar, 1998, chapter twelve.

have taken an active stand *against* both precarious work and *precarity-prone workers*, with union ‘insiders’ opposing the arrival of non-standard ‘outsiders’ to an economy or firm’s internal labour market.¹⁰ Alternatively, it can be theoretically argued that a precarified workforce acts as a cyclical buffer, protecting core workers from the threat of economic recession or downsizing: accordingly, unions would act to maintain the precarity of some in an economy.¹¹ Or else it is possible to argue that firms, gaining from the flexibility precarious work brings, become more profitable, and therefore hard-pressed unions, hoping to extract maximum rents from their core members, may have supported employers’ use of these relationships.¹² From these contradictory normative and theoretical readings, it should be obvious that *one must draw from rich, historical data in order to determine how, precisely, individual unions have orientated themselves to, and strategised regarding, precarity-prone labour.*

2. British Unionism, 1800s-1970: up to and through the Fordist “Golden Age”.¹³

This thesis contends that unions have been augmented and weakened by Britain’s transition into the New Economy. Before one can discover how this has resulted in a change in orientations and strategies, it is necessary to understand how the Movement hegemonically acted in the era preceding this time. This is the purpose of this section. In the following pages the path that British unionism took towards, through and to the end of Britain’s ‘Post-War economic settlement’ is mapped¹⁴; to determine how the Movement typically acted before the 1970s, in whose interests and why. In the process this section partially introduces Heery’s model of differentiated union orientations.

The history of British unionism predates industrialisation. Popular narratives tell the tale of how localised trade unions emerged, in a relatively recognisable form, repeatedly and spontaneously whenever nations industrialised: apparently the resultant depersonalisation of employment relations bred a lack of trust between employers and workers, which caused the latter to organise the collective defence of their interests.¹⁵ However this is a relatively simplistic narrative, which ignores a longer history of organised labour activity.

Pre-industrial *craft guilds* played much the same role as contemporary trade unions, and certainly fed into the embryonic British Trade Union Movement from the Eighteenth-Century onwards.¹⁶ These guilds were the preserve of skilled male workers, full-time employees in long-term careers, keen to preserve their relatively privileged labour market positions by protecting and promoting their marketable niche skills.¹⁷ Resultantly, throughout the Eighteenth- and much of the Nineteenth

¹⁰ Assar Lindbeck and Dennis Snower, *The Insider-Outsider Theory of Employment and Unemployment*, Cambridge: MIT Press, 1988.

¹¹ Edmund Heery and Brian Abbott, “Trade Unions and the Insecure Workforce”. In Edmund Heery and John Salmon (eds.), *The Insecure Workforce*, London, Routledge, 2000, pp. 155-180, pg. 158, 161.

¹² Pierre Cahuc and Andre Zylberberg, *Labour Economics*, Cambridge: MIT Press, 2004.

¹³ Hyman, *Understanding European Trade Unionism*, pg. 94.

¹⁴ Cf. Peter Lange, George Ross and Maurizio Vannicelli, *Unions, Change and Crisis*. London: Allen, 1982, pg. 209; Esping-Andersen, *The Three Worlds of Welfare Capitalism*.

¹⁵ Fox, *Beyond Contract*; Watson, *Sociology, Work and Industry*, pg. 311.

¹⁶ Alan Fox, *Man Mismanagement*, London: Hutchinson and Co., 1985; Grint, *The Sociology of Work*, pg. 73.

¹⁷ Bean, *Comparative Industrial Relations*, pg. 29; Cf. Gumbrell-McCormick, *European Trade Unions and Atypical Workers*.

Century *many* embryonic trade unions were hostile to syndicalism, socialism and anti-patriarchal tendencies both within and beyond their ranks,¹⁸ or else were self-consciously apathetic, actively banning political discussions at branch meetings.¹⁹ However, *some* of the prototypical-unions sought to convey the perception, perhaps even to themselves, that they were both radical and egalitarian in nature. Yet by the Nineteenth Century socialist contemporaries saw the trade unions as antithetical to the spread of socialism: Engles regarded the unions as “the aristocracy of labour” – the most skilled, regarded and organised section of the supposedly singular British working class.²⁰ It was not just left-wing contemporaries that regarded the early unions as anti-egalitarian: historians of all hues have disregarded the quasi-egalitarian nature of the Nineteenth Century Movement as a totality, while conceding that the Movement had truly radical fringe elements.²¹

The guild-influenced Movement, composed of *craft unions*, generally avoided entering into bilateral relations with employers up until the middle of the Nineteenth Century. Instead, the craft unions unilaterally prescribed norms which their members would work to: after setting minimum-standards regarding rate of pay, hours of work and contractual remits, union members were banned from accepting work on substandard terms and conditions. If, resultantly, no work were available on the open market, members would be provided unemployment benefits from the union’s funds. Using this “device of restriction of numbers”,²² many of the craft unions claimed to be explicitly anti-strike, styling themselves as ‘friendly societies’ rather than militant worker organisations. Yet they remained able and willing to distort labour markets for the benefit of their members.²³ By the mid-Nineteenth Century, many of these previously localised craft societies, particularly in the engineering, construction and printing industries, consolidated into formal national unions.

The first national non-craft unions, from the ‘new’ industries of coal, cotton, steel and railways, soon joined them.²⁴ There were two distinct waves of this ‘new unionism’: the first emerging in the mid-Nineteenth Century in the massive coal-mines, iron and steel mills, and cotton factories of the North.²⁵ A similar wave of unionisation extended organised labour into a wider range of lower-skilled trades at the *fin de siècle*.²⁶ With their members lacking the recognised skills and qualifications of the craft unions, these unions briefly seemed to upset the bourgeoisie sentiments of the craft-wing of the embryonic Movement. Unable to unilaterally regulate labour markets in the same manner as the craft unions, the New Unionism of the mid-to-late Nineteenth Century was forced to actively engage with employers, who often reacted

¹⁸ Grint, *The Sociology of Work*, pg. 76-77.

¹⁹ Hyman, *Understanding European Trade Unionism*, pg. 76.

²⁰ Friedrich Engels, “England in 1845 and 1885”. In: *Commonwealth (London)*, 1985. While Engles came to reappraise the Union after Marx’s death, socialist hostility towards the unions remained entrenched across Europe: Lenin was particularly dismissive of Movement’s ability to attain ‘class consciousness’, saying in 1902 that if left to develop spontaneously, unions became preoccupied solely or principally with the defence of their members’ immediate occupational interests. Cf. Vladimir Lenin, *Collected Works: Vol 1*, Moscow: Foreign Languages Publishing House, 1961.

²¹ Cf. Henry Pelling, *The Challenge of Socialism*, London: Trade Cloth, 1968; Grint, *The Sociology of Work*, pg. 164.

²² Sidney Webb and Beatrice Webb, *Industrial Democracy*, London: Longman, Greens and Co. 1897.

²³ Hyman, *Understanding European Trade Unionism*, pg. 75-76.

²⁴ *Ibid.*, pg. 72.

²⁵ Keith Burgess, *The Origins of British Industrial Relations: The Nineteenth Century Experience*. London: Croom Helm, 1975; Webb and Webb, *Industrial Democracy*.

²⁶ Eric Hobsbawm, “General Unions in Britain, 1889-1914”. In: *Economic History Review*, 1949, 1, pp. 123-142, pg. 135.

with violent antipathy towards unionists. Resultantly, large swathes of the Movement began to analyse the labour market, and their position within it, in explicit class term.²⁷

However, after myriad experiments in form and function, the majority of the unions' professional secretariats, and indeed rank-and-file members, came to privilege the same fundamental self-interest as the craft unions. Only they pursued this with the use of a differentiated strategy: the unions found that via the usage of collective bargaining, while simultaneously restricting access to workplace labour markets via the use of the closed shop, they could satisfactorily raise the living standards of their members without directly challenging the capitalist mode of production.²⁸

Collective bargaining can be defined as “voluntary negotiations between employers or employers’ organisations and workers’ organisations, with a view to the regulation of terms and conditions by collective agreements”.²⁹ The *closed shop* was a once-common stipulation of such collective agreements, to the effect that employers could only hire union members. While utilised in Britain most often with regard to issues of remuneration, collective bargaining can entail discussions relating to working conditions and rules governing the relations between employees and their supervisors.³⁰ While many early British industrialists were initially hostile to such a concept of organised industrial labour, most large-sized employers of the late Nineteenth- and early Twentieth Century made themselves available for such bargaining processes, accepting that this institutionalised form of industrial relations could assist their profit-maximising operations, via the provision of regularity and predictability in employment relationships.³¹

Preserving a degree of continuity, many of the new semi-, low- and unskilled unions of the Nineteenth Century loosely adopted the occupational-based structure of their craft-based peers, resisted the formation of broad and more radical *industrial unions*,³² and settled into patterns of protecting their members’ intra-class,

²⁷ Hyman, *Understanding European Trade Unionism*, pg. 67.

²⁸ Cf. Hobsbawm, *General Unions in Britain, 1889-1914*, pg.135. For the purpose of brevity this introductory narrative has of course offered only a streamlined account of union developments. In fact the entirety of the Nineteenth Century experienced massive experiments in radically militant unionism and collective organisation. Indeed, the first half of the century was termed by the early labour historians Webb and Webb as “the revolutionary period”: the Owenite Movement of the 1820s, New Poor Law revolts of the 1830s, and to some extent the Chartist Campaigns of the 1830s and 1840s sought to upset the existent social order for radical egalitarian purposes. However Musson insists that our contemporary Movement’s most direct predecessors – the craft-unions and the later occupational and general trade unions – remained relatively detached from these turbulent phenomena. Fringe elements of the Movement’s rank-and-file repeatedly pushed for outright revolution, or at least radical change to the political system via any means necessary, well into the Twentieth Century. Most notably the revolutionary, socialist orientated Shop Steward Movement, gaining leverage from their instrumental role on the Home Front of WWI, managed to outmanoeuvre and coerce the TUC into calling the General Strike of 1926, nominally in support of an on-going dispute in the mining industry. Ultimately this “heroic disaster”, resisted by the State via the use of troops as strike-breakers and a military police force, expelled the constitutionally-insurgent tendencies of the Movement to its most outer edges, and led to a further de-radicalising of the core Movement. Cf. Webb and Webb, *Industrial Democracy*; Hyman, *Understanding European Trade Unionism*, pg. 86-90; R. Lowe, “Corporate Bias: Fact or Fiction” In: *SSRC Newsletter*, 1983, 50, pg. 17-18; Albert Musson, *British Trade Unions, 1800-1875*, London: MacMillan, 1972.

²⁹ International Labour Organisation, *Convention Number 98*, Geneva: ILO, 1949.

³⁰ A. Hegewisch, *Temporary Agency Work, National Reports – United Kingdom*, Dublin: EFILWC, 2002.

³¹ Hyman, *Economic Restructuring, Market Liberalism and the Future of National Industrial Relations*, pg. 7.

³² Grint, *The Sociology of Work*; Oude Nijhuis, *Labor Divided*, chapter two.

sectional interests, albeit while making ceremonial or rhetoric appeals to the unity of the working class as a whole.³³ Even the trans-industrial *general unions*, which grew to maturity in the early Twentieth Century, came to adopt many of the competitive mannerisms of their occupational forebears. Such structure led to frequent clashes between unions, and a highly fragmented movement.³⁴ This *craft-heritage*, still manifested in the Twentieth Century in British unionism's predisposition towards *occupational unions* as an organising principle, played a partially deterministic role in much of the subsequent history of the Movement.³⁵

Unions, able to secure their members' interests in the arenas of collective bargaining,³⁶ came to conceive their purpose in narrow, economic terms³⁷: by the beginning of the Twentieth Century, wider social agendas had been hegemonically left by the wayside, or paid mere lip-service to, as unions came to privilege the pursuit of optimal monetary wages and workplace conditions via collective bargaining conducted at the plant, or where a monopolistic/State employer allowed, industry level. This strategy was often reinforced by the strategic threat of strike action. While unions sought to maximise their density rates in firms, in order to build up their 'industrial muscle', the average unionist played a relatively inactive role in the day-to-day affairs of a union, particularly in times of apparent industrial-harmony.

Radically differentiating Britain from its Continental neighbours has British unionism's hegemonic commitment to *voluntarism*.³⁸ Throughout the Twentieth Century the majority of unions were hegemonically keen to operate without direct interference or mediation from the State, at least with regard to "free collective bargaining", and engaged directly with employers to resolve differences by whatever means were found to be mutually acceptable, bound by honour only.³⁹ Many of the earliest union campaigns in Britain were directed against State regulations of organised labour: the long running series of campaigns aiming to repeal the 1799 Combination Act, used to criminalise and deport unionists being a case in point. Subsequently, British unions were broadly happy to conduct their industrial relations in an ultimately unregulated arena: between 1800 and 1970 only three major acts of parliament were passed which tried to explicitly regulate relations between employers and employees, and their organisation.⁴⁰ Unlike other nations then, British unions never sought, nor attained, extensive *positive* rights to organisation. Examples of this hegemonic opposition to governmental interference with wage-determining processes are seen by the fact that the TUC of the Twentieth Century never once lobbied for a statute extension of collective bargaining to cover unorganised workers and resisted, until 1986, some of its more egalitarian affiliated unions' desires to press for a NMW.⁴¹

³³ Hyman, *Changing Trade Union Identities and Strategies*, pg. 113-14.

³⁴ Bean, *Comparative Industrial Relations*.

³⁵ Oude Nijhuis, *Labor Divided*, chapter two; Grint, *The Sociology of Work*, pg. 29; Everett Kassalow, "Industrial Democracy and Collective Bargaining: a Comparative View". In: *Labour and Society*, 1978, 7.

³⁶ Increasingly utilised too by the craft unions as their industries came to be penetrated by industrialised organising principles.

³⁷ Duncan Gaille, *In Search of the New Working Class: Automation and Social Integration within Capitalist Enterprise*, Cambridge: Cambridge University Press, 1978, pg. 32.

³⁸ Hegewisch, *Temporary Agency Work, National Reports – United Kingdom*.

³⁹ Allan Flanders, *The Tradition of Voluntarism*, Warwick: University of Warwick Press, 1974.

⁴⁰ These, passed in 1871, 1875 and 1906, were largely attempts at formalising pre-existing tendencies. Cf. Hyman, *Understanding European Trade Unionism*, pg. 69.

⁴¹ Oude Nijhuis, *Labor Divided*, pg 41.

At the turn of the Twentieth Century, aware that their working class members required political as well as workplace representation, the general unions, again after much experimentation, responded by being instrumental in the creation of a discursively *separated* Labour Party.⁴² This separation was partially the result of a court decision made in 1909, which disbarred unions from spending substantial monies on political campaigns: resultantly two spheres were quickly drawn apart; two centres of power – the Party and the TUC – discursively and legally divided. Such a separation fostered an acceptance, by activists on each side “of two orders and two sets of functions”⁴³: while potentially cooperative, one centre gained privileged influence over the operations of the workplace, the other of the wider economy, and the two camps have subsequently clashed in practice.⁴⁴ This partial separation between workplace and political representation forms the bedrock of the ideology of *Labourism*, that has underwritten much of the orientations and strategies of the British Movement over the last century⁴⁵: by the early Twentieth Century Unions may have wished and attempted to influence the sphere of government, particularly through their fellow-traveller the Labour Party, but hegemonically accepted an ultimate spherical division between the domains of the Movement and the state.⁴⁶

However, beyond the narrow issue of workplace-regulation and remuneration, it is important not to overstate the unions’ separation from the nation state in the first half of the Twentieth Century. While the Movement viciously defended the tradition of free collective bargaining, the unions maintained deep relationships with employers and government: in-fact cooperation became a *de facto* norm in the Inter-War period. Successive British governments, fearful from the tribulations of WWI and the Russian Revolution, sought to secure stability in the industrial order, and divested power in employee organisations and the Trades Union Congress as governing institutions: the *social partners* came to relish their positions in the inner sanctums of Whitehall and Westminster, and from the 1920s onwards styled their centralised structures as being “estates of the realm”.⁴⁷ This “insider” status is attested to by the fact that during WWII, full-time union representation was afforded the status of a ‘reserved occupation’ – one formally excused from conscription.⁴⁸ In terms of absolute power,

⁴² The Nineteenth Century Movement had long tried to tailor legislation to combat the excessive demands of employers: the lobbying that went into the creation of the 1847 Ten Hours Act being a prime early example. However, unsatisfied with their access to governmental power, and disillusioned with the Liberal Party, the Movement started to field ‘independent’ parliamentary candidates in the latter Nineteenth Century. In 1900 the TUC, albeit with less than half of its affiliate delegates in attendance, agreed to form a Labour Representation Committee (LRC), in order to gain directly accountable parliamentary representation for the unions. After the Liberal electoral victory of 1906, the 29 elected LRC candidates formed Britain’s first PLP. Cf. Hyman, *Understanding European Trade Unionism*, pg. 80; Valenzuela, *Labour Movements and Political Systems*, pg. 70.

⁴³ Lewis Minkin, *The Contentious Alliance: Trade Unions and the Labour Party*, Edinburgh: Edinburgh University Press, 1991, pg. 9.

⁴⁴ When Labour gained office in 1924, the unions, which had invested a lot of time and resources in the electoral campaign, found themselves marginalised, with the TUC granted “never... more than a five minute conversation with the Prime Minister” throughout this historic term. Cf. Henry Pelling, *A History of British Trade Unionism*, London: Macmillan, 1963, pg. 161, 172.

⁴⁵ Grint, *The Sociology of Work*; John Saville, “The Ideology of Labourism”. In: Benewick Robert, Berki Rn and Parekh Bhikhu (eds.), *Knowledge and Belief in Politics: The Problem of Ideology*, London: Allen and Unwin 1973.

⁴⁶ Cf. chapter four of this thesis for a fuller discussion regarding relationships between these spheres.

⁴⁷ Keith Middlemas, *Politics in Industrial Society*, London: Andre Deutsch, 1979.

⁴⁸ Hyman, *Understanding European Trade Unionism*. Grant makes a differentiation between “insider groups”, “regarded as legitimate by government and are consulted on a regular basis”, and “outsider groups”, which “either do not wish to become enmeshed in a consultative relationship with officials, or

in both the workplace and the mechanisms of the state, the unions found themselves entering into an apparently Golden Era.

At the end of WWII successive Labour and Conservative governments helped mould public discourse regarding unionism, so that organised labour came to be regarded as efficient, for the good of the nation, including the nation's employers.⁴⁹ British unionism may have built its founding myth around free collective bargaining, but much of their power and influence in the immediate Post-War period was bound up in the back corridors of Westminster and Whitehall. In exchange for its pacifying influence over the working classes, the Movement was ceded four key demands: the maintenance of full-employment during the transition to a peacetime economy; further extension of the social role of the state; abolition of anti-union legislation passed in the aftermath of the 1926 General Strike, and for the unions' status in the corridors of power increased and maintained.⁵⁰

Yet even in the apparent Golden Age of the immediate Post-War Era the unions' powers were not absolute: following the Fuel Crisis of 1947, Labour's Minister of Labour, Ernest Beven, adopted a policy of pay restraint, reversing previous commitments to free collective bargain. The TUC, with the begrudging support of the majority of its affiliates, supported the imposition of this relatively flexible plan of constraint. However in 1950, to the chagrin of the TUC's Executive Committee, affiliate delegates rejected a continuation of this union support of wage restraint: only the election of McMillan's Conservative Government in 1951 delayed a collision with a governing Labour Party. From this it should be clear that Movement/State relationships were far from cordial at the onset of 1950s, and the trade unions' once privileged position had come to be encroached upon.

Throughout the 1950s, and beyond, economic orthodoxies continued to privilege the importance of income controls.⁵¹ In an attempt at pacifying union objections to such measures, Conservative Prime Minister McMillian created the tripartite National Economic Council and the bipartite National Joint Advisory Council: each sought to formalise the unions' and employers' advisory influence over macro-economic policy⁵²; however, in return the TUC conceded further ground over the discursive hallowed issue of free collective bargaining by submitting to a new incomes policy.⁵³ The return of Labour in 1964 saw a maintenance of this wage restrained, albeit rebranded as the Planned Growth of Incomes.⁵⁴ Here, the TUC gave its formal blessings to the creation of the National Board for Prices and Incomes (NBPI): tasked to make general and specific recommendations to government regarding pay increases in the state-run industries. In 1966, the government gained further statutory powers to veto collective wage increases determined via industry level and shop-floor bargaining: the TUC was critical of such a development, but lacking a method to resist such controls, actively worked with the government's NBPI in this new operating paradigm⁵⁵; the apparent Golden Era of union power and influence within the mechanisms of government seemed to be coming to an end.

are unable to gain recognition", cf. Wyn Grant, *Insider Groups, Outsider Groups and Interest Group Strategies in Britain*, Warwick: University of Warwick, 1978.

⁴⁹ *Ibid.*, pg. 94.

⁵⁰ *Ibid.*, pg. 96.

⁵¹ Cf. Grant, *Pressure Groups, Politics and Democracy in Britain*.

⁵² Oude Nijhuis, *Labor Divided*, pg. 200.

⁵³ Hyman, *Understanding European Trade Unionism*, pg. 98.

⁵⁴ *Ibid.*, pg. 98.

⁵⁵ *Ibid.*, pg.98.

In retrospect, Britain's Inter- and Post-War *corporatist* experiment must be thought of as partially phantasmal: if corporatism is defined as the “the development of arenas for negotiation and compromise by a variety of partially antagonistic interests under State oversight”,⁵⁶ one can seriously question the degree to which Britain experienced corporatism at all. When the TUC cooperated with the government in advocating voluntary wage control mechanisms, its lack of unitary control over the decentralised Movement led to an abject failure in implementation.⁵⁷ Likewise, when the government statutorily enforced wage mechanisms with TUC support, *lent due to the fear of the alternative*, corporatism could not really be said to exist: proximity to government did not equal influence, and senior unionists' apparently privileged access to the mechanisms of power did not translate into decisive influence when shifts in economic orthodoxies brought the Movement's pursuit of continuous wage increases into opposition with the state. While the middle half of the Twentieth Century saw many union-led adventures in London's governmental institutions, the Movement's underlying *modus operandi* remained embedded at the firm level, embodied in the “tradition” of voluntary collective bargaining.⁵⁸

The reasons for the unions' adherence to such a tradition are complex and contested. Long held suspicions of the establishment, an ideological reluctance to see employment rights legally regulated, a fear of an undermining of the unions' core functions, and a sense of the moral superiority of collective bargaining over political campaigning are the usual reason given.⁵⁹ However, it has been well argued that this Twentieth Century repulsion to governmental interference in the labour market was in a large part fostered by the more privileged, occupational-based unions in the Movement, which used their economic and societal resources to resist successive governments' creation a more-expansive egalitarian welfare state, in order to prevent a wholesale societal redistribution of risks and benefits to the advantage of the worse off in society, and to the detriment of the occupational unions' relatively privileged members.⁶⁰ Oude Nijhuis' analysis to this effect certainly withstands analytical interrogation: in the late 1940s and 1950s a buoyant Labour Government made sweeping reforms of the nation, revitalising a war-torn economy, presiding over near to full-employment, nationalising the coal, gas and electric, railways and other densely unionised sectors of the economy; however the Party's and unions' commitment to the expansion of the welfare state was far from absolute – issues related to societal poverty traps were combated to a lesser degree, and not pressed by the unions⁶¹; as a result, while the welfare state extended its limbs to an extent never seen before or since, the proportion of the British population living below the poverty line failed to fall much below double figures throughout the immediate Post-War period.⁶² Indeed at this time the Movements' not inconsiderable central resources came to be used as a “Praetorian Guard”, used to prevent left-wing fringes of the

⁵⁶ Valenzuela, *Labour Movements and Political Systems*.

⁵⁷ Olson, *The Rise and Fall of Nations*, pg. 78; Valenzuela, *Labour Movements and Political Systems*.

⁵⁸ Flanders, *The Tradition of Voluntarism*.

⁵⁹ Hyman, *Understanding European Trade Unionism*, pg. 67, 72.

⁶⁰ Oude Nijhuis, *Labor Divided*, chapter two.

⁶¹ Cf. J. Mortimer, “The Changing Mood of Working People”. In: Jim Fyrt (ed.), *High Noon: The Government and the Economy 1945-51*, London: Lawrence and Wishart, 1993, pp. 243-54.

⁶² Stein Ringen, “Direct and Indirect Measurement of Poverty” In: *Journal of Social Policy*, 1987, 17(3), pp. 351-365.

Movement and working class from challenging the industrial *status quo*.⁶³

Even while central union secretariats ran free-range in Whitehall and Westminster, a commitment to firm-level voluntary collective bargaining was further solidified in the immediate Post-War Era. While the most senior members of the TUC were negotiating within the power structures of London,⁶⁴ many of its affiliated unions, from the 1950s onwards, experienced processes of decentralisation in their internal structures,⁶⁵ particularly in those general unions representing workers in the public services. Due to the highly fractured and sectional nature of the British Movement, inherited from its historic occupational organisational norm, the TUC has until recently held little direct power and influence over its affiliated unions: real exchanges of give-and-take between employers and workers in the 1950s, 1960s and 1970s typically took place in collective bargaining at the firm level. Sectoral level agreements, if existent at all, usually set only minimums regarding wages, working hours, and other basic elements: more detailed negotiations concerning conditions at work and final take home pay were conducted on the shop floor.⁶⁶ It was only when agreements fell foul of governmental incomes policies did the state's tripartite, corporatist bodies have any direct effect on the average member of an average union.⁶⁷ This Post-War decentralisation reflected at first the unions' power on the shop floor, and later frustration at the apparent concessions being made by the elite circles in the Movement.⁶⁸ Full-time union officials, who had previously seen their purpose as professional servers of a passive membership, came to see their role as that of facilitators, enhancing the self-servicing and participative functions of shop stewards, and to a considerably lesser extent, lay-members.

The increasingly decentralised nature of the Movement perceptively encouraged militant actions by the rank-and-file, to the chagrin of union secretariats and the TUC. As decentralising tendencies increased, so did the usage of strike action as a reinforcement strategy utilised to complement voluntary collective bargaining. Unlike employer organisations, which could often use their privileged access to the mechanisms of government to augment their operating environments, British unionism typically relied on a different form of power: even the governmental insider status afforded to the hegemonic thrust of the Movement in the immediate Post-War Era was partially afforded in recognition of the notion that to exclude organised labour from governmental processes would have led to overt industrial strife, jeopardizing industrial efficiency⁶⁹; that is to say, British unions historically derived a

⁶³ Lewis Minkin, *The Labour Party Conference*, Manchester : Manchester University Press, 1978, pg. 24. It should be noted that the left-wing of the British Movement, normally representing less privileged workers with less marketable skills, had been a traditional opponent to the principle of voluntary collective bargaining over the Twentieth Century. Though opposition was usually voiced due to the fear that entering into such bargaining relationships granted agents of Capital unwarranted legitimacy; rather than due to a suspicion that such arrangements were proving of benefit to relatively marketable sections of the working class at the expense of others. Cf. Hyman, *Understanding European Trade Unionism*, pg. 96.

⁶⁴ Christian Bratt, *Labour Relations in 17 Countries*, Stockholm: Swedish Employers Federation, 1982.

⁶⁵ John Benson and Howard Gospel, "The Emergent Enterprise Union? A Conceptual and Comparative Analysis". In: *The International Journal of Human Resource Management*, 2008, 19(7), pp.1365-1382.

⁶⁶ Bratt, *Labour Relations in 17 Countries*, pg. 98.

⁶⁷ Though the guidelines of these policies would have played an indirect role in tempering union demands, and increasing employer confidence, at the firm level.

⁶⁸ Cf. Bean, *Comparative Industrial Relations*; Richard Hyman, "Trade Unions: Structure, Policies and Politics". In George Bain (ed.), *Industrial Relations in Britain*, Oxford: Basil Blackwood, 1983, pp. 35-65, pg. 42.

⁶⁹ Grant, *Pressure Groups, Politics and Democracy in Britain*, pg. 138.

substantial portion of their influence from their threatened ability to strike and/or disrupt industrial processes through other means.⁷⁰ The argument that the strategic use of strike action is the “ultimate weapon” of a trade union is regularly made: indeed some academics have claimed that those organisations lacking recourse to this strategic action should not be thought of as a union at all.⁷¹ While such an observation underplays certain Continental European and extra-European union models, a wide body of literature has found that the tactical use of strike action has been repeatedly instrumental in facilitating unions, include those operating in pre-1970s Britain, to achieve their desired outcomes.⁷²

Having observed British unionism’s developmental path up to the 1970s, now let us consider its operating environment, and its relationship with traditionally precarity-prone groups of workers. As briefly outlined in this thesis’ introduction, new technologies of production and capital accumulation developed concurrently with the solidification of organised labour’s position in the industrial arena during the first quarter of the Twentieth Century. With the American motor industry as an archetype, industrial states came to operate along Fordist principles of economies of scale: “production of standardised commodities for mass markets, in large factories using dedicated machinery, and with a largely semi-skilled workforce” became an industrial norm in multiple nations.⁷³ Fordist principles were originally codified in Ford’s Detroit factory in 1913⁷⁴: assembly line production, the compartmentalisation of jobs, a high division of labour, and managerial control of speed were its high principles.⁷⁵ Risks were underwritten by the state that, with the substantial support of the unions and employee organisations, constructed public welfare regimes around relative industrial placidity.⁷⁶

British unionisms’ organisational structure and the tradition of voluntarism proved a good match for such a system: up until the 1960s, professional negotiators could negotiate at the sectoral and/or firm level on behalf of a largely passive, highly concentrated and – due to the high number of demographically-similar workers on

⁷⁰ *Ibid.*, pg. 138.

⁷¹ Marcel van den Linden, *Workers of the World: Essays towards a Global Labour History*, Leiden: Brill, 2008, pg. 220.

⁷² John Kelly, “Union Militancy and Social Partnership”. In: Peter Ackers, Chris Smith and Paul Smith (eds.), *The New Workplace and Trade Unionism: Critical Perspectives on Work and Organization*, London: Routledge, 1996, pp. 77-109; Claus Offe and Helmut Wessenthal, “Two Logics of Collective Action”. In Claus Offe (ed.), *Disorganized Capitalism*. Cambridge: Polity, 1985, pp. 170-220; Samuel Cohn, *When Strikes Make Sense – And Why: Lessons from Third Republic French Coal Miners*, New York: Plenum Press, 1992. Cohn, studying French miner organisations in the Twentieth Century, finds that those groups which struck frequently procured greater benefits for their members than those that did not: even when a militant union failed to secure their desired outcome from an individual strike, employers over the long run made larger wage settlements to the most militant workers in the industry. What is undisputable, however, is the fact that many of the historic concessions won by unions, in Britain and elsewhere, have been won by workers striking, or perhaps more importantly, employers recognising the organisational and financial potential for a union to strike.

⁷³ Hyman, *Economic Restructuring, Market Liberalism and the Future of National Industrial Relations*, pg. 6.

⁷⁴ Of course, Ford himself supplemented his rabid anti-Semitism with a hard-line anti-union ideology: *the Fordist productive system*, rather than *Ford the man*, proved particularly conducive to trade union organisation. Cf. Henry Ford and Samuel Crowther, *My Life and Work*, New York: Doubleday, 1922, chapter eighteen.

⁷⁵ Grint, *The Sociology of Work*, pg. 294.

⁷⁶ Hyman, *Economic Restructuring, Market Liberalism and the Future of National Industrial Relations*.

*super-massive shop floors – easily recruitable membership.*⁷⁷ Once a decentralisation of the Movement occurred in the Post-War Era, shop stewards could propagate a marginally flattened continuation of such *advocacy*.

This socio-economic system of production, enjoying the tactic approval of organised labour, did much to ‘decommodify’ labour relationships: placing first *de facto*, and then *de jure* restrictions on employers’ ability to fire and hire staff at will; privileged members of the working and middle classes were assured a full-time job with an employer who could break the terms of, or terminate, their contracts only for narrowly defined and negotiated purposes.⁷⁸ Clearly then, many reaped the benefits of the strong union Movement in the epoch of Fordist production.

However others were excluded from the extensive *de facto* only rights won by the unions. *If one looks at urban-centric accounts of the orientations and strategies of the British movement before the 1970s, a relatively bleak picture emerges regarding the Movement’s relationship with precarity-prone workers.* Folk history informs us that Thatcher and Co. attacked, from 1980 onwards, the unions’ ability to represent the working class, by limiting their power while simultaneously fracturing the class as a whole. However such a narrative is “oversimplified, overgeneralised and overdeterministic”⁷⁹: with the working class being a divided, contradictory group,⁸⁰ unions are always required to harmonise and reconcile the myriad combination of their members’ particularistic interests⁸¹; in this harmonisation process in pre-1970s Britain, ideological solidarity seldom prevailed.⁸² In practice the unions, before and during the Post-War Era, individually and as a Movement, were adept at, and wont to, represent the interests of a narrow segment of their memberships, and imposed these priorities on all other groups inside and beyond their often inter-competing domains.⁸³

By the 1970s, white, male, marketable and full-time workers still formed the core membership of most unions, occupational and general.⁸⁴ This wrought direct, and negative, repercussions for other unprivileged and traditionally precarity-prone groups of workers. Take female labour for example: while female-only unions and female participation in male dominated unions had become relatively common by the latter Nineteenth Century,⁸⁵ unions in the first half of the Twentieth Century held an unenviable record for discriminating against females outside of the Movement, and failing to secure the material interests of those within the rank-and-file.⁸⁶ This historic, hegemonic lack of interest in female workers produced a toxic feed-back loop, whereby union disinterest was met by low female membership take-up and density rates, which further produced and reinforced a mutual hostility of one for the other.⁸⁷ The unions’ pre-1970 hostility to unprivileged workers extended to migrant

⁷⁷ Edmund Heery and John Kelly, *Working for the Union: British Trade Union Officers*, Cambridge, Cambridge University Press 1994.

⁷⁸ Cf. Gumbrell-McCormick, *European Trade Unions and Atypical Workers*.

⁷⁹ Hyman, *Trade Unions and the Disaggregation of the Working Class*, pg. 158.

⁸⁰ Offe and Wiesenhal, *Two Logics of Collective Action*.

⁸¹ Hyman, *Changing Trade Union Identities and Strategies*, pg. 112.

⁸² Grint, *The Sociology of Work*, pg.

⁸³ Nicolas Abercrombie, Stephen Hill, Bryan Stanley Turner, *The Dominant Ideology Thesis*, London: Allen and Unwin, 1980; Marshall *et al.*, *Distribution Strategies and Moral Order in a Market Society*; Hyman, *Changing Trade Union Identities and Strategies*, pg. 112.

⁸⁴ Hyman, *Understanding European Trade Unionism*, pg. 30, 72.

⁸⁵ Webb and Webb, *Industrial Democracy*; Sidney Webb and Beatrice Webb, *History of Trade Unionism*, London: Amalgamated Society of Engineers, 1894.

⁸⁶ Grint, *The Sociology of Work*, pg. 225; Hyman, *Understanding European Trade Unionism*, pg. 30.

⁸⁷ Sue Yeandle, *Women’s Working Lives: Patterns and Strategies*, London: Tavistock, 1984, pp. 115-119.

workers: the TUC made discriminatory declarations against “alien labour” as early as 1892.⁸⁸ Even those measures that undoubtedly benefited workers outside of the Movement – the constant pressure on Labour governments to maintain full-employment and extend the welfare state as examples – were tempered by a refusal from the occupational unions to participate in a redistribution of their members’ wealth to secure such ends.⁸⁹

Let us now look at the non-accomodation in more detail. Heery argues that in the second half of the Twentieth, and early Twenty-First centuries, British unionism’s ideological “attitudes” to precarity-prone workers went through four overlapping but distinct phases.⁹⁰ Analysing British unionism’s attitude towards so-called ‘contingent labour’ – that being; part-time workers, temporary agency workers; fixed-term contract workers and the self-employed – Heery effectively maps the urban Movement’s changing ideological attitudes towards these traditionally disenfranchised groups of worker, and produces a model that implicitly details the changing hegemonic ‘attitudes’ of the Movement towards several other, overlapping groups of precarity-prone labour: this is due to the well-established, disproportional overrepresentation of female and foreign migrant workers in such non-standard forms of employment contract. I contend that such phases *should be viewed as conscious and unconscious aspects of British unionism’s rejuvenation process, and the Movement’s previous pre-rejuvenationary hegemonic form.*⁹¹

Heery demonstrates that for much of its Pre- and Post-War history, British unionism held an orientation towards precarious work based on *exclusion: seeking to prohibit non-standard and precarity-prone workers from the labour market outright.* Seeking to protect their traditional constituents from labour market competition, exclusionary unions were out-rightly hostile, contemptuous, or at best indifferent to contingent forms of work, and also contingent, precarity-prone workers.

However, fearful of the tendency of precarity-prone workers to undercut wages and conditions of employment, as much by accident,⁹² some unions from the 1960s came to hold an orientation towards precarity-prone workers typified by ideologies of *subordination.* When guided by this orientation, contingent *work* was embraced by unions as a protective buffer, with the insecurity of precarity-prone *workers* proving of value to core union memberships in securing job stability.⁹³

A localised strategy that often complemented, and still complements, this subordinatory orientation involves unions forging agreements with employers so that non-standard workers come to be the ‘last in, first out’ in times of economic growth and shrinkage, thereby protecting core constituents from the economic cycle’s threats

⁸⁸ Grint, *The Sociology of Work*, pg.

⁸⁹ Oude Nijhuis, *Labor Divided*, chapter two.

⁹⁰ Cf. Heery, *Trade Unions and Contingent Labour.* On a semantic note, this thesis differs from Heery, and purposefully uses the term ‘union orientation’ as opposed to ‘union attitude’, believing that a union and its members may hold and display a myriad different personal and/or official ‘attitudes’ towards precarity-prone labour, and that the aggregate sum of said attitudes can be thought of as a hegemonic ‘union orientation’.

⁹¹ N.B This account of Heery’s typographic model has been supplemented with references to other studies that, either implicitly or explicitly, support the author’s works: this following pages refer to Heery, *Trade Unions and Contingent Labour*, unless otherwise stated.

⁹² Cf. Anderson, *British Jobs for British Workers?*

⁹³ As they still are in many cases throughout the movement: remember these shifting orientations are overlapping and still contested.

of redundancy.⁹⁴ Thus, the propagation of precarious labour relations was accepted and in fact encouraged by unions when they held such orientation.

I define these two orientations as 'pre-rejuvenatory', in that in both phases unions divisively privileged the interests of certain relatively protected union members at the direct expense of less-protected, more precarity-prone workers both within and external to the Movement.

The vital lesson to take away from this section is the fact that, in the Post-War Era, Britain's Movement hegemonically sought to secure the interests of relatively privileged, white, male, full-time workers, using the favoured strategy of voluntary collective bargaining backed by the strategic use of strike action at the firm or industry level, due to a heritage inherited from the craft-union tradition. Of course there were counter streams to this tendency, but the generalised story of Britain's *urban unionism* up until the 1970s was, primarily, the story of how and why self-interested and divisive collective bargaining came to eclipse other forms of contention to become the pre-eminent instrument of trade union strategy.⁹⁵

3. British Unionism, 1970-2013: a Particularly Steep "Cascade of Decline",⁹⁶ and the Rise of the New Economy.

In this section I examine how Britain's political-economy has been fundamentally transformed over the last four decades, and how this has affected the validity and effectiveness of the Movement's Post-War operating norms. This section looks not at the 'new' rejuvenatory orientations and strategies of the Movement, but why its previous ones needed to be adapted to better suit the new economic paradigm.

Union movements the world over have in the last half century experienced a decline in membership numbers, and a concurrent eclipse of power and influence.⁹⁷ The British Movement felt the effects particularly hard: trade union density rates continued to rise in the 1970s, peaking at 56.3% of the full-time equivalent workforce in 1980, but collapsed soon after, falling to just under 30% nation-wide, and to 16% in the private sector, by 2007.⁹⁸ To give a sense of gross figures, in 1980 there were 12,172,508 TUC affiliated unionists, by 2012 only 6,471,030.⁹⁹ Many factors, both endogenous and exogenous to the Movements' internal institutions,¹⁰⁰ contributed to this 'cascade of decline', the most important of which are discussed below.

As mentioned, a key development in Britain's New Economy has been the rise of highly fragmented, tertiary industries dominated by small firms. Worryingly for the unions a strong, if not linear, correlation between firm size and unionisation rates is

⁹⁴ Heery, *The Trade Union Response to Agency Labour in Britain*, pg. 441.

⁹⁵ Cf. Hugh Clegg, *Trade Unionism under Collective Bargaining: a Theory Based on Comparisons of Six Countries*, Oxford: Blackwell, 1976; Flanders, *The Tradition of Voluntarism*.

⁹⁶ Visser, *European Trade Unions: the Transition Years*.

⁹⁷ Jelle Visser, "Trends in Union Membership". In: *Employment Outlook*, Paris: OECD, 1991.

⁹⁸ Department for Business, Enterprise, and Regulatory Reform, *Trade Union Membership 2007*, London: BERR, 2008.

⁹⁹ European Foundation for the Improvement of Working and Living Conditions (EFILWC), *United Kingdom: Industrial Relations Profile*, Dublin: EFILWC, 2012.

¹⁰⁰ Hyman, *Economic Restructuring, Market Liberalism and the Future National Industrial Relations System*, pg. 7.

well recognised¹⁰¹: with the economic restructurings, an increasingly differentiated and segmented labour force came to be divided into core and marginal groups of employers, who were poorly represented by, and inconducive to, traditional forms of union activity.¹⁰²

This sectoral adjustment is *the* primary contributory factor to the unions' sustained declines in memberships and strengths.¹⁰³ The massive waves of unemployment that the reorganisations caused can alone account for much of the decline in membership levels: in 1982 unemployment in the UK reached 14%, one of the highest rates in Europe¹⁰⁴; this figure startlingly contrasted with the first two decades of the Post-War Era, when successive governments had managed to sustain unemployment rates of less than 2%; subsequently, the 1960s and early 1970s saw a gradual deterioration in unemployment rates, before levels accelerated rapidly under Thatcher's first Government of 1979.¹⁰⁵ Slack labour markets weakened the position of unions in their free collective bargaining, as employers came to enjoy a greater labour-force to draw from in the face of union demands.

More fundamentally, sectoral reorganisation decimated the traditional strongholds of British unionism. The participation in free collective bargaining backed by the strategic use of strike action had long been dominated by five industries: the mining, docks, shipbuilding, car manufacturing and iron and steel sectors. In 1979 over 50% of strike days in Britain came from engineering workers, mostly in the steel industry, while in 1984 and 1985, 83% and 63% of strike days, respectively, were in the mining industry.¹⁰⁶ Joining these Big Battalions had been the new union strongholds in the expansive white-collar public sector, where highly bureaucratized and impersonally managed workplaces, which too proved highly conducive to traditional forms of union activity, grew in the latter years of the immediate Post-War Era¹⁰⁷: in the mid-1970s approximately 40% of the Movement's members were found in white-collar firms; thirty years earlier this figure had been closer to 20%. Yet it was precisely these sectors of the economy that bore the brunt of the Post-Fordist restructuring of the economy, particularly when the state-as-employer became increasingly hostile to the presence of unions within its own territory: here, ideologically driven closures and privatisations of previously publicly-owned industries reformulated many previously conducive-to-union workplaces. Waddington attributes 66% of the decline in union membership figures between 1979 and 1987 to these sectoral shifts in the economy. Even Booth's more conservative estimate

¹⁰¹ Cf. Neil Millward and Mark Stevens, *British Workplace Industrial Relations*, Aldershot: Gower Publishing, 1986, pp. 53-62; Farouk Elsheikh and George Bain, "Unionization in Britain: an Inter-Establishment Analysis based on Survey Data". In: *British Journal of Industrial Relation*, 1980, 18(2), pp. 376-85.

¹⁰² Hyman, *Economic Restructuring, Market Liberalism and the Future National Industrial Relations System*.

¹⁰³ Cf. John Healey (MP) and Natascha Engel, *Learning to Organise: Organising the Future*, London: TUC, 2003; Jane Wills and Melanie Simms, "Building Reciprocal Community Unionism in the UK". In: *Capital and Class*, 2003, 82, pg. 59-84.

¹⁰⁴ Bratt, *Labour Relations in 17 Countries*.

¹⁰⁵ Hyman, *Understanding European Trade Unionism*.

¹⁰⁶ Grint, *The Sociology of Work*, pg.

¹⁰⁷ Cf. Arthur Marsh and Victoria Ryan, *History Directory of Trade Unions Vol. 1: Non-Manual Unions*, Westmead: Gower, 1980, pg. xi; George Bain, *The Growth of White-Collar Unionism*, Oxford: Oxford University Press, 1970.

suggests that 40% of membership losses in this period occurred due to the decline of large industry.¹⁰⁸

However, it must be remembered that membership rates declined in virtually all unions of the UK, and not those operating within sectors in retreat. Apart from affecting the Movement's ability to readily recruit new members, far-reaching structural changes to the economy weakened the coherence of an already fragmented Movement and produced a number of further pressures which affected the unions¹⁰⁹: collective bargaining became ever-more decentralised as workers' remits and interests came to be increasingly differentiated; the new economic paradigm increased the need to widen negotiations, previously centred around wage levels, to include discussions regarding internationalisation, technological and organisational restructurings, multi-tasking, teamwork and client-related work processes. Concurrently new internal divisions in the workforce became accentuated: rifts between exposed and sheltered sectors, and between those on standard and non-standard employment contracts, became increasingly apparent to union and employer negotiators alike.¹¹⁰ This rendered sectoral, and even firm level, collective bargaining as less feasible and less efficient in the eyes of employers and unionists alike.¹¹¹ With employers rapidly acquainting themselves with paradigmic theories of Human Resource Management,¹¹² a 'substantial reduction' in already minimal multi-firm bargaining occurred in the 1980s¹¹³; and with firms increasingly confident in their ability to act unilaterally, many unions were denied a say in 'flexibilising' restructurings altogether¹¹⁴; by the end of the 1990s, only 44% of Britain's workforce worked in firms that even recognised trade union representatives.¹¹⁵ Even though the Movement had previously hegemonically pursued the interests of a privileged sector, rather than totality of the working and middle classes, this fractalisation of interests has clearly done much to negate the power of the Movement's previous *modus operandi*.¹¹⁶

Bringing us right to date, the long-recession of 2008 onwards struck Britain hard, particularly in the area of unemployment, which again further problematised traditional union strategies reliant on a union's ability to restrict access to a firm.¹¹⁷

¹⁰⁸ Jeremy Waddington, "Trade Union Membership in Britain, 1980-1987: Unemployment and Restructuring". In: *British Journal of Industrial Relations*, 1992, 30(2), pp. 287-335; Watson, *Sociology, Work and Industry*, pg. 334; Grint, *The Sociology of Work*, pg. 181; Alison Booth, *What do Unions Do Now? Discussion Paper in Economics no. 8903*, London: Brunel University, 1989; Visser, *European Trade Unions: the Transition Years*.

¹⁰⁹ Colin Crouch, "The Future Prospects for Trade Unions in Western Europe". In: *Political Quarterly*, 1986, 57(1); Walther Muller-Jentsch "Industrial Relations Theory and Trade Union Strategy". In: *International Journal of Comparative Labour Law and Industrial Relations*, 1988, 4(3), pp. 173-190.

¹¹⁰ Claus Offe, *Contradictions of the Welfare State*, London: Hutchinson, 1985, chapter three.

¹¹¹ Jelle Visser, "Patterns and Variations in European Industrial Relations". In: Directorate-General for Employment and Social Affairs, *Industrial Relations in Europe 2004*, Brussels: European Commission, 2004.

¹¹² Cf. Kochan, Katz, and McKersie, *The Transformation of American Industrial Relations*; Guido Baglioni and Colin Crouch (eds.), *European Industrial Relations*, Beverly Hills: Sage, 1990; Hyman, *Understanding European Trade Unionism*.

¹¹³ Millward et al., *Workplace Industrial Relations in Transition*.

¹¹⁴ Ronald Dore, *Flexible Rigidities*, Palo Alto: Stanford University Press, 1986.

¹¹⁵ Hyman, *Understanding European Trade Unionism*, pg. 104.

¹¹⁶ Hyman, *Trade Unions and the Disaggregation of the Working Class*.

¹¹⁷ EFILWC, *United Kingdom: Industrial Relations Profile*.

Of course such disempowerment was aided and further accelerated by the actions of successive governments, which further rendered invalid the Movement's preferred strategies. Where demand management principles had once caused governments to seek wage moderation from the unions, new combative, supply-side orientated economic ideologies sought to remove much of the influence of collective organisations from the labour-market altogether.¹¹⁸

The Movement's political environment did not deteriorate overnight. In fact, *corporatism of a sort* increased during the 1970s. In the UK the decade opened with Heath's Conservative Government attempting to unilaterally regulate trade union activity beyond policies of wage restraint: the Industrial Relations Act of 1971 demanded detailed external regulation of trade union activity, imposed mandatory 'cooling off' periods before strike action, increased bureaucratic demands on the unions, and attempted to impose public sector pay restraint.¹¹⁹ The Big Battalions reacted with militant gusto, and in an attempt to restore order the NEDC's macroeconomic advisory role was actually strengthened.

However, unable to secure the support of the affiliates for a continuation in wage restraint, the TUC soon withdrew from most tripartite negotiations, and an unrestrained National Union of Miners again militantly opposed legislatively enforced pay restraints. In response, Heath called the 1972 election, built around the single question: *Who Governs?* Labour returned to power with a minority government, later strengthened to a thin majority. Yet the 1972 elections created an increasingly hostile public discourse, with swathes of the population coming to see unionism as an undermining threat, rather than pillar, of democracy.¹²⁰ Governmental policies continued to magnify anti-union hostilities in the public, which were eagerly seized upon by right wing and apparently centrist tendencies in the press: this further eroded the once conducive operating environment of the Movement. Edwards and Bain demonstrate that public approval for union actions declined significantly throughout the 1970s, helping to facilitate the diminishing of their powers in that decade and the next.¹²¹

The Labour Government repealed the Industrial Relations Act and initially sought to resolve industrial disputes on generous terms with the Movement. However a dramatic inflationary and foreign exchange crisis led to the creation of a new and draconian pay control regime, partially imposed on the UK by the terms of the

¹¹⁸ Visser, *Trends in Union Membership*.

¹¹⁹ Cf. Act of Parliament, *Industrial Relations Act of 1971*, London: HMSO, 1971.

¹²⁰ Hyman, *Understanding European Trade Unionism*, pg. 102.

¹²¹ P.K. Edwards and George Bain, "Why Are Trade Unions Becoming More Popular? Unions and Public Opinion in Britain". In: *British Journal of Industrial Relations*, 1988, 26(3), pp. 311-326. N.B Edwards and Bain find attitudes did improve significantly in the 1980s; from 15% public approval in 1979 to 47% in 1988, denoting a possible support for the union underdogs in their fight against *Thatcher and Company*. Likewise it should be noted that this shift in public discourse could be traced back to before the apparent initiation of the cascade of decline: in 1965 Wilson commissioned a governmental report on the phenomena of militant union action, and in 1968 the 'Donovan Report' was published. The report demonstrated that, when taking in mind proportional increases in union membership and penetration rates, no great increase in militancy had occurred across the century. However headline-grabbing statistics helped turn public discourses against "the British disease" of militant unionisms. On publication, the TUC proved the worth of having corporatist connections within the mechanisms of state power, and ensured the report did not descend into an outright exercise in union bashing. Cf. Terence Donovan, *Report of the Royal Commission on Trade Unions and Employers' Associations*, London: HMSO, 1968; Grint, *The Sociology of Work*, pg. 170; Visser, *European Trade Unions: the Transition Years*, pg. 95

International Monetary Fund's bailout of 1976.¹²² A begrudging TUC, attempting to preside over an increasingly decentralised and militant movement, attempted to dampen some of the continuing effects of the Oil Shocks by more firmly committing itself to corporatist macroeconomic management structures than ever before¹²³: a 'social contract' was drawn up between the Labour Government and the TUC, which exchanged wage restraints for a degree of progressive social and fiscal governmental policies.¹²⁴

These 'Keynes-plus' institutional arrangements proved only temporarily effective.¹²⁵ Relationships between an increasingly frustrated Movement, dissatisfied with the government's lack of desire to control prices and unemployment along with wages, and the Labour Party deteriorated.¹²⁶ Eventually the Labour Government collapsed following the 1978-79 Winter of Discontent, when public sector unions engaged in regular and lengthy industrial actions over issues of pay restraint.¹²⁷

While the 1970s were turbulent times for British unionism, its hardships were just beginning. The twinned deconstructions of Britain's expansive welfare state and trade union influence certainly predated Thatcher, but her governments' "Copernican Revolution"¹²⁸ – the neo-liberal reconstruction of the economy in the 1980s – accelerated these process immensely: *better than anyone Thatcher proves the power of strategic action*.¹²⁹ The popular notion that Thatcher initiated a 'deregulation' of Britain's labour market is only half the story: the Conservative Governments' neo-liberalism represented a reconfiguration, rather than withdrawal, of the state's involvement in the labour market.¹³⁰ A principal aspect of this reconfiguration was the abandonment of tripartite negotiations between the state, unions and organised capital. The TUC, and to a lesser extent the employers' Confederation of British Industry (CBI) became infrequent visitors to 10 Downing Street.¹³¹ More significantly for the previous Movement's *modus operandi*: between 1980 and 1993, eight acts were passed which progressively restricted the unions' right to industrial action, weakened the legal protections of individual striking workers and invalidated the traditional legal immunities within which union activities were normally conducted. Resultantly, the unions' ability to conduct legal strike action was unprecedentedly restricted and their internal structures heavily regulated: "from one of the least legalistic industrial relations systems in the world, Britain became one of the most legally prescriptive, and in a form bearing a asymmetrically on workers organisations

¹²² Hyman, *Understanding European Trade Unionism*, pg. 101.

¹²³ Philippe Schmitter and Gerhard Lehmbruch, *Trends towards Corporatist Intermediation*, London: Sage Publishing, 1979.

¹²⁴ Tony Cliff, *The Crisis: Social Contract or Socialism*, London: Pluto Press, 1975.

¹²⁵ G. Ross, "What is Progressive about Trade Unions?". In: *Theory and Society*, 1981, 10(1), pp. 609-643.

¹²⁶ Pat Ainley and Sarah Vickerstaff, "Transitions from Corporatism: the Privatisation of Polict Failure". In: *Contemporary Record*, 1993, 7(3), pp. 541-56.

¹²⁷ Krings, *Organised Labour and Migration in the 'Global Age'*; Bratt, *Labour Relations in 17 Countries*.

¹²⁸ Fox, *Man Mismanagement*, pg. 373.

¹²⁹ Grant, *Pressure Groups, Politics and Democracy in Britain*.

¹³⁰ Jamie Peck, *Workplace: The Social Regulation of Labor Markets*, New York: the Guilford Press, 1996; Milkman, *L.A. Story*.

¹³¹ Grant, *Pressure Groups, Politics and Democracy in Britain*, pg. 42. Although the numerical frequency of lesser ministerial contacts remained much the same as with the Labour Government of 1974-9, continued contact did not equate with continued influence. Cf. Neil Mitchell, "Changing Pressure-Group Politics: the Case of the Trades Union Congress, 1976 – 1984". In: *British Journal of Political Science*, 1987, 17, pp. 509-17.

as against employers”¹³²: deregulation seems a loaded term indeed to describe these developments. This erosion of the unions’ ability to strike can be thought of as a direct attempt at limiting their wider economic influence.

It should be remembered that Thatcherism was an ideology not only hostile to unionism: in its purest form it displayed a contempt for all forms of organised vested interests in society, which were seen to deny individual employers’ apparent ‘right to manage’.¹³³ However, while in theory the ideology of Thatcherism was in opposition to all vested interest groups, in practice governmental attackers focussed on the unions: ‘*Solving the Union Problem is the Key to Britain’s Recovery*’ was the title of a seminal pamphlet of Thatcher’s senior advisor, Keith Joseph, published in 1979.¹³⁴

Tory infighting over Europe, the fiasco of the Poll Tax, and the glaring deficiencies of hard-line neo-liberalism led to the departure of Thatcher from Downing Street in 1990. Many narratives state that under her successor, John Major, “there was a return to the more traditionalist style of policy-making in Britain... civil servants... now felt more able to return to a previous form of intimate dialogue with groups”.¹³⁵ However, this reopening is largely apocryphal, particularly with regards to the unions: the Movement continued to be marginalised in both the political sphere and the workplace.

This situation did not improve greatly after New Labour’s landslide electoral victory in 1997. A complex pattern of change and continuity has been observed between Thatcher’s and Blair’s Britains: while the TUC superficially regained its ‘insider’ status in Whitehall and Westminster, it found its ability to influence government policy through direct lobbying, consultation and persuasion to be next to nugatory.¹³⁶ In 1993 the then Labour Party leader, John Smith, had restructured the Party’s internal democracy, weakening the unions at the Party’s annual conferences and on its National Executive Committee (NEC).¹³⁷ Blair went further in reorientating the Party towards the interests of employers, symbolically erasing Clause Four of the Party’s constitution, which had theoretically committed the Party to the ideal of the common ownership of the means of production since 1918. Lacking the

¹³² Hyman, *Understanding European Trade Unionism*, pg. 104.

¹³³ Thatcher’s contempt for those in politics that humoured such interests was not limited to the oppositional Labour Party: she bitterly stated her predecessor “Ted Heath’s government... proposed and implemented the most radical form of socialism ever contemplated by an elected British government”. The severity of the 1980s governments upset many within the party itself, Lord Gimore, a typical ‘One-Nation’ Conservative argued that “Tories were never enthusiasts for *lasses-faire*... its glorification of individual self-interest and its distrust for groups... A Tory... rejects the simple idea that individuals are selfish and good and groups selfish and bad”: Gilmore, in Thatcher’s eyes, was clearly not ‘*one of us*’. Cf. Margaret Thatcher, *The Downing Street Years*, London: Harper Collins, 1993, pg. 7; Ian Gilmore, *Britain Can Work*, Oxford: Martin Robinson, 1983.

¹³⁴ Keith Joseph, *Solving the Union Problem is the Key to Britain’s Recovery*, London: Centre for Policy Studies, 1979.

¹³⁵ Jeremy Richardson, “Interest Group Behaviour in Britain: Continuity and Change”. In: Jeremy Richard (ed.), *Pressure Groups in Britain: a Reader*, Oxford: Oxford University Press, 1974, pg. 98.

¹³⁶ John McIlroy, “Lifelong Learning: Trade Unions in Search of a Role”. In: J. Field and M. Leicester (eds.), *Lifelong Learning: Education Across the Lifespan*. London: Routledge, 2000, pp. 300–13; Colin Crouch, *Commercialisation or Citizenship*, London: Fabian Society, 2003; Steve Ludlam and Andrew Taylor, “The Political Representation of the Labour Interest in Britain”. In: *British Journal of Industrial Relations*, 2003, 41(4), pp. 727-749.

¹³⁷ The formal policy body of the Labour Party up till the 1990s – formed from elected delegates of the Constituency Labour Parties, the backbench PLP, affiliated societies, and subscription-paying unions, among others.

organisational strength to resist, such measures were accepted with “grudging acquiescence” by the unions.¹³⁸

Many intertwined reasons have been put forward for this lack of New Labour support for the Movement, including: New-Labour had meshed its own interests with that of capital to the extent that policy makers were no longer able to safely engage with their supposedly fraternal trade-unionist colleagues¹³⁹; the Party’s folk memory continued to blame the unions’ Winter of Discontent for its 1979 electoral defeat¹⁴⁰; or else with Blair seeking the centre ground of a Thatcherite societal discourse, the unions an electoral liability, and lacked the sufficient membership numbers that would have encouraged a pre-electoral courting.¹⁴¹ In any case, there was no *fundamental* restructuring of the post-1979 macro-management of the State,¹⁴² nor a fundamental reappraisal of the Movement’s bargaining role with the 1997 return of Labour.¹⁴³

However, post-1997 there were some *sizeable adjustments* to the Conservatives’ constructed political paradigm, which once again altered the unions’ position in British society. Particularly evident was the state’s new commitment to underwriting individual employment protections with statutory legislation¹⁴⁴: the Employment Relations Act of 1999 granted, in principle, statutory union recognition and collective bargaining rights in most medium and large-sized firms¹⁴⁵; in a similar vein, the introduction of a national pay floor in the form of 1997’s NMW is another prime example. Yet despite these developments, ‘flexibility’ had come to dominate the Parliamentary Labour Party (PLP)’s normative vision of the labour market. Tony Blair boasted in 1998 that Britain had “the most lightly regulated labour market in any leading economy in the world”¹⁴⁶: a sentiment largely supported by international comparisons, if one ignores Britain’s draconian restrictions on union activity.¹⁴⁷ By the late 1990s, successive governments had constructed a labour market where it was easier for employers to offer lower real wages, perpetuate poor working practices and readily hire and fire staff than any other OECD nation.¹⁴⁸

¹³⁸ John McIlroy, *Trade Unions in Britain Today*, Manchester: Manchester University Press, 1995, pg. 389.

¹³⁹ Paul Smith and Gary Morton, “New Labour’s Reform of Britain’s Employment Law: The Devil is not only in the Detail but in the Values and Policy Too”. In: *British Journal of Industrial Relations*, 2001, 39(1), pp. 119-138; Crouch, *Commercialisation or Citizenship?*; Chris Howell, “Is there a Third Way for Industrial Relations?”. In: *British Journal of Industrial Relations*, 2004, 42(1), pp 1-22.

¹⁴⁰ Hyman, *Understanding European Trade Unionism*, pg. 106.

¹⁴¹ Wills and Simms, *Building Reciprocal Community Unionism in the UK*.

¹⁴² John McIlroy, “The Enduring Alliance? Trade Unions and the Making of New Labour 1994-1997”. In: *British Journal of Industrial Relations*, 1998, 36(4), pp. 536-564.

¹⁴³ Thelen, *Varieties of Labor Politics in the Developed Democracies*, pp. 94-98.

¹⁴⁴ Krings, *Organised Labour and Migration in the ‘Global Age’*.

¹⁴⁵ Cf. S. Oxenbridge, W. Brown, S. Deakin and C. Pratten “Collective Employee Representation and the Impact of Law: Initial Responses to the Employment Relations Act 1999”. In: *British Journal of Industrial Relations*, 2003, 40(4), pp. 315-334; though in practice unions needed to not only win 50% of a union recognition ballot, but 40% support from *all* potential ballots in order to acquire guaranteed recognition. This stipulation, which required unions to combat both anti-union sentiments but also general apathy, would ironically render void the results of virtually all parliamentary elections of the modern era if applied to constituency elections, typified as they are by low voter turnout.

¹⁴⁶ House of Commons, *Fairness at Work*, London: HMSO, 1998.

¹⁴⁷ OECD, *Employment Outlook 2002*.

¹⁴⁸ H.M. Treasury, *Productivity in the UK. Progress towards a Productive Economy*, London: HMSO, 2001.

For a time, mainstream unionism responded to their cascade of decline using the tried and tested strategies they knew well. *However, four symbolic defeats caused a crisis of confidence in the Movements' most favoured melody in its repertoire of contention – that is, collective bargaining backed by strategic strike action.* In 1979 a strike at a British Leyland Motor Plant, organised to protest at the firing of a popular and radical shop steward, failed to reverse the contract's termination. Then, in 1980, the once formidable Iron and Steel Trades Confederation was humbled when the newly installed hard-line management of the state-run British Steel company faced out a three month national strike, organised to counter the dismantling of industry-wide pay negotiations.¹⁴⁹ Later, in 1984-5, perhaps the Biggest Battalion of them all, the National Union of Miners failed in its yearlong strike against pit closures after a full on engagement with the state's violence.¹⁵⁰ Finally, in 1986 Rupert Murdoch comprehensively broke the various Printing Unions by withdrawing union recognition at his Wapping printing press, firing outright those workers that struck in protest.¹⁵¹

These catastrophic losses, all occurring in the heartlands of traditional unionism, confirmed the notion for many, both internal and external to the Movement, that unionism had become, or perhaps always was, “the bearer of a secondary, derivative, negative, limited power, severely circumscribed by economic change and State initiative”.¹⁵²

Further exacerbated the growing ineffectiveness of the Movement's previous *modus operandi*, Britain's aging population led to an *en mass* retirement of those trade unionists that survived the structural readjustments of the cascade of decline: a generational gap in knowledge and experience was created in the 1980s and 1990s, which further stretched the Movement's resources.¹⁵³ This issue is accentuated by the fact that trade unions have recently struggled, internationally, to recruit and mobilise young workers, higher concentrated in typical new economic sectors.¹⁵⁴

These above factors, coupled with the collapse of strike-prone industries, the increasing numbers of experienced trade unionists being made redundant,¹⁵⁵ and substantial public hostility to the Movement, meant that by the end of the 1980s overt industrial conflict declined to the lowest level since records began at the turn of the century.¹⁵⁶ Remaining usage of the tactic shifted, to occur virtually exclusively in the white-collar public sector: the strategy of voluntary collective bargaining backed by militant mobilisation simply did not appear to secure the unions' interests in this new operating environment.¹⁵⁷ Now unable to regulate labour markets – those internal to a firm or in the wider economy – *the maintenance of pre-rejuvenatory orientations became counter-productive for resource deficient unions: unable to back their discriminatory rhetoric with decisive actions, unions risked pricing their members out of the market, and encouraging the expansion of the non-standard workforce for use*

¹⁴⁹ Hyman, *Understanding European Trade Unionism*, pg. 105.

¹⁵⁰ Cf. Richard Heffernan and Mike Marqusee, *Defeat from the Jaws of Victory: Inside Kinnock's Labour Party*, London: Verson, 1992, pg. 53.

¹⁵¹ Suellen Littleton, *The Wapping Dispute: An Examination of the Conflict and Its Impact on the National Newspaper Industry*, London: Avebury, 1992.

¹⁵² McIlroy, *Trade Unions in Britain Today*, pg. 398.

¹⁵³ Cf. Gumbrell-McCormick, *European Trade Unions and Atypical Workers*.

¹⁵⁴ Hyman, *Changing Trade Union Identities and Strategies*, pg. 118.

¹⁵⁵ Wills and Simms, *Building Reciprocal Community Unionism in the UK*.

¹⁵⁶ Hyman, *Understanding European Trade Unionism*, pg. 104. Remaining usage of the tactic shifted, to occur virtually exclusively in the white-collar public sector.

¹⁵⁷ Michael Shalev, “The Resurgence of Labour Quiescence”. In: Regini (ed.), *The Future of Labour Movements*, pp. 103-132.

as undercutting agents.

This collapse in influence meant that the Movement came to have a minimal presence in much of the Post-Fordist New Economy of Britain. By the mid-2000s around 33% of standard, full-time, permanent workers were unionised, a low figure by historic standards but high in comparison to ‘non-standard’ workers, of who only around a 20% were organised.¹⁵⁸ Such workers have proved particularly inconducive to traditional forms of unionisation, as the Movement has struggled to recruit, organise and retain those that regularly rotate between workplaces, thereby falling under the remit of a variety of potentially oppositional unions.

Of course, the growing ineffectiveness of union strategy cannot alone account for the lack of union penetration in the New Economy. Some have argued that Post-Fordist production technologies accentuated already existent anti-union cultures among entrepreneurs and employers. Freeman and Medoff, and Kochan *et al.* show that *wage mark-ups* – the premium wages of union workers over non-unionised workers – act as incentives for employers in the USA, a society with an already weak union movement, to proactively de-unionise their firms. It is a fair assumption to make that many British employers in the New Economy sought the same as they watched the eclipse of the Movement’s once formidable powers. Anti-union sentiments from employers have been shown to prohibit numerous forms of union recruitment, partially explaining the lack of union density in the New Economy: temporary agency and migrant workers have been known to systematically reject contact with unions due to the real and pressing fear of instant dismissal.¹⁵⁹

The vital lesson to take from this section is the fact that, from a position of relative strength, the British Movement’s strategic *modus operandi* has been severely disabled, and its hegemonic orientational outlook rendered counterproductive, due to formal and informal institutional changes in Britain’s economic, governmental and discursive structures from the 1970s onwards.

4. Unions, Rejuvenation, and Changes in Orientation.

This thesis posits the notion that the mainstream Movement has, in reaction to the cascade of decline as described above, partially shifted its previously divisive orientations regarding precarity-prone workers; this section recounts these partial changes, continuing to introduce Heery’s model in the process.

Clearly, the Movement had to react to the cascade. Few unions folded outright during the decline’s initial stages, though many had to raise their fees substantially,¹⁶⁰ and a period of intense merging occurred, as unions sought to pool resources and create economies of scale in the provision of services and representation¹⁶¹: in 1988

¹⁵⁸ McGovern, Smeaton and Hill, *Bad Jobs in Britain*. Similarly, 30% of full-time workers were union members in 2010, while 22 % of part-time workers were. Cf. James Achur, *Trade Union Membership 2010*, London: Department for Business, Innovation and Skills, 2010.

¹⁵⁹ Cf. Phillip Beaumont, *The Decline of Trade Union Organisation*. New York: Routledge, 1987; Freeman and Medoff, *What Do Unions Do?* New York: Basic Books, 1984; Kochan, Katz and McKersie, *The Transformation of American Industrial Relations*; Sonia McKay, *Unions and New Migrants*, London: New Ideas Network, 2006.

¹⁶⁰ Average union subscription rates up until the early 1980s, as a % of average earnings, were lower than what they were in the 1950s: this reflected of Movements’ strength and confidence in the Post-War period. Resultantly, many found their resources severely stretched when the economic tide turned against their favour. Cf. Tilly and Tilly, *Work Under Capitalism*, pg. 316.

¹⁶¹ Visser, *Patterns and Variations in European Industrial Relations*.

there were 326 active Unions in Britain, in 1998 238 and by 2008 only 167.¹⁶² Unite the Union, a self-declared *super union* of 1.9 million workers formed from the merging of two of the biggest general unions, the TGWU and Amicus, in 2007 is the prime example of this trend.¹⁶³

In practice, the majority of mergers to occur in the post-1970s era went ahead in a defensive and opportunistic manner, driven not by ideological convictions but necessity, leaving the British Movement as “uneven (and) illogically structured... as always”.¹⁶⁴ Yet a more fundamental counter-tendency in the Movement’s orientations and strategies has emerged. From the 1970s, accelerating greatly in the 1980s, and coming to dominate formal Movement doctrine from the late 1990s, change has been seeping into the Movement.¹⁶⁵ Sometimes eagerly, more often than not while kicking-and-screaming, *unions have sought to better recruit, represent and defend the interests of numerous differentiated groups of traditionally precarity-prone workers – not in the least females, migrants, and part-time and non-standard workers: effectively redistributing risks and benefits to their traditional constituencies disadvantage in the process.*¹⁶⁶ Put simply, the cascade of decline’s period of prolonged crisis has forced the hegemonic Movement to critically address the question long rhetorically asked: “what are we here for?”¹⁶⁷

The third identified overlapping orientational phase of the urban unions identified by Heery was that of *inclusion*. While elements of inclusivity had always been seen in the Movement’s fringes, by the mid-1980s its rejuvenatory buds could be seen in the hegemonic core of the Movement.¹⁶⁸ Here, unions came to accept the material interests of contingent workers as fully legitimate, equal in status to relatively protected workers on standard contracts: non-standard workers were conceived as being owed a debt of solidarity, as they were bearing a significant brunt of the labour market restructurings that were well underway. *Precarity-prone workers were thereby afforded equal intra-union membership and participation rights, and positive action was at times taken to encourage a greater level of involvement in union structures.* As an example of such inclusive orientated discourses, see Bill Morris, General Secretary of TGWU, who sought to legitimize the interests of agency workers at the 1987 TUC, stating “they are insecure. Many are low-paid and have little or no protection. Employers see them as disposable workers, a throwaway item in a throwaway society. Their dignity, their rights are to be sacrificed on the altar of flexibility and profit maximisation. Their pay and conditions are worse. Their legal rights are fewer, and they are more likely to suffer discrimination. Most are women.

¹⁶² *Ibid.*

¹⁶³ EFILWC, *United Kingdom: Industrial Relations Profile*. N.B the emergence of ‘super unions’ containing millions of members does not imply that the total number of organised workers has been increasing in recent years: while a ‘super union’ of 1.9 million workers sounds impressive, it has to be pointed out that, in 1982, the TGWU alone contained 1.7 million workers; amalgamation, itself not a fundamentally new phenomenon to the national Movement, has merely stymied membership losses of individual unions, and has done little to prevent the decline within the Movement as a whole. Cf. Willman, “The Logic of Market Share Trade Unionism: Is Membership Decline Inevitable?”. In: *Industrial Relations Journal*, 1989, 20(4), pp.260-271.

¹⁶⁴ Cf. Colin Crouch, “Afterword”. In: Baglioni and Crouch (eds.), *European Industrial Relations*, pg. 354; Bratt, *Labour Relations in 17 Countries*; Visser, *European Trade Unions: the Transition Years*.

¹⁶⁵ Wills and Simms, *Building Reciprocal Community Unionism in the UK*.

¹⁶⁶ Oude Nijhuis, *Labor Divided*, pg. 9.

¹⁶⁷ Grant, *Pressure Groups, Politics and Democracy in Britain*, pg. 132.

¹⁶⁸ Heery, *Trade Unions and Contingent Labour*; Heery, *The Trade Union Response to Agency Labour in Britain*.

Many are black. An increasing number are young... We in the Trade Union Movement must be the champions and must be the defenders of their rights".¹⁶⁹

Heery's final orientation, that of *engagement*, is underwritten not so much by an *inclusive* notion of solidarity as defined by common interests, but a notion of solidarity based "not on uniformity but multiformity".¹⁷⁰ This *engaging* orientation again accepts the legitimacy of particularly precarity-prone workers, but goes further by recognizing and catering to the distinctive and divergent needs of such workers, seeing them as requiring *tailor made systems of representation*.¹⁷¹ Also distinctive to this orientation is the idea that not only are the interests of contingent workers legitimate, but so too is contingent work: while the unions may try to combat precarity, there is an acceptance that apparently non-standard employment contracts are regularly, if not exclusively, freely chosen and acceptable forms of employment. According to Heery, such a reorientation can be traced back to the early 90s, and continues to gain credence and acceptability within the urban Movement to this day. *I posit that these inclusive and engaging tendencies should be thought of as the actualisation of rejuvenatory orientations from the Movement.*

Heery created his model with reference to workers on 'contingent labour contracts'. However, when studying union attitudes to other partially discrete and traditionally precarity-prone groups of workers, such as migrant labour, Black and/or Minority Ethnic (BME) workers and female labour, a broadly similar transition can be discerned, both in shape and periodisation.¹⁷²

Hegemonic pre-rejuvenatory attitudes towards migrant workers were highly divisive. When wider societal institutions facilitated it, the Movement's reaction to foreign precarity-groups of workers entering the market had once been one of hostility rather than solidarity: trade unions often called for greater restrictions on immigration from the turn of the century up until the cascade of decline, and indeed beyond.¹⁷³ Only when foreign labour penetrated the market *en mass*, from the 1950s onwards, did the union approach change in a fundamental manner: from here on in, unions did open up partially to migrant labour, but at first the Movement rarely matched their rhetoric sentiments of solidarity with investments of their resources.¹⁷⁴ Yet from these positions of outright hostility and disinterest, unions, from the 1970s but more so the 1980s onwards, came to hegemonically accept and cater to migrant workers in a first inclusive and later positively engaging manner. The TUC came to discuss the "problem" of "racism", as opposed to the problem of "integration", in 1973, after anti-racist elements of affiliated rank-and-files forced the issue onto the Movement's formal agendas.¹⁷⁵ In 1989 TUC modified its anti-racist clause of its

¹⁶⁹ Trades Union Congress, *Report of Congress 1987*, London: TUC, 1987.

¹⁷⁰ Heery, *Trade Unions and Contingent Labour*.

¹⁷¹ Ben Valkenburg and Leni Beukema, "The Organisation of Flexibility: Atypical Jobs as a Challenge for the Modernisation of Trade Unions". In: *European Review of Labour and Research*, 1996, 2(4), pp. 738-754, pg. 748.

¹⁷² Cf. Verena Schmidt, "Temporary Migrant Workers: Organizing and Protection Strategies by Trade Unions". In: Christiane Kuptsch (ed.), *Merchants of Labour*, Geneva: International Labour Organisation, 2006, pp. 191-207; Rinus Penninx and Judith Roosblad, "Introduction". In: Rinus Penninx and Judith Roosblad (eds.), *A Comparative Study of the Attitudes and Actions of the Trade Unions in Seven West European Countries*, Oxford: Berghahn Books, 2000, pp. 1-21.

¹⁷³ Patrick McGovern, "Immigration, Labour Markets and Employment Relations: Problems and Prospects". In: *British journal of industrial relations*, 2007, 45(2), pp. 217-235.

¹⁷⁴ Krings, *Organised Labour and Migration in the 'Global Age'*.

¹⁷⁵ These members were themselves pushed into action after observing a growing number of anti-racist protests organised by BME workers external to the formal Movement. Cf. Commission for Industrial

constitution, to require the expulsion from the Movement of any unionist found to be engaged in “deliberate acts of unlawful discrimination”.¹⁷⁶ This action, and others of the peak confederation, reflected changes in affiliated unions that occurred in the 1980s. Then, numerous affiliates came to develop innovative, if under resourced, internal mechanisms designed to secure the recruitment and representation of BME and migrant members: black workers’ sections became ubiquitous, as an example.¹⁷⁷

Beyond the workplace, unions, particularly the general unions such as the TGWU, once historically wont to support the tightening of immigration policies, have come to be increasingly and vocally critical of restrictive migration regimes, and have tried to organise workers regardless of their legal status.¹⁷⁸ In the last decade in particular, having been influenced by new migratory patterns between Britain and the European Union’s Accession Nations, the Movement has become increasingly aware that new migrants to Britain have traditionally been, and continue to be, keen to join trade unions when opportunities have allowed for this.¹⁷⁹ Engagement with migrant workers has become enshrined in the Movement’s formal orientations at the least, and tailor made services, catering to BME and migrant workers’ specific needs, have become ever better resourced: migrant focused legal and housing advice and the pursuit of religious dispositions in collective bargaining agreements have become standard union policies, as examples.¹⁸⁰

Likewise, the 1980s proved to be a watershed in the history of the Movements’ at times ignoble history regarding female work. While still underrepresented in the Movement’s internal structures, female British unionists have made considerable progress within the Movement’s ranks.¹⁸¹ By 1984 the TUC ensured that at least six seats of its 50+ member General Executive were reserved for female unionists. Likewise, in that year it also published its first Charter for Women, which aimed to codify the Movement’s obligations to female workers, develop satisfactory channels of union representation and prioritise the recruitment of female unionists within the Movement. Compared with the immediate Post-War period, females’ positions in unions were certainly improving, due to first inclusive and then engaging ideologies in the Movement competing for hegemony.

The key lesson to take from this section is the fact that, from the 1970s onwards, contested and overlapping ideological streams within the Movement have partially shifted its once divisive orientations regarding precarity-prone groups of workers, firstly in an inclusive and then an actively engaging fashion: a rejuvenation has been initiated.

5. Unions, Rejuvenation and Changes in Strategy.

Relations, *Mansfield Hosiery Mills Ltd.*, London: HMSO, 1974; Robert Moore, *Racism and Black Resistance in Britain*, London: Pluto Press, 1975; Grint, *Sociology of Work*, pg. 403.

¹⁷⁶ Trades Union Congress, *Report of Congress 1989*, London: TUC, 1989; cf. Grint, *The Sociology of Work*, pg. 268.

¹⁷⁷ John Wrench, *Breakthroughs and Blind Spots: Trade Union Responses to Immigrants and Ethnic Minorities in Denmark and the UK*, Oslo: FAFO, 2004; European Trades Union Congress, *Migrant and Ethnic Workers: Challenges to Trade Unions*, Brussels: ETUC, 2003.

¹⁷⁸ *Ibid.*

¹⁷⁹ Anderson *et al.*, *Fair Enough?*

¹⁸⁰ Schmidt, *Temporary Migrant Workers*, pg. 201-2; Trades Union Congress, *TUC General Council Statement on Migration*, London: TUC, 2006.

¹⁸¹ Visser, *Patterns and Variations in European Industrial Relations*.

I now turn to examine how the Movement's hegemonically dominant tradition of voluntary collective bargaining came to be partially rejuvenated in the New Economy by a portfolio of alternative strategies. This change in strategy has complemented the Movement's change in orientation. Hyman's model of differentiated union approaches, utilised throughout this thesis, is described in the process.¹⁸²

Since the 1970s the Movement has sought to demonstrate that the cascade was not a crisis of unionism outright, and that it was possible to recruit and retain members even in the new economic reality of flexible, mobile jobs and atomised collective bargain: rejuvenation of the Movement's strategies has been sought, both in Britain and internationally.¹⁸³ Clearly, unions have *always* utilised numerous divergent strategies simultaneously¹⁸⁴: so, no singular union strategy absolutely defines the rejuvenation process. However, careful analytical analysis reveals that some certain strategies have come to occur at a higher frequency, and to a deeper degree, during the Movement's attempted rejuvenation.

Hyman, aware of previous typographical paradigms,¹⁸⁵ comprehensively maps the strategic reactions of British unions to their cascade of decline. Six clear rejuvenatory strategies are identified, being used repeatedly by different unions across the economy. Some, but not all of which, revolve around the recruitment, organising and servicing of particular precarity-prone workers. One can trace the roots of all such approaches to earlier moments in the Movement's history: none are absolutely new, but all have been used in new and innovative manners.

I. Servicing Approaches

In the late 1980s, and with the endorsement of the TUC, some unions attempted to recruit highly-marketable and/or managerial employees by offering cut-price financial services, pension advice and other services not directly linked to the employment relationship,¹⁸⁶ *reminiscent of the perks offered by the friendly societies of the Nineteenth Century*. Concurrently, a number of unions began to seek the recruitment and retention of less-marketable private white-collar workers, part-time

¹⁸² N.B the following account of Hyman's model has been supplemented with references to other studies that, either implicitly or explicitly, support or have influenced the author's work. The remainder of this section summarises two of Hyman's most comprehensive works on the matter, unless otherwise stated. Cf. Hyman, *Understanding European Trade Unionism; Changing Trade Union Identities and Strategies*.

¹⁸³ Martin Behrens, Kerstin Hamann and Richard Kurd, "Conceptualizing Labour Union Revitalization". In: Ferge and Kelly (eds.), *Varieties of Unionism*, chapter two; Healey and Engel, *Learning to Organise*; Harry Katz, Rosemary Batt and Jeffrey Keefe, "The revitalization of the CWA: Integrating Collective Bargaining, Political Action, and Organizing". In: *Industrial and Labor Relations Review*, 2003, 56, pp. 573-589; Fred Rose, *Coalitions Across the Class Divide: Lessons from the Labor, Peace and Environmental Movements*, New York: Cornell University Press, 2000; James Arrowsmith, *United Kingdom. Partnership 'Alive and Well'*. London: EIRO, 2002.

¹⁸⁴ Heery and Adler, *Organizing the Unorganized*.

¹⁸⁵ A number of writers have constructed models regarding the ever-evolving strategic choices of unions: the Webb's seminal proposed a still applicable model which differentiated strategies as those of: *unilateral regulation*, the setting of workplace standards without the input of employers; *collective bargaining*, the setting of workplace standards with the input of employers; *legal enactment*, the use of state institutions in setting workplace standards; and *mutual assurance*: the use of members' financial subscriptions to raise the living standards of members inside and beyond the workplace. Cf. Webb and Webb, *Industrial Democracy*.

¹⁸⁶ Cf. Phillip Bassett and Alan Cave, *All for One: The Future of Union*, London: Fabian Society, 1993.

workers and female workers with use of similar service focussed tactics,¹⁸⁷ designed to unilaterally develop and maintain workers' human capital.¹⁸⁸ This *servicing approach* has at times been achieved collaboratively via partnership arrangements with employer organisations, state agencies and community-based groups,¹⁸⁹ all keen to maintain skills that would diminish in an unorganised labour market.¹⁹⁰

II. Legal Approaches

Additionally many, if not most, unions have shifted their attitudes towards the law from the mid-1980s onwards, and *have attempted to statutorily underwrite old and new protections for workers*, particularly for those traditionally liable to entering precarious labour relationships.¹⁹¹ With “legal enactment” being the Webbs’ preferred union strategy as of 1897, it should be clear that, like all strategies discussed in this section, the legal approach should not be regarded as an essentially modern technology, nor one completely absent in the Post-War period: we have seen how high level unionists were regular and influential faces in the offices of Westminster and Whitehall both before and after WWII. However a key differentiation can be found between the Movement’s approaches to legal regulation in the Post-War Golden Age and during the cascade of decline: then, the hegemonic Movement, while making pragmatic usage of legal institutions, rarely advocated the usage of legal devices that would have *directly* resulted in a widespread redistribution of resources and risks in society.¹⁹² The legal approaches displayed in the rejuvenation period differ in this key regard.

The archetypal example of the Movement’s new ready embrace of “post-volantarist”¹⁹³ legal approaches has been its shifting attitudes towards the notion of a NMW. Whereas the unions long used legal tactics in the Post-War period on an incidental, piecemeal basis, they hegemonically opposed, or at least failed to actively support, the statutory creation of a NMW, which would obviously have entailed a fundamental redistribution of benefits and risks in society, to the possible detriment of relatively privileged unionists, to the advantage of the lowest-paid in society.¹⁹⁴ Despite the Webbs advocating the adaptation of a “a systematic and comprehensive

¹⁸⁷ Cf. Jeremy Waddington and Colin Whitston, “Collectivism in a Changing Context: Union Joining and Bargaining Preferences among White-Collar Staff”. In: Peter Leisink, Jim van Leemput and Jacques Vilroxx (eds.), *The Challenges of Trade Unions in Europe*, London: Edward Elgar, 1996; John Sewel and Roger Penn, “Trade unionism in a Hostile Environment”. In: Duncan Gallie, Roger Penn and Michael Rose (eds.), *Trade Unionism in Recession*, Oxford: Oxford University Press, 1996; Cervano, *Trade Union Strategies Towards Atypical Work*; Heery and Abbott, *Trade Unions and the Insecure Workforce*.

¹⁸⁸ Edmund Heery, Hazel Conley, Rick Delbridge, Melanie Simms and Paul Stewart, “Trade union Responses to Non-standard Work”. In: G. Healy, E. Heery, P. Taylor, and W. Brown (eds.), *The Future of Worker Representation*, Basingstoke: Palgrave, 2004, pp. 127-150.

¹⁸⁹ Françoise Carré and Pamela Joshi, “Looking for Leverage in a Fluid World: Innovative Response to Temporary and Contracted Work”. In: F. Carré, M. Ferber, L. Golden, and S. Herzenberg (eds.), *Non-Standard Work Arrangements and the Changing Labor Market: Dimensions, Causes and Institutional Responses*. Champaign: Industrial Relations Research Association, 2000.

¹⁹⁰ Heery, *Trade Unions and Contingent Labour*.

¹⁹¹ Colling, “What Space for Unions on the Floor of Rights? Trade Unions and the Enforcement of Statutory Individual Employment Rights”. In: *Industrial Law Journal*, 2006, 35, pp. 140–160.

¹⁹² Oude Nijhuis, *Labor Divided*, pg. 34.

¹⁹³ William Brown, Simon Deakin, David Nash and Sarah Oxenbridge, “The Employment Contract: from Collective Procedures to Individual Rights”. In: *British Journal of Industrial Relations*, 2000, 38(6), pp. 611-629.

¹⁹⁴ Oude Nijhuis, *Labor Divided*, pg. 30-1; 39.

Labour Code, prescribing... precautions of sanitation and safety... maximum hours of toil (and) a minimum of weekly earnings” as early as 1897,¹⁹⁵ such a system was never *systematically* pushed for by the British Movement. Traditional explanations for the TUC’s and hegemonic Movement’s previous lack of support boil down to the notion that unionists possessed rightly held suspicions of an often-hostile state, and therefore preferred the arena of voluntary collective negotiations in setting wage levels. However, such explanations ignore the fact that several unions that counted large numbers of low-waged workers in their memberships supported and lobbied for the creation of a NMW from the 1940s onwards: this alludes to the fact that it was a union resistance to state-led wealth redistribution, rather than the state *per se*, which discouraged the hegemonic usage of this strategy.¹⁹⁶

However in 1986, as the cascade of decline decimated traditional union strongholds and inhibited the usage of voluntary approaches, the TUC changed its official policy, and for the first time since the 1920s formally advocated the pursuit of a NMW and, after a skilled campaign, managed to bring a sufficient number of initially sceptical affiliates on board to propagate a substantial campaign in its favour.¹⁹⁷ Resultantly, the Labour Party adopted the pursuit of the NMW as a 1992 manifesto commitment. Of course, it would take the 1997 election of New Labour for the unions’ position to gain any credence in the corridors of power, but since the passing of NMW legalisation in 1998 the Movement, virtually unanimously, has come to be highly protective of the statutory wage floor.¹⁹⁸

Unions pushing hard for the eventual acceptance of EU Working Time Directives, the creation of anti-discrimination legislation and work-life balance protections provide further examples of this strategy being operationalised, to give some idea regarding the depth of this development.¹⁹⁹ In addition to attempting to create new employment laws in Westminster, the Devolved National Parliaments and Brussels,²⁰⁰ unions have become adept at making test-cases in the local, national and supra-national courts, and Industrial Tribunals, in sometimes successful attempts at securing employment rights via common law decisions.²⁰¹ Indeed, after being wooed

¹⁹⁵ Webb and Webb, *Industrial Democracy*, pg. 232.

¹⁹⁶ Oude Nijhuis, *Labor Divided*, pg. 30-33.

¹⁹⁷ Minkin, *The Contentious Alliance*, pg. 429; Oude Nijhuis, *Labor Divided*, pg. 40; Trades Union Congress, *Report of Congress 1986*, London: TUC, 1986, pg. 285-6; Trades Union Congress, *Report of Congress 1989*, London: TUC, 1989, pg. 374; Trades Union Congress, *Report of Congress 1995*, London: TUC, 1995, pg. 37; Trades Union Congress, *Report of Congress 1996*, London: TUC, 1996, pg. 42; Trades Union Congress, *The Myth of Job Creation in Britain*, London: TUC, 1996.

¹⁹⁸ While the initial 1999 rate was well below the wage recommended by the unions during consultation, the Act ensured pay increases for well over two million people in its first year. Cf. Hyman, *Understanding European Trade Unionism*; Union of Shop, Distributive and Allied Workers, *Agency and Migrant Workers*, Manchester: USDAW, 2007, pg. 9; Trades Union Congress, *NMW Penalties, Fair Arrears, and Employment Agency Standards*, London: TUC, 2007; Krings, *Trade Unions and Migrant Labour in the 'Global Age'*.

¹⁹⁹ In addition to demonstrating a new strategic respect for the role of government, these laws reflect the shifts in union orientations towards precarity-prone workers, in that they focus on issues of inequality based on sexual, racial and contractual cleavages. Cf. Linda Dickens and Mark Hall, “Labour Law and Industrial Relations: a New Settlement?”. In: Edwards (ed.), *Industrial Relations: Theory and Practice*, pp. 124- 156, pg. 132; Sue Ledwith and Fiona Colgan, “Tackling Gender, Diversity and Trade Unions: a Worldwide Project?”. In: F. Colgan and S. Ledwith (eds.), *Gender, Diversity and Trade Unions: International Perspectives*, London: Routledge 2002, pp. 73-94.

²⁰⁰ Nick Bacon and Peter Samuel, “Partnership, Agreement, Adoption and Survival in the British Private and Public Sectors”. In: *Work, Employment and Society*, 2009, 23, pp. 231–248.

²⁰¹ Heery et al., *Trade union Responses to Non-standard Work*, 2008 pg. 26; Cf. Act of Parliament, *Employment Act 2002*, London: HMSO, 2002.

by the socialist French President Jacques Dalores, who assured delegates that their apparent impotence in the face of Thatcherism could be cured by an empowered Brussels, an acknowledgment of the “multi-level” avenues of legal influence afforded by the European Courts was an important factor in the TUC, with the partial support of its affiliates, dropping its long-held opposition to the UK’s membership to the EEC in 1988.²⁰²

III. Partnership Approaches

Reflecting the Movement’s growing pessimism regarding the power and effectiveness of collective militant mobilisation, many unions have utilised, especially from the mid-1990s onwards,²⁰³ a more explicitly *cooperative* approach with regard to their relationships *with employers*²⁰⁴: social partnerships have become the norm at the industrial, or more commonly, plant level in some often relatively niche areas of the economy. Participating unions have attempted to embed themselves into firms’ regulative machinery, in return for lending their support in increasing flexibility within the workforce: here, “unapologetic endorsement(s) of the principle of compromise”, once heretical to the organisational principles of the Movement in the Post-War Era, began to emanate from certain quarters of the Movement.²⁰⁵ Spearheaded by the TUC, arguably with little democratic input, oversight or support from the affiliated unions, the underlying logic of this approach was enshrined in the TUC’s 1997 policy document ‘*Partners for Progress*’.²⁰⁶

Obviously for this strategy to be seen as viable, unions are going to have to hold particular orientations towards the nature of capitalist production. In the Post-War period, voluntary bargaining required at least an acceptance of capital’s ownership of the means of production: the leap to fully-fledged strategies of partnership or cooperation was not so great from this orientational origin. Yet this small leap represents a major reconfiguration in union activities: whereas in the Post-War Era unions conceived their responsibilities principally in distributive terms, rejuvenatory actions of such a cooperative sort often revolve around the supply-side of labour and product markets, focussing on issues of skill production, firm competitiveness and product quality and productivity.²⁰⁷ This shift towards actions focussing on supply side issues has been seen within union movements across Europe, and is not exclusively consigned to Britain.²⁰⁸

²⁰² Paul Marginson and Keith Sisson, *European Integration and Industrial Relations: Multi-level Governance in the Making*, Basingstoke: Palgrave MacMillan, 2004.

²⁰³ Healey and Engel, *Learning to Organise*.

²⁰⁴ Boxall and Haynes similarly suggest that a dualism demarcates the temporal border of union rejuvenation: accordingly, “adversarial” approaches of voluntarism and the threat of withdrawing one’s labour gave way to “cooperative” relations with employers and their organisations. Cf. Peter Boxall and Peter Haynes, “Strategy and Trade Union Effectiveness in a Neo-liberal Environment”. In: *British Journal of Industrial Relations*, 1997, 35(4), pp. 567-91.

²⁰⁵ Hyman, *Understanding European Trade Unionism*, pg. 48; Peter Ackers and Jonathan Payne, “British Trade Unions and Social Partnership: Rhetoric, Reality and Strategy”. In: *International Journal of Human Resource Management*, 1998, 9(3), pp. 529-49; David Guest and Riccardo Peccei, “Partnership at Work: Mutuality and the Balance of Advantage”. In: *British Journal of Industrial Relations*, 2001, 39(2), pp. 207-236; Healey and Engel, *Learning to Organise*.

²⁰⁶ Trades Union Congress, *Partners for Progress*, London: TUC, 1997.

²⁰⁷ Streek, *Training and the New Industrial Relations*, pg. 251-253.

²⁰⁸ Mark Stuart, “The industrial Relations of Training and Learning: a ‘New Consensus’ or a ‘New Politics’”. In: *European Journal of Industrial Relations*, 2007, 13(3), pp. 269-280. Cooperative approaches, or partnership strategies can, and in the UK have, occurred at the firm level: cf. Benson

Particularly between 1997 and 2010, when New Labour controlled Parliament, governmental policies have been one of the chief driving forces behind the propagation of this approach.²⁰⁹ Examples of this overt State encouragement can be seen in the creation of the National Advisory Group for Continuing Education and Lifelong Learning, a quasi-autonomous non-governmental organisation (quango)²¹⁰ incorporating union and business staff tasked to advise government on widening participation in lifelong learning,²¹¹ and the Skills Task Force, another trilateral body tasked to promote skill development.²¹² Rather unlike the corporatist bodies of the apparently Golden Era, the Movement has enthusiastically embraced such schemes.²¹³

Clearly, a key area where the partnership approach has been utilised has been the area of lifelong learning and skill formation arenas.²¹⁴ New Labour found this operational domain “a natural issue for partnership in the workplace between employers, employees and their trade unions”, one that “signal(led) a new and modern role for unions”,²¹⁵ and created a £12.5 million pound Union Learning Fund (ULF) in 1998. Granted an additional £20 million over 2002 to 2004,²¹⁶ explicitly for the purpose of promoting union/employer learning initiatives, the ULF had supported 60 different unions on over 300 different projects as of 2003.²¹⁷ Despite governmental hostility and cutbacks from 2010 onwards, the ULF continues to operate in a limited capacity, after the TUC prioritised its continuation in all its discussions with the new Conservative/Liberal Democrat Government²¹⁸: this demonstrates the degree of importance the Movement has come to attach to this approach.

Not only has the British government produced incentives for unions to pursue partnership approaches. Predating the rise of New Labour, the Movement had made inroads into the “corporatist policy community” of the European Union,²¹⁹ and found

and Gospel who have observed “moves towards enterprise unionism” in Britain and elsewhere in recent decades. Partnership has also occurred at a higher level of organisation, between individual unions and/or the TUC and employer organisations, working alongside the state and other interested societal actors. Cf. Benson and Gospel, *The Emergent Enterprise Union*, pg. 1374.

²⁰⁹ Smith and Morton, *New Labour's Reform of Britain's Employment*, pg. 120.

²¹⁰ That is, a body funded by, and answerable to, Government with a non-elected, appointed board of directors.

²¹¹ Bob Fryer, *First Report of the National Advisory Group for Continuing Education and Lifelong Learning*, London: DfEE/HMSO, 1997.

²¹² Department for Education and Employment, *A Second Evaluation of the Union Learning Fund*, London: HMSO, 2000; Emma Wallis, Mark Stuart and Ian Greenwood, “Learners of the Workplace Unite! An Empirical Examination of the UK Trade Union Learning Representative Initiative”. In: *Work, Employment and Society*, 2005, 19(2), pp. 283–304.

²¹³ Healey and Engel, *Learning to Organise*.

²¹⁴ Mark Stuart, “United Kingdom: the Sound of One Hand Clapping”. In: Lars Magnusson and Jonathan Winterton (eds.), *Trade Union Strategies for Developing Competence at Work: An Emerging Area for Social Dialogue*. London: Routledge, 2007; Keith Forrester and John Payne, “Trade Union Modernization and Lifelong Learning”. In: *Research in Postcompulsory Education*, 2000, 5(2), pp. 153–171; Jason Heyes and Mark Stuart, “Bargaining for skills: Trade Unions and Training at the Workplace”. In: *British Journal of Industrial Relations*, 1998, 36(3), pp. 459–467; Keith Forrester, “The Quiet Revolution? Trade Union Learning and Renewal Strategies”. In: *Work, Employment and Society*, 2004, 18(2), pp. 413–420; Perrett *et al.*, *Trade Union Learning Strategies and Migrant Workers*.

²¹⁵ Department for Education and Employment, *The Learning Age: a Renaissance for a New Britain*, 1998, pg. 35.

²¹⁶ Healey and Engel, *Learning to Organise*.

²¹⁷ *Ibid.*

²¹⁸ Perrett *et al.*, *Trade Union Learning Strategies and Migrant Workers*.

²¹⁹ Gerda Falkner, *EU Social Policy in the 1990s: Towards a Corporatist Policy Community*, London: Routledge. 1998, pg. 187.

the results highly appealing. On being granted, alongside employer organisations, a consultative role with the European Commission, collegiality at the international level prompted the proliferation of multi-level partnership actions between these oft-antagonistic groups.²²⁰

Such partnerships have at times been specifically tailored to, and beneficial for, the needs of traditionally precarity-prone groups: UnionLearn, a body that combines the resources of the TUC's learning department, individual unions and employers has developed numerous English as a Second Language courses over the last decade, as an example.²²¹ Yet benefits run deeper than the relatively standard provision of language tuition: Forrester argues that the partnership approach, actualised in learning arenas, provides a basis for linking otherwise disparate groups, both internal and external to the active union and the workplace,²²² in a way that voluntary collective bargaining never achieved.

IV. Campaigning Approaches

A crucial rejuvenating development has been the unions' increased attempts at raising their public profiles through the use of active campaigning beyond the workplace. Spearheaded by the general unions, this approach gained much credence in the Movement in the late 1980s and 1990s. In 1994, the TUC formally "re-launched" itself,²²³ emphasising the notion that unions, and unionists, need to mobilise vocally and publicly in the pursuit of stronger employment rights, but also with regard to other social-economic phenomena, such as anti-racism and environmental issues.²²⁴ With the *campaigning approach* unions, if not cooperating directly with employers as per the partnership approach, have sought to create and maintain alliances with other societal organisations: in the UK this has included the Citizens Advice Bureaux, local housing trusts, solicitors and careers advisors, religious groups, anti-fascists organisations, New Social Movements, NGOs and *at times* employer organisations.²²⁵ This is in stark opposition to the norm of the Post-War Era, where, despite occasional discursive allusions of solidarity, trade unions and wider community organisations only tended to come together defensively at times of absolute crisis.²²⁶ Contrastingly, now many unions have come to present themselves as "societal actors"²²⁷: up-scaling their own role beyond that of 'mere' worker representatives.²²⁸

A starting point for this approach was the recognition that the "worksites unionism",²²⁹ that typified voluntary bargaining, largely failed to effectively organise the precarity-prone workers needed as part of the Movement's rejuvenation.

²²⁰ Heery, *Trade Unions and Contingent Labour*.

²²¹ Perrett *et al.*, *Trade Union Learning Strategies and Migrant Workers*

²²² Forrester, *The Quiet Revolution?*

²²³ Trades Union Congress, *Report of Congress 1994*, London: TUC, 1994.

²²⁴ Cf. Jane Wills, *Union Futures: Building Networked Trade Unionism in the UK*, London: Fabian Society, 2009.

²²⁵ Perrett *et al.*, *Trade Union Learning Strategies and Migrant Workers*; Carré and Joshi, *Looking for Leverage in a Fluid World*.

²²⁶ Wills and Simms, *Building Reciprocal Community Unionism in the UK*.

²²⁷ Forrester, *The Quiet Revolution?*

²²⁸ Heery, *Trade Unions and Contingent Labour*; cf. also Fitzgerald and Hardy, *Thinking 'Outside the Box'*.

²²⁹ Cf. Dorothy Cobble, *Dishing It Out: Waitresses and Their Unions in the Twentieth Century*, Urbana: University of Illinois Press, 1991.

International evidence certainly indicates that particular groups of precarity-prone workers are highly conducive to this alternative form of union activity²³⁰: BME and migrant community-based NGOs have been found to possess a high propensity for collaborating with trade unions when given adequate opportunities, over a diverse range of issues, despite various international Movements' pre-rejuvenatory reluctance to collaborate with them.

V. Organising Approaches

Perhaps the most ubiquitous, and morally privileged, of the rejuvenating strategies, certainly in the general and low-skilled unions, has been the identification of the need to develop or rediscover *organising approaches* within the Movement's rank-and-file. When the cascade of decline struck, foremost in the minds of numerous union strategists was the need to stymie membership losses and, if possible, ensure growth. Observations were repeatedly made to the effect that the passive recruitment processes that typified the Post-War Era, often reliant on social pressures from fellow colleagues, proved ill suited to the New Economy of small-employee firms: as the closed shop came to be systematically outlawed, as anti-union discourses raged in society and as employers increasingly sought to marginalise trade union representatives in the workplace, unions, facing a catastrophic acceleration in membership declines, began to discuss the need for economy-wide, or at least union-wide, coordination in recruitment. Through these discussions many came to believe, from the 1980s onwards, that complacent Post-War unions had simply forgotten how to *actively* organise. *New sectors of the economy had to be penetrated, and pre-existing union members had to be turned into fully-fledged, active unionists.* Unions began to develop new strategies, and resuscitated others once prevalent in the earlier history of the movement, in attempts at addressing this holistic bundle of barriers.

Boxall and Haynes propose a fairly reductionist, but still revealing, dualism between "servicing" union strategies, actualised by professional unionists or shop-stewards aimed at a passive membership, and "organising" strategies, aimed at creating self-sustaining and replicating support networks in the rank-and-file of unions.²³¹ What differentiates the organising approach from the so-called servicing approach that supposedly typified the Post-War period is its idealised emphasis on the self-determination of union agendas by individual groups of workers at the firm level.²³²

It has been argued that servicing approaches were actually imposed on rank-and-file members in the Post-War Era, when central union secretariats and the TUC sought to inhibit the growth of membership self-reliance and self-determination, fearful that if allowed to develop, undercurrents of union militancy would seek more

²³⁰ Robert Perrett and Miguel Martinez Lucio, "Trade Unions and Relations with Black and Minority Ethnic Community Groups in the United Kingdom: the Development of New Alliances?". In: *Journal of Ethnic and Migration Studies*, 2009, 35(8), pp. 1295–1314.

²³¹ Boxall and Haynes, *Strategy and Trade Union Effectiveness in a Neo-liberal Environment*.

²³² Paul Blyton and Peter Turnbull, *The Dynamics of Employee Relations*, Houndmills: Palgrave, 2004, pp. 167, cf. Bob Carter, "Trade Union Organizing and Renewal: a Response to de Turberville". In: *Work, Employment and Society*, 2006, 20(2), pp. 415-426; Edmund Heery, Melanie Simms, Rick Delbridge, John Salmon and Dave Simpson, "Union Organizing in Britain: a Survey of Policy and Practice". In: *The International Journal of Human Resource Management*, 2000, 11(5); Edmund Heery, Melanie Simms, Rick Delbridge, John Salmon and Dave Simpson, "The TUC's Organising Academy: An Assessment". In: *Industrial Relations Journal*, 2000, 31(5); Fitzgerald and Hardy, 'Thinking Outside the Box'.

ambitious demands, and ascribe more fully to ideologies of class conflict, then the tradition of voluntarism allowed.²³³ Ironically then, the parallels between the Movement's formal contemporary approach, and the informal militant undercurrent to the Movement that central bodies resisted in the Post-War Era seem to make organising approaches fit well within the British context.²³⁴ In this regard, what has changed since the cascade of decline is the fact that central unions now standard seek to create, rather than suppress, internal legitimacy and resources for independently operating branch members.

The organising approach, it has been hoped, promotes the recruitment of workers into the Movement, and dampens membership turnover rates, by giving workers a justified sense of responsibility and ownership lacking in the servicing approach. However, the Movement has sensed other benefits to this approach: believing it to increase its power resources when it comes to political lobbying; hoping a larger and politicised membership accrues the Movement greater legitimacy and influence in its political actions.²³⁵ Therefore, hand-in-hand with attempts at re-activating self-sufficiency in their rank-and-files, unions have sought, particularly from the late 1990s, to penetrate previously unorganised, and often precarity-producing firms and sectors of the economy.²³⁶ Likewise, proactive attempts have been made to engage groups of traditionally precarity-prone workers previously disregarded as being too problematic to organise²³⁷: British unions have developed a whole array of organising strategies for this purpose; one of the most tried and tested being the use of 'like for like' organisers in recruiting migrant workers, as an example.²³⁸

VI. Communicative Approaches

Finally, many unions, previously embodying opaque and hierarchical forms, have come to recognise that in the early Twentieth Century there had not been enough bidirectional communication channels within their internal structures. The Conservative Government of the 1980s, ideologically inclined to the belief that union leaderships were more militant and left wing than their members, enforced 'democratising' policies on the unions: rolling programmes of legislation came to require direct, secret and repeated elections for top officials, secret ballots before strikes and other industrial actions and once-a-decade votes to allow for the continuation of political and strike funds. Surprisingly, for the government if not for professional unionists well used to curbing undercurrents of left wing militancy in their unions, such democratising processes caused no lurch to the right nor a depoliticisation of the unions²³⁹: if anything the Movement, galvanised through anger,

²³³ Cf. Kelly, *Union Militancy and Social Partnership*.

²³⁴ Heery *et al.*, *The TUC's Organising Academy*.

²³⁵ Ferge and Kelly, *Union Strategies in Comparative Context*.

²³⁶ Cf. Gregor Gall and Sonia McKay, "Facing 'Fairness at Work': Union Perception of Employer Opposition and Response to Union Recognition". In: *Industrial Relations Journal*, 2001, 32, pp. 94-113; Heery, *et al.*, *Beyond the Enterprise?*.

²³⁷ Cf. Ian Fitzgerald and John Stirling, *Black Minority Ethnic Groups' Views of Trade Unions*, Newcastle: Northern TUC; Holgate 2004; Perrett and Martinez Lucio, *Trade Unions and Relations with Black and Minority Ethnic Community Groups in the United Kingdom*; Fitzgerald and Hardy, *Thinking 'Outside the Box'*, for organising attempts aimed at BME workers, as examples.

²³⁸ Perrett *et al.*, *Trade Union Learning Strategies and Migrant Workers*.

²³⁹ Roger Undy and Roderick Martin, *Ballots and Trade Union Democracy*, Coventry: Basil Blackwell, 1984.

shifted to the left during this decade. However, such a process did force the opening of direct communication channels between the leadership and memberships of unions which had, in many cases, simply not existed before. From the 1990s onwards many unions came to consciously further increase the effectiveness of their internal communications channels through this burgeoning *communicative approach*.

This opening actually wrought further ramifications regarding the Movement's hegemonic orientations. One cannot ascribe a master narrative covering the entirety of the Movement in the Post-War Era, stating that unionists were wont to defend only the interests of their own core members over those of other workers: it is undeniable that many within the Movement's rank have long held and pursued alternative interests.²⁴⁰ While the institutional environment of the Post-War Era, both internal and external to the Movement, promoted the pursuit of self-interest through the strategy of voluntarism, the ideological makeup of much of the Movement's rank-and-file lent itself, however slightly or partially, to the pursuit of alternative orientational goals via different strategies when the construction of conducive internal-communication channels allowed.

Some of these rejuvenatory strategies – such as the partnership and campaigning approaches – seem to inherently contradict one another, while others – such as the legal and campaigning approaches – appear to complement one another well: however, neither a single strategy, nor a narrow set of strategies, is likely to emerge uncontested as the principle operating standard of a single major union, let alone the Movement as a whole, in a hypothetically fully-rejuvenated future. The reasons for this variety is intimately linked to a union's organisational structure: unions with a highly-skilled and marketable constituency may find the greatest utility in entering into partnership productive coalitions with employees, forming *company 'unions'*; while unions attempting to represent or court a more precarity-prone membership could well find it more beneficial to seek legal engagements with the government, campaign in the wider societal environment as a social movement, or provide tailor-made services to individual members as a friendly society.²⁴¹

The key lesson to take from this section is the fact that from the 1970s onwards the Movement partially (re-)adopted a wide portfolio of divergent strategies, significantly differentiated from the Post-War hegemony of voluntary collective bargaining.

6. Rejuvenation's Causal Mechanisms.

It is now necessary to examine what causal mechanisms *allowed* and *encouraged* a change in unionism; to ascertain how exactly the transition to the New Economy pragmatically demanded a rejuvenation of the Movement's orientations and strategies. It must be asked: how were rejuvenatory developments allowed to occur at all? Surely the historic organisation principles and invested interests of unionists would have prohibited a fundamental transformation of the ideologies and tactics of the hegemonic Movement, even in the face of economic restructurings and the like.

²⁴⁰ Cervano, *Trade Union Strategies Towards Atypical Work*, pg. 11.

²⁴¹ Hyman, *Changing Trade Union Identities and Strategies; Understanding European Trade Unionism*, pg. 134.

Pull-factors were certainly involved: at a time of union decimation, the incentives of new and self-sufficient groups of workers, of use in buttressing membership numbers, reducing costs, dampening under-cutting tendencies, and increasing the perceived legitimacy and power of unions on the national stage are in themselves compelling reasons for any self-motivated and strategically enabled organisation to change its *modus operandi*, even if this entails a short-term reduction in benefits for the organisation's traditional constituents.²⁴² As an example of this self-calculation of benefits, see Jack Dromey, ex-Deputy General Secretary of the TGWU, who summarised the purpose and apparent need of the organising approach thusly: “unless you build strong, fighting, self-confident and self-sustaining workplace organisations, you do not win, you do not grow and our hard-pressed officers are run ragged servicing a fragmented and declining membership”.²⁴³ From this quote it is clear that beyond the weighty notions of internal democracy that often pepper accounts of the organising approach, a key perceived benefit of it is that, if actualised fully, the Movement's rank-and-file membership would have relatively light resource requirements.

According to the above explanation, *the dependencies of historic organisational principles were broken by the purposeful self-identification of interests*, yet the Movement's partial shift in orientations did not represent a move away from ultimately *self-interested motivations*. As for strategies: as in earlier “times or in areas of industrial weakness”, the British Movement started to display a “readiness to resort to (rejuvenatory) method(s)... either because collective bargaining was unavailable or because its results were unacceptable”.²⁴⁴ So, while *conscious cost/benefit analyses* prompted the rejuvenation of both the Movement's orientations and strategies, these calculations must principally be seen as a defensive reaction to the decline in the effectiveness of the Movement's Post-War Era actions.

Aspects of this account, which basically states that rejuvenation has been a wholly conscious, rational and direct consequence of economic restructuring, are undeniable: in periods of crises, or otherwise, conscious appraisals of incentives can, and have, coaxed a reorientation from unions.²⁴⁵ Take the issue of migrant labour for example: while it may be logical for self-interested unions, when protecting their most privileged core members, to oppose immigration into a social formation for fear of wage dumping, it too is logical, according to completely self-interested equations, to organise migrant workers if and when they embed themselves into society, for the same reason: to prevent the undercutting and erosion of privileged workers' wages.²⁴⁶

However, additional contingent historical explanations must be drawn upon to adequately explain union rejuvenation. First and foremost was the role of the state, which from the 1970s arrested the Movement's ability to exclude certain forms of

²⁴² Cervano, *Trade Union Strategies Towards Atypical Work*.

²⁴³ Trades Union Congress, *Making a Rights-Based Migration System Work: TUC Response to the Home Office Consultation Document 'Selective Admission: Making Migration Work for Britain*, London: TUC, 2005.

²⁴⁴ Flanders, *The Tradition of Voluntarism*, pg. 358.

²⁴⁵ Wallis et al., *Learners of the Workplace Unite!*; Goslinga and Sverke, *Atypical Work and Trade Union Membership*; Manuel Martinez Lucio and Robert Perrett, “Strategies in Search of Structures: the Real World of Community Unionism in Relation to Black and Minority Ethnic Communities”. In: J. McBride and I. Greenwood (eds.), *Community Unionism: A Comparative Analysis of Concepts and Contexts*, Basingstoke: Palgrave MacMillan, chapter four.

²⁴⁶ Stephens Castlers and Godula Kosack, *Immigrant Workers and Class Structure in Western Europe*, London: Oxford University Press, 1973.

labour from the market. Of particular importance was the abolition of the closed shop, with which the unions were previously able to maintain and regulate the standard employment contracts and demographics of a firm's workforce.²⁴⁷ As mentioned earlier, a series of legislative changes likewise disabled the Movement's usage of strike action: in sum, unionism's ability to restrict access to labour markets became seriously restricted, on both a short and long-term basis. This encouraged a change in strategy from the unions, and also, if they were to retain any legitimacy and influence, a shift in orientations towards precarity-prone workers also.²⁴⁸ Another aspect of government action that inadvertently helped jumpstart rejuvenation were the unintended effects of the 1984 Trade Union Act, which required all union executives to be elected by secret individual ballots: while the Conservative Government expected and failed to observe a resultant rightwing shift in union activity, strong causal links can be made between the passing of this act and the rise of females on union executives; it is clear that rejuvenation was certainly *in part* an unintended consequence of the anti-union governmental policies of the 1980s.

Yet one does not have to place too much credit, however indirect, at the feet of *Thatcher and Co.* for the process of union rejuvenation: an additional process likewise did much to kick-start the rejuvenation process. As "value-rational" organisations,²⁴⁹ unions are in part driven by ideological convictions, and these are open to change from internal and external processes. After the onset of the cascade of decline, new discourses based on notions of fundamental human rights came to have a great influence over the Movement. These discourses, long emanating internally and externally to the Movement but often suppressed by officious central offices in the Post-War Era, framed the interests of precarity-prone workers in a more sympathetic light than had been the case before²⁵⁰: non-standard workers, oft thought of as little better than *blacklegs* and *scabs* in the Movement's Golden Era, were ideologically recast as exploited groups worthy of and needing union representation.

The key lesson to take from this section, drawn from a combination of the above accounts, is the fact that a mixture of conscious self-interested cost/benefit analyses – regarding the incentives offered by the representation and recruitment of traditionally precarity-prone workers, governmental regulations that vetoed previous hegemonic orientations and strategies, and the propagation and internalisation of various societal discourses all allowed and encouraged a rejuvenation of union orientations and strategies from the 1970s onwards. Of course, all such institutional and contingent pressures must be framed with reference to the cascade of decline, which largely invalidated the previous hegemonic tendencies of the Movement.

7. Rejuvenation's Arrested Development.

I have shown how the cascade of decline broke the efficiency of the *modus operandi* of a once relatively empowered but complacent Movement, adept at representing the interests of its privileged core workers; yet, slowly and surely, the strategically enabled Movement adapted its orientations and strategies, often to the benefit of the more precarity-prone workers of society. Is this the end of the story?

²⁴⁷ Linden, *Workers of the World*, pg. 230.

²⁴⁸ Heery, *Trade Unions and Contingent Labour*.

²⁴⁹ Carola Frege, Edmund Heery and Lowell Turner, "The New Solidarity? Trade Union Coalition-Building in Five Countries". In: Frege and Kelly, *Varieties of Unionism*, chapter eight, pg. 143.

²⁵⁰ Heery, *Trade Unions and Contingent Labour*.

No. The mainstream Movement's rejuvenation has been partial and incoherent at best: in this section I describe and explain this failure.

TUC delegates had been known to label one form of non-standard workers – temporary agency workers, as “parasites”, “scavengers” and “pimps” before the 1980s.²⁵¹ Such a tendency is not surprising, coming as it was from a pre-rejuvenatory Movement. However, such attitudes survived till very late in the Twentieth Century: in 1985 a delegate at the TGWU's Biennial asked, again regarding temporary agency workers, “how do you control rabies?”; he answered, “You destroy rabies – you get rid of it completely and do not allow it to spread”.²⁵² Clearly, divisiveness remained the norm for many, and even at the beginning of the 2000s only a few of the larger general unions had developed any *consistently well-resourced* functions aimed at pursuing the interests of workers on non-standard contracts.²⁵³ In other words, a rejuvenation of orientations regarding non-standard contractors is still incomplete.

This is likewise the case for traditionally subordinated demographic groups. Regarding female workers: despite much cosmetic and discursive reorganisations, progress during the height of the cascade of decline was grindingly slow in practice; at the 1986 TUC congress, while females made up 38% of the affiliated unions' rank-and-file members, only 18% of delegates were female²⁵⁴; this demonstrates that in the rejuvenatory period, when females proactively joined and maintained membership in unions, they risked marginalisation within the internal structures of the Movement. In the same year, only 2% of female unionists held elected positions of responsibility within their union²⁵⁵; problematically, under representation was no less accentuated in the higher levels of the internal structures of Movement; in the same year only 5 of the TUC's 84 affiliated unions had elected a female as its General Secretary,²⁵⁶ and in 1988, of the 3000+ full-time officials employed by the five largest unions in the UK, only 77 were female.²⁵⁷ So, well into the cascade of decline, and after initial attempts at rejuvenation, “for most women, trade unions meet at the wrong time in the wrong place about the wrong things. For most trade unions, women are the wrong people in the wrong place at the wrong time going about the wrong things”.²⁵⁸

Other intersecting groups have fared little better. Since the onset of rejuvenation, unions in Britain have come to be *vocal* in their demands for the equal treatment of BME and migrant workers. However, the actual active organisation of migrant workers has been conducted with less urgency: by 1986, 56% of ethnic minority employees were unionised – as opposed to 47% of white British workers, yet only 4% of ethnic minority male unionists held elected positions of responsibility within their union, as opposed to 11% of white British male unionists²⁵⁹: explicit and implicit racist assumptions and practices within the Movement long inhibited an improvement in this situation,²⁶⁰ though perhaps formal union ideologies of

²⁵¹ Heery, *The Trade Union Response to Agency Labour in Britain*.

²⁵² Transport and General Workers Union, *Minutes of TGWU Biennial Delegate Conference 1985*, London: TGWU, 1985.

²⁵³ Heery, *Trade Unions and Contingent Labour*; cf. Veronica Beechey and Tessa Perkins, *A Matter of Hours: Women, Part-time Work and the Labour Market*, Oxford: Polity Press, 1987, pp. 150-82.

²⁵⁴ Trades Union Congress, *Statistical Statement and List of Delegates*, London: TUC, 1986.

²⁵⁵ Policy Studies Institute, *1986 – Black and White Britain*, London: PSI, 1986.

²⁵⁶ Trades Union Congress, *Statistical Statement and List of Delegates*, London: TUC, 1986.

²⁵⁷ Edmund Heery and John Kelly, “Full-time Officers and Trade Union Recruitment”. In: *British Journal of Industrial Relations*, 27(2), 1989, pp. 196-213.

²⁵⁸ Beatrix Campbell, *Women: Not What They Bargained For?*. In: *Marxism Today*, March 1982.

²⁵⁹ Policy Studies Institute, *1986 – Black and White Britain*.

²⁶⁰ Wrench, *Breakthroughs and Blind Spots*, pg. 135.

internationalism and solidarity kept the worst racist behaviours of the Movement in check.²⁶¹ When, in the 1980s and 1990s, central secretariats dedicated more resources to BME issues, a disconnection between the policies of the unions' and TUC's head offices, and their implementation the firm level became apparent²⁶²: this further highlights a difference between the often rejuvenatory sentiments of the Movement during its cascade of decline, and its orientations as actualised in practice.

Clearly, for all its rhetorical orientational realignments and alternations, a base aim of union rejuvenation has remained unfulfilled: traditionally precarity-prone groups of workers have remained in many ways excluded from the Movement, well into the ongoing cascade of decline. If one remembers that even during the immediate Post-War Era altruistic undercurrents – which sought to pursue more positive policies – existed within the Movement, *it must be accepted that changes in the underlying orientations of the Movement have been piecemeal, sporadic, nugatory, contested and reversible at best.*²⁶³ In the following pages, we analyse why this has been the case.

While unions have long held the notion of solidarity as a founding principle, the defence of precarity-prone workers seemingly requires more: altruism,²⁶⁴ *at least in the short-term*, and this has been lacking in the UK. *Union disinterest in precarity-prone workers has been, and continues to be, an issue of short-term opportunity costs*: it is difficult to recruit and unionise geographically dispersed and time-poor non-standard workers,²⁶⁵ particular when they are employed within small and otherwise unorganised firms (remember, it is in such firms, and contract types, that we continue to see an overrepresentation of female, BME and migrant labour). Other issues that complicate the recruitment and retention of non-standard workers includes the facts that many labourers work for multiple employers in the New Economy and/or for cash in hand, and that low-waged firms often experience a high degree of staff turnover: these factors prohibit the use of check-off procedures – where union subscriptions are debited directly out of pay-checks.²⁶⁶ Due to these difficulties of building and sustaining a union presence in new economic firms, unions have found it difficult to build up lay representative structures within them: therefore a greater proportion of advocacy and representative work has to be performed by full-time union representatives: thus, when compared with more standardly arranged businesses, these firms represent a bigger drain on the increasingly squeezed resources of unions.²⁶⁷ Indeed, Sharpe shows us that the marginal costs of organising increase for unions in progressively smaller firms.²⁶⁸

²⁶¹ Rinus Penninx and Judith Roosblad, "Conclusion". In: Penninx and Roosblad (eds.), *A Comparative Study of the Attitudes and Actions of the Trade Unions in Seven West European Countries*, pp. 183-213, pg. 207.

²⁶² Steve Jeffrey and Nouria Ouali, "Trade Unions and Racism in London, Brussels and Paris Public Transport". In: *Industrial Relations Journal*, 2007, 38(5), pp. 406-422.

²⁶³ Heery, *Trade Unions and Contingent Labour*; M.A. Malo, "Temporary Workers and Direct Voting Systems for Workers' Representation". In: *Economic and Industrial Democracy*, 2006, 27(3), pp. 505-535.

²⁶⁴ Hyman, *Trade Unions and the Disaggregation of the Working Class*.

²⁶⁵ Grint, *The Sociology of Work*.

²⁶⁶ Likewise, due to non-standard workers habit of fluxuating between periods of work and unemployment, unions have found non-standard workers prone to discontinue their membership contributions. Cf. Hegewisch, *Temporary Agency Work, National Reports – United Kingdom*.

²⁶⁷ *Ibid.*

²⁶⁸ Cf. Ian Sharpe, "The Growth of Australian Trade Unions: 1907-1969". In: *Journal of Industrial Relations*, 1971, 13(2), pp. 138-154.

To extrapolate further, *there has been a lack of guaranteed financial incentives for consistent union rejuvenation attempts in the New Economy, and the typical groups of workers found therein.*²⁶⁹ Fully resourced attempts to penetrate and unionise such sectors, contract types, and precarity-prone demographic groups would redirect resources, however temporarily, away from the Movement's traditional constituents, just when they are required the most.²⁷⁰ Self-interested secretariats would be cautious at risking the anger of their core constituents by diverting attention to resource-intensive precarity-prone workers, particularly as unions have long held justifiable suspicions that employers have systematically utilised non-standard contractors, across time and space, to undermine the pay, security and working conditions of established and empowered workers.²⁷¹

Of course, one can reverse this logic too: some forms of non-standard workers, such as temporary agency workers, may be less likely to support, or seek the support of, unions, given the short-term nature of their individual assignments and their lack of prior experience with unions.²⁷² Both issues here become accentuated with particular demographic groups of workers, such as sojourning migrant labourers.²⁷³ However, there are good reasons to believe that these groups contain no inherent negative predisposition towards unions²⁷⁴: to say otherwise is to normalise the *status quo* brought about by decades, if not centuries, of anti-precarius-worker sentiments from the Movement itself.²⁷⁵

In terms of strategy, change has been slight, disparate and confused too²⁷⁶: even when expecting a wide variety of differentiated rejuvenatory strategies, developments from the Movement as a whole have been unconvincing, and should not be exaggerated. In the following pages, we assess and explain this partiality.

In practice, unions have adopted numerous strategic approaches simultaneously, in piecemeal, non-comprehensive and frankly conservative manners, since the onset of conscious rejuvenation processes in the 1970s.²⁷⁷ Take attempts to orchestrate organising approaches as an example: while much ink was spilt and lip service paid to the apparently pressing prerogative of *organising principles*, overwhelmed and under resourced union officials found it difficult to fully embrace the organising agenda in practice throughout the 1980s.²⁷⁸ In the mid-1990s the TUC was compelled to respond to this failure by establishing a specialist Organising Academy, for the training and dispersion of specialist *organisation representatives throughout the Movement.*²⁷⁹ *From this evidence it is clear that strategists seem not*

Gumbrell-McCormick, *European Trade Unions and Atypical Workers*.

²⁷⁰ Cf. John Dunlop, *Collective Bargaining: Principles and Cases*, Chicago: Richard Irwin, 1949.

²⁷¹ Cf. Bean, *Comparative Industrial Relations*; Hegewisch, *Temporary Agency Work, National Reports – United Kingdom*; Gumbrell-McCormick, *European Trade Unions and Atypical Workers*.

²⁷² Cervano, *Trade Union Strategies Towards Atypical Work*, pg. 7.

²⁷³ Schmidt, *Temporary Migrant Workers*, pg. 194; Penninx and Roosblad, *Conclusion*.

²⁷⁴ John Kelly, "British Trade Unionism, 1979-89: Change, Continuity and Contradictions". In: *Work, Employment and Society*, 4(5), 1990, pp. 29-65.

²⁷⁵ Malo, *Temporary Workers and Direct Voting Systems for Workers' Representation*.

²⁷⁶ Cf. Carter, *Trade Union Organizing and Renewal*; Edmund Heery et al., *Union Organizing in Britain; The TUC's Organising Academy*; Fitzgerald and Hardy, *Thinking Outside the Box*; Jane Wills, "The Geography of Union Organising in Low-Paid Service Industries in the UK: Lessons from the TGWU's Campaign to Unionise the Dorchester Hotel, London". In: *Antipode*, 2005, 37, pp. 139-159.

²⁷⁷ Healey and Engel, *Learning to Organise*.

²⁷⁸ Heery and Kelly, *Working for the Union: British Trade Union Officers*, pg. 103-5, 190-1.

²⁷⁹ McKay, *Unions and New Migrants*.

to have known how to actualise fully a transition to the self-sustaining forms of recruitment as described by organising models.

Resources, or the lack of them, again explain this failure of rejuvenation. Union representation, of all kinds, is an expensive business: in the UK, as of 1994, about 80% of union expenditure was spent on the salaries of union officials, the overwhelming majority of whose time was spent on attending to the needs of existing members²⁸⁰: so, while unions have a large incentive to restructure themselves into becoming more efficient or streamlined bodies, which could afford to spend more on the organisation of previously unorganised sectors of the New Economy,²⁸¹ it is extremely difficult, and *risky*, to divert resources in the short-term to initiate such a transition.²⁸²

Such risks are not only associated with the organising approach. McIlroy demonstrates how the partnership approach – which ironically came to be highly regarded just as the Movement lost much of its formal insider status – has been highly reliant on government patronage: its fortunes prone to the shifting sands of governmental support.²⁸³ The legal approach also often relies on the goodwill of governmental policy, which has been sorely lacking in each and every government from the 1970s onwards.²⁸⁴ Likewise, the legal approach is both time and resource consuming, and seems to further separate the activities of specialised union officials from the rank-and-file membership, which may potentially lead to ever greater losses of members and their subscriptions. Similarly, the campaigning approach relies on the strength of societal actors, and a societal fabric, which have been weakened by the enduring ideologies of Thatcherism²⁸⁵: with the risks of strategic change so great, it is little wonder why much of the Movement remains stubbornly conservative in its actions.

Resultantly, fully resourced rejuvenatory strategies remain the exception, rather than norm, of union activity in practice. While memories of the operational comfort and efficiency of the Post-War period fade, the Movement has found it difficult to break out of the cycles of dependencies it operated within, with great success, during that period. The Golden Age has dipped below the temporal horizon, but during this prolonged sunset the reminiscent Movement has not been able to turn away from that Age's last dwindling rays of light, and commit itself fully to the long night ahead.

The key lesson to take from this section is the fact that rejuvenation, within the mainstream Movement, has been slight, contested, partial and under-resourced at best. Unions struggling to secure the interests of their traditional core constituents have struggled to commit adequate resources to follow through with their idealised rejuvenatory tendencies, even though the theoretical need to rejuvenate has been hegemonically accepted by the Movement as a whole. Unions have had to, and continue to need to, make careful and precise choices in the years of rejuvenation, regarding their strategic actions, in an extremely high risk game: playing from a

²⁸⁰ Heery and Kelly, *Working for the Union: British Trade Union Officers*.

²⁸¹ Ferge and Kelly, *Union Strategies in Comparative Context*.

²⁸² Krings, *Organised Labour and Migration in the 'Global Age'*; Heery *et al.*, *Union Revitalisation in Britain*.

²⁸³ John McIlroy, "Ten years of New Labour: Workplace Learning, Social Partnership and Union Revitalization in Britain". In: *British Journal of Industrial Relations*, 2008, 46, pp. 283–313.

²⁸⁴ Hepple and Morris; Smith and Morton, *New Labour's Reform of Britain's Employment*.

²⁸⁵ Healey and Engel, *Learning to Organise*.

position of relative powerlessness and with ever decreasing resources at their disposal.

This is where deep analysis of the Farmworkers' Union actions could be of use to strategists in the wider Movement. Due to agriculture's long-hostile operating environment, the Farmworkers' Union has never been able rely on the crux of self-interested voluntary collective bargaining: unable to retreat to an increasingly inefficient comfort zone, there is good reason to suspect that the Farmworkers' Union would have developed rejuvenatory *yesque* orientations and strategies at an earlier date, and in a more coherent manner, when compared to the mainstream Movement. *As the New Economy becomes increasingly ruralised, the Movement could be well advised to treat the Farmworkers' Union's experiences as distilled premonitions of the Movement's future experiences in the New Economy. The Movement could regard the agriculturalists' past actions as Petri dish experiments of potential avenues for future development, and adopt the most compelling courses of action identified from analysis.*

8. Summary of the Mainstream Movement.

This chapter addresses research sub-questions (vi) through to (viii) with regards to the mainstream Movement. To summarise each:

vi) What orientations and strategies have the wider Movement employed with regards to precarity-prone workers?

In the immediate Post-War Era, up until the 1970s, the Movement predominantly, but not exclusively, held a negative, divisive orientation towards precarity-prone workers. The Movement attempted to exclude these workers from the labour market altogether, or else subordinate their interests in order to bring benefits to their relatively privileged core constituents, namely white male workers on full-time contracts. Such orientations were primarily supported by the strategy of voluntary collective bargaining backed by the strategic use of strike action.

Following the 1970s, orientations partially shifted to less divisive rejuvenatory positions, so that the Movement purposefully courted precarity-prone workers in inclusive and then engaging manners. Such courtship was orchestrated via the use of an expanded repertoire of strategic approaches, each drawn from earlier epochs. However, these shifts have been partial at best, and many pre-rejuvenatory tendencies can still be observed in the Movement up to the present day.

vii) What causal mechanisms have been responsible for producing said orientations and strategies?

The cascade of decline's economic restructurings created a New Economic operating environment inconducive to Post-War forms of union actions: this demanded a change from the increasingly resource-deficient Movement. Further facilitating rejuvenatory tendencies were self-conscious cost/benefit analyses conducted by the Movement, governmental proscriptions of previous forms of activity, and the propagation and internalisation of sympathetic discourses regarding precarity-prone workers. However a deep-seated caution, brought about by dwindling

financial and organisational resources, has prohibited the full actualisation of union rejuvenation in practice.

viii) How effective have said strategies been in securing the unions' desired orientational goals, and why?

Rejuvenation has been partial and contested at best. Not enough resources have been allocated to rejuvenatory strategies so as to assure their effectiveness. Strategists operating in what is to them a relatively alien environment have been reluctant to act in innovative manners diverging significantly from their Post-War *modus operandi*. Rejuvenatory success stories have therefore been few and far between.

An Interlude: Introducing the Farmworkers' Union.

Having assessed the changing orientations and strategies of the mainstream Movement, I now turn to assess the actions of the Farmworkers' Union. This brief interlude introduces the Farmworkers' Union, to be analysed from a variety of angles and temporal locations over the following four chapters.

Patterns of organised labour have long found in the fields of Britain. Agriculture, like all industries, knew sporadic and occasionally spectacular outbreaks of labour organisation in pre-capitalist eras.¹ Looking ahead, focussing on the Nineteenth Century and later, the agricultural sector was far from quiet: sporadic but sustained peasant actions against the Poor Laws of the 1830s led to mass deportations and even executions of the rural workforce²; indeed, one of the early totemic incidents seared into the British Movement's collective consciousness occurred in the agricultural village of Tolpuddle, Dorset in 1834; there, six field-workers, organised in a local union, were arrested and sentenced to seven years transportation under an obscure Eighteenth Century law for being bound in a secret and unlawful act, despite the fact that the right to organisation had been formally secured by the 1824 and 1825 *Combination Acts*. National rallies were held in support of the 'Tolpuddle Martyrs', who became cause célèbres for the anti-craft-union faction of the Movement, and the general right to organise freely and openly.³

Throughout the mid-Nineteenth Century, relatively isolated cases such as these, and more discrete forms of collective protest such the spurning of the established Church in favour of Primitive Methodism, were part and parcel of agriculture's human geographies. However few contemporaries predicted the formation, in 1872, of 'the National', a conglomerate of various local agricultural unions which quickly grew in size to rival the established urban unions of the day: by the end of its first year the National contained 72,000 members spread over 980 branches.⁴ Empowered by industrialisation's labour demands, the National funded strategic migrations of its members, controlling the rural labour supply and thereby increasing wages on a national scale. However, the National could not survive the end of a period of relative economic buoyancy and labour mobility, and by the early 1880s the National could not only count more than 2,000 members. Numerous other unions, of various size and type, continued to flit in and out of existence for the remainder of this century.⁵

It was only in 1906, when the Eastern Counties Agricultural Labourers and Small Holder's Union was set up, by farmworkers fearing retaliations for the Liberal's victory at the 1906 general election, that agriculture gained a union with staying power. By 1909 the Union changed its name to the National Agricultural Labourers and Rural Workers' Union to reflect its widening membership base.⁶ By

¹ Alistair Dunn, *The Peasants' Revolt: England's Failed Revolution of 1381*, London: Revealing History, 2004; John Hammond and Barbara Hammond, *The Village Labourer: 1760-1832*, London: The British Publishers Guild, 1911; Hasbach, *A History of English Agricultural Labour*; Rowland Prothero, *English Farming: Past and Present*, New York: The Cornell University Digital Collection, 1912.

² Groves, *Sharpen the Sickle*, pg. 13-39.

³ Their memory is still celebrated annually at the Tolpuddle Festival, attended by delegates from the entirety of the Movement. Cf. Trades Union Congress, *The Martyrs of Tolpuddle*, London: TUC, 1934; Pelling, *A History of British Trade Unionism*, pg. 32.

⁴ Groves, *Sharpen the Sickle*, pg. 13-39.

⁵ *Ibid.*

⁶ *The Landworker*, Feb 1982.

1913 the Union had 12,000 members, in 232 branches across 26 counties in England and Wales. Its name was changed again in 1920 to the National Union of Agricultural Labourers.⁷

With a minimal number of professional staff – 14 full-timers were employed by the Union in 1928, 16 in 1938 and 38 in 1947⁸ – the Union tried valiantly to raise membership numbers in the Pre- and Inter-War Eras: professionals and lay-members, walking and cycling the length and breadth of counties, set up branches and collected union subs under conditions of cloak-and-dagger to avoid repercussions from dominant antipathetic interests in the countryside’s Conservative heartlands.⁹ Yet, due to rural environments’ physical geographies, the Farmworkers’ Union consistently had perhaps the most scattered membership of any of the medium-to-large-sized unions of the Twentieth Century: in 1940 the Union was spread over 4,000 branches, the vast majority of which were based in isolated villages.¹⁰

WWI, and an increased need for agricultural food production, boosted membership greatly,¹¹ but not as much as WWII did: between 1938 and 1948 the Union’s membership increased from 46,943 to close to 200,000 persons,¹² which turned out to be the Union’s high water mark in terms of raw numbers. This membership has to be seen in context: wartime domestic production had massively increased the agricultural workforce, which peaked at 748,000 full-time equivalent workers in 1949, the highest level since the 1920s.¹³ From this moment, the drift from the land, briefly delayed by food production on the Home Front, accelerated massively. This can be attributed to the ever-increasing mechanisation and chemicalisation of agriculture that occurred from this point onwards.¹⁴ Resultantly, from the 1950s to the early 1970s the Union experienced close to 10% annual losses in its membership¹⁵: so, *not only has the Farmworkers’ Union long operated in an environment reminiscent of the New Economy, it too experienced a precipitous drop-off in membership numbers, a microcosmic replication of the decimation of British industry’s Big Battalions, only back shifted in time by several decades.*

Even disregarding this precipitous drop-off rate: when compared to the wider economy agriculture resisted union penetration throughout the entirety of the Twentieth Century. G.D.H Cole’s survey of Britain’s industrial economy, conducted in 1939, found that agricultural workers were one of five key categories of workers as yet predominantly unorganised.¹⁶ Fast-forward to the 1980s, and we find that the Labour Party believed the Movement “was neglecting the rural worker”.¹⁷ Supporting

⁷ Groves, *Sharpen the Sickle*, pg. 106.

⁸ *Ibid.*, pg 236.

⁹ *Ibid.*, pg. 236; Mason O’Connor, *Joan Maynard*, pg. 54; *The Landworker*, August 1969.

¹⁰ Wynn, *Skilled at all Trade*, 1993, pg. 32; Cf. Winyard, *Cold Comfort Farm*, pg. 31.

¹¹ Groves, *Sharpen the Sickle*, pg. 114.

¹² Wynn, *Skilled at all Trade*, 1993, pg. 10. Curiously, the Union’s annual reports have never actually stated the Union’s total membership figure, nor has a whole host of other Union produced literature. Estimates here are based on Wynn’s in-depth descriptive account of the Union: even though Wynn was granted privileged access to much union material, even he had to rely on a degree of conjecture when calculating membership numbers. Wynn, *Skilled at all Trade*, 1993, pg. 11.

¹³ Wynn, *Skilled at all Trade*, 1993, pg. 10.

¹⁴ Cf. Goodman *et al.*, *From Farming to Biotechnology*.

¹⁵ Danziger, *Political Powerlessness*, pg. 74.

¹⁶ Pelling, *A History of British Trade Unionism*, pg. 209. Agricultural workers were found to have been relatively detached from the Movement, alongside domestic servants, clerks, typists, distributive traders (shop workers) and “unskilled” general labourers.

¹⁷ Labour Party National Executive Committee, *Rural Areas Working Group*, pg. 34, emphasis added: *The Allies* were added to the Union’s name in 1966 to acknowledge the growing number of secondary

the notion that small-sized firms and personalised employment relations prove inconducive to the penetrative unionism typical of large-sized firms in the immediate Post-War Era, union density rates for the industry never exceeded 40% of the total agricultural workforce,¹⁸ and remained closer to 30% for most of the Union's pre-1970s existence¹⁹: clearly then, the mid Twentieth Century agricultural landscape, in terms of its conductivity to union organisation, was far closer to *our* contemporary New Economy, than *its* contemporary urban counterparts.

This is not to say that the state of agricultural unionism was homogenous throughout the country. The same Labour Party report as described above noted “the exception of certain areas, such as the South-West and East of Anglia” where the now renamed “National Union of Agricultural and Allied Workers (was) well organised”²⁰: this line comments on the fact that, in the 1970s, 40% of the Union's membership was concentrated in the cereal producing counties of Lincolnshire, Norfolk and Yorkshire.²¹ To a large degree this weighting represented the geographic variations of Britain's heterogeneous agricultural sector, with different farm types being highly varied in terms of their land and labour requirements²²: in the early 1980s 20% of all of Britain's agricultural workers were concentrated in the arable Midlands, South and South East of England, while only 4% worked in the mostly sheep-farming far North.²³

The Union's members have “always been in the front line in the battle against oppression, not in great numbers on the picket line in a wave of publicity, or on the factory floor with hundreds or thousands of other workers, but often in ones or twos, demanding decent wages and working conditions from the bosses who own the very houses they live in. Farmworkers have had to campaign in the Tory heartlands for social justice and seek to maintain and extend union influence in hostile territory”²⁴: because of this hostile environment, the Movement's agricultural arm has appeared relatively quiet – no large-scale, multi-firm strikes or overt acts of industrial action have occurred since the 1920s.²⁵

Perhaps though, the Union has been active in other ways. By seeking to identify which types of orientations and strategies have been employed by the Union,

food processors in the Union's ranks. In 1970, 35% of the Union's membership was employed in the *Allied Industries*. Cf. *The Landworker*, February 1972.

¹⁸ Cf. Danziger, *Political Powerlessness*; Grant, *Skilled at all Trades*; Groves, *Sharpen the Sickle*.

¹⁹ Peter Self and Herbert Storing, *The State and the Farmer*, London: Allen and Unwin, 1962, pg. 160; Newby, *The Deferential Worker*, pg. 254.

²⁰ Labour Party National Executive Committee, *Rural Areas Working Group*, pg. 34, emphasis added: *The Allies* were added to the Union's name in 1966 to acknowledge the growing number of secondary food processors in the Union's ranks. In 1970, 35% of the Union's membership was employed in the *Allied Industries*. Cf. *The Landworker*, February 1972.

²¹ Newby, *The Deferential Worker*, pg. 254.

²² Hatchett *et al.*, *The Implications for the National Minimum Wage of the Abolition of the Agricultural Wages Board in England and Wales*, pg. 2; Britain Information Services, *Agriculture in Britain 1970*, London: BIS, 1970.

²³ Ministry of Agriculture, Fisheries and Food, *Regional Trends*, London: HMSO, 1984.

²⁴ The Union's then leader, Barry Leathwood, quoted in Wynn, *Skilled at all Trade*, 1993, pg. xvi.

²⁵ Though of course it should be pointed out that collective action is not the only form of protest. Labour historians will attest that numerous discrete forms of protest: thefts, wreckages, the maiming of animals and trees, poaching and protest by riot have been endemic in British agriculture for centuries. Cf. Carl Griffin, “Protest Practice and (Tree) Cultures of Conflict: Understanding the Spaces of 'Tree Maiming' in Eighteenth- and Early Nineteenth Century England”. In: *Transactions of the Institute of British Geographers*, 2008, 40(1), pp. 91-108; Eric Hobsbawm and George Rude, *Captain Swing*, London: Lawrence and Wishart, 1969.

this thesis seeks to ascertain whether its longer heritage of working in inhospitable environments has led the Farmworkers' Union to bear the hallmarks of rejuvenation at an earlier date, or in a more decisive and structured manner, in the interests of the industry's precarity-prone workers. Agriculture never had a comfortable Golden Age: it took governmental attacks to fully break the efficacy of Post-War forms of organisation in urban environments; in agricultural areas, this efficacy rarely existed in the first place; the Union may therefore have been unburdened and allowed to act in decisive, innovative and perhaps risky manners.

At the onset of our periodisation, and up until the 1980s, the Union was organised thusly: at the bottom were the Local Branches, each with their own voluntary officials and committees. Moving upwards, neighbouring branches were grouped to form District Committees, where local issues were discussed, with each Branch having a selected delegate in attendance. Next came the County Committers, which the Districts sent elected delegates to once a year to discuss regional issues. Above the County Committees were the National Biennials, the theoretical "supreme decision making body" of the Union, which District Delegates attended once every two years. A National Executive Committee (EC), elected by a series of national ballots, was tasked to implement Biennial motions, and in practice ran the Union's Head Office – Headland House in London – to their own design in the intermediately years between Biennial. Members of the EC were effectively paid unionists, being "remunerated" for lost earnings during their normally prolonged tenures. Headland House also employed a varying number of additional full-time staff, both in London and the regions. Furthermore, the EC appointed a Secretary, who was joined by a President and a Vice-President, each elected through membership ballots, to function as the public faces of the Union.²⁶

Outside of Scotland, this 'Farmworkers' Union', through its various name changes, has been the only trade union to consistently represent agricultural workers in any substantial numbers throughout the Twentieth and Twenty-First centuries.²⁷ In 1983 the Union merged with the TGWU, for reasons discussed in chapter five of this thesis, initially forming the semi-independent Agricultural and Allied Workers National Trade Group, which was later renamed the Rural, Agricultural and Allied Worker Trade Group. After this merger, and the TGWU's subsequent amalgamation to form Unite the Union, the Farmworkers' Union's internal organisational structures were augmented further to varying degrees. These augmentations are discussed in chapters five and seven of this thesis. From here on in, the term 'the Farmworkers' Union', or else the capitalised 'the Union', should be taken as references to the evolving organisation as described above.

²⁶ Wynn, *Skilled at all Trade*, 1993, pg. 9.

²⁷ Unite the Union, *Unite Response to the Consultation on the Operation of the Gangmasters Licensing (Exclusions) Regulations 2006*, London: Unite, 2008, pg. 1.

Chapter 3: The Farmworkers' Union and Worker Remuneration.

As demonstrated in chapter two, Britain's hegemonic Movement settled for a self-interested *modus operandi* based on the principle of voluntary collective bargaining in the immediate Post-War Era. While concerned with a whole manner of issues, the bulk of collective bargaining agreements traditionally focussed on remuneratory matters: worker take-home pay, the length of the working week, and so forth. This thesis does not expect the Farmworkers' Union to have exclusively concerned itself with such themes: a key pillar of union rejuvenation theory is the notion that unions have expanded, or should expand, their spheres of operation; therefore, according to this thesis' hypothesise, the Farmworkers' Union should have been operating in this widened capacity for an extended period of time. However, in order to determine the Farmworkers' degree of idiosyncrasy, it is necessary, in this chapter, to seek answers to research sub-questions (vi) through to (vii) with regards to the Farmworkers' Union in the operational domain of worker remuneration.

Section one of this chapter introduces the history, remit and functions of what has been the Union's chief arena of contention regarding worker remuneration: the tripartite Agricultural Wages Board (AWB). Section two partially addresses research sub-question (vi) and (vii), by analysing the enforced strategy that this Board embodies and dictates, and the reasons why the Union has rarely supplemented its actions on the AWB with complementary militant operations. Sections four, five, six and seven continue to address the same sub-questions, by analysing the changing orientations of both the AWB and the Union in relation to precarity-prone workers, and the causal mechanisms responsible for producing these said orientations. Section eight turns to address research sub-question (viii), and assesses the effectiveness of the Union's strategies.

Having said this, between sections three and eight of this chapter I purposefully focus on a curtailed and discrete time-series: looking at Union actions from 1970 through to 1997. This is due to the fact that New Labour's return to government in that latter year soon resulted in the creation of the NMW: the NMW had such a widespread effect on Britain's low-waged industries, agriculture included, that I dedicate a separate section to analyse the Union's actions regarding worker remuneration from 1997 onwards. Therefore, section nine addresses research sub-questions (vi), (vii) and (viii) with respect to the period between 1997-2013.

In the course of the above analysis, I identify a second stream of Union action that demands attention. In addition to acting *on* the AWB, the Union has had to resist, on several occasions since the 1980s, attempts at government led abolition *of* the AWB: section ten mostly addresses research sub-question (viii) with regard to these actions. Rounding off the chapter, section eleven summarises my findings regarding research sub-questions (vi), (vii) and (viii).

1. Introducing the Agricultural Wages Board: The Farmworkers' Union's Chief Arena of Contention.

Looking at remuneratory issues, this chapter principally examines the orientations and strategies of the Farmworkers' Union on and around the AWB: a tripartite negotiating body which sets a series of minimum wages, overtime rates, holiday entitlements, sick pay, payments-in-lieu and other ancillary provisions for English and Welsh Agricultural and Horticultural workers. This section briefly introduces the history, form and function of the AWB.

Statutory Agricultural Minimum Wage (AMW) machinery was, initially, bundled together and introduced to Britain with the Minimum Prices Legislation that was passed in 1917 to promote domestic wartime production of corn and oats. However, such legislation was quickly jettisoned by *laissez faire* governments following the Armistice: the resulting collapse in farmer profits caused a national and precipitous downward wage spiral. Only a desperate and resource draining agricultural strike “won the Wages Board back” for the industry.¹ The resultant 1924 Agricultural Wages (Regulation) Act caused a general statutory rise in wages throughout the nation, and secured noticeable improvements in hours and working conditions.² However, due to the fact that the Act granted Regional Boards, which were often dominated by conservative landowning interests, powers over the National Board, gross regional differences in employment standards and precarity levels emerged. These variations closely matched the county-to-county strength of the Union.³ Nonetheless, the influence of the National AWB was eventually strengthened when the productive demands of WWII necessitated a new stabilisation of agricultural production: initially temporary measures, which accrued power to the National Board, were legislatively entrenched by the 1948 Agricultural Wages Act: from here on in, the national tripartite AWB was empowered to set a single AMW for all agricultural and horticultural workers in England and Wales.⁴ All of England and Wales’s field and greenhouse workers, and those workers employed in the *on-site* packaging of a farm’s own produce, are covered by the AWB’s Orders: 152,000 workers, and their employment relations, were within the scope of the AWB as of 2012.⁵

Concerning the AWB’s operations: each year eight Worker Representatives from the unions,⁶ and eight Employer Representatives from the NFU, meet five ‘Independent Members’, including the AWB’s Chairman, who are *appointed* by the government’s Minister for Agriculture.⁷ The sole remit of the AWB is for it to “secure for able-bodied (workers) such wages as are adequate to *promote efficiency* and to enable a (worker) in an ordinary case to *maintain* (themselves and their) family in accordance with such a standard of *comfort* as may be *reasonable*”.⁸

¹ As detailed in section two of this chapter. Cf. Groves, *Sharpen the Sickle*, pg. 205.

² *Ibid.*, 208-9.

³ Ministry of Agriculture, Fisheries and Food, *Report on Wages in Agriculture (RoWiA)*, London: HMSO, 1930.

⁴ In addition to ‘*the AWB*’, which regulates English and Welsh agricultural employment relations, additional Scottish and Northern Irish AWBs regulate labour relations in those nations in differentiated manners: these Boards remain outside the scope of this thesis,

⁵ Ian Waddell of Unite, *Agricultural Wages Board – Detailed Arguments*, London: Unite, Undated (early 2010s).

⁶ Until 1983, the Workers’ delegation was composed of 5 members of the National Union of Agricultural and Allied Workers (‘the Farmworkers’ Union’ for the purpose of this thesis), and 3 representatives of the TGWU: this was a long source of contention for the Farmworkers’ Union, as the TGWU had only a very small land worker section, the majority of which was based in Scotland. However in practice, the TGWU delegation largely followed the dictates of the more specialised NAAAW delegates, and served to better enhance, rather than augment, the negotiators’ chosen courses of action, which were theoretically determined by the Farmworkers’ Union’s Biennials. Since the merger of the two unions in 1983, all eight worker representatives have come from the variably named, semi-independent agricultural trade group of the TGWU, later Unite.

⁷ Though formally defined as *Independent Members*, there are very good reasons to question the supposed impartiality of these Members of the AWB, as discussed at length later in this chapter. Therefore the more neutral term *Appointed Member* is utilised throughout this chapter.

⁸ Acts of Parliament, *Agricultural Wages (Regulation) Act*, London: HMSO, 1924, emphasis added. N.B this was the remit accorded to the prototypical 1924 Agricultural Wages Board. The 1948

The normal operating procedure of the AWB, between 1970 to the present, has involved the Workers' Side submitting an annual claim, in writing, regarding their demands for minimum worker remuneration levels. These claims are traditionally determined at the Farmworkers' Union's national conferences. Subsequently, initial discussions occur between the three parties' delegations: the vast majority of negotiations occur via strict mediation from the Appointed Members, with the Worker and Employer Sides spending an extremely limited amount of time in each other's company.⁹ At a following meeting the Employers' Side submits a written counterclaim, and during a third meeting, which often runs for multiple days, the Appointed Members attempt to conciliate between the two Sides in a series of negotiating rounds. If, as has been the norm, the two interested Sides fail to reach a unanimous agreement regarding all terms under discussion, the Appointed Members will exercise their vote to impose a wage settlement. After these meetings the AWB issues a notice of intent, and a period is allowed for legal and public consultations, before a final *Order* is sent to the relevant government minister for approval. The AWB exercises its power by the way of such annual AWB Orders: farmers whose wages levels breach the minimums prescribed face the prospects of fines, the enforced payment of arrears, and potential custodial sentences.¹⁰

2. The Enforced Strategy of the Farmworkers' Union.

This section analyses the strategy that participation on the AWB represents for the Union. Like other sectors of the British economy where minimum wage mechanisms were constructed in the early Twentieth Century, the relative lack of union organisation and the resultant poverty wages in agriculture were significant factors that prompted governments, when eager to secure the stability of domestic food production, to impose, strengthen and then retain a system of *legally enforced trilateral negotiations*: tripartism was legally imposed to create collective bargaining when and where hostile economic circumstances would otherwise have destroyed it.¹¹

Indeed such statutory provisions have historically been considered as particularly essential for the agricultural industry: the 1965 Royal Commission on Trade Unions and Employer Associations¹² argued that, due to agricultural

Agricultural Wages Act dropped these guidelines from the statute book and did not in fact introduce new ones: formally therefore, the AWB has no explicit remit to speak of. However, in practice the members of the AWB, particularly the Appointed Members, have remained deferent to the loosely defined remit as described above. Cf. Brown and Winyard, *Low-Pay on the Farm*, pg. 1.

⁹ Barry Leathwood – the senior workers' representative for much of the 1990s – points out that on the AWB “each side of industry has to get the support of the majority of the Independent Members in order to get their views across. So what happens effectively is we don't negotiate with the NFU, we negotiate with the Independent Members”. Quoted in Mason O'Connor, *Joan Maynard*, pg. 122.

¹⁰ Department for Environment, Food and Rural Affairs, *Agricultural Wages in England and Wales: A Guide for Workers and Employers*, London: DEFRA, 2011. Minuting these discussions, the Civil Service produces an annual *Report on Wages in Agriculture (RoWiA)*: these have formed the principle historical source for this chapter. However the Civil Service only compiles summery, not verbatim, reports of negotiations, and so additional sources, and indeed a degree of informed conjecture, have been utilised to reconstruct these annual procedures.

¹¹ Frederic Bayliss, *British Wages Councils*, Oxford: Basil Blackwell, 1962, pg. 56. It must be noted that the AWB, though relatively similar in form and remit, is considered legally distinct from the Wages Councils that were set up under the 1908 Trades Board Act. Cf. Simon Deakin and Francis Green, “Introduction”. In: *British Journal of Industrial Relations*, 2009, 47(2), for a history of the Wages Councils and other British minimum wage mechanisms.

¹² Which produced the infamous Donovan Report, which detailed the “British disease” of industrial strike action, as detailed in chapter two of this thesis.

employment relationships being scattered over a large number of small firms, the continuation of the AWB was needed to secure the material interests of the industry's most precarity-prone workers; this was in opposition to the Report's findings regarding those other low-waged industries of Britain that were then legally regulated by the tripartite Wages Councils; for those sectors the Report found that, if their relevant unions permitted, the Councils should be allowed to be abolished and replaced with bipartite bodies¹³; clearly, this report recognised that the exceptionally overbearing inconducivity of Britain's agriculture environment to Post-War forms of union organisation demanded an exceptional wage mechanism.

Ultimately then, the Farmworkers' Union has utilised, albeit in a compelled manner, a strategy much differentiated from the hegemonic tradition of voluntarism throughout the Twentieth Century: codified and imposed by the state, the AWB can be seen as a kind of *enforced legal approach to wage negotiations*, as according to Hyman's model.¹⁴

Allow me to further unpack this imposed strategy: despite the fact that in the pre-history of the Farmworkers' Union there was a strong tradition of grass-roots organising approaches to agricultural unionism, this wage negotiating system, that allows twenty-one Board members to set the ground floor wage rates of two nations,¹⁵ is a system representative of a servicing approach to union activity, requiring little input from lay-members of the Union. Readers of this thesis used to the Dutch Polder Model may well presume that the existence of this national service-centred tripartite arena would promote partnership approaches to union activity, with pacified employees and employers working in close collaboration: however, with labour traditionally being amongst the most significant input costs for British agriculture,¹⁶ the material interests of employers and workers have oft clashed on the AWB and, at least from the 1970s onwards, little attempts have been made at disguising the ingrained conflict between the demands for higher wages and increased profits.¹⁷

With acrimonies running so high, a conundrum remains. In the Post-War Era Britain's Movement's preferred strategic action was the participation in collective action *backed by the use of strike action*. Yet, despite the tripartite AWB offering a *facsimile approximation of voluntarism*, the Farmworkers' Union has mostly refrained from making use of this latter caveat, both in the immediate Post-War Era and after 1970. With the Union participating in an artificially maintained system of collective bargaining, why did it not display a more militant personality in the framing environment of the AWB? Over the following pages I analyse the reasons for, and exceptions to, this tendency. In doing so I explore the Union's enduring internal organising principles, created in part by its own earlier strategic actions.

In the 1970s and 1980s, the left wing of the Farmworkers' Union did in fact argue that a demonstration of the Union's ability to engage in direct industrial action would bring immediate benefits to the workforce's wage rate, and strengthen the Union's claims on the AWB.¹⁸ This argument was not without merit: while I have

¹³ Donovan, *Report of the Royal Commission on Trade Unions and Employers' Associations*.

¹⁴ Whether the Union has supported the imposition of the AWB is another matter, to be addressed later in this chapter.

¹⁵ That is, England and Wales.

¹⁶ Britain Information Services, *Agriculture in Britain 1970*, pg. 31.

¹⁷ Ministry of Agriculture, Fisheries and Food/Department of the Environment, Farming and Rural Affairs, *RoWiA*, London: HMSO, 1970-2012.

¹⁸ Mason O'Connor, *Joan Maynard*, pg. 105.

stated that the dispersed and personal nature of employment relations in agriculture is inconducive to traditional forms of union action, Britain's rural workforce had been known to actualise direct actions in its earlier history, winning direct benefits as a result. This should not be a major surprise: as opposed to most industries, agricultural deals in animate produce; livestock and crops require, at times, round the clock levels of attention;¹⁹ the actualisation or even threat of a work stoppage should then, under favourable circumstances, embody the potential of great devastation for employers, thereby increasing the workers' perceived power resources.

Indeed, the re-founding of an agricultural wage mechanism in 1924 was predominantly secured through strike action. After the government abolished its embryonic agricultural price and wage control structures in 1921, employers pushed down average wages in agriculture, from 46 shillings a week in 1921 to 25s for a 50+ hour week in 1923: one had to look to the mid-Nineteenth Century to find a comparable real agricultural wage.²⁰ In reaction the Union's EC consulted its apparent allies in the Labour Party, then forming a minority government, only to be told that the Party "could not be of any help" regarding the collapse in wages²¹: the Union found its preferred approach – that of lobbying government and working with the mechanism of the state – blocked. Desperate to halt the decline in living standards, local branches of the Union in Norfolk, the area of the country where the Union had traditionally enjoyed its greatest membership density and organisation strength, organised to come out on strike: the Great Norfolk Strike of March and April 1923 began.

Despite what the name suggests, only the North and West of Norfolk came out in large numbers: farmers and farmworkers in the East and South, generally operations with lower labour costs, largely remained detached from the fray, though they watched the unfolding events with grim intensity, as did the rest of Britain. Initially the Union issued instructions for a general strike. However, recognising the drain on the Union's resources that this entailed – in addition to paying strike funds to its pre-existent members, the Union paid a 50% strike fund to workers who joined the Union once the campaign was initiated – it was soon decided that no worker working for less than 30s for a 50 hour week should report to duty. In total, at any one time never less than 6,000 workers participated in the strike, and at some points over 10,000 downed tools.²² Despite these impressive numbers, one should not think of the 1923 strike as a standard operation of Post-Waresque union militancy, used to back up voluntarism: it must be viewed as a desperate attempt at avoiding the worst pitfalls of the voluntary approach; a discursive appeal for the government to allow a resumption of a proto-rejuvenatory legal approach to Union action.

A superficial glance at the results of the Great Norfolk Strike gives the impression that the resumption of militant actions by the Union could be an advisable supplement to its contemporary negotiations on the AWB: wage declines were halted, not just in Norfolk but nationally; the Union shocked organised capital with its strength and resolve displayed in the course of events, and discouraged the further erosion of wages, even in those areas with less organisational capabilities. The county-wide agreement that ended the strike, brokered by the Labour Government with the cooperation of the NFU – under pressure from its own members' anxiety to resume fieldwork as harvest time came ever closer – settled workers' wages at 25s

¹⁹ Danziger, *Political Powerlessness*, pg. 7.

²⁰ Groves, *Sharpen the Sickle*, pg. 176.

²¹ *Ibid.*, pg. 178.

²² *Ibid.*, pg. 184.

for a 50 hour basic week, as opposed to the 23s for a 54 hour week that local farmers had been offering at the outset.²³ Likewise, with a nod and a wink Labour promised both sides the recreation of a statutory, stabilising, wage mechanism.

However, wages were only frozen, not increased, and the Union had expended a vast sum of its resources in securing its ends: despite large donations from the national Movement and sympathetic third parties, the Union suffered a grave depletion of its funds.²⁴ Perhaps more seriously, at the end of the strike over a thousand once-striking farmworkers found that their employers, well behind on their yearly work, were apparently unable to find them employment, despite the fact that the conciliation agreement specifically stipulated that no victimisation of strikers should occur: most damagingly, the Labour Government sided with the employers' interpretation of the conciliation agreement, and pre-emptively denounced the last tactic available to the Union, a resumption of strike action on the proviso of *all-in or all-out*, as illegitimate.²⁵

Seeing employers act with impunity in the rural environment, victimising the most active participants of union activity, caused the Union to experience a crisis in confidence regarding the potential of militancy, much like that which occurred in the mainstream Movement following the defeats of the auto-workers, steelworkers, miners and newspaper printers in the 1980s: however, due to the then-existent idiosyncrasies of the agricultural environment, this crisis was experienced at an earlier date, in 1924 rather than during the cascade of decline as it was for the mainstream Movement. While nominally successful, the strike instilled the notion, held by the general rank-and-file and leadership of the Union, that "the future of the Union lay in the establishment of a Wages Board and working within its statutory framework; except in the most exceptional circumstances strike action could lead only to demoralisation of the membership and the speedy self-destruction of the Union".²⁶ This early miserable experience psychologically constrained the forms of contention available for use to the Union in the latter periods of the Twentieth Century: *common sense* stipulated that militant forms of union activity were simply ineffective and too risky in this then-idiosyncratic industry. This caused the hegemonically dominant wing of the Union, from this time onwards, to fully subscribe to a *legal* strategy, which entailed first the attainment of, and then partially cooperative engagement with employers on, legally bound wage-fixing machinery.

However, memories of crises and their path-dependencies fade over time: as mentioned, militant action re-emerged as a *desired* strategy for *some* in the Union during the earlier stages of our periodisation. This was not without reason: reminiscing on the *declines* in the real AMW²⁷ that occurred between 1949 and 1955, an ex-AWB delegate from the employers' NFU argued that the Farmworkers' Union's "leadership pursued the wrong strategy at this time".²⁸ So, even according to the employers' interpretation of events, the scars of the Norfolk Strike had led the Union to commit itself too much to a hybrid partnership/legal strategy in the immediate Post-War years, to the detriment of its members: this saw a number of calls

²³ According to the Norfolk agreement, the 50th to 54th hours of work per week were voluntary and to be worked on a *pro rata* hourly basis, after which a mildly incentivising overtime system kicked in. Cf. *Ibid.*, pg. 198.

²⁴ *Ibid.*, pg. 198.

²⁵ *Ibid.*, pg. 204.

²⁶ Newby, *The Deferential Worker*, pg. 226.

²⁷ Real as in after compensating for inflation.

²⁸ Cited in Winyard, *Cold Comfort Farm*, pg. 22.

from the rank-and-file for firmer and more combative actions ignored by the Union's EC.²⁹ In reaction, militancy re-emerged at the fringes of the Union in the 1970s.

Resultantly, and concurrent to the hegemonic urban Movement's last hurrah of voluntarism backed by the strategic use of strikes, the Union's left wing conceived the notion that militant industrial action was the only way to win credibility, and therefore wage increases, from the AWB.³⁰ The right wing, which in the early 1970s controlled the majority of the EC, disagreed: Union General Secretary Reg Bottini considered the notion of strike action as an impracticability and distraction for the Union.³¹ Despite this lack of top-level support, delegates at the 1972 Biennial managed to instruct the EC to "formulate a plan by which workers could take positive action" if that year's wage claim was not met.³² Such resolutions were periodically raised and passed, with little practical effect, throughout the 1970s and early 1980s.³³

However, these pressures from certain branch delegates reached a crescendo at the 1984 Annual Conference of the AAWNTG, when a newly left-leaning EC oversaw the passing of a resolution which instructed each regional trade group to draw up plans of possible strike action in support of the annual AWB claim.³⁴ Again the most coherent plan emerged from Norfolk. Here, while work remained highly dispersed, many of the large cereal producers of the region employed workers on a relatively sizeable scale, with workforces of between 10 to 20 being common if not the norm³⁵: this implies that the perceived acceptability of direct militant industrial action is determined, to a large degree, by the apparent workplace power resources available to a union. Norfolk suggested that over the upcoming August Bank Holiday, which fell in the middle of the annual cereal harvest "all workers who would, because of work pressure, be working... should take the day off as they are entitled to. In addition, in the remainder of the week they should work their normal eight hour work and then cease".³⁶

Even those pressing for militant industrial action recognised the then-idiosyncratic weaknesses of the agricultural labour market: it was no coincidence that the 1984 resolution, the strongest call for strike action from the Union in 60 years, came after the Union merged with the far larger TGWU³⁷; it was hoped that lorry drivers and milk tankerers, whose deliveries and collections are vital for agricultural production, could have proved a decisive factor in securing the effective use of Post-Waresque forms of industrial action.³⁸ So, even for militants, it was seemingly an accepted fact that the Farmworkers could not strike alone. This was not without good reason: at the time, of the 116,000 holdings in England and Wales employing full-time worker, over 90% employed less than five workers at any one time³⁹; such isolation would have severely challenged the effectiveness and reach of any strike

²⁹ Keith Cowling, David Metcalf and A.J. Rayner, *The Resource Structure of Agriculture: an Economic Analysis*, London: Pergamon, 1970, pg. 650; Wynn, *Skilled at all Trade*, 1993, pg. 211, 219; Winyard, *Cold Comfort Farm*, pg. 21.

³⁰ Mason O'Connor, *Joan Maynard*, pg. 126.

³¹ *The Farmers Weekly*, cited in *Ibid.*, pg. 126.

³² National Union of Agricultural and Allied Workers, *Annual Report 1972*, London, NUAAW, 1972.

³³ *The Landworker*, July 1970; July 1974; 1977, pg. 244; June 1983; April 1988.

³⁴ The shifting ideological composition of the EC is discussed at greater length in chapter five of this thesis.

³⁵ Danziger, *Political Powerlessness*, pg. 85.

³⁶ Jack Bobby, *Letter to All Branch Secretaries, R.E. Proposed Overtime Ban*, London: TGWU/AAWNTG, 15th June 1984.

³⁷ As discussed in chapter five of this thesis.

³⁸ Mason O'Connor, *Joan Maynard*.

³⁹ Mason O'Connor, *Joan Maynard*, pg. 126.

action. Recognising then the dangers of a resource-intensive full-scale strike, this *overtime ban*, the most radical plan for industrial action proposed by the Regions, was presented as a “token protest” by the Union: with which it merely hoped to “make a serious point to the employer about... the poverty wages” of the industry.⁴⁰ However, *even this modest attempt by the Union at appropriating the pre-rejuvenatory modus operandi of the hegemonic Movement was met with broad failure.* The farmers exercised their power resources effectively: pre-emptive NFU circulars, sent to its members but well-viewed by farmers and farmworkers alike, discussed the legality of terminating strikers’ contracts, and many farmers threatened to deny participating farmworkers overtime work permanently, turning to the use of casual labour instead.⁴¹ These actions bred fears of reprisals, which were amplified in the personalised operating environment of agriculture. This fear, coupled with a contingently early harvest brought about by favourable weather conditions,⁴² meant that the greatest campaign for industrial action that the Union had embarked on for sixty years amounted to virtually nothing: employer superiority was discursively reinforced, rather than undermined as a result.

Common sense once again solidified against the use of industrial action: in 1985 the Northern Regional Trade Group of the Union, representing a more dispersed workforce than the Union’s Eastern strongholds, asked its members whether various forms of direct action should be utilised in support of that, and subsequent, year’s AWB claim; of the respondents, only 8% thought a one day work stoppage would be desirable, with the same number supporting an overtime ban. Even when considering more sedate strategies, such as a work-to-rule policy, only 20% offered definitive support.⁴³ One can say therefore that *psychological path dependencies*, radiating out through time from the Union’s actions during the Great Norfolk Strike and 1984 Overtime Ban, have taught the Union that a turn towards militant action is neither an alternative, nor a supplement, to the legal approach that the Union has engaged in since the formation of the AWB.

The key lesson to take from this section is the fact that the Union has, throughout our periodisation, participated in a legal approximation of collective bargaining on the AWB, as various governments have prescribed this stabilising course of action as a salve for the weak union presence in the industry seen throughout the Twentieth Century. Yet the Union was not a passive observer of this imposition: it had to strike in order to secure the attentions of governmental regulators. However, the Union’s inhospitable proximate environment of the 1920s rendered the use of this strike action costly, and institutional memories of these costs produced path dependencies against repeated supplementary strategic usages of such actions, which have radiated down through the decades. Resultantly, neither voluntarism nor strike action have typified the Union’s strategic actions during our periodisation.

⁴⁰ The Farmworkers’ Union were aware of the negative repercussions such actions could bring, and sought to control the public discourse surrounding the event, by ensuring that workers with responsibility to livestock should voice their discontentment in a different form, in order to ensure the press and public remained “sympathetic to the aspirations of the low-paid” rather than hypothetically neglected animals. Cf. Bobby, *Letter to All Branch Secretaries, R.E. Proposed Overtime Ban.*

⁴¹ Danziger, *Political Powerlessness*, pg. 141.

⁴² Wynn, *Skilled at all Trades*, pg. 247.

⁴³ Cited in Danziger, *Political Powerlessness*, pg. 136.

3. The Superficial Orientation of the Union, and the Apparent Ineffectiveness of the Enforced Legal Strategy, 1970-1997.

As shown in sections one and two of this chapter, the legally bound confines of the AWB has been the Union's primary arena of contention regarding worker remuneration since before the 1970s. I now outline the Union's behaviour within this arena between 1970 and 1997.

In its negotiations in the AWB, the Union has explicitly sought to reduce the precarity of agricultural and horticultural work, manifested in the forms of low-pay and over-employment. A long-term goal of the Union has been to reduce the "industrial gap": the difference between the average wage in agriculture and the national industrial average⁴⁴; the closure of this "particular cancer" was the Union's self-declared "main objective" in 1976, and attempting to raise ground floor AMW on the AWB was the "principle strategy" with which the Union attempted to do this.⁴⁵

In terms of this objective, the Union's performance on the AWB in the decades *preceding* 1970 had been mediocre at best. Between 1949 and 1972 the average all-industry weekly wage increased by 376%, while the agricultural weekly wage increased by only 291%.⁴⁶ Indeed, in the first six years following the passing of the Agricultural Wages Act, the Farmworkers' delegation managed to 'secure' real AMW *decreases* at the annual negotiations,⁴⁷ despite the facts that agricultural production was experiencing an unprecedented era of growth as a result of mechanisation, and government subsidies to the industry virtually equalled the industry's total wage bill.⁴⁸

Continuing this trend, Union negotiators in the 1970s and early 1980s were unsuccessful at closing the gap between farmworkers' pay and that of other workers. In the 1970s and 1980s, percentile annual increases in the wages of the average agriculturalist closely matched the percentile annual increases in the wages of the all-economy average worker: legal tripartism seems to have been no more effective than voluntarism in raising average wages. Graph One shows how this close mirroring of annual percentile increases resulted to a significant widening of the *all-economy gap* between 1972 and 1985.⁴⁹

⁴⁴ National Union of Agricultural and Allied Workers, *Outlook for Agriculture; The Landworker*, November 1980; December 1985.

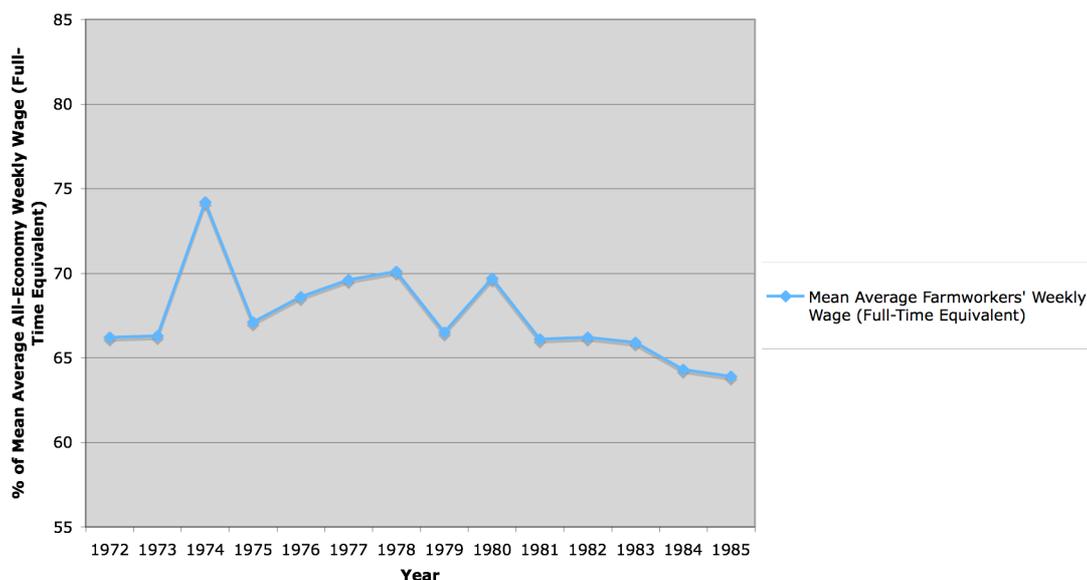
⁴⁵ National Union of Agricultural and Allied Workers, *Outlook for Agriculture*, pg. 5.

⁴⁶ Wynn, *Skilled at all Trade*, 1993, pg. 105.

⁴⁷ *Ibid.*, pg. 212.

⁴⁸ John Huges, cited in *the Landworker*, September 1955.

⁴⁹ The roller-coaster discrepancies of 1974 and 1975 can be explained with reference to the Social Contract, forged between the TUC and Labour Government at this time: keen to avoid industrial strife, the Labour Party pushed the TUC and Movement to limit wage demands in the early 1970s, in return for increased influence over the formation of Government policy. Agriculture, as a low-waged industry, was relatively exempt for the demands of this Contract: resultantly economic circumstance reduced the all-economy gap in 1974. The following year the Social Contract all but broke down, and the hegemonic Movement consciously sought to reassert its influence at negotiating tables, thereby reducing the gains made by the Farmworkers' Union in the previous year. Cf. Minkin, *The Contentious Alliance*; Cliff, *The Crisis*.

Graph One: The Agricultural/All-Economy Gap, 1972-1985.

Sources: Department of Enterprise, *New Earnings Survey*, London: HMSO, 1972-1985, N.B Changes in the job categorisation and recording processes of the New Economic Surveys prevented the drawing up of a longer time-series for this graph.

Note, Graph One compares mean average farmworker pay with the *all-economy average*: manual and non-manual workers combined. Union rhetoric at the time paid closer attention to the ‘industrial gap’, and excluded non-manual work from its calculations. At first glance the Union appears to have performed better over this same period as judged by this criteria: the Union estimated that the average farmworker took home 76.5% of an industrial pay packet in 1975, 78.3% in 1980 and 82% in 1982.⁵⁰ However it should be noted that this decade represented the beginning of the Big Battalion’s cascade of decline, which produced downward pressures on Britain’s industrial wages: the trend towards industrial-wage harmonisation should be viewed with this in mind

A secondary focus of the Workers’ negotiators between 1970-1997 was the shortening of the agricultural working week: this again can be seen as an attempt to reduce precarity, in the form of over-employment. To this end the Union was somewhat successful: through AWB orders, the legal working week – the amount of hours a full-time employee has to work before overtime payments become applicable – was instrumentally reduced from 44 hours/week to 42 in 1970, to 40 in 1973 and to 39 in 1991, where it has remained ever since⁵¹; this incrementally increased overtime payments for many in the industry. However, agricultural working hours – contractual and actual – remained abnormally long by economy-wide standards throughout our period of study. Concerning contractual hours: in 1983 the TUC victoriously declared that “with more than seven million manual workers covered by agreements giving a 39 hour week or less, any employer still clinging to the 40 hour week is in a small and shrinking minority”⁵²; agricultural workers had to wait 11 more years until their contractual working week was reduced to 39 hours. Of course it was possible and known for farmers to offer contracts with more generous arrangements than the

⁵⁰ *The Landworker*, November 1981; January 1992.

⁵¹ Ministry of Agriculture, Fisheries and Food, *RoWIA*, 1970; 1972; 1973; 1991. Since the mid-1970’s Union negotiators, as instructed by the Union’s Biennials, have pushed for a 35-hour week on the farm. Cf. National Union of Agricultural and Allied Workers, *Outlook for Agriculture*, pg. 7.

⁵² Cited in Agricultural and Allied Workers’ National Trade Group, *Submission to the AWB*, London: TGWU, 1983.

minimums prescribed by the AWB Orders: however this was an optional practice and tended not to affect the less marketable, most precarity-prone workers in the industry. Resultantly then, agricultural workers then worked longer contractual hours, longer overtime hours and still received significantly lower weekly take home pay than their industrial counterparts throughout our periodisation, rendering agricultural work, even when unstratified by occupational groupings, particularly precarious.

From this evidence, it *superficially* appears that the Union's enforced legal strategy simply failed to secure the Union's goal of reducing agricultural precarity in the form of over-work and under-pay. However, this is *not* a simple story of the Union orientating itself in defence of precarity-prone workers and finding its strategies ineffective. Closer examination of AWB negotiations reveals the Union was able, and wont, to secure the material interests of relatively protected workers at the expense of the more precarity-prone in the market: pursuing a decidedly pre-rejuvenatory, subordinatory orientation as according to my adaptation of Heery's model; the following few sections develop this point further.

4. The Agricultural Wages Board's Stratification of the Agricultural Workforce, 1970-1997.

This section describes the divisive nature of the AWB's operations throughout our curtailed periodisation of 1970-1997: with the Union playing one of the tripartite leads in this body, this divisiveness provides circumstantial evidence regarding the Union's orientation towards precarity-prone workers, to be further interrogated in the subsequent section.

In 1970 the Union succeeded in securing one of its long-term ambitions for the AWB: a grading scale so that rather than setting an all-agriculture minimum wage, discrete categories of workers were each afforded a differentiated minimum rate and array of additional entitlements. The Union, or at least its right wing EC, had hoped in the Post-War period that the introduction of a hierarchical wage structure would "markedly improve the career prospects of young workers" and thereby halt the endemic drift from the land.⁵³ The measure was first mooted at conference in 1946,⁵⁴ and gained nominal approval from the NFU soon after. However, only after decades of contentious negotiations with employers regarding the plan's fineries and nuances was the scale approved.

Coming into effect in 1972, the AWB's Orders were initially split accordingly: Ordinary Workers received the AMW, while Craftsmen were assured a 10% statutory premium on top of this. Higher up the pay scale still, Appointment Grade II and I workers received 20% and 30% premiums respectively.⁵⁵ Additionally to basic hourly wages, the AWB hence forth stipulated that many of the additional entitlements it regulated, such as overtime rates, holiday entitlement and sick pay, depended on a worker's grade level.⁵⁶

While the Union publicly declared the AWB should have been used as a vehicle to close the industrial gap between agricultural workers and labour in the wider economy, *it is clear that upon the initiation of this grading scale much of the*

⁵³ National Union of Agricultural and Allied Workers, *Outlook for Agriculture*, pg. 6.

⁵⁴ Wynn, *Skilled at all Trade*, 1993.

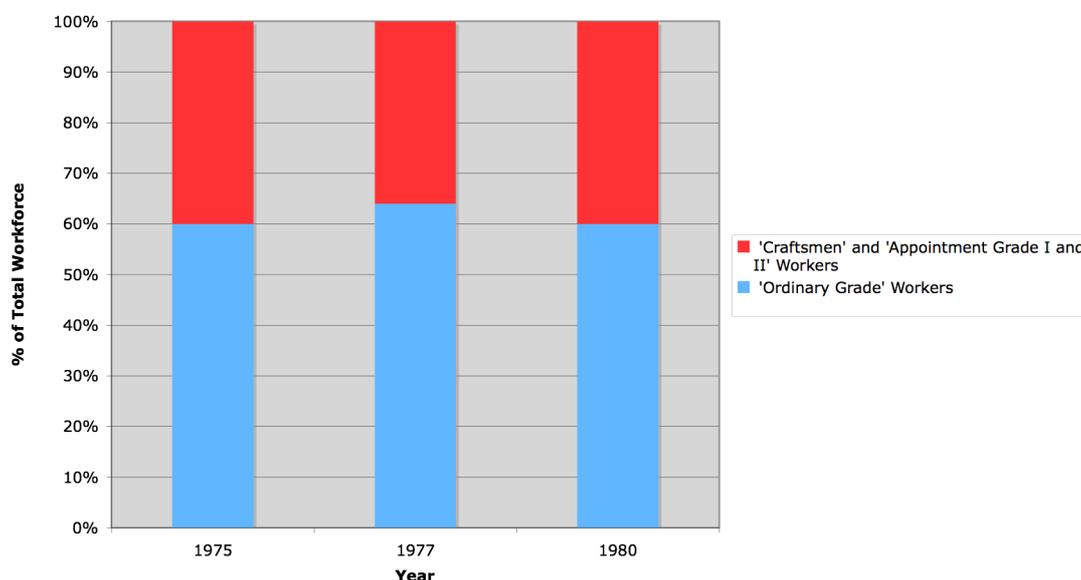
⁵⁵ Ministry of Agriculture, Fisheries and Food, *Guide to the Agricultural Wages Structure in England and Wales*, London: MAFF, 1971.

⁵⁶ Department for Environment, Food and Rural Affairs, *Agricultural Wages in England and Wales*.

AWB's operations revolved around the distribution, and redistribution, of wealth and risks amongst the agricultural workforce.

In order to move up a grade, workers should theoretically have received declarations of competence from their employers, regarding their recognised skill and responsibility levels in a number of areas.⁵⁷ However, the grading scale caused “no significant upward shift in farm workers earnings” once actualised, as the Union had rhetorically hoped for⁵⁸; and, as Graph Two shows, no proportional increase in the number of premium-grade workers at the expense of Ordinary Workers occurred in the first decade of the structure’s operationalisation. What actually occurred with the construction of the wage structure was *a legal underwriting of existing premiums on pay and conditions* that the more marketable, less precarity-prone members of the workforce had enjoyed previously on *a de facto* basis, due to their niche labour market positions.

Graph Two: Job Categorisation of all Full-Time Workers in Covered by the AWB's Orders, 1975-1980.



Sources: National Union of Agricultural and Allied Workers, *Outlook for Agriculture*, pg. 32; Brown and Winyard, *Low-pay on the Farm*, pg. 33.

Farmers have always had to pay wages higher than the AMW in recognition of the market-clearing rates of relatively marketable workers. By 1976, 43% of full-time male agricultural workers were paid more than a £5/week premium on top of the minimum wage for their grade⁵⁹; in 1984 this figure was 63%.⁶⁰ Yet in both years, workers in the higher grades were more likely to receive these non-statutory premiums, paid on top of those pre-existent premiums that the AWB had statutorily underwritten in the form of a wage structure, but in reality were offered as the market clearing rate for certain types of worker. Clearly then, the precarity levels of the more

⁵⁷ Or in the case of dispute, workers and/or the Union took complaints to one of the AWB’s County Wages Committees for a highly bureaucratic form of adjudication. In practice this led to much industrial confusion, as many Ordinary Workers found themselves performing much the same tasks as Craftsmen, but for lower remuneration. Cf. National Union of Agricultural and Allied Workers, *Outlook for Agriculture*, pg. 32.

⁵⁸ *Ibid.*, pg. 23.

⁵⁹ David Phillips and Allan Williams, *Rural Britain*, Oxford: Blackwell, 1982, pg. 68-9.

⁶⁰ Renée Danziger and Steve Winyard, *Poor Farm-Workers, Rich Farms*, London: Low-Pay Unit, 1984, pg. 4.

privileged members of the agricultural workforce were reduced by the construction of this wage structure, as previously fluid contractual relations came to be partially solidified. However, such solidifications were not enjoyed by the lower-paid workers in the market, the most precarity-prone of whom were paid the basic minimum rate for the Ordinary Grade, or less.

After the construction of the wage structure, a worker's entitlement to formal and informal premiums appeared to be impartially determined by one's recognised skill and responsibility level. However, it is clear that wider that socio-economic inequalities led to an unequal demographic distribution of these recognised skills and responsibilities: for instance, female workers have been disproportionately concentrated in the lower grades of the AWB Orders throughout our periodisation.⁶¹ Accordingly, it appears that *the interests of female workers were not pursued by the AWB when it secured wage solidifications for more marketable, normally male, workers*. The wage structure allowed for the camouflaging of this discrimination beneath market-based logics.

Certain developments that occurred after 1970 exacerbated the AWB's discrimination of precarity-prone labourers in agriculture. In addition to the creation of positive differentials, which segregated the minimum wage of Ordinary Grade workers from those with more marketable skills, the AWB has, over the years, created numerous *exceptional categories* of workers, which farmers have been allowed to pay *under* the Ordinary Rate.

The first exceptional category, the *Female Grade*, existed before the 1972 imposition of the pay structure. Here the AWB set an annual percentile of the Male rate at which farmers were allowed to pay the significant numbers of females employed in the industry. The Union long disapproved of this measure, and made the harmonisation of this differential a key demand on the annual negotiations of the early 1970s.⁶² However, it was only with the passing of the Equal Pay Act, which came into effect with the 1976 AWB Order, that this differential was deleted. Yet that very same year the employers' delegation pushed for the creation of two new bands of exceptional differentials: for part-time workers working more, and less, than 30 hours per week respectively⁶³; previously, all part-time workers had been paid a *pro rata* hourly rate of their full-time equivalents. At this time, the majority of female workers in the industry worked on a part-time basis,⁶⁴ and a slight majority of all agricultural part-time workers were female: therefore the construction of these Part-Time Grades should be thought of as the continuation of gender discrimination in agricultural wage machinery, albeit one which allowed for the further stratification of workers according to (non-standard) contract type.

Workers in the lower of these two bands, the *-30 Hour Differential*, were initially allowed to be paid 87.5% of the Ordinary Grade hourly rate. This gap expanded and decreased with the annual rounds of negotiations until in 1983, after a campaign by the NFU, a further exceptional *Seasonal Rate* was allowed to be separated from the -30 Hour Part-Time Rate: the Seasonal Rate initially allowed for

⁶¹ Richard Dickens, Stephen Machin, Alan Manning, David Metcalf, Jonathan Wadsworth and Stephen Woodland, "The Effect of Minimum Wages on UK Agriculture". In: *Journal of Agricultural Economics*, 1995, 46(1), pp. 1-19.

⁶² Ministry of Agriculture, Fisheries and Food, *RoWiA*, 1970-1975.

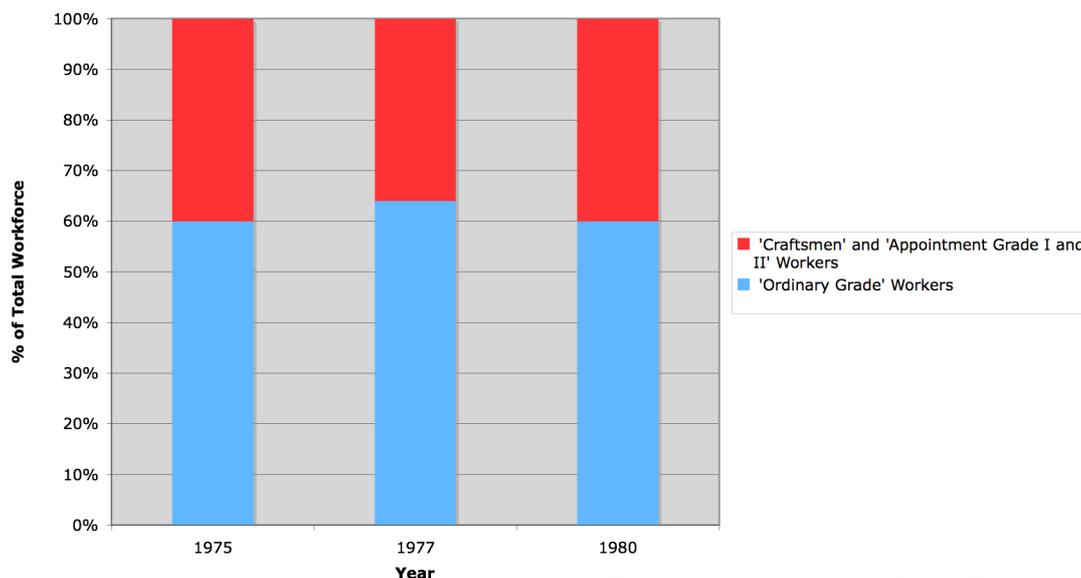
⁶³ Ministry of Agriculture, Fisheries and Food, *RoWiA*, 1976.

⁶⁴ In 1975 66% of the female agricultural workforce worked, by choice or necessity, on a part-time basis. Cf. Brown and Winyard, *Low-Pay on the Farm*, pg. 37.

the payment of hourly wages at 84% of the Ordinary Grade.⁶⁵ Over the years the definition of what constituted a Seasonal Worker changed. Typically, workers paid on this level did not work around the year for a single employer. However, seasonal contracts have not been limited to the traditional British harvest season: for much of the 1980s and 1990s one could be employed for 30 weeks a year on a 40 hour week and still be legally considered to be in the Seasonal, or later, 'Casual Grade'.⁶⁶

Graph Three demonstrates that, while the basic minimum wages of Ordinary Grade workers climbed steadily throughout the 1970s, 1980s and 1990s, the basic minimum wage rate of Casual Workers rose at a slower rate and, for several years in the early 1990s, froze altogether.

Graph Two: Job Categorisation of all Full-Time Workers in Covered by the AWB's Orders, 1975-1980.



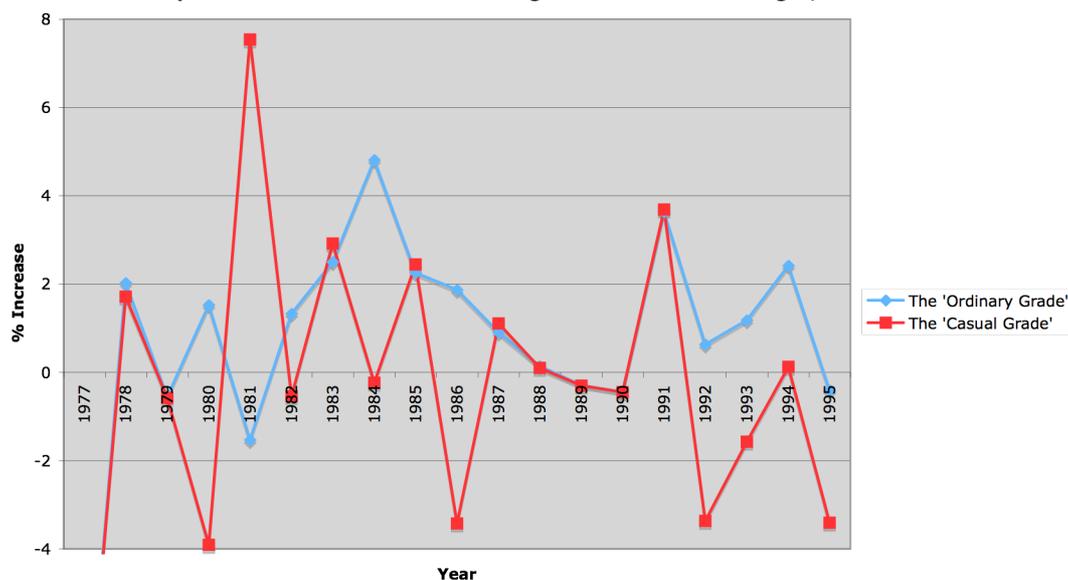
Sources: National Union of Agricultural and Allied Workers, *Outlook for Agriculture*, pg. 32; Brown and Winyard, *Low-pay on the Farm*, pg. 33.

To unpack these statistics further: *real* percentile annual increases in the minimum wage rates of exceptionally graded workers mostly mirrored percentile increases in the Ordinary Grade for much of the 1970s, 1980s and 1990s. However, on several occasions, particularly during the 1990s, the Casual Rate proportionally increased to a significantly lesser extent when compared to Ordinary Grade settlements, as Graph Four demonstrates. Again then, at times throughout the 1970s, 1980s and 1990s the trilateral AWB clearly made Orders that benefited the interests of relatively niche agricultural workers, but failed to secure comparable benefits for the less marketable workers in the industry.

⁶⁵ *The Landworker*, May 1984. N.B European Union laws only legislated against the pecuniary discrimination of part-time work from 1995 onwards. Therefore, between 1984 and 1995 Part-Time AWB Rates existed between the Ordinary and Seasonal Rates. For the sake of brevity, the analysis of this chapter focuses principally on the lowest adult rate offered by the AWB at any one time.

⁶⁶ In 1988 the *Seasonal Worker Category* of the AWB Order was replaced by the *Casual Worker* category: there was little qualitative difference between the two. From here on it, for the sake of brevity, the term 'Casual Grade' will be utilised throughout analysis when referring to the lowest negative differential offered by the AWB at any one time. Cf. Ministry of Agriculture, Fisheries and Food, *RoWiA*, 1988.

Graph Four: Real Percentile Rises in Agricultural Minimum Wages, 1977-1995.



Sources: Ministry of Agriculture, Fisheries and Food, *RoWIA, 1977-1995*; The Guardian DataBlog, *UK Inflation Since 1948*, last accessed 8th June 2013. N.B the data shown shows each annual rise in the relevant AWM minus that year's annual rise in RPI inflation.

Of note is the fact that the Farmworkers' Union's membership has traditionally come from workers in the Ordinary Grade and above⁶⁷: apparently due to difficulties in reaching and organising these exceptional categories of workers, a disproportionately small number of these negative differential receiving workers have ever been members of the Union. It seems then that the steady rises in basic wages enjoyed by Union members in the 1970s, 1980s and 1990s were offset by wage freezes for precarity-prone workers outside of the Union but within the remit of the AWB's tripartite discussions: in other words, the AWB increased, rather than decreased, differentials between standard and non-standard form of work, in a pattern that directly benefited the Union's traditional constituents. If the Workers' negotiators can be shown to have acted instrumentally and with duplicity in creating and maintaining these differentials in practice, one could certainly describe the orientation of the Union as pre-rejuvenatory and subordinatory, as according to Heery's model.

5. The Subordinatory Orientation of the Farmworkers' Union: Complicity in the Stratification of the Agricultural Workforce, 1970-1997.

In this section I ascertain the degree of complicity the Union had in propagating the subordinatory orientation of the AWB as described above. I find that strong evidence can be found to the effect that the Union acted purposefully to help produce this patterned subordination.

For a start, while the Union consistently resisted the widening of the exceptional differentials, in certain years it sought, and won, a widening of the differentials between the Ordinary and Higher Grades.⁶⁸ The maintenance and widening of such differentiated wages demanded trade-offs from the Union: while such a widening would have been of the benefit to the more marketable agricultural workforce, further legislatively solidifying their mostly pre-existent wage premiums, opportunity costs entailed stallings and freezings in the Ordinary Grade minimum;

⁶⁷ Chris Kaufman, *In Conversation with Robin Hinks*, London, 2013.

⁶⁸ Cf. Ministry of Agriculture, Fisheries and Food, *RoWIA*, 1985, for example.

this suggests Union complicity in actions which saw the interests of relatively precarity-prone workers in the industry sacrificed for the interests of the relatively less precarity-prone.

Further evidence of Union complicity can be found with regards to an emblematic issue of the New Economy: that of flexibilisation. In 1986 the Landworker warned its members “flexible-working can damage your rights”.⁶⁹ Such warnings were thoroughly vindicated at the time: in addition to seeking low-wage rates for exceptional groups of workers,⁷⁰ the Employers’ Side of that year’s AWB negotiations sought to increase the “flexibility” of Ordinary Grade workers, in the form of seasonal variations in the working week that would have had negative repercussions on overtime payments for full-time workers.⁷¹ The precarity-prone groups of workers that employers were allowed to pay with negative differentials were seen by the Union at the time as the hammer with which the employers were trying to force through these “unreasonable conditions”.⁷²

Perhaps surprising, the Union’s tough stance it adopted against flexibility during the 1980s and early 1990s proved to be highly successful, with narrow regards to the preservation of regular full-time workers’ contractual conditions: 1986’s proposals were seen off, and when the AWB again confronted the issue of flexibility in 1992, the Workers’ delegation won considerably favourable terms, considering the wider economic circumstances. In the same period that the Wages Councils were being abolished wholesale, the Workers’ Side of the AWB managed to ensure that any alternations to a full-time worker’s working week would be voluntary,⁷³ and in lieu of overtime payments a *voluntarily flexible* full-time workers’ basic hourly rate would be in excess of the basic minimum wage of said workers’ particular grade.⁷⁴

However, such a success, which secured the material interests of full-time workers and warded off precarity for these already relatively privileged grades of workers, came at the expense of others: that same year the Casual Rate was frozen for the second year in a row, representing a significant real wage cut for those particularly precarity-prone workers paid on this level.⁷⁵ In the Union’s practices a subordinatory orientation was observable: *protections for an increasingly diminishing group of workers were won and maintained only at the expense of a degradation of the material interests of the most precarity-prone in the market.*

This subordinatory orientation can be identified repeatedly when observing the Union’s negotiators on the AWB. The Union never formally dropped its pursuit of exceptional differential harmonisation, but in practice it consistently prioritised the short-term interests of the agricultural full-time workforce in its negotiations. A long list of evidence can be pointed to support this statement: the Union never won the

⁶⁹ *The Landworker*, December 1986.

⁷⁰ In addition to Casual and Seasonal Rates, the AWB has made negative differential provisions for industry interns, young workers, physically impaired workers and certain groups of foreign workers. Cf. Ministry of Agriculture, Fisheries and Food/Department for Environment, Food and Rural Affairs, *RoWiA*, 1976-2011.

⁷¹ Ministry of Agriculture, Fisheries and Food, *RoWiA*, 1986-1987.

⁷² *The Landworker*, December 1986.

⁷³ *The Landworker*, May 1993; Department for Environment, Food and Rural Affairs, *Agricultural Wages in England and Wales*.

⁷⁴ This has created a fairly complex system where all grades of work, excluding the negative differential Casual Grade, actually consists of two sub-grades of workers. Regular Ordinary Grade workers, for instance, are paid a slightly lower hourly wage than Flexible Ordinary Grade workers, but are entitled to more overtime payments in a greater variety of circumstances: on Sundays and after 8 hours of work on a single day, as examples.

⁷⁵ Ministry of Agriculture, Fisheries and Food, *RoWiA*, 1992. Cf. again Graph Four of this thesis.

harmonisation of Casual and Ordinary Rates in the 1970s, 1980s and 1990s; however, a number of ancillary provisions were won that disproportionately benefited those on regular contracts during the same period, and which implicitly required the further subordination of precarity-prone workers to be actualised. In 1975, the Union secured the provision of an occupational sick pay scheme for the first time, with workers initially entitled to up to thirteen weeks of sick pay per year from injuries and illnesses. However an initial proviso of this provision being it was only available to workers with over one year continuous service to a single employer: therefore benefits were not afforded to the most precarious in the industry.⁷⁶ In 1979 the Workers' Side won an improvement in these sick pay provisions: if a worker had completed 15 years continuous service with a single employer they would be entitled to 130 days paid leave: however, that same year the Employers won the right to pay foreign students a negative differential for the first time.⁷⁷ In 1980 the Union nominally made the deletion of the Part-Time Rate its secondary wage demand,⁷⁸ but came away instead with increased holiday provisions for those with 52+ weeks continuous service in the industry.⁷⁹ In 1981, no differential harmonisation was achieved, but full-time workers received a significant improvement in their overtime payments.⁸⁰ In 1986, the Union did secure better treatment for +30 hour part-time workers, who were granted holiday pay of 125% their normal wage, as full-timers had been assured since 1982: however, that same year the Casual Rate was frozen, despite the Union again rhetorically seeking harmonisation at the initiation of negotiations.⁸¹ All the above cases further demonstrate how and when the Union won redistributions of risks and benefits from the AWB to the benefit of the *less* precarity-prone workers in the industry.

Tellingly, a perusal of the Landworker's reportages of each year's final Wage Order reveals that new Ordinary Grade and Craft Grade rates were prominently displayed and discussed between 1972 and 1997, but more often than not the negative differential grades were underreported and under analysed: so, it is clear that in its practices on the AWB, the Union pursued the material interests of its own members at the expense of others, in a pre-rejuvenatory, subordinatory manner. Rather than casual work being the hammer with which employers knocked down the privileged position of full-time workers, the employers used the Union's defence of its full-time workers' relatively privileged positions as the hammer with which to knock down and maintain the precarious working conditions of the ever expanding non-standard agricultural labour force.

⁷⁶ *The Landworker*, 1975, pg. 96.

⁷⁷ Ministry of Agriculture, Fisheries and Food, *RoWiA*, 1979.

⁷⁸ Traditionally, the Union's primary claim concerned the length of, and remunerations for, an Ordinary Grade worker's week

⁷⁹ Ministry of Agriculture, Fisheries and Food, *RoWiA*, 1980.

⁸⁰ *Ibid.*

⁸¹ Ministry of Agriculture, Fisheries and Food, *RoWiA*, 1982, 1986. Over the decades the qualifying provisos for some of these above mentioned provisions, and those regarding other issues, such as access to training and stand-by payments, have at times been gradually expanded to include greater numbers of workers on less standard contractual types, and workers with less experience in the industry. Some of these provisions were won by the Union on AWB negotiations: however more common sources of these apparent victories were legal rulings in the British and European courts, and changes in statutory legislation, particularly at the European level. Right up to the present day "certain rights under the Order depend on how long a worker has been continuously employed" by a single employer. Cf. Department for Environment, Food and Rural Affairs, *Agricultural Wages in England and Wales: A Guide for Workers and Employers*.

6. The Farmworkers' Union's Rhetorically Inclusive Orientation, 1970-1997.

In this section I problematise the above analysis regarding the Union's orientation towards precarity-prone workers. I find that while the Union's actions were orientated in a pre-rejuvenatory manner *in practice*, a *discursively rejuvenatoryesque* orientation was visible from the Union throughout our curtailed periodisation.

Clouding the picture to have emerged so far, the Union, in rhetoric at least, long recognised that the promotion of Ordinary Grade workers at the expense of exceptional grades was in the long-term disinterest of the Union's traditional constituents, despite them being disproportionately concentrated in this grade and higher. A brief perusal of the arguments the Union made to, and regarding, the AWB between 1970-1997 reveals a discursive orientation more akin to Heery's inclusive orientation: one which was deployed on a too coherent and regular basis for it be dismissed as mere ideological lip-service or propaganda.

In 1980, the Landworker argued the part-time workers represented a threat to the general agricultural workforce, in that they represented a "pool of cheap (mostly female) labour to be called on in busy times and as casually dismissed"⁸²: while such a statement appears hostile to this form of contract, the editorial makes it clear that it was not part-time workers who were to blame for this pattern, but their lower wage rates as demanded by employers from the AWB. Seeking their equal treatment, albeit not for any altruistic or fraternal basis, the Landworker argued that the growth of this relatively precarity-prone contract type was to the detriment of those on regular contracts, and needed to be combatted with a decreasing of the negative differentials.

The self-interested incentives offered by this inclusiveness should be clear: the numbers of agricultural workers employed on exceptional grades was never inconsiderable, and grew steadily throughout our periodisation; the Landworker finds that between 1975-1979 the full-time agricultural workforce decreased by 16,000 workers, while the casual and seasonal workforce grew by 13,000; this effectively represented a wholesale remodelling of the workforces' contractual arrangements. Table One shows that this contractual restructuring continued in the following decade: while the drift from the land affected all contract types, the number of full-time workers in the industry fell at a disproportionately fast rate, as widening negative differentials incentivised employers to privilege non-standard contract types on their farms. From this the Union recognised, and argued, that it was in the material interests of its members to pursue an inclusive orientation and demand equal treatment and *pro rata* terms for these non-standard workers: to follow an orientation of subordination, where the Union would increase skilled differentials and placate employers by facilitating the stagnation of exceptional wages, would only "encourage farmers to destroy their... permanent labour force", the Union's traditional constituents included.⁸³

⁸² *The Landworker*, November 1979.

⁸³ *Ibid.*

Table One: The Number of Adult Agricultural Workers in England and Wales, and their Contract Type, 1982-1984.

	1982		1984	
	Number of Workers (000s)	% of Total Workforce	Number of Workers (000s)	% of Total Workforce
Regular Full-Time Workers	105.1	45.5	99.7	44.9
Regular Part-Time Workers	37.6	16.3	37.3	16.8
Casual	88.1	38.2	85.1	38.1

Sources: Ministry of Agriculture, Fisheries and Food, *Agricultural Labour in England and Wales*, London: MAFF, 1982, 1984.

The Union was consistent in the deployment of this argument: in 1976 the Union had argued that “a move towards casualisation and short-time working in the industry” was a development “which no-one concerned about its future well-being should welcome. The Union is concentrated to halt this trend and secure the recruitment of more full-time workers”⁸⁴: here, according to the Union’s rhetoric, not only were the material interests of full-time workers under threat from casualisation, but the efficiency of the industry itself, and hence the material wellbeing of the nation. In 1994 the Union again pointed out the transformative effects of the negative differentials, and blamed the disparity between casual and full-time hourly rates as the cause for farmers to employ an increasingly unskilled workforce on substandard conditions, so that between 1978 and 1993 the number of casual and part-time workers in the industry remained largely constant while male full-time employment dropped by 24%.⁸⁵

From the above we can say that, on the AWB, the Union clearly *desired* to exclude casual labour *relations* from the industry but, discursively at least, sought to secure this by enforcing *pro rata* treatment of non-standard workers. By increasing wages, employers would be disincentivised from utilising these non-standard labour contracts.⁸⁶ The key lesson to take from this section then is the fact that cost/benefit analyses conducted by the Union throughout our periodisation left it, discursively at least, with little doubt that a rejuvenatory, inclusive orientation was needed for the long-term interests of all in agriculture, including its own relatively privileged members. Therefore, between 1970 and 1997, the Union repeatedly made *initial demands* to the AWB for “regular part-time and seasonal workers” to be “paid the full hourly rate” of full-time Ordinary Grade Workers.⁸⁷ However, for reasons discussed in the subsequent section, these demands were soon retracted from each year’s negotiating tables.

7. The Causal Mechanisms behind the Dominance of the Union’s Subordinatory Orientation, 1970-1997.

⁸⁴ National Union of Agricultural and Allied Workers, *Outlook for Agriculture*, pg. 5.

⁸⁵ *The Landworker*, May 1993.

⁸⁶ National Union of Agricultural and Allied Workers, *Motions and Amendments to be considered by the 1980 Biennial Conference*, London: NUAAW, 1980, pg. 42; *The Landworker*, March 1999.

⁸⁷ Ministry of Agriculture, Fisheries and Food, *RoWiA*, 1978-1986, 1988-1989, 1994-1996; *The Landworker*, March 1987.

According to the rhetorical evidence presented in section seven, it appears the Union's negotiators were unlikely architects of the subordinatory tendencies of the AWB: yet as demonstrated in section six, its negotiators had been complicit in, rather than simply powerless over, the Board's subordinatory stratification of the workforce. In determining why such a disconnection was found between the Union's discursive and practiced orientations towards precarity-prone work, the principle culprit seems not to be the Union's internal structure or historical heritage, but the enforced operating arena of the AWB itself, and more so the unequal distribution of power resources within the AWB's framing environment. Structural biases on and around the AWB, in the employers' favour, rendered the privileging of a subordinatory orientation the sole *rational choice* for the Union relatively lacking in both power and resources: the Union aspired to inclusivity, albeit for self-motivated reasons, in a coherent manner throughout the 1970s, 1980s, and 1990s; however, the Union's operating environment forced a gross distortion in this orientation in practice. This section explores the reasons for this distortion.

Problems at least in part germinated from the structure of Board negotiations. On the AWB, each side justified their interests to the Appointed Members in deference to the narrow and ill-defined remit of the AWB. Over the years, each side's arguments had been repeated to such an extent that one could accurately predict their ritualistic deployment at the annual negotiations. The Farmworkers, conscious of the AWB's remit to ensure comfort for the agricultural worker, regularly deployed moral arguments when making their wage claims: arguing that farmworkers had traditionally held one of the best productive track records of any group of worker, and that the resultant rises in farm incomes should be compensated with increased wages.⁸⁸ Accordingly, to do otherwise would betray the workers of this "Cinderella industry,"⁸⁹ particularly in light of the sector's high levels of governmental subsidies.⁹⁰ In addition, the Workers ritualistically pointed out the increased and disproportional costs of living associated with rural areas,⁹¹ and general fluxuations in the cost of living in the turbulent 1980s,⁹² as justifications for increased wages. Responding, employers rarely contested the Farmworkers' productivity claims, but instead argued, in apocalyptic tones, that they simply could not afford to pay, on top of their already highly priced production inputs, "excessive and overgenerous" wage increases. They claimed that to do so they would have to further mechanise and/or chemicalise the industry, thereby destroying the comfort of their newly unemployed workers: darkly threatening that "one hell of a lot of farmers... would rethink their employment policies" if the industrial-gap were to close.⁹³

Having to navigate between these polar opposite points of views, the Appointed Members tried to act in as neutral a manner as they know how. Indeed, between 1970 and 1997 the Appointed Members sided with one side over another in

⁸⁸ Trades Union Congress, *Report of Congress 1972*, London: TUC, 1972, pg. 500; *The Landworker*, February 1985; October 1970; National Union of Agricultural and Allied Workers, *Outlook for Agriculture*, pg. 1; Ministry of Agriculture, Fisheries and Food, *RoWiA*, 1980.

⁸⁹ *The Landworker*, May 1973.

⁹⁰ *The Landworker*, June 1985.

⁹¹ *The Landworker*, March 1988.

⁹² *The Landworker*, June 1981.

⁹³ *The Landworker*, December 1985; cf. February 1981; December 1985; Ministry of Agriculture, Fisheries and Food, *RoWiA*, 1980.

settling a final pay settlement a roughly equal number of times.⁹⁴ However, this does not imply that the AWB represented some pluralist arena of contention at this time. Sides, included the apparent ‘winner’ of each year’s negotiations, had to make compromises in face-to-face negotiations and, more intangibly, when determining their annual claim. As demonstrated imminently, the burdens of these compromises were disproportionately borne by the Workers’ Side.

Each year, the Appointed Members had to adjudicate between two parties, each claiming to seek the dual ideals of ‘efficiency in agriculture’ and ‘comfortable living standards’ for the workforce. Yet, on a higher level, the narrow remit of the AWB demanded the continued existence of British agriculture: neither efficiency nor comfort could be secured in an industry that no longer existed. While trilateralism was legally imposed to create collective bargaining when and where imbalances in the power resources of interested parties would have prevented the maintenance of voluntary bilateralism, this caveat rendered void the trilateral body’s potential to counterbalance the disequilibria in the balance of resources between workers and employers: when adjudicating between each sides’ claims, the Appointed Members could not simply attempt to balance the degree of satisfaction, or dissatisfaction, felt by either Side as the result of a final settlement; they had to attempt an assessment of how either Sides’ dissatisfaction would affect the continued existence of the industry.

The Union regularly attempted to actively sway such assessments. On a near-annual basis, the under-resourced Union annually claimed that the continued existence of worker discomfort endangered the industry, as the industrial-gap caused an acceleration in the drift from the land: accordingly, comparatively low-wages caused a large scale of abandonment of agriculture by the rural workforce⁹⁵; in 1972, Union President Bert Hazell told the TUC “two hundred thousand workers have gone (from agriculture) in the last 10 years, but not through redundancy, they have voted with their feet because the wages and the conditions of their employment did not enable them to remain”.⁹⁶ The Union, when making these arguments, attempted to adopt a paternalistic tone: not simply representing the interests of agricultural workers but the industry as a whole and indeed the entire country, which could, apparently “no longer afford any job losses in agriculture”.⁹⁷ While certainly a pertinent point, the Appointed Members only had to observe, particularly from the 1980s onwards, the accelerating mechanisation and chemicalisation of agriculture, in combination with the growing mass unemployment found in the British economy and wider environmental issues, such as a lack of labour mobility and societal pressures which tied much of the agricultural workforce to the land, to see that agriculture was shedding jobs faster than it was losing employees. Indeed research conducted by MAFF in 1982, with the aid of the NFU, found that it was not wage stagnation, but increases in the national stock of machinery, that had principally caused the continued decline in agricultural employment in the 1970s.⁹⁸

Furthermore, as demonstrated in section one of this chapter, the Union’s past experiences with militant action left the Union unwilling to attempt to limit the agricultural labour supply on a momentary basis via the strategic use of strike action, particularly after 1984’s aborted attempt at an overtime ban. Therefore, for an

⁹⁴ Ministry of Agriculture, Fisheries and Food, *RoWiA*, 1970-1997.

⁹⁵ *The Landworker* June 1970; 1975, pg. 11; March 1987.

⁹⁶ Trades Union Congress, *Report of Congress 1972*, pg. 500.

⁹⁷ National Union of Agricultural and Allied Workers, *Outlook for Agriculture*, pg. 5.

⁹⁸ P. Lund, T.G. Morris, J.D. Temple, and J.M. Watson, *Wages and Employment in Agriculture – England and Wales 1960-1980*, London: MAFF, 1982, pg. 34.

Appointed Member between 1970 and 1997, it would have been clear that, despite their dissatisfaction at any settlement, agricultural workers lacked the resources to actively disrupt British agricultural production through the withdrawal of labour, both on a long- and short-term basis.

Alternatively, the employers, through their ability to further mechanise and chemicalise agricultural production, held a resource of decisive consequence for agriculture: that is, the Employers' Side was regularly found to have been able to jeopardise the continued existence of the agricultural workforce through their ability to increase and, vitally, decrease the demand for labour. The Appointed Members could not claim to have fulfilled one of their few concrete remits – to 'secure the comfort' of the agricultural wage force – if, as a result of an overly generous annual wage settlements, employers had to replace labour costs with capital investment, as they habitually claimed they would be forced to do: as a typical blunt example, the NFU's delegation claimed that the "industry simply (could not) afford" the workers' AWB claim in 1982.⁹⁹

So, the Union's power resources were too weak to control the labour supply of agriculture, the Employers' ample enough to control labour demand. Such a disparity in power unconsciously swayed the AWB's Appointed Members: while they sought to deal with the parties equally, in the main they "accepted the fairly pessimistic assessments of the state of the agricultural industry put forward by the NFU",¹⁰⁰ helping sway the annual negotiations in the Employers' favour. While government imposed tripartism theoretically offered a crux to unionism in industrial environments that deprived workers of workplace power resources, in agriculture it seemed to offer only a distilled version of bilateral industrial negotiations conducted from positions of unequal power: ultimately, economic superiority earned through the control of the means of production and reproduction won for employers special dispositions from the Appointed Members.

This inherent bias of capitalism, which was implicitly privileged by the AWB's supposedly Independent Members, produced further discrepancies in the power resources of the two interested parties. The economic buoyancy of individual farmers during our periodisation granted their representative body immense financial resources: in 1983 the NFU reported an income of £8 million, raised from basic member subscriptions and additional block donations from its wealthier members¹⁰¹; with such annual surpluses the NFU made shrewd and extensive capital investments: in 1980 the organisation owned a 75% share in the Fatstock Marketing Corporation, a commercial empire with an annual turnover of £535 million.¹⁰² Such financial resources begat the NFU considerable organisational resources – since the 1970s the NFU has employed several hundred staff at any one time¹⁰³ – which in turn produced reputational and influential resources: in the mid-to late Twentieth Century the NFU was "arguably the best and organisationally strongest Western agricultural interest group",¹⁰⁴ and "undoubtedly one of the most successful pressure groups in Britain".¹⁰⁵

⁹⁹ *The Farmers' Weekly*, 8th October 1982.

¹⁰⁰ National Union of Agricultural and Allied Workers, *Outlook for Agriculture*, pg. 23.

¹⁰¹ Tristram Beresford, *We Plough the Fields*, Harmondsworth: Penguin, 1975, pg. 33.

¹⁰² *Ibid.*, pg. 18.

¹⁰³ *Ibid.*, pg. 33.

¹⁰⁴ Graham Wilson, "Farmers Organisations in Advanced Societies". In: Harold Newby, *International Perspectives in Rural Sociology*, Chichester: Wiley, 1978.

¹⁰⁵ Cf. Harold Newby, *Green and Pleasant Land?*, Penguin: Harmondsworth, 1979, pg. 122.

To give some idea of the political sophistication of the NFU, it is widely credited with developing many of the modern technologies of governmental lobbying: Britain's peak employer federation, the CBI, consciously replicated many of the NFU's preexistent and highly successful tactics – such as lobbying across Party lines in both Houses of Parliament, taking MP's and their staff 'for dinner' away from the hustle and bustle of Westminster, and creating extensive contacts between local employer branches and MP's in their constituencies – when it sought to extend its lobbying credentials in 1977.¹⁰⁶

It was not just organisational resources that the NFU had in droves during our curtailed periodisation. In the 1930s and 1940s there had been a number of competing agricultural employer organisations, which diluted the effects of the farmers' economic resources.¹⁰⁷ However, after a process of mergers and collapses, the NFU emerged in the Post-War Era as the near monopolistic employer's organisation in the industry, formally representing over 90% of all farmers in England and Wales by 1988.¹⁰⁸ Resultantly, the NFU, for much of our periodisation, was successful at appearing to present a single "farmer's view".¹⁰⁹ Partially due to this apparent unity and representativeness, the NFU was afforded a great deal of governmental access by both major political parties during our periodisation. Such was the extent of this access, that MAFF and the NFU were often portrayed as being virtually symbiotic, so close was their relationship in the 1970s, 1980s and early 1990s¹¹⁰: Teddy Taylor, a Conservative MP, described in 1988 how his contemporary Conservative Minister for Agriculture, "like so many of his predecessors – Labour men... as well as Conservatives – (had become) a virtual prisoner of NFU interest".¹¹¹

The Farmworkers' Union, on the other hand, has never enjoyed large donations, due to the relative poverty of its members, and has relied entirely on diminishing subscriptions and occasional strike support from the wider Movement. In the 1970s a funding crisis forced the Union to shed jobs, so that in 1972 the Union only had 20 full-time staff members.¹¹² This lack of financial and organisational resources, combined with the inconducive operating environment of agriculture, at least in part explains the Farmworkers' Union's failure to ever organise more than 40% of the agricultural workforce.

This disparity in strengths helped bias the AWB further in favour of the employers. On an annual basis between 1970 and 1997, the Employers' side claimed, or perhaps threatened, that overly-generous AWB Orders would threaten the continued existence of agricultural production in Britain. Of course the continuous prosperity of British agriculture's bottom line, and the industry's "recession proof" nature,¹¹³ should have forced the Appointed Members to critically question this annually ritualised claim/threat of the employers. However, this appears not to have

¹⁰⁶ Grant, *Pressure Groups, Politics and Democracy in Britain*, pg. 66.

¹⁰⁷ Martin Smith, *Consumers and British Agricultural Policy: a Case of Long-term Exclusion*, Colchester: University of Essex, 1988, pg. 5.

¹⁰⁸ Danziger, *Political Powerlessness*, pg. 6.

¹⁰⁹ Martin Smith, *Pressure, Power and Policy*, Hemel Hempstead: Harvester Wheatsheaf, 1993, pg. 105.

¹¹⁰ *Ibid.*, pg. 50; *The Landworker*, December 1974; Grant, *Pressure Groups, Politics and Democracy in Britain*, pg. 7, 147.

¹¹¹ The Daily Mail, 20th December 1988.

¹¹² *The Landworker*, March 1972.

¹¹³ The Andersons Centre, *Impacts on Changes in the Wider Economy on Agriculture and the Agri-Environment: Report to Department for Environment Food and Rural Affairs*, Leicestershire: The Andersons Centre, 2010.

occurred: the part-time Appointed Members of the Board were traditionally drawn from the academic, financial, legal, and commercial sectors, and had little intimate knowledge of the agricultural environment¹¹⁴; the NFU's well-funded lobbying and legitimising activities, that occurred in the AWB's framing environment, left these inexpert but decisive Members unable to critically assess the contentious claims that the NFU made within the confines of the AWB's negotiations.

Further accentuating this operational bias of the AWB was the fact that the ramifications of the resource-discrepancies between the two interested parties not only directly influenced the opinions of the Appointed Members, but also indirectly influenced wider regulative structures, situated within the AWB and beyond.

For instance, for a large part of our curtailed periodisation the Union lacked access to the information supplied to, and utilised by, the AWB. Up until the late 1990s the AWB relied on MAFF's *Annual Reviews of Agriculture* (ARoR) – documents which detail the economic conditions and prospects of British Agriculture through the use of farmer compiled surveys – as the database with which to statistically interpret and interrogate each sides' annual claim. The NFU, unlike the Farmworkers' Union, worked closely with the Civil Service when drawing up these documents, compiled well beyond the AWB's purview: therefore, during negotiations the NFU's negotiators had once been privy to vital information unavailable to the Workers and, until they themselves disclosed it, the AWB's Appointed Members; due to the fact that, until 1983, annual AWB negotiations were well completed *prior* to the formal publication of the ARoA.

More damagingly, the NFU/MAFF compiled surveys measured farm incomes only in terms of the forecast net profit of the entire industry, in the entirety of the UK; from these statistics the Employer's Side based their annual arguments regarding their (in)ability to pay precarity-dampening wages. The Farmworkers's Union repeatedly pointed out this was misleading: while small-scale tenant farmers certainly faced financial hardships throughout the Twentieth Century, particularly in Scotland, larger farms, where the majority of non-family farmworkers have traditionally been employed, continued to enjoy a great deal of economic success, even during times of general recession.¹¹⁵ In 1983, 75% of British Farms hired only short-term seasonal or family labour¹¹⁶: the Union felt rightly aggrieved that such farms' incomes were used to justify the low-wages offered by the larger, labour hiring farms which were, rather ironically, squeezing these tenant farmers out of existence. In reaction, Union negotiators pushed for farm income to be measured only from those farms that hired regular labour throughout the 1980s¹¹⁷: having no such luck, the Union periodically attempted to compile its own statistics on "*REAL* farm incomes"¹¹⁸; however, its lack of financial resources led these reports to appear rather piecemeal and journalistic, and therefore worth little in comparison to the perceptively *bona fide*, 'government compiled' NFU/MAFF reports. Therefore, through the control of these official

¹¹⁴ With the normal exception of the Chairperson: normally an academic with some form of agrarian interest.

¹¹⁵ As they still do now.

¹¹⁶ *The Landworker*, May 1983.

¹¹⁷ *The Landworker*, March 1988; April 1989; Winyard, *Cold Comfort Farm*; Danziger and Winyard, *Poor Farm-Workers, Rich Farms*. Additional biases in this statistical document arose from the fact that, for the purpose of the Annual Review, farmers could deduct: car insurance, maintenance and licensing costs; telephone, electricity and fuel bills; house maintenance costs; and even 7/8ths of their annual NFU contributions, before providing details of their annual profits. This produced distorted accounts of apparent farmer profits and/or losses.

¹¹⁸ *The Landworker*, April 1986.

statistics, the ultimately economic superiority of the Employers was translated into further biases in the *informative interface* located between the AWB's internal operating system and its wider framing environment, so that the so-called Independent Members saw, through the presentation of data, the apparent hardships of the farmers better than they could the hardships of the farmworkers: this allowed the farmers to keep wages low, maintaining precarity in the industry.

From the above analyses it should be clear that the AWB did not create imbalances in powers between agricultural employers and workers, it only offered a distilled vision of the power differentials that existed in the wider environment that framed the AWB: the *locus* of the political powers of the employers, and the relative powerlessness of the workers, never ultimately resided within the AWB, but in the socio-environmental hierarchy of Britain, which regularly impinged upon the AWB's operations to create biases. However, one cannot project a simplistic base/superstructure model onto our analyses of the AWB. Numerous extra-economic institutions *could* potentially have counterbalanced the Employers' superiority between 1970 and 1997: indeed, such a counterweight is supposedly a key function of the liberal democratic state. However, analysis shows that state influence, throughout our periodisation but particularly since 1979, prevented the Appointed Members from acting in a manner befitting their supposedly independent status. This governmental bias is best demonstrated with reference to the events surrounding the 1983 AWB negotiations.

In 1981 the AWB gained a new Chairperson, Gordon Dickson, an agricultural academic. Dickson represented a threat to Employers' Side: not because of any actual wage increases seen in practice – Dickson's years as Chairperson saw no statistically significant increases in wages or decreases in the industrial gap – but because of the hypothetical remedies he suggested as treatments for the AWB's previous performances over the years. Without a progressive remit the Appointed Members had traditionally sought, on an annual basis, to narrow the gap between the Workers' claims and the Employers' responses, and presided over the discontentment that invariably emerged as a result in a self-identified impartial manner. Dickson, alternatively, tried to force a change in the AWB's *modus operandi*, and argued that the AWB needed to “develop a progressive wages policy instead of being shackled to a role of annually fixing a certain pay rise”¹¹⁹: Dickson had recognised the need to change the remit of the AWB, on a *de facto* if not *de jure* basis, so that instead of conducting rudderless annual negotiations with reference only to the vague and partially obsolete remit of the 1923 Agricultural (Regulations) Act, the AWB should produce 3 or 5 year plans, explicitly aspiring to close the industrial gap. In suggesting that long-term planning should become central to the AWB's operations, the new Chairperson had effectively argued, without the blessing of government, against the annual biased set-piece battles between the NFU and the Union that had until then served the Employers so well.

In 1982 the AWB settled the 1983 Order¹²⁰ with an unremarkable 7.1% raise in the Ordinary Grade rate.¹²¹ However, as mentioned, this decision was reached without the Appointed Members nor Union having access to the as yet unpublished ARoA: when the 1983 ARoA was eventually made available it unexpectedly revealed

¹¹⁹ Cited in Winyard, *Cold Comfort Farm*, pg. 13.

¹²⁰ Until 1983 wage negotiations occurred in the preceding year, so the 1983 Wage Order was discussed and settled in 1982, the 1982 order settled in 1981, and so on.

¹²¹ Ministry of Agriculture, Fisheries and Food, *RoWiA*, 1983. That is, unremarkable when taking in mind that year's 5.3% rise in inflation.

1982's annual basic rise in gross farm incomes to be 45%, compared to 1981's 24%¹²²; the Workers' Side reacted by demanding an interim pay discussion, to occur before the initiation of the 1984 round of negotiations. Controversially, for the Employers at least, Dickson agreed that this was reasonable. To show how unprecedented this action was, compare this with a decision made in 1981: in 1980 an inflation mirroring increase of 10.3% on the Ordinary Worker rate was settled by the AWB; yet later that year Britain's Green Pound¹²³ was devaluated by 5%, granting farmers a 19% increase in farm-gate selling prices¹²⁴; subsequently the Workers Side, mindful of precipitous increases in income taxes, petrol duty, and national insurance contributions, asked for an interim pay settlement to compensate agricultural workers for losses in their social wages¹²⁵; Charles Miles, the then-Chairperson of the AWB, argued that a unanimous decision would have to be made for such a negotiating round, or any other change in the operational norms of the AWB, to occur¹²⁶; this granted the Employers' side an effective veto over any deviation from the *status quo*, under his tenure at least

Yet, as seen, 1983 proved to be different: at the unprecedented interim negotiations an additional 5% was added to the previous settlement of 7.1%. More significantly, Dickson directed the Civil Service to move the timing of all subsequent annual negotiations to the spring of the year in question, rather than the preceding autumn as had been the case up until this point¹²⁷: this allowed the Union to properly access and digest the ARoA before the commencement of negotiations. The Union, responded in a rare display of vitality, declaring "the farmers are running scared because, for the first time, we shall have exactly the same access to government information on farm incomes which they had kept up their sleeves all these years when we negotiated and settled before publication".¹²⁸ Then, the very next year, Dickson revealed on the final day of negotiations that the Minister of Agriculture had personally dismissed him as Chairman of the AWB.¹²⁹

Dickson subsequently revealed that he had been informed by the Minister that he was removed as he "he did not have the confidence of the Employers in the industry",¹³⁰ that he had been removed by a "direct directive from the Cabinet Office" – the control hub of the Conservative Government, and that he had previously been asked by the government to conform to Conservative guidelines on wage increases, nominally issued with regards to the nationalised industries, throughout his tenure.¹³¹ Dickson's successor, David Walker, an economics professor, publicly stated he did not agree with the principle of the closure of the industrial gap, and told the Landworker he would be sacked if he pursued policies to this end.¹³² It should now be clear why this thesis elected to utilise the term *Appointed over Independent Member*.

Dickson's actions on the AWB were not biased towards the interests of the farmworkers: the Conservative-backing Telegraph newspaper editorialised at the time

¹²² Ministry of Agriculture, Fisheries and Food, *Annual Report on Agriculture*, London: HMSO, 1983.

¹²³ The exchange rate used to determine the level of financial support the nation stood to receive from the EEC's Common Agricultural Policy

¹²⁴ Wynn, *Skilled at all Trade*, 1993, pg. 244.

¹²⁵ *The Landworker*, March 1981.

¹²⁶ *The Landworker*, June 1981.

¹²⁷ Ministry of Agriculture, Fisheries and Food, *RoWiA*, 1985.

¹²⁸ *The Landworker*, May 1983.

¹²⁹ Ministry of Agriculture, Fisheries and Food, *RoWiA*, 1984.

¹³⁰ *The Landworker*, May 1984.

¹³¹ Cited in Wynn, *Skilled at All Trades*, pg. 243.

¹³² *Ibid.*

that “if Dickson is being accused of partisanship, it didn’t show up at this year’s pay deal”.¹³³ However, he did act in a *truly independent* manner: unswayed by Employer threats or discursive exclamations. In response, the Employers found allies in the AWB’s framing environment to remove this threat to the status quo. For the NFU this proved to be far from difficult: in 1979 the *Landworker*, assessing the new government, declared Thatcher had appointed “a cabinet of farmers” due to the high number of senior ministers with farming interests.¹³⁴ Such interests were likewise found across Westminster: in 1981 92 MPs, mostly but not exclusively Tory, were identified as having a commercial stake in farming.¹³⁵ Resultantly, Dickson was swiftly removed as soon as he was seen to be acting against, or at least not with, the interests of farmers. Compare this with the Union: from the 1970s onwards the Union had repeatedly voiced a lack in confidence in the AWB’s Appointed Members, but never received a scalp for its troubles. So, even when biases of the AWB appeared to ebb, for contingent reasons such as the political appointment of a truly Independent Member, *the NFU was able to rely on institutional support systems in Britain’s political-economy to redress the balance.*¹³⁶

These structural biases on and around the AWB, brought about by economic superiority on the part of employers and backed by the farmers’ supporters in the political sphere, were key issues that helped determine the Union’s subordinatory orientation in practice. The Union had to focus its contentions on the sector of the workforce where the *biting force* of the Employers was lightest, and it cost little for the Employers to settle on near-to-Union terms for those workers in the market with relatively marketable skill. During our curtailed periodisation, as mentioned, most Craft Grade workers, and indeed many Ordinary Grade workers were paid voluntary premiums on top of the AMW by their employers as a matter of routine: the Union then found it relatively easy to ‘secure’ positive annual wage settlements for these grades of workers, which undeniably reduced some precarity in the industry, as informal wage premiums were underwritten with legal protections. However, as the size of the casual work force increased throughout the 1970s, 1980s and 1990s, there was a greater material imperative for the Employers’ Side to keep these workers’ wage costs low: so while annual ceremonial battles occurred regarding the wage claims of the higher rates, the Employers, and their superior power resources, forced the issue of the negative differentials into the arena of non-decision making; by warning that any increase in these rates would force farmers to replace labour inputs with capital inputs, the Employers’ threat of agricultural disruptions prevented deep negotiations on these issues. In fact, the resource-deficient Union was only able to secure some benefits from the AWB – a lengthening of holiday entitlements or increases in overtime rates for example – by conceding to the Employers’ apparently legitimately demands for the creation and ingraining of multiple differentials in wages and benefits: these differentials stratified the workforce and afforded some relatively protected workers a degree of precarity-dampening benefits, but to the detriment of the most precarity-prone in the industry, who were denied them.

¹³³ Cited in *The Landworker*, May 1984.

¹³⁴ *The Landworker*, June 1979.

¹³⁵ Andrew Roth, *The Business Background of MPs, 1981*, London: Parliamentary Profiles, 1981.

¹³⁶ It should be pointed out that this governmental favouring of the employers’ interests is not ghettoised to the Conservative Party: the Union lacked support from Labour during the Great Norfolk strike. Chapter four of this thesis develops this point further and explores the casual mechanisms determining this lack of support from Labour.

This subordination was not to the Farmworkers' Union's long-term benefit: Union negotiators were well aware that the stratification of benefits and wages caused an acceleration in farmers hiring workers on precarity-producing contracts; however the Union's powerlessness at negotiations prevented it from pursuing the goals intrinsic to its arrested inclusive orientation.

This is why the Farmworkers' Union subscribed to a subordinatory orientation in practice between 1970-1997, and quietly dropped its demands for the deletion of the negative differentials at the earliest possible moment in each year's negotiating rounds: to do otherwise would have risked seeing Union negotiators coming away with nothing. The Union symbolically accepted and committed itself to the AWB's limiting structures and subordinatory orientation when in June 1988 its Trade Group Conference passed a motion to the effect that its future AWB claims should be "based on the Craftsman Rate of pay, in recognition of the skilled workforce within the industry"¹³⁷: while never actualised in practice, the Union had all but acknowledged that the structure of the AWB encouraged the pursuit of differential-producing settlements that decreased precarity for a relatively privileged group only at the expense of creating precarity for others, despite this being against the long-term material interests of the Union and its members.

The key lesson to take away from this section is the fact that in the 1970s, 1980s and early 1990s, the Union pursued a subordinatory orientation via a legal strategy, as this was the only rational choice afforded to it by various institutional structures on and around the AWB, which were in turn primarily constructed by the socio-economic power discrepancies of the two interested negotiating parties.

8. The Effectiveness of the Union on the Agricultural Wages Board.

I now turn to assess the effectiveness of the Union's strategy, with strict regard to the goals intrinsic to its subordinatory orientations. It is difficult to assess the subordinatory effectiveness of the AWB. The idiosyncratic Board was differentiated to a significant degree even from its closest relatives, the Wages Councils; furthermore, the AWB has been part of the agricultural environment for a considerably long period of time, spanning several relatively discrete economic epochs. Lacking comparative cases, it is difficult to say outright whether the AWB has been a poor conduit for the Union's interests: true, the all-economy gap widened between 1970-1997, but perhaps without the presence of tripartism the gap may have widened to a more significant degree. To address this question satisfactorily I analyse the Union's shifting attitudes towards the AWB itself: historical research can ascertain the Union's satisfaction regarding the effectiveness of this imposed body, with narrow regards to the interests of its privileged members. Of course the previous section highlighted how the act of complaint actually played a substantially role in the Union's repertoire of contention on the AWB, and therefore caution is exercised in the following analysis.

Throughout the latter 1970s and early 1980s, the left wing of the Union vocally argued, normally against the advice of the EC, for the abolition of the AWB, and for its replacement by a Statutory Joint Industrial Council (SJIC). Some background: on the recommendations of the Donovan report, the 1974-79 Labour government legislatively allowed Wages Councils to be converted into SJICs upon

¹³⁷ *The Landworker*, June 1988.

the agreement of an industry's representative bodies. SJICs were seen as a transitional stage, located between the trilateral legal structures of the Councils and the voluntary structures found in sectors of the economy with a stronger presence from the Movement: SJICs contained no appointed 'independent members', and negotiations occurred bilaterally between Worker and Employer representatives; however, diverging from voluntarism, negotiations were statutorily obligatory and agreements were binding for all workers in the economic sector; furthermore, if no agreements were met, professional adjudicators were introduced to help close negotiations. As, on the recommendation of the Donovan report, the Labour Government made no provision for the transformation of the AWB into a SJIC, reformist agricultural unionists faced a particularly taxing task in their pursuit of this transformation: required to lobby for two discrete and successive pieces of legislation.

From the reformists, several motions calling for the abolition of the AWB made it onto the Union's 1978 Biennial agenda: the majority of delegates overwhelmingly dismissed these suggestions¹³⁸; however, that same year the right wing President of the Union, Bert Hazel, conceded to the noticeably agitated floor that he agreed with the viewpoint that government interference in industrial relations "can and does create all sorts of problems".¹³⁹ Two years later, motions proclaiming a lack in confidence with the AWB's machinery, and instructing the EC to deliver an action plan for SJIC transformation, gained near unanimous support from delegates, now thoroughly disenchanted with the AWB's performances in general, and recently perceived employer-placating behaviour on the part of Appointed Members in particular.¹⁴⁰ For several years after that Biennial's decision, every perceptively pro-employer action by the Appointed Members was reported as an additional "nail" in the AWBs "coffin" by the Union's increasingly powerful left wing voice.¹⁴¹

One could argue that the Union's left had been indoctrinated with the voluntaristic rhetoric of the pre-rejuvenatory hegemonic Movement, and had come to hold an ultimate objective of establishing the "industrial legality" of totally free, pre-rejuvenatory, collective bargaining.¹⁴² Indeed, many of the complaints regarding the AWB focused narrowly on the socio-economic makeup of the Appointed Members,¹⁴³ and not without good reason: historically the so-called Independents had been "drawn from one stratum of society; between 1945 and 1979 there were 8 successive board chairs; all had been male, 3 had been knights, 3 lords and 2 professors"¹⁴⁴; working class Appointed Members, and indeed rural members, were rarities; a fact recognised by an ex-Chair who described himself and his part-time colleagues as "terribly middle class" in 1989.¹⁴⁵ From such a position, it could appear that very existence of

¹³⁸ National Union of Agricultural and Allied Workers, *Motions and Amendments to be considered by the 1978 Biennial Conference*, London: NUAAW, 1978, pg. 18.

¹³⁹ Bert Hazel, *Presidential Address to the Biennial*, London: NUAAW, 1978, pg. 3.

¹⁴⁰ National Union of Agricultural and Allied Workers, *Motions and Amendments to be considered by the 1980 Biennial Conference*, pg. 31; *The Landworker*, June 1980; February 1981.

¹⁴¹ *The Landworker*, June 1981. In addition to these formal motions, conspiratorially minded unionists on the right of the Union suggested darkly in the 1980s that left wing delegates were colluding at the Biennials to demand unrealistically high wage demands, which the EC's negotiating team had to pursue at least in principal on the AWB: the suggestion being that a conspiracy was afoot to undermine the perceived functionality and legitimacy of the AWB, thereby furthering the case for an alternative. Cf. Danziger, *Political Powerlessness*, pg. 117.

¹⁴² Antonio Gramsci, *Selections from Political Writings, 1910-1920*, London: Lawrence and Wishart, 1977.

¹⁴³ *The Landworker*, June 1980; February 1981; June 1981.

¹⁴⁴ Danziger, *Political Powerlessness*, pg. 126.

¹⁴⁵ *Ibid.*, pg. 126.

tripartism was the perceived cause for the Board's failings. However, the left seemed convinced that the geographically dispersed workforce of contemporary agriculture was inconducive to outright, traditional voluntarism¹⁴⁶: the establishment of a SJIC was seen a desired end, rather than temporary intermediate point, of a rearrangement of the Union's repertoire of contention; the Union's left's campaign for a SJIC only superficially represented a desired move towards a pre-rejuvenatory, voluntary strategy. In fact, disregarding those that focussed on the demographic background of the Appointed Members, many of the left's arguments regarding this desired strategic realignment appear rejuvenatory in hindsight: unionists argued a transition to a SJIC would *promote greater cooperation* between the two negotiating sides, unable to rely on the Appointed Members to break ritualised deadlocks¹⁴⁷; likewise it was argued that a SJIC would *enable the development of wider organisational approaches*, as direct negotiations with the NFU would raise the profile of the Union, spark a recruitment snowball, and eventually lead to a lesser reliance on servicing Union representatives in the day-to-day organisation of the Union, who were seen to be stifling imaginative experimentations in form and function.¹⁴⁸

Clearly then, many in the Union, for a while at least, desired apparently rejuvenatory norms in its industrial relations: seeking the construction of a mechanism that encouraged the usage of organisational and partnership approaches, albeit to replace the also rejuvenatory*esque* legal approach embodied and imposed by the AWB. This tells us that many in the Union believed, in the first decade of our periodisation, that the AWB was an ineffective mechanism for securing its material interests, for reasons similar to those which were concurrently determining the Union's hegemonic subordinatory orientation on the AWB – that is, the existence of structurally inherent institutional biases, and an imbalance in mobilisable resources, all in the Employers' Side's favour. Rejuvenation from legalism was seen as the medicine for such ailments.

However, the 1980 Biennial was the high-water mark of Union disapproval of the AWB: the Union never consciously addressed the fact that the 1980 Biennial decision was inadequately pursued, and subsequent conferences failed to instruct the EC to further their transitional policies. In practice the Union shifted its operational emphasis again, and came to dedicate great resources on protecting the AWB: even those that led the abolition campaign fell silent on this previously divisive issue, and by the 1986 Biennial no movers continued to call for abolition.¹⁴⁹

To understand this shift in perceptions regarding the AWB's effectiveness it is necessary to look at events in the wider political environment. Thatcher's first Government was, at the time, instrumentally weakening the powers of the Wages Councils. Even before the cascade of decline, the majority of Britain's low-paid workers were not covered by the scopes of the Wages Councils,¹⁵⁰ and those industries that were covered experienced large-scale underpayments by employers.¹⁵¹ However, these bodies did previously grant statutorily underpinnings to numerous other low-paid industries in Britain. Yet, in the early to mid-1980s, after a series of

¹⁴⁶ *The Landworker*, February 1981.

¹⁴⁷ *The Landworker*, June 1980.

¹⁴⁸ *Ibid.*

¹⁴⁹ *The Landworker*, May 1984; June 1986.

¹⁵⁰ Cf. Juan Dolado, Francis Kramarz, Stephen Machin, Alan Manning, David Margolis and Coen Teulings, "The Economic Impact of Minimum Wages in Europe". In: *Economic Policy*, 1996, 23, pp. 317-372, pg. 353

¹⁵¹ Chris Pond and Steve Winyard, *Government Economic Strategy and the Wages Councils*, London: Low-Pay Unit, 1984, pp. 20-29.

legislative changes, most prominently the 1986 *Wage Act*, a large minority of the 40+ Wages Councils were abolished. The remaining Councils had their remits curtailed, so that workers under the age of 21 were removed from their purviews, and rather than setting a variety of differentiated wage rates and protections, the Councils were limited to setting a single base rate applicable to all workers covered by their Orders, and prohibited from setting minimums regarding holiday and sick pay, as they once had been enabled.¹⁵²

Many in the wider Movement had, before 1979, been deeply sceptical of the apparent inadequacies of these legally bounded institutions: many unions, including the generals such as the TGWU, had traditionally believed that urban wage fixing machinery imposed a ceiling on what could be achieved through collective bargaining, even in low-paid industries such as those with Wages Councils. Likewise a feeling percolated the Movement that legal wage machinery inhibited the growth of union memberships and density rates, as the age-old union bogeymen of *free-riders* were presumed to be double empowered, lacking a need to join a union when their terms of work were protected by the Councils.¹⁵³ Resultantly, since the Councils' inception in 1909, the urban unions participating in these tripartite bodies were hegemonically of the mind that the first objective of any Council should have been for it to "commit suicide"¹⁵⁴: in 1973 the TUC's Regional Trade Councils set a policy "for Wages Councils to make annual reports on progress... towards a voluntary collective bargaining system... including (the) possibilities of abolition".¹⁵⁵ Clearly, for the pre-rejuvenatory Movement, if it was found that an industry was even slightly conducive to more standard forms of union activity, there was little doubt that the alternative was inherently preferable to legalism.

Yet the Councils' staggered abolitions, which resulted in sizeable localised recessions and downward wage spirals in the industries concerned,¹⁵⁶ caused such significant disruptions in labour relationships that the reformist zeal of the wider Movement towards voluntarism was replaced by a conservative caution. This transition was indeed an aspect of the Movement's transition towards rejuvenatory orientations and strategies: numerous unions came to recognise the legal Wages Councils as protectors, however ineffective, of the interests of the unions and precarity-prone workers, rather than inhibitors of efficient union action.

The Farmworkers' Union was not blind to these wider developments, especially as whispers of AWB abolition, floated in various governmental White and Green Papers and informal press briefings, were parcelled together with the "general offensive against the Wages Councils" throughout the 1980s.¹⁵⁷ In the new political paradigm the Union could not imagine how the benefits, however limited, won by the

¹⁵² Trades Union Congress, *Report of Congress 1987*, London: TUC, 1987, pg. 373.

¹⁵³ David Coats, *The National Minimum Wage: Retrospect and Prospect*, London: The Work Foundation, 2007, pg. 16.

¹⁵⁴ Kenneth Wedderburn, *The Worker and the Law*, London: Sweet and Maxwell, 1986.

¹⁵⁵ Trades Union Congress, *Trades Councils Conference Report 1973*, London: TUC, 1973, pg. 28. The Trades Councils are local chambers where representatives from across the Movement meet to discuss regional trans-industry issues. Separately from the annual TUC general conferences, national Trade Council Conferences occur with delegates from every local Trades Council. The motions and discussions of these meetings are reported to the TUC's Executive, to help inform their operational priorities in the year ahead.

¹⁵⁶ Which in some cases were only reversed by the general economic expansion of the mid-1990s onwards. Cf. Hatchett *et al.*, *The Implications for the National Minimum Wage of the Abolition of the Agricultural Wages Board in England and Wales*, pg. 29.

¹⁵⁷ *The Landworker*, June 1985; cf. October 1987.

AWB could be secured by means other than in “negotiations whose outcomes (were) legally imposed”.¹⁵⁸ Any comparable governmental attack on the powers of the AWB would then have to be resisted: Conservative led reforms were predicted to be “almost as damaging as abolition”, now envisioned uniformly as a negative hypothetical development.¹⁵⁹ To remove this “statutory protection for many thousands of workers” would leave most of them with “no other form of protection”¹⁶⁰: this statement, written jointly by the Farmworkers’ Union and the TUC’s legal department in 1993, clearly demonstrates the Union’s commitment to the legal approach of union action and the reason for this, namely a wider lack of Union influence over the labour market.

So, the Union’s assessments regarding the efficiency on the AWB were intimately linked to the decimation of the wider Movement during the cascade of decline: the disabling of the Movement’s powers and fortunes in the hostile socio-political environment of the 1980s caused the Farmworkers’ Union to privilege, in a more coherent and less contested manner than it had before, the legally binded strategy as its preferred *modus operandi*.

The AWB’s effectiveness was always slight, due to the same structural biases and power discrepancies that demanded a subordinatory orientation from the Union. Resultantly, at the tail-end of an era of comfort for the wider Movement, optimists in the Union did briefly believe that a struggle for a more accommodating legal structure, that could have encouraged the fostering of further rejuvenatory strategies, was an acceptable course of action bearing in mind the Union’s resources. However, this optimism faded away when the wider economy became increasingly ruralised, in all manners except for the continuation of AWB-like machinery: the Farmworkers, learning from the resultant unfortunately experience of Britain’s other low-waged industries, ascertained that some, nay any, form of exceptional wage mechanism was desirable and at least partially efficient in the now not-so-idiosyncratic external economic environment that continued to typify agriculture; as Barry Leathwood, speaking as Union Secretary in the 1990s, said, the AWB was the only mechanism which “secure(d) our ability to bargain”.¹⁶¹ Any further attempts for Union-led reformation would likely have opened the door for Conservative led abolition, and this was clearly an unacceptable risk for all, including the particularly rebellious, members of the Union: *by the 1990s the AWB was not regarded by the Union as being particularly effective, but was seen as ultimately more effective than nothing, a.k.a. voluntarism.*

9. The Farmworkers’ Union, The Agricultural Wages Board, and the National Minimum Wage: 1997-2013.

In this section I move forward the chapter’s periodisation, to look at the AWB’s functions just before and after the imposition of the NMW. As mentioned, the creation of the NMW had such a reconfigurative effect on Britain’s low-waged industries that it is necessary to assess separately the Union’s actions on and around the AWB from the imposition onwards.

¹⁵⁸ *The Landworker*, November 1988.

¹⁵⁹ *The Landworker*, June 1985.

¹⁶⁰ Trades Union Congress, *Submission in Response to the Government’s Consultative Document*, London: TUC, 1993, pg. 2.

¹⁶¹ *The Landworker*, June 1993.

The Farmworkers' Union had, sporadically, called for an all industry national wage in the 1970s and 1980s.¹⁶² Once legislated for by New Labour in 1998, the NMW provided for the first time a singular national minimum wage for all adult workers, set initially at £3.60/hour, or 50% of average male earnings at the time¹⁶³: a figure *considerably higher than the AWB's exceptional differentials*. Since its inception, the NMW rate has been evaluated on an annual basis, with the government making an ultimate decision after hearing recommendations from the Low-Pay Commission – a statutory tripartite body formed from TUC, CBI and government appointed representatives. Until the first rumblings of the long recession of 2008 onwards were heard on the temporal horizon, the NMW rose on a consistently steep upward trajectory, outpacing percentile all-economy average wage increases; particularly steep real increases were seen from 2003 onwards. Clearly this was of benefit to those groups of workers overly concentrated in NMW jobs – notably females and migrant workers,¹⁶⁴ and those on non-standard contracts. However, since 2006 the NMW has risen at a pace slower than inflation, representing wage cuts in real terms for those employed at this rate.

On course, the imposition of the NMW had a great effect on the AWB negotiations.¹⁶⁵ Graph Five shows that the basic negative differential between the 'Ordinary Grade' rate and that of the 'Casual Grade' closed as a result of the creation of the NMW – which effectively became the AWB's 'Casual Grade' minimum – and its subsequent annual increases outpacing increases in the former.¹⁶⁶ As can be seen,

¹⁶² National Union of Agricultural and Allied Workers, *Motions and Amendments to be considered by the 1980 Biennial Conference*, pg. 35.

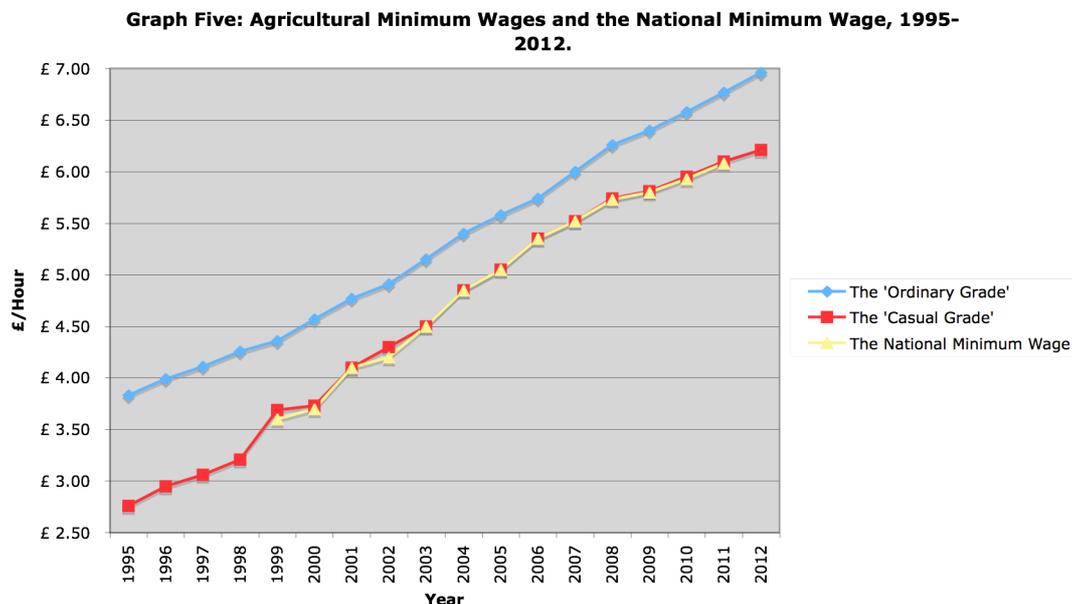
¹⁶³ Under the new NMW legislation, juveniles and apprentices were allowed to be paid negative differentials. Cf. Oude Nijhuis, *Labor Divided*, pg. 40.

¹⁶⁴ 8% of all contemporary foreign migrant workers receive no more than the absolute minimum, compared to 6% of workers nationwide. Cf. Hatchett *et al.*, *The Implications for the National Minimum Wage of the Abolition of the Agricultural Wages Board in England and Wales*,

¹⁶⁵ Reciprocally, the AWB negotiations of the latter 1990s, when agriculture was the sole industry in Britain with a statutory bottom floor, had an influence on the creation of the NMW: academics used analysis of the agricultural labour market to dismiss classical economic fears that a NMW would reduce labour demands and increase unemployment, for example, cf. Dickens *et al.*, *The Effect of Minimum Wages on UK Agriculture*, for example.

¹⁶⁶ The categorisation of the 'Casual Grade' has changed significantly throughout our curtailed periodisation of 1997 - 2012: in 2002 a *Starter Rate* formally replaced this category, at which workers could be employed, on a negative differential, for the first four weeks, or 156 hours, of employment with a single employer; thereafter they were entitled to take an exam qualifying them for the Ordinary Rate; in 2003 this grade was changed again to the *Manual Harvest Worker Category*, as the previous grade was found to be in opposition to the European Union's imminent Fixed Term Worker and Employees Regulations – this new grade allowed farmers to pay negative differentials to workers for the first 12 weeks of continuous employment; in 2005 this was changed to a slightly altered *Basic Trainee Grade*, which was changed again to an *Initial Grade/Grade 1* (of six) in 2006; with this category still in existence, employers can now pay workers a negative differential for the first 30 weeks of continuous employment – after this date, employers must provide adequate training for a worker to sit the relevant exams needed to attain the Ordinary Rate. What is noteworthy regarding all of these 'casual grades' is the fact that there has never been a limit on the length of time a worker can spend in this category of work: if a period of employment is broken, by the worker *or by the employer*, or if a worker changes their firm, the negative differential has been payable regardless of the amount of time the worker has spent in the industry; in practice, this has led to a large pool of precarity-prone workers remaining 'stuck' in these grades for prolonged periods of time, as work cycles change according to periods of peak production. For the sake of parsimony, these grades will be referred to collectively as the 'Casual Grade' from here on in. Likewise that category of workers once named the Ordinary Grade has also been augmented, albeit not out of recognition, since 1997: being renamed and slightly restructured as *Grade 2* (of six) or the *Standard Grade* as of 2006, again, for parsimony I consider this grade as the *de facto* continuation of the 'Ordinary Grade'. Cf. Department for Environment, Food and

the greatest catch up occurred between 1998 and 1999, when the AWB was legally obliged to bring the Casual Grade up to the level of the NMW.



The Union was nominally happy with this development: the Trade Group's Secretary at the time, Barry Leathwood argued that the resultant closure of the gap between the two differentials was an "incentive to not casualise the workforce".¹⁶⁷ So, through a nationally applicable statutory wage mechanism, the Union was seemingly able to see its rejuvenatory material interests realised, albeit by external agencies. Those interests being: movements towards parity between casual and full-time workers, which would supposedly prevent a wholesale change in the industry's employment contracts, which would otherwise have created contractual forms more precarious than those that the Union's traditional members were used to being employed on.

However, within a couple of years of the NMW's imposition, the Union lost the practical ability to control the agricultural Casual Grade, which became effectively intertwined with the NMW: while perhaps not to the immediate detriment of the most precarity-prone workers in the industry, whose interests had previously been subordinated by the Union in favour of more privileged workers, this did greatly affect the effectiveness of the Union's strategies, leading to numerous increases in precarity across the grading scale.

In order to analyse how and why the basic Casual Worker rate was effectively removed from the scope of the AWB after 1997, it is necessary to first take a deeper look at the Farmworkers's Union's, and the NFU's, actions on the AWB preceding the creation of the NMW. Throughout the AWB's existence the Appointed Members, once satisfied that their base function as wardens of the continued future existence of agricultural production has been performed, have had to adjudicate between two sides

Rural Affairs, *Agricultural Wages in England and Wales: A Guide for Workers and Employers*; *The Landworker*, June/July 1995; August/September 2002; Department of the Environment, Farming and Rural Affairs, *RoWiA*, 2002; 2003.

¹⁶⁷ *The Landworker*, May 1998.

both claiming to seek the dual ideals of *efficiency in agriculture* and *comfortable living standards*. While biased interpretations regarding the perceived fragility of agriculture have *unconsciously* orientated the AWB's Appointed Members in favour of the Employers, they have *consciously* strove to treat the two sides with equal *severity* throughout the decades: recognising that they would be unable to satisfy either side totally on any given year, the Appointed Members have instead elected to deal in dissatisfaction, as opposed to satisfaction.

As long as the Appointed Members have sensed, in the post-negotiation rhetoric of both sides, a comparable degree of anger and dissatisfaction, they have felt safe in the knowledge that they have performed a job well done. Therefore, the annual encounters between the Farmworkers' Union and the NFU on and around the AWB between 1970 and 1997 could be thought of as an *arms race of dissatisfaction*: both sides were forced, by the structure of the AWB, to voice post-settlement rhetorical disappointment in order to avoid discriminatory settlements the following year. We can see this arms race actualised in the fact that during this period, the Union regularly demanded wage increases of close to 100% on the previous year's settlement, yet rarely achieved to secure more than 65% of their initial claim¹⁶⁸: this ritualistic over-ambition is explained by the fact that the Farmworkers' Union had to be able to complain about the "wages robbery",¹⁶⁹ the "miserly rewards"¹⁷⁰ afforded by the AWB. The NFU had to one-up these rhetoric appeals of injustice, citing apparently pro-worker settlements as "black day(s) for agriculture".¹⁷¹ To underline their apparent dissatisfaction, both sides occasionally resorted to walking out of pay negotiations altogether, the Workers in 1970¹⁷² and 1980, then citing "shameful, double dealing" on the part of the farmers,¹⁷³ the employers in 1979.¹⁷⁴

Even before the creation of the NMW, the Workers' Side often found itself trailing in these ritualised manoeuvrings. In part this was due to the relative degrees of accountability of each side's negotiating team: while the NFU's negotiators have traditionally been given a free reign on the AWB,¹⁷⁵ the Workers' delegation has been bound, in theory at least, by the Biennial (later annual) decisions of Union delegates at Conference. So, while compelled to rhetoric voice their dissatisfaction within the confines of the AWB, the Workers' representatives, formed from the Union's EC, have been acutely aware that the Union's rank-and-file members would be monitoring their negotiations closely, and a consistent failure to secure anything close to the initial claim may well endanger their continued, elected, employment with the Union. Resultantly, a ritualised debate has long occurred with great frequency at the Union's Conferences, between the EC's Podium and delegates from the more militant and left

¹⁶⁸ Ministry of Agriculture, Fisheries and Food, *RoWiA*; 1970-1977.

¹⁶⁹ *Ibid.*

¹⁷⁰ *The Landworker*, December 1986.

¹⁷¹ *The Landworker*, January 1980.

¹⁷² *The Landworker*, January 1975.

¹⁷³ *The Landworker*, February 1981.

¹⁷⁴ *The Landworker*, January 1980. Such a negotiating arena prohibited the use of cooperative strategies in the modern era, and encouraged instead a particularly combative form of legalism from the Union. In fact, this need to voice dissatisfaction actually muddled the apparent distinction between servicing approaches to unionism, as seen on the Board, and organising approaches: due to the need to register worker dissatisfaction, regular and quasi-militant pickets, rallies and protests, performed by the rank-and-file of the union, regularly accompanied the AWB's negotiators throughout our earlier periodisation. Cf. *The Landworker*, December 1970; January 1975; July 1979; August 1982; March 1989.

¹⁷⁵ Danziger, *Political Powerlessness*, pg. 117.

wing branches of the Union: the EC, “not prepared to stick their necks on the line”,¹⁷⁶ have regularly argued that the negotiators should be tasked with securing a vague “substantial” or “significant increase” in wages from the AWB; while certain local branches have demanded a high monetary figure, with which the negotiating team’s performances can be judged in objective, percentile terms¹⁷⁷; throughout the 1970s and 1980s, as the practical implications of the discursive arms race of dissatisfaction became more apparent, the numerical lobby more often than not emerged victorious against the Podium, in a turnaround of fortunes from the 1950s and 1960s; however, in the years following the occasional victories for the ‘substantial increasers’, the Worker’s representatives were rendered less able to declare their dissatisfaction at the AWB’s operations, lacking a stark contrast between their initial demands and the final settlement¹⁷⁸; this would allow the Employers’ negotiators to pull ahead in the arms race, as they could unilaterally claim that the odds were stacked in their favour, and thereby gain preferential treatment in the following years’ negotiations; the internal organisation of the Union then encouraged an at times conciliatory, rather than combative, approach to legalism, which negatively affected the Union’s ability to secure its desired ends.

However, it was the imposition of the NMW that definitively lost the Union the arms race, and control of the Casual Grade, even while the Wage won significant decreases in worker precarity in its first operational years. After a couple of years of experimentation the Employers’ Side began to insist that the Casual Rate be *exactly* equal to the NMW. The Workers’ Side digressed from this opinion, and a new ritual emerged on the AWB from the mid-2000s onwards: where the Employers insisted on matching the Casual AMW to the NMW, and the Workers insisting that pay should diverge.¹⁷⁹ The Workers’ side nominally won this apparently superficial contest in 2008, when Casual Grade agricultural workers were granted a minimum wage of £5.81, as opposed to the NMW of £5.80.¹⁸⁰ Yet, while formally winning this battle, the Union struggled to properly establish a discursively powerful legitimising reason as to why the wage level *should* have been separated. In the first decade of the operation of the NMW, this national ground floor acquired a great deal of public legitimacy: this can be seen from the fact that the CBI dropped all opposition to its operations in the latter 1990s.¹⁸¹ Minimum wage work is arduous, volatile and highly precarious: however, after industrial reorganisations grand swathes of the working population have shared this wage as a base payment; the Union could not then legitimately complain about the Casual/NMW Grade afforded to the lowest paid in agriculture during the early 2000s, particularly as the NWM was securing wage settlements well in excess of what the Union had ever archived via tripartite negotiations. Indeed, if one observes Graph Six one can see that real increases in the Casual Grade rose at a considerably greater rate than that of Ordinary Grade workers from the late 1990s to the mid-2000s: with this in mind, the Employers’ Side questioned why additional premiums were needed on top of this.

¹⁷⁶ Wilf Page, quoted in Mason O’Connor, *Joan Maynard*, pg. 123.

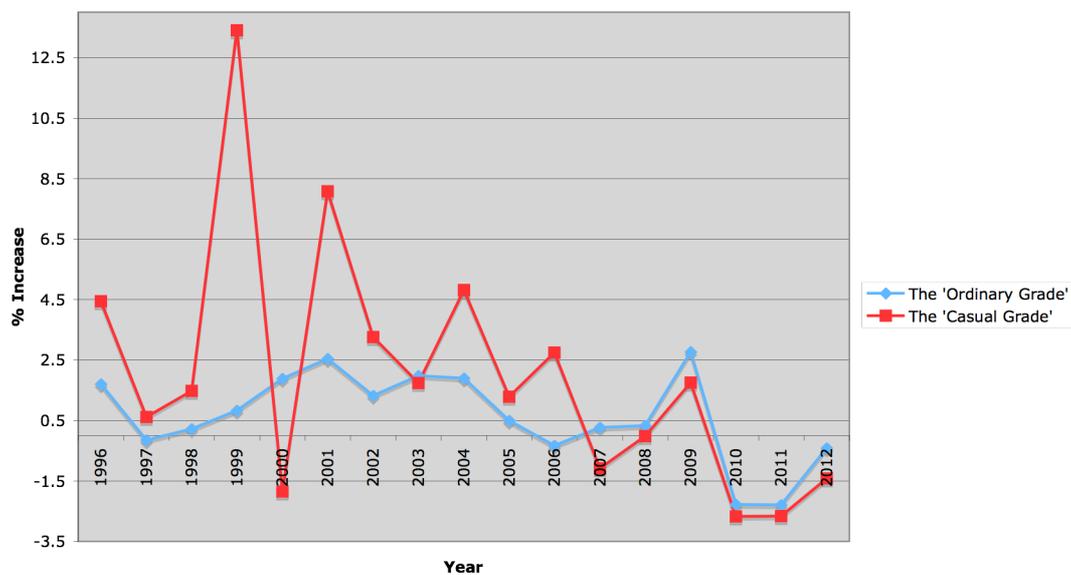
¹⁷⁷ *The Landworker*, July 1987; July 1988; June 1989.

¹⁷⁸ Ministry of Agriculture, Fisheries and Food, *RoWiA* 1977: 1981: 1984; 1993; 1994.

¹⁷⁹ Department of the Environment, Farming and Rural Affairs, *RoWiA*, 2006; 2007; 2008.

¹⁸⁰ Chris Kaufman, ex-Chairperson of the Union during the late 1990s and early 2000s, said that the Workers’ Side engaged in this apparently ceremonial battle, sacrificing other negotiating demands in the process, to prove that the AWB was a “proper negotiating body, not confined to a formula written elsewhere”. Cf. Kaufman, *In Conversation with Robin Hinks*.

¹⁸¹ Coats, *The National Minimum Wage*.

Graph Six: Real Percentile Rises in Agricultural Minimum Wages, 1996-2012.

Sources: Ministry of Agriculture, Fisheries and Food, *RoWIA*, 1977-1995; The Guardian DataBlog, *UK Inflation Since 1948*, N.B the data shown shows each annual rise in the relevant AWM minus that year's annual rise in RPI inflation.

Resultantly, by the time the NMW began to rise at a percentile rate lower than that afforded to Ordinary Grade workers, the Workers' Side had lost the practical ability to control the Casual Grade. The Employers' Side had managed to establish a *de facto* link between the NMW and the AMW: while the Union was still seeking a symbolic differential, in reality the farmers had managed to firmly associate the two bands with one another. While the Union could, and still did, complain about the industry gap, payment at the NMW had simply become too widespread and standardised for the Union to have any chance in significantly altering the wage rates of those paid the Casual AMW: left unable to legitimately compete in a public arms race of dissatisfaction, due to the apparent legitimacy of the NMW, the best the Union could achieve was a symbolic separation of a single penny. Resultantly, the AWB's apparatuses came to be *exclusively* used as a vehicle to better the material interests of relatively protected workers.

However, this vehicle became less responsive to the Union's actions. From having had a subordinatory control over the Casual Rate, these wider environmental circumstances had left the Union with no control over the most precarity-prone in agriculture's wages: this lack of control rendered the Union's legal strategy, dependent on subordinatory tendencies, ineffective at securing the interests of even the more privileged workers in the market. During the prolonged period where the Casual Rate/NMW outpaced rises in the Ordinary Grade, the Union was forced to concede ground over Ordinary Grade workers and those on the Craft Grades: while basic wage rises remained steady, many of the ancillary provisions provided by the AWB were systematically reduced or limited during the late 1990s and 2000s. This was due to the fact that the Union had come to lack the controls needed to offer up stalls in the Casual Grade as a subordinatory sacrifice to employers.

So, in 1998 the AWB Orders changed from awarding weekly pay deals for full-time workers to hourly pay deals: this transition was long resisted by the Union in fear that it would prove to be the thin end of a wedge leading to restrictions in overtime payments.¹⁸² That same year the Landworker revealed an implicit fear of the

¹⁸² Department of the Environment, Farming and Rural Affairs, *RoWIA*, 1998.

Union regarding the NMW, when it argued that the above inflation pay deal for Casual Workers was “not a generous deal... as (the farmers) have funded this by paying less to regular workers”.¹⁸³ Likewise, in 2006 the farmers managed to redefine the formula used to ascertain the level of pay a full-time farmworker was entitled to during their holidays, so that only the farmworkers’ standard pay, excluding overtime, would be taken into account when determining holiday rates.¹⁸⁴ Some post-1997 decisions regarding ancillary provisions have not entirely benefited the employers¹⁸⁵; however, a perusal of the RoWiA documents of these years reveals an undeniable retreating, or else stagnating, trend in the remits and generousities of provisions which had previously principally benefited full-time workers; on-call allowances¹⁸⁶; travelling time allowances; holiday pay; sick pay; overtime pay; night work supplements; dog allowances; and rest break provisions have all retreated in the past decade and a half.¹⁸⁷

This trend proves that, despite discursively acknowledging that it was against the Union’s long-term material interests, the Union had pursued wage settlements with a subordinatory orientation in the decades preceding the implementation of the NMW: *once regulative controls in the national economic arena prevented employers and workers from freezing and/or stagnating the lowest band of agricultural wages in order to ‘pay’ for the concessions afforded to more privileged workers, these concessions were gradually withdrawn from the AWB’s Orders.*

This loss of effectiveness soon caused the Union to consciously address the true nature of its underlying orientation towards non-standard forms of work: could it support the effects of the NMW, which was closing the gap between the working conditions of casually and standardly employed workers, if it meant an erosion of remuneration levels for Ordinary Grade workers and above? The Union soon found an answer: in 2003, despite the fact that European legislation had proscribed the payment of the casualising Starter Rate to workers employed on fixed-term contracts, the Employers’ Side managed to create a startlingly similar Manual Harvest Worker Rate, which, like its predecessor, paid the NMW; the Union rhetorically resisted the implementation and maintenance of this new grade, which was applicable for the first twelve, rather than four, weeks of continuous employment.¹⁸⁸; however, tellingly, once the Order was imposed the Union wrote to the AWB arguing that “the flexibility in savings that the industry would achieve from the implementation of the Manual Harvest Rate is in excess of that which has been taken into account, and should be used to support far greater improvements *in other areas*”¹⁸⁹; that is to say, the subordination of precarity-prone workers should result in greater pay for the more privileged workers in the market. Well used as it was to subordinating the interests of some in the workforce for the betterment of others, the Union failed to react creatively to the creation of the NMW, even after the Wage significantly limited the partially

¹⁸³ *The Landworker*, April 1998.

¹⁸⁴ Department of the Environment, Farming and Rural Affairs, *RoWiA*, 2006.

¹⁸⁵ For example, in 2001 13 weeks annual holiday entitlement was afforded to all workers except Casuals, whereas previously one needed to have completed several years of employment in the industry to be eligible for such a proviso. *The Landworker*, August/September 2001; October/November 2001.

¹⁸⁶ Where regular workers receive wages for a day where employment has been agreed in advance but is subsequently delayed, normally for climatic reasons

¹⁸⁷ Department for Environment, Food and Rural Affairs, *Agricultural Wages in England and Wales: A Guide for Workers and Employers*.

¹⁸⁸ Ministry of Agriculture, Fisheries and Food, *RoWiA*, 2003.

¹⁸⁹ *The Landworker*, June/July 2003, emphasis added.

efficient effectiveness of its historically divisive manoeuvrings on the Board. Lacking a tried and tested substitute, the Union instead clung onto its pre-rejuvenatory *modus operandi* in practice.

The key lesson to take from this section is the fact that the imposition of the NMW limited the effectiveness of the Union's subordinatory actions on the AWB, when it lost the *de facto* ability to help determine the lowest grades of the AWB's Orders. However, the Union clung to its partially subordinatory, and decidedly pre-rejuvenatory, tendencies throughout the 2000s, seemingly for lack of an alternative.

10. Attempting to Save the Board.

To complete our analysis, we must look at a stream of union activity not directly related to the Farmworkers' Union's actions on the AWB, but its wider actions regarding the AWB. We saw in section eight that the Union, after witnessing the fate of Wages Councils and the mainstream Movement during the cascade of decline, came to embrace tighter than it ever had before the continued existence of the AWB: however, agriculture, while idiosyncratic, was not immune from the economic restructurings that affected the wider economy post-1970. The AWB has come under threat on several occasions since then: in this section I analyse what strategies the Union has utilised to protect the AWB, and the effectiveness of these said strategies.

The AWB has faced two existential crises since the 1970s. The first in 1993, concurrent with the final abolition of the Wages Councils, the second in 2010: in both instances Conservative led governments sought to abolish totally the AWB.¹⁹⁰ The first attempt was unsuccessful, and the Union, and other supporters, managed to secure the AWB's continued existence. The latter seems to have been more decisive. At the time of writing only a High Court injunction can save the AWB in England, as the necessary legislation needed for abolition has passed both Houses of Parliament.¹⁹¹ From this we have to ask: why was the Union, committed to the AWB in both instances, apparently successful during one existential crisis, and unsuccessful for the other? Can this be explained with reference to the Union's choice of strategy? To answer these questions, allow us to look at each crisis in detail.

Rhetorically, the Union privileged the interests of precarity-prone workers in 1993's first "Battle for the AWB"¹⁹²: it was a well-established fact that there was an overrepresentation of females in lower grades of agricultural work, and a

¹⁹⁰ In addition to these Conservative led assaults, the AWB faced a lesser, but still significant, threat regarding readjustments to its purview under New Labour: a governmental review of its operations sought to appraise the AWB's remit with "no fixed idea about its future" in 1998. Then, the Union argued that no limiting of scope should occur, and instead the AWB's remit should expand to cover a greater range of rural workers. Eventually, no significant alternations to the AWB occurred. Quote from Agricultural Minister Elliot Morely, cited in *The Landworker*, October 1998; cf. *The Landworker*, November/December 1999; January/ February 2000; May/June 2000; September/October 2000; November/December 2000.

¹⁹¹ The issue of Wales has caused a relatively sizeable constitutional conflict between Westminster and the Welsh Assemblée: London claims to hold the authority to abolish the AWB outright, as general powers regarding employment policies were never devolved to the Welsh, while Cardiff claims that its devolved powers regarding agricultural policy grant it the right to preserve a newly independent Welsh Agricultural Wages Board: the issue is currently being considered in the courts. Powers over the Scottish and Northern Irish Boards unequivocally reside in their Devolved Parliament and Assembly respectively, and therefore their futures remain assured for the time being.

¹⁹² *The Landworker*, September 1993.

disproportionate number of female workers working at or slightly above the AMW in each relevant wage bracket; the Union therefore argued that the resultant downward wage pressures produced by the abolition of the AWB would disproportionately, and illegally, affect female workers' pay packets.¹⁹³ From this it should be clear that, discursively at least, the Union was seeking to protect the AWB with a rejuvenatory, inclusive or perhaps engaging, orientation. While many of the statutory rewards of the AWB were in fact reserved for relatively privileged members of the workforce, the "end of sick pay... holiday pay... (and) overtime rates" was, perhaps disingenuously, being fought against in the name of those who could not secure these otherwise via informal premium payments.¹⁹⁴

Facing the dismantling of its principle arena of contention, the Farmworkers' Union deployed a whole array of strategies in an attempt to protect the AWB in this first Battle. Union lawyers incited European and International legislation: the Union, with the aid of the TUC, argued that abolition would not only contravene Equal Pay legislation, but "would place the UK in breach of its obligation under Article 39 of the Treaty of Rome and violate the Council of Europe's Social Charter", both of which required the state to secure the presence of collective bargaining in agriculture.¹⁹⁵ This represented the deployment of a legal approach differentiated from that which occurred within the confines of the AWB. Additionally, events, rallies, lobbies and meetings were held around the country¹⁹⁶, and a massive letter writing campaign targeting MAFF and MPs was effectively encouraged,¹⁹⁷ as was a national petition.¹⁹⁸ Such events in isolation can not be taken to represent a commitment to a campaigning approach of Union action: during the high-tide of British voluntarism the hegemonic Movement was wont to participate in regular extravagant lobbies and rallies. However, an increased focus on cooperation with societal organisations, prominently church groups and the Citizens Advice Bureaux, represented a coherent usage of this rejuvenatory strategy.

From 2010 onwards many of these same strategies were pursued. The Farmworkers again used a differentiated legal argument and approach: challenging the speed of which the government was acting and the legality of its four week, internet-by-default consultative period, seen to be biased in favour of agribusiness and discriminatory against isolated rural workers¹⁹⁹; in addition, the Union claimed once again that abolition would breach various international laws and conventions.²⁰⁰ Furthermore, the Union argued that abolition would breach national equality laws: as abolition would disproportionately affect the casual workforce, who lacked written contracts that would secure their current wage level in the medium term at least, and this was where female and BME agricultural workers were overly concentrated.²⁰¹

¹⁹³ *The Landworker*, June 1993.

¹⁹⁴ Trades Union Congress, *Report of Congress 1993*, London: TUC, pg. 355.

¹⁹⁵ Trades Union Congress, *Submission in Response to the Government's Consultative Document*, pg. 2, 18.

¹⁹⁶ *The Landworker*, September 1993.

¹⁹⁷ Trades Union Congress, *Report of Congress 1994*, London: TUC, 1994; *The Landworker*, September 1993.

¹⁹⁸ *Ibid.*

¹⁹⁹ Holland of Unite, *Response to the Department of Environment, Food and Rural Affairs' Consultation on the Abolition of the Agricultural Wages Board for England and Wales*; Matt Draper of Unite, *Letter to David Heath M.P. of DEFRA, r.e. Announcement of Consultation Abolition of Agricultural Wages Board and Associated Structures*, London: Unite, 25th October 2012.

²⁰⁰ Holland of Unite, *Response to the Department of Environment, Food and Rural Affairs' Consultation on the Abolition of the Agricultural Wages Board for England and Wales*

²⁰¹ *Ibid.*

The increased complexity of these legal arguments, similar in form to those raised in the 1990s but deeper in content and referencing, reflects the expanded resources the Union enjoyed as part of Unite, the super-union. Like in the 1990s, the Union organised the lobbying of MPs: Union members were particularly advised to “lobby a Lib”²⁰², the minority partners in the Conservative/Liberal Democrat Coalition Government who, unlike their Tory colleagues, did not include a commitment of abolition in their election manifestos; the Liberals were seen as approachable targets due to the fact that many Liberal MPs occupy marginal rural seats potentially influenced by farmworker ballots.²⁰³ Concurrently, press releases, media interviews and cooperation with the wider Movement and other societal groups again represented an actualisation of a campaigning approaches to union action²⁰⁴: with the support of Unite, the TUC and societal organisations the Union launched an eclectic “Save Rural Britain” campaign, that twinned the preservation of the AWB with other issues regarding governmental cutbacks in the rural environment²⁰⁵; again, a broad based campaign linking the Union with additional societal groups was sought and largely secured.

Likewise, many of the same rhetoric expressions of orientation seen in 1993 were espoused again: according to the Union’s own sources, the preservation of the AWB was again being sought for the better protection of the most precarity-prone in the industry.²⁰⁶ So, there was no fundamental divergence in strategy nor orientation, between the two discrete campaigns; more so, after the TGWU had merged with the general union Amicus to form Unite, the Farmworkers’ Union (a.k.a. Trade Group) had more financial and organisational resources, with which to combat the proposed cut this time round. Why then, did one portfolio of strategies appear to succeed and another, so similar, fail?

To give a short answer: the Union’s apparent success ultimately relied upon employer support. In the 1990s the NFU, going against the apparent economic paradigm espoused by John Major’s Conservative Government, opposed abolition. Despite performing a yearly ritual of contention and dissatisfaction, the farmers, at the time, remained loyal to the AWB’s continued existence: despite the government’s arguments, directed at employers, that the AWB’s abolition would increase productivity and profit through the guise of flexibility, the farmers were cautious about exploiting the opportunities afforded by the presence of an anti-union political administration. This should not be too surprising, as organised capital has been repeatedly shown to oppose, for entirely self-interested reasons, the creation and maintenance of *laissez faire* markets²⁰⁷: indeed, numerous theorists have found that,

²⁰² *The Landworker* December/January 2013; Unite the Union, *Lobby a Lib Dem MP*, London: Unite, 2013.

²⁰³ Ian Waddell of Unite, *Letter to all Rural and Agricultural Worker members and Branches*, London: Unite, 2012.

²⁰⁴ *Ibid.*

²⁰⁵ *Ibid.*

²⁰⁶ Cf. Trades Union Congress, *Report of Congress 2010*, London: TUC, 2010, pg 52; Department for Environment, Food and Rural Affairs, *Consultation on the Future of the Agricultural Wages Board for England and Wales, and Agricultural Wages Committees and Agricultural Dwelling House Advisory Committees in England: Summary of Responses*, London: DEFRA, 2013; *The Landworker*, July/August 2010.

²⁰⁷ Peter Swenson, *Capitalists against Markets*, Oxford: Oxford University Press, 2011. Indeed it has been shown that, during the Post-War period, numerous employers in Britain supported many of the now controversial bastions of union action, such as the presence of the closed shop, which was seen by many as a source of efficiency in the workplace, in that it promoted “order, cohesion and a sense of authority”. Cf. Robert Taylor, *Workers and the New Depression*, London: Macmillan, 1982.

for an initial period at least, certain employers and managers in Britain and elsewhere were relatively cautious in disrupting Post-War *status quos* of industrial relations, despite the new opportunities that the cascade of decline had afforded them.²⁰⁸

A *Rainbow Coalition* of interests had come out in favour of retention: the Union accrediting the survival of the AWB to “employers, workers, councils and churches. The entire rural community spoke with one voice”²⁰⁹: 3628 consultations were received by the government in 1993, of which just 15 were in favour of abolition.²¹⁰ However, the government did not hear all these voices equally: when the TGWU’s General Secretary, Bill Morris, thanked those “who fought side by side with (the Union) to retain the AWB”, he was the first to highlight that the NFU, who “were prepared to stand up and say, ‘enough is enough. We think there is a value to keeping the AWB’”, was not *a*, but *the* vital partner in the Union’s coalition.²¹¹

This employer support was guided by self-interested motivations. Interviewing employer representatives in the latter 1980s, Danziger heard from NFU delegates that the AWB was ultimately supported by entirety of the agricultural industry as it took “all the aggravation out of setting approximate levels of wages away from the average employer... and worker so that they are able to work together on very good terms... able to vent their feelings on the Wages Board... a group of faceless people”²¹². Enjoying the structural biases of the AWB, and consistently deflating real wage increases through the process of wage stratification, the farmers lacked a major complaint with the AWB: only the positives were apparent – the ability to depoliticise employment relations in an industry typified by close personal contact between workers and employers.²¹³ The ideologically driven Conservative Government, which by the early 1990s was facing assaults on all fronts, could not afford a showdown with the combined self-interested strengths of agricultural labour and capital, and subsequently left the AWB in tact as Britain’s sole surviving statutory wage mechanism in the post-Wages Councils, pre-NMW era.

However, in 2010 37% of responses to the government’s preliminary consultation were in favour of outright abolition.²¹⁴ Employers and the NFU had

²⁰⁸ Paul Edwards, “Managing Labour Relations Through the Recession”. In: *Employment Relations*, 1986, 7(2), pp. 101-122; Phillip Beaumont, “Structural Change and Industrial Relations: the United Kingdom”. In A. Gladstone, H. Wheeler, J. Rojot, F. Eyraud and B. Ben-Israel (eds.), *Labour Relations in a Changing Environment*, Berlin: de Gruyter, 1992, pp. 203-14; Crouch, *Afterword*.

²⁰⁹ *The Landworker*, March 1995.

²¹⁰ Hatchett *et al.*, *The Implications for the National Minimum Wage of the Abolition of the Agricultural Wages Board in England and Wales*, pg. 7.

²¹¹ Trades Union Congress, *Report of Congress 1995*, pg. 36.

²¹² Danziger, *Political Powerlessness*, pg. 124.

²¹³ This one-time function of tripartite agricultural industrial relations found its parallel in concurrent trends in the wider economy: Marchinton finds similarly that trade union organisation has at times suited employers, who have found that the presence of employer and worker representatives simplifies a firm’s internal communication and negotiation channels. Cf. Mick Marchington, “Managing Labour Relations in a Competitive Environment”. In: A. Sturdy, D. Knights and H. Willmore (eds.), *Skill and Consent: Contemporary Studies in the Labour Process*, London: Routledge, 1992.

²¹⁴ Out of a total of 947 responses, 347 were in favour of abolition. 580 Responses (61%) were in favour of complete retention: however, the government, rather ironically in the light of the Union’s correct claims that the internet-by-default nature of consultation biased the process in the favour of employers at the expense of technology-poor workers, summarily dismissed 242 of the retention-favoured consultations, due to the apparently incriminating fact that they were received via the website *change.co.uk*; as a result, outright abolition was the most favoured course of action for the Board, by the government’s reckoning at least. Cf. Department for Environment, Food and Rural Affairs, *Consultation on the Future of the Agricultural Wages Board for England and Wales, and Agricultural Wages Committees and Agricultural Dwelling House Advisory Committees in England*.

previously voiced unease over having to take on the role of pay negotiators while working so closely with their employees, having to be aware of all relevant employment laws and regulations: yet the NFU now came out in support of abolition as its official line, arguing the AWB was “outdated” and “unnecessary” in the light of the implementation of the National Minimum Wage in 1999 and the 1998 Working Time Directive.²¹⁵ With ever greater percentages of the agricultural workforce employed as casual workers, in receipt of a basic pay rate virtually equal to the NMW, employers relied less on the AWB to be their negotiators: discussions on the Low-Pay Commission just as easily provided the anonymising influence needed to avoid industrial strife. Afforded a new pantomime Straw Man with which to negate the potential for workplace conflict, the NFU took away their support of the AWB.

The NFU did not receive the full support of its memberships in making this claim: indeed trying to highlight the divisions in employer opinion became a key plank of the Union’s campaign; the Union conducted “straw polls” of farmers on the South Coast and found the majority in favour of retention.²¹⁶ However the NFU’s official support seems to have been enough to facilitate governmental action: despite the Union’s and other societal groups best efforts, statutory agricultural wage machinery was rapidly deconstructed in one fell swoop – the Union found itself powerless when lacking the base support of employers..

The key lesson to take from this section is the Union adopted a varied portfolio of differentiated rejuvenatory strategies, in a relatively coherent manner, in its efforts to protect the AWB in the 1990s and 2010s: however, no strategy seems to have been particularly effective, and the strategic actions of employers seem to have been more decisive in both campaigns.

Section 11. Summary of the Union on and around the AWB.

This chapter helps address research sub-questions (vi) through to (viii) with regards to the Farmworkers’ Union in the operational domain of worker remuneration. To summarise each:

vi) What orientations and strategies has the Union employed with regards to precarity-prone workers?

Despite the meagre offerings the structurally biased Board grants, the Farmworkers’ Union has, throughout our periodisation, been dependent on a *legal approach* to collective bargaining in pursuit of its members’ interests. The Union has largely refrained from adopting the usage of strategic strike actions to back its claims on their Board, and has felt compelled to adopt a subordinatory orientation towards precarity-prone workers, right up to the present day. Additionally, while not regarding precarity-prone work *per se*, the Union adopted a number of complementary

²¹⁵ Hatchett *et al.*, *The Implications for the National Minimum Wage of the Abolition of the Agricultural Wages Board in England and Wales*, pg. 25.

²¹⁶ The Union did win the explicit support of a minority of farmers, mostly small in manpower size, who had elected to remain apart from the NFU: the Farmers’ Union of Wales, a small-sized organisation representing mostly tenant farmers – who largely employ a small number of staff – supported retention of the AWB as “an important means of avoiding potential conflict and lengthy negotiations with individual staff”; these sentiments were supported by Britain’s small-sized Tenant Farmers’ Association. However neither of these two organisations held the organisational or financial resources needed to influence the governmental discourses surrounding abolition. *Ibid.*, pg. 25.

strategies, embodying distinctly rejuvenatory campaigning and legal approaches, in its attempts to save the AWB from the 1990s onwards.

vii) What causal mechanisms have been responsible for producing or inhibiting said orientations and strategies?

Successive governments, keen to stabilise agricultural production, ultimately imposed the observed legal approach to unionism on the agricultural environment. Alternatively, inadequacies in the Union's power resources in comparison to those of employers in the industry explain the Union's hegemonic lack of strategic strike action, and its subordinatory orientation towards precarity-prone workers: both were reactions, of an organisation under extreme duress, to the meagre inroads offered by these resource discrepancies: rational choices, and path dependencies from earlier struggles, helped select the Union's actions from the 1970s onwards; while the Union recognised the theoretical value of an inclusive orientation towards precarity-prone workers, structural biases on and around the AWB forced the actualisation of subordinatory orientations in practice from the resource deficient union.

viii) How effective have said strategies been in securing the Union's desired orientational goals, and why?

The effectiveness of the enforced legal approach of the AWB has always been slight for the Union, in the face of the disproportionate economic powers of the Employer's Side and an often hostile political environment: indeed, after the imposition of the NMW the Union has even struggled to secure the interests of the more privileged workers in the industry, as the Wage removed the Union's ability to control the Casual Grade in a subordinatory manner.²¹⁷ However, disregarding a brief period of reformist tendencies in the 1970s and early 1980s, the Union has embraced the legal approach as the proverbial lesser of two evils: according to the Union's perceptions, a high degree of inefficiency did not equate to an absolute ineffectiveness.

Finally, the strategies of the Union in seeking first save the AWB were not ultimately decisive in either of the two campaigns the Union participated in in recent decades: instead the orientation of more powerful agricultural employers played a greater role in determining the eventual outcome of events. Others have reached similar conclusions regarding the ineffectiveness of Union action alone: studying farmworkers,²¹⁸ Newby argued in the 1970s that so slight were the workforces' own resources that the only chance for a "dramatic improvement" in the farmworkers' life-chances lay in "external political action, including legislation" and the "decisive intervention of external agencies".²¹⁹ At this stage of analysis one must be cautious in ascribing to such a pessimistic interpretation: however, one is forced to agree that rather than participating in a legally enforced tripartite approximation of voluntarism, a more focussed usage of alternative strategies, such as differentiated legal approaches, campaigning approaches and perhaps even partnership approaches, would better suit the Farmworkers' Union, and others coming to operate in similar economic environments. The following chapter continues analysis by examining the

²¹⁷ Unfortunately for the most precarity-prone workers in the industry, this did not guarantee a continuous rise in living standards, as the NMW began to offer real wage cuts from 2006 onwards.

²¹⁸ N.B Not directly the Farmworkers' Union.

²¹⁹ Newby, *The Deferential Worker*, pg. 435-6.

orientation and strategies of the Union in additional arenas of contention where such approaches were repeatedly deployed throughout our periodisation.

Chapter 4: The Farmworkers' Union and Quality of Life Issues.

Clearly unions, rejuvenatory and otherwise, do not busy themselves solely with issues regarding end-of-week remuneration. A union attends to a whole host of further occupational and lifestyle concerns when it addresses the needs of its members. The mainstream Movement in the Post-War Era became adept at contending many such grievances in arenas of voluntary collective bargaining, having let its influence in alternative arenas of contention slacken. Contrarily, the Farmworkers' Union has had to rely on alternative strategies when dealing in operational domains not directly related to remuneratory issues, as the AWB's legal remit excludes certain issues from the tripartite body's negotiating table: this chapter shifts the thesis' narrative to look at the Farmworkers' Union's concurrent actions in two such domains; one related to worker housing, the other health and safety. In each instance the Union has, diverging from the Post-War *modus operandi* of voluntary collective bargaining, sought the aid of societal actors internal, but also external, to the Movement when in pursuit of its interests.

In the first half of the chapter, we explore the Union's relationship with the *tied-cottage system*. Firstly, a brief descriptive history of this system is presented. Sections two and three describe the Union's strategies utilised against the system, up until the passing of a key piece of legislation in 1976. Section four assesses the orientations of the Union during the actualisation of these strategic actions, and section five analyses the strategies' effectiveness. Section six determines the causal mechanisms that helped select the Union's orientations and strategies, and section seven gives a brief summary of the chapter's intermediately findings regarding research sub-questions (vi) – (viii).

During the course of analysis an unexpected finding is made regarding the effectiveness of rejuvenatory legal approaches to union action. In order to interrogate this matter further, the chapter shifts its narrative again to look at a differentiated operational domain, related to health and safety issues. Sections eight to twelve investigate the actualisation of two discrete sets of union actions in this domain: the first regarding pesticide regulations, the second union safety representatives in agriculture. Section thirteen summarises these sections' findings, and relates them to those made in section seven.

1. Agriculture's Precarious Tied-Cottage System.

After giving birth in London, Kay, a farmworker's wife, returned to her Yorkshire home. She found that her landlord, her husband's employer, had given her partner notice to quit, and removed all the family's possessions from the cottage. Kay had been taken ill towards the end of her pregnancy, and her husband took a Saturday morning off to attend to her medical needs: this apparent slight caused the family to lose both its home and source of income. This is not a Dickensian account of Victorian England: Kay and her family were evicted from their 'tied-cottage' in 1974¹. This section gives a brief introduction to the history and form of the tied-cottage system, and demonstrates why it is of relevance for this thesis, focussed as it is on labour precarity.

Tied-cottaging is a system where one's accommodation is provided by one's employer for nominal rent as part of an employment contract. Other areas of Britain's

¹ *The Landworker*, September 1974.

economy have developed tied-cottage systems,² but the then-idiosyncratic organisation of British agriculture gave its tied-cottage system a unique character by the 1970s. In the nationalised industries, where tied-cottaging was prevalent, numerous tenants normally shared a single depersonalised employer/landlord.³ Contrastingly, in agriculture there were +70,000 potential landlords in the industry in the 1970s⁴: this prohibited the depersonalisation of tenancy agreements. For agricultural tied-cottagers, security of employment and tenure depended ultimately in the maintenance of good personal relationships with one's employer.

In pre-industrial and early Victorian times, the maintenance of the tied-cottage system was intimately linked to penetrative and persisting social relations borne under feudalism: G.M Trevelyn links the modern tied-cottaging system with feudal institutions, where lords 'provided' housing to the peasantry in return for labour; due to the resultant web of interpersonal dependencies created by this system, "the peasant could not strike... neither could the lord evict". Clearly these prototypical tied-cottages created employment precarity – overdependence on one's labour relationship – for peasants and lords alike, albeit with an unequal distribution of risks in the lord's favour.⁵ Existing sporadically since the enclosures, the Victorian agricultural tied-cottage system expanded extensively as an extra-economic bonding mechanism between employees and employers from the passing of the 1867 Agricultural Gang Act. This Act problematised pre-existing forms of labour exploitation, thereby increasing labour recruitment costs for employers.⁶ To deal with a resultant shortage of cheap labour, farmers began to build housing on their farms, to attract and gain controls over agricultural labourers.

Divergently, agricultural tied-cottaging in the Post-War Era received its primary sustenance from the shape of rural housing markets. For numerous reasons, not least the traditional Conservative domination of local rural politics, agricultural areas had a smaller proportion of council houses than urban centres throughout the Twentieth Century, despite comparable levels of demand between these geographies: in the late 1970s, 22% of all properties in non-urban areas in the UK were council owned, compared to 32% of the national average.⁷ Moreover, from the end of WWII onwards, wealthy urban-dwelling "weekenders" came to place additional pressures on rural housing when seeking pastoral hideaways, tightening housing markets further⁸: by the mid-1970s rural properties cost on average 160% of the national average, while the average farmworker earned 67% of the all-industry average.⁹ Such pressures led to a Post-War solidification of the tied-cottage system in proportional terms: in 1948

² It is legitimate, if spurious, to describe the British Prime Minister, residing in No. 10 Downing Street, as a tied-cottager.

³ Principally the National Coal Board and Railway Board

⁴ National Union of Agricultural and Allied Workers, *Abolition of the Tied-Cottage System in Agriculture – Consultation Document*, London: NUAAW, 1975, pg. 1.

⁵ Cited in A. Jones, *Rural Housing: the Agricultural Tied-Cottage*, York: Occasional Papers on Social Administration, 1975, 56, pg. 13.

⁶ Cf. Brass, *Medieval working practices?*, and chapter five of this thesis.

⁷ Cf. Howard Newby, Colin Bell, David Rose and Peter Saunders, *Property, Paternalism and Power*, London: Hutchinson, 1978, pg. 252; D. Clark, *Rural Housing: Problems and Solutions – a Seminal Report*, Bakewell: Peak National Park Study Centre/NCVO/the Development Commission, 1982; David Phillips and Allan Williams, *Rural Housing and the Public Sector*, Aldershot: Gower Publishing, 1985; Danziger, *Political Powerlessness*, pg. 193.

⁸ *The Landworker*, November 1972.

⁹ Gordon Clark, *Housing and Planning in the Countryside*, Chichester: Research Studies Press, 1982; Anne Rogers, "Rural Housing". In: G. Cherry, *Rural Planning Problems*, London: Leonard Hill; Danziger, *Political Powerlessness*, chapter five.

34.3% of all farmworkers were tied-cottagers, by 1975 this number had risen to 53%.¹⁰ ‘Modern’ tied-cottaging was a structural imperative of agriculture’s place-dependent production¹¹: rural areas suffering from a lack of affordable housing were prone to bearing labour relations with accommodation ‘deals’ attached, the terms and quality of which left to the will of the stronger party – the employer.

The tied-cottage was, for an average member of the Union at the beginning of our periodisation, a more acrimonious and divisive issue than the Union’s annual encounters on the Agricultural Wages Board. As seen, a key function of the AWB was its tendency to remove industrial tensions from the average farmyard, by imposing apparently anonymous decisions on both sides of industry: contrarily, the tied-cottage “epitomise(d) the conflict of interest between capital and labour, with each side pursuing its legitimate interest to the detriment of the other”.¹² Before and during the 1970s, farmers and their allies cited numerous operating needs when legitimating the system, not in the least claiming that without round-the-clock supervision of livestock, national meat and dairy production would collapse. In 1976, Gasson found that farmers perceived the need to house foremen and livestock workers as highly pressing for this reason, while the housing of other agricultural workers was “desirable but not essential”.¹³

While agricultural employers defended the system as essential, much of the agricultural workforce “attack(ed) it as demoralising, degrading and unnecessary”.¹⁴ Only a small minority of tied-cottagers ever experienced the ignominy of arbitrary eviction, though the *Landworker* had been full of highly charged, emotive accounts of evictions between 1920 and the 1970s¹⁵: on average, physical evictions occurred around 20 times per year in the Post-War Era¹⁶; however, it has to be remembered that, annually, hundreds of tied-cottagers, while avoiding the physical interventions of bailiffs, were forced to locate temporary shelter after being given notice to quit. More than evictions, the Union in the 1970s feared the less photogenic, but “subtle and insidious” powers that the *threat of such actions* gifted to employers¹⁷: Joan Maynard, a Union sponsored MP, told Parliament in 1976 that “eviction is merely the tip of the iceberg. It is not whether a person is evicted; it is whether the power is there to do it. That is what counts, that power has hung like the Sword of Damocles over the heads of our people for many years”.¹⁸ In the same year the Union conducted a

¹⁰ Shelter, *The Forgotten Problem: a Study of Tied Accommodation and the Cycle of Insecurity*, London: Shelter, Undated (mid-1970s), pg. 14. The spread of the of the system was not even across Britain: Gasson, surveying forty large farms in the South of England in the mid-1970s found that 80% of hired workers in this region, traditionally home to Britain’s tightest housing markets and of great attraction to weekenders, lived in tied accommodation. Cf. R. Gasson, *Tied-cottages on Large Farms*, Cambridge: University of Cambridge, 1976, pg. 2.

¹¹ Anderson and Rogaly, *Forced Labour and Migration to the UK*.

¹² Newby, *The Deferential Worker*, pg. 184.

¹³ Gasson, *Tied-cottages on Large Farms*, pg. 2. It should be noted that historical research seems to dispute this rhetoric certainty: conducting a similar survey, Giles and Cowie find that, in 1960, 75% of farmers allowed ex-tied-cottagers to remain in employment if and when they moved to off-site accommodation. This lead the researchers to conclude that the system was “not always as important in reality as some farmers think”. Cf. A. Giles and W. Cowie, “Some Social and Economic Aspects of Agricultural Workers’ Accommodation”. In: *JAE*, 1960, 14(2), pg. 151.

¹⁴ *Ibid.*, pg. 148.

¹⁵ Cf. *The Landworker*, September 1946; August 1960; December 1972.

¹⁶ Shelter, *The Forgotten Problem*, pg. 15; Newby, *The Deferential Worker*, pg. 96-7.

¹⁷ Maynard, quoted in Mason O’Connor, *Joan Maynard*, pg. 214.

¹⁸ House of Commons, *Record of 4th May 1976*, London: Hansard, 1976.

questionnaire regarding living conditions and found that while most agricultural workers could not afford a mortgage on their wage level, the majority – 60% of tied-cottagers and non-tied workers alike – would have preferred to be private-home owners if possible¹⁹: this suggests that the tied-cottage was imposed on agricultural workers, for lack of an alternative, in this era.

Reliant of the “grace and favour” of one’s employer,²⁰ tied-cottagers were, and are, the embodiment of the definition of an employee working in precarious conditions. Tied-cottaging, in an unregulated form, heightens risks associated with illness, injury and retirement: in fear of the loss of one’s home, workers endanger their health and work/life balance by working when hard-labour is qualitatively against their material interests. Furthermore, by restricting labour mobility – a tied-cottager searching for proverbial pastures new would have to look for both work and housing – the system mitigates against the improvement of wages and conditions: Newby, studying East Anglican agricultural workers in the 1970s, finds that despite the poor working conditions in the region there was a low voluntary quit rate in agriculture; he attributes this to the “substantial portion of workers who have lacked the opportunity to move rather than made a choice to stay”; lacking the resources to seek alternative accommodation and work, workers were resultantly unable to use the threat of the drift from the land as an effective bargaining tool to raise conditions²¹. Resultantly, unable to ruffle their landlords’ feathers, tied-cottagers’ “housing stock (was) of a significantly lower quality than the general populations” as of 1974.²²

By welding the domestic and work spheres, tied-cottaging likewise sharpens the sense of isolation and insecurity for workers. Looking specifically at agriculture, this is not in the least due to the actual physical presence of tied-cottages: Irving and Hilgendorf find that in the mid-1970s only 21% of tied agricultural cottagers had to travel +½ mile to work, as compared to 64% of non-tied agriculturalists; however, 71% of tied-cottagers had to travel +½ mile to reach the nearest shop, compared to 42% of non-tied workers; only 1% of tied-cottagers lived within ½ mile of the nearest secondary school, compared to 29% of their non-tied peers, while the mean distance of an agricultural tied-cottager to the nearest shopping town was 6.36 miles, compared to the 3.8 miles of the non-tied workforce.²³ Isolation, physical and mental, produces an artificial appearance of acquiescence and passivity on the part of the agricultural workforce, in apparent deference to their dual-power wielding landlord/employer.

To illustrate how this artificial deference works, see the *Landworker*, which reported an anecdote of a sixty-nine year old labourer cutting cabbage in a torrential storm in 1966: challenged why she allowed such demands to be made on her labour, the worker replied “you know how it is. I am living in a house. If I do not do it (the landlord) will want it for someone else”.²⁴ Similarly Wynn, studying jobs

¹⁹ National Union of Agricultural and Allied Workers, *Outlook for Agriculture*, pg. 21.

²⁰ National Union of Agricultural and Allied Workers, *Abolition of the Tied-cottage System in Agriculture*, pg. 2.

²¹ Newby, *The Deferential Worker*, pg. 162.

²² Irving and Hilgendorf find, from a national survey of 800+ farmworkers and 280+ farmers, that in the mid-1970s only 4% of agricultural tied-cottagers lived in dwellings less than 10 years old, while 60% lived in homes over 50 years of age – compared to 13% and 36% of non-tied farmworkers respectively. The greatest qualitative difference between the two groups was the proportional lack of central heating in tied accommodation. Cf. Barrie Irving and Linden Hilgendorf, *Tied-cottages in British Agriculture*, London: Tavistock Institute of Human Relations, 1974.

²³ *Ibid.*

²⁴ *The Landworker*, July 1966.

advertisements in a farming paper in the 1960s, finds that 19.1% of posted agricultural vacancies placed requirements on farmworkers well in excess of the applicant's ability on the farm: it would be difficult to imagine the advertising of factory positions in the 1960s which stipulated that applicants had to have a partner who would be made available to work in the employer's home, or on a part-time basis at the firm; however, such demands were regularly found in the agricultural labour market, in 6.3% and 9.5% of all adverts respectively.²⁵ Wynn, describing the tied-cottage system's informal regulative powers in the Nineteenth and Twentieth Centuries, summarises pithily "woe betide any (tied-cottager) who had the terminity to put up a liberal... or labour poster".²⁶

While the above quotes and statistics may be interpreted as examples of partisan hyperbole, empirical evidence supports such statements: Giles and Cowie, interviewing tied-farmworkers in Gloucestershire in 1960, find a number of their interviewees "confess(ed) frankly to feeling obliged to be careful in their demeanour... experiencing a sense of dependence on their employer's goodwill. The vehemence with which most den(ied) such feelings... suggest(ed) an automatic face-saving reaction to a question which challenge(d) their self-respect"²⁷: The tied-cottage system makes work more precarious for workers, and workers quieter about their precarious situations.

The key lesson to take from this section is the fact that tight rural housing markets maintained the historic tied-cottage system in the Post-War Era. The system produced precarity on the part of the workforce, by personalising employment relations between employers and workers, requiring acquiescence on the part of employees. *Unable to seek alternatives, tied agricultural workers were more reliant on the dictates of their employer in comparison to urban worker, and therefore more prone to entering precarious labour relations typified by over-employment, a lack of agency and poor working conditions*

2. The Farmworkers' Union and the Tied-cottage: Actions Prior to 1970.

The following sections examine the Union's strategies regarding the tied-cottage. As demonstrated later in this chapter, an apparently decisive piece of legislation greatly affected the agricultural tied-cottage system in 1976, only six years after the initiation of our periodisation. In order to understand the processes that helped bring about this legislation, it is important to view the Union's actions through a slightly wider temporal lens, and first describe and assess the strategies of the Union prior to the 1970s.

In the earlier Twentieth Century, pre-empting Newby's assessment of the agricultural workforces' lack of industrial resources,²⁸ *the Union sunk most of its efforts into trying to influence the orientations, priorities and pace of the PLP, and the Labour Party's extra-parliamentary NEC, in an attempt to legally reregulate the tied-cottage system.* The Union first requesting political interference over the issue in 1909, when George Edwards, President of the Eastern Counties Agricultural Labourers' and Smallholder's Union, explained to the TUC, with PLP delegates in

²⁵ Wynn, *Skilled at All Trades*, pg. 193.

²⁶ *Ibid.*, pg. 184.

²⁷ Giles and Cowie, *Some Social and Economic Aspects of Agricultural Workers' Accommodation*, pg 156.

²⁸ Cf. chapter three, footnote 219 of this thesis.

attendance, how the system left workers “having to agree to draconian contracts”.²⁹ At the conference, Edwards called on activists in the Labour Party to “take up at once the issue of eviction of workmen and their families from their homes during trade disputes... do everything possible to... put an end to this cruel method of warfare”.³⁰

Such lobbying occurred both when the Labour Party was in government and in opposition: the Union never fancied its chances with the Conservatives, bleakly assessing that, save for a “miraculous change of heart by the Gentlemanly Party, it would be obviously impossible for us ever to gain our policy objectives in the tied-cottage under a Conservative Government”.³¹ There was good reason for such pessimism: between 1974-79, out of the 78 MPs who declared a private financial interest in agriculture, 65 were Tory, while 7 were Labour.³²

The Labour Party was then seen as the Union’s only hope, by the EC at least: in 1970 a minority of Biennial delegates questioned the Union’s continued electoral support of the Party, in exasperation of the slow-pace of progress that had been made on the tied-cottage issue; Union General Secretary Reg Bottini responded “if we want to cut our throats we can cut ourselves off from the Labour Party... you will get nothing just by coming here every two years and telling the Executive Committee what you want as regards the tied-cottage, because they cannot be done on their own. It has to be done by all of us (in the Union and Party) together... we are not organised, not politically minded enough” to proceed alone.³³

One would be misguided in thinking this lobbying-centred legal approach was novel in the pre-cascade era: indeed the Webb’s commented at the *fin de siècle* that “it is probable that no-one who is not familiar with the trade union records has any adequate conception of the number and variety of trade regulations which the Unions have sought to enforce by Act of Parliament”³⁴: indeed, as we have seen, Britain’s Labour Party was borne out of the general and industrial trade unions, which sought to establish a legal/political wing to complement and counterbalance the influence of the craft societies at the end of the Nineteenth Century.

While the Party remained the intuitive fellow traveller of the Movement ever since, this child of the Movement has been anything but loyal to its principle forebears. In the years preceding the 1970s, the Farmworkers’ Union found itself cast as a particularly unappealing, distant relative in the eyes of the Party. The Union, throughout its history, actively advocated support for the Party at all levels of government and, like most of the Movement, contributed to the Party’s costs,³⁵ not in the least because “to abolish the tied-cottage would need a (Labour) Government with a comfortable majority and strong backing in the country”.³⁶ Through the sponsoring of MPs the Union even at times enjoyed a parliamentary representative within the PLP: the earliest was elected in 1923.³⁷ However, such support and membership failed to secure the Union its material demands: the PLP consistently failed to act decisively on the tied-cottage issue, despite myriad Union and Labour Party resolutions calling for redress of the farmworkers’ grievances.

²⁹ *Ibid.*, pg. 125.

³⁰ Quoted in Jones, *Rural Housing*, pg. 16.

³¹ *The Landworker*, June 1970.

³² Andrew Roth, *The Business Background of MPs 1975-1976*, London: Parliamentary Profiles, 1975.

³³ *The Landworker*, July 1970.

³⁴ Webb and Webb, *Industrial Democracy*, pg. 252.

³⁵ *The Landworker*, May 1970.

³⁶ *The Landworker*, October 1951.

³⁷ Groves, *Sharpen the Sickle*, pg. 207.

The Union did *manage* to secure much rhetoric commitment from the Party. In the mid-1930s the Party, responding to countless resolution from all layers of the Union, set up an interdepartmental committee of the PLP to consider the issue: a majority of participating MPs concluded that the system's continued existence could not be justified.³⁸ Later, the 1947 Labour Party Conference carried, by an overwhelming majority, a resolution calling for the immediate abolition of the system³⁹: however, the Union was persuaded not to push the issue publicly in order to protect the embattled Labour Government of the day.⁴⁰ Most concretely, the Union orchestrated the insertion of a commitment into the Party's 1964 election campaign, which promised substantial reform to the system so that "there would be no eviction from a farm cottage without suitable accommodation first being made available".⁴¹

Yet despite these grand resolutions, prior to our periodisation the Union had won only a semblance of legislative regulation for the tied-cottage system through its eternal *internal lobbying of the Party*: even the great reformist Attlee government of 1945-51 avoided practical action on the issue.⁴² Tied-cottagers did win nominal improvements in their tenancy rights from the 1964 Prevention from Eviction Act and the 1965 Rent Act: after their passings the owners of tied-accommodation needed a court order to precede with eviction,⁴³ whereas before tied-cottages could be evicted with effectively zero notice. Additionally, the 1964 Act gave courts the right to suspend evictions for 12 months, so as to give tied-cottagers a suitable length of time to locate new housing and/or work.⁴⁴ In principle then, legislation of the 1960s made eviction more arduous for the employer, and granted tied-cottagers significant stays of execution with which to get their proverbial houses in order. However both acts required county courts, usually dominated by landed interests, to consider the effects of their judgments on the efficiency of agricultural production when considering cases: if the farmer could persuade the court that their business would suffer from a delay in eviction, the worker's tenancy rights were legally wavered. Due to this caveat, both the Union and Party recognised that neither Act "fulfilled the Party's (1964 election) pledge in its original terms".⁴⁵ Dispossessions continued to occur on a daily basis⁴⁶; more damagingly, the 'insidious powers' of control afforded to employers by the system continued to envelop the industry, unabashed.

The key lesson to take from this section is that due to a self-assessed inability to act independently, the Union attempted, for decades before our periodisation, to

³⁸ Wynn, *Skilled at All Trades*, pg. 185.

³⁹ *Ibid.*, pg. 185. N.B National Conferences are attended by Local Party delegates, Union delegations, the NEC, and representatives from the PLP.

⁴⁰ National Union of Agricultural Workers, *Annual Report 1947*, London: NUAW, 1947.

⁴¹ Shadow Cabinet member George Brown M.P., quoted in Danziger, *Political Powerlessness*, pg. 195.

⁴² Regarding the Union's relationship with the party over other policy areas: the Union, up until the 1970s, had intermittently called for the nationalisation of agricultural land, a demand comprehensively dismissed out-of-hand by successive generations of Party leaderships; likewise, the Party repeatedly turned down a lesser request of the Union, made repeatedly in the 1960s and 1970s, for a governmental inquiry into low-pay and poverty in agriculture. Cf. National Union of Agricultural and Allied Workers, *Outlook for Agriculture*; Winyard, *Cold Comfort Farm*, pg. 10.

⁴³ *The Landworker*, September 1974.

⁴⁴ The 1965 Rent Act replaced this fixed period with one "to be determined by the court".

⁴⁵ The Housing Minister quoted in *The Landworker*, December 1964.

⁴⁶ MAFF recorded 1000 court orders for possession in 1965, 1089 in 1966, 845 in 1967, 789 in 1968, 923 in 1969, 858 in 1970, 847 in 1971 and 1024 in 1972: upon receiving such an order, tied-tenants could either relocate 'voluntarily', or await the arrival of bailiffs under the direction of a likely-to-be antagonistic landlord. Quoted in House of Commons, *Record of 5th April 1974*, London: Hansard, 1974.

gently lobby the internal mechanisms of the Labour Party over the issue of the tied-cottage, seeking to legally re-regulate the system. Prior to 1970, such a *legal approach* found little success, beyond the securing of rhetoric support.

3. Union Activity post-1970: a Continuation of Union Strategy and the Passing of an Imperfect Act.

This section continues to describe the Union's strategies, now focussing at its actions between 1970 and the creation of an apparently revolutionary piece of legislation in 1976. The effects of this legislation on the tied-cottage system are subsequently discussed

With the Labour Party defeated in 1970, it was not until 1974 that a return of a Labour majority afforded the Union another chance to utilise its time honoured strategy on this matter: the lobbying of a Labour Government in an attempt to change the legal regulations of the agricultural housing market. Of course this *legal approach* was not the sole strategy employed by the Union at the time: it regularly held public demonstrations in an attempt to shore up sympathy for the Union's cause.⁴⁷ In addition, from the mid-1960s onwards the Union's legal department regularly fought tied-cottager eviction cases in court on behalf of its members⁴⁸: while this represented a differentiated legal approach of the Union, the Landworker conceded that such actions were purely defensive and piecemeal in action; "all we can do is to seek extra time - months rather than weeks".⁴⁹ The Union used this approach as a practical method of resistance, however it focused its efforts in changing the contemporary system on the lobbying of the PLP and NEC.

Even before Labour's return in 1974, the Union lobbied the Party hard,⁵⁰ and succeeded in getting the NEC to include a highly supportive statement in its 1971 mid-term '*Programme for Britain*'. The statement, authored by the Party's NEC on the advice of the Union, read: "tied-cottages, a problem which has plagued us for so long, must be brought, as soon as possible, within the law".⁵¹ This cleared the way for the Party to, once again, include a commitment in its 1974 election manifesto: the wording of such was stronger than it ever had been before, with the NEC promising to "abolish the tied-cottage system" within the Party's "first period in Office".⁵² Such a proviso again won unequivocal electoral support from the Union, which urged its members to "back Labour! And stop this age-long procession of misery and worry".⁵³

After the election of the minority Labour Government of 1974,⁵⁴ a letter from Harold Wilson, the new Prime Minister, was read to the Union's Biennial, which sought to assure the delegates that the government would abide by its manifesto promise.⁵⁵ Many in the Union were not convinced by such a claim, but fortuitously Joan Maynard, a Farmworkers' Union sponsored parliamentary candidate, and

⁴⁷ *The Landworker*, November 1972.

⁴⁸ *The Landworker*, August 1973; January 1974.

⁴⁹ *The Landworker*, August 1973.

⁵⁰ *The Landworker*, May 1970; June 1970.

⁵¹ National Executive Committee, *Programme for Britain*, London: The Labour Party, 1971.

⁵² National Executive Committee, *General Election Manifesto*, London: The Labour Party, 1974.

⁵³ *The Landworker*: February 1974.

⁵⁴ After the February 1974 election, Labour were seventeen seats short of enjoying an absolute majority of the Commons, and required Liberal support in the legislative arena. Harold Wilson took the country back to the polls in October, and won a majority of three. This Government survived, in its latter years by the way of a Lib-Lab pact, till the 1979 general election.

⁵⁵ *The Landworker*, June 1972.

previously a member of the Union's EC and Party's NEC, was elected to Parliament in the same election. Resultantly, the Union enjoyed a direct, if isolated, parliamentary representative for the first time in four years.⁵⁶

As a backbencher, Maynard vocally helped ensure the Party did not lose sight of its manifesto commitment, which she herself, as a former NEC member, had helped to compose. Maynard dedicated much of her Maiden Speech to the issue⁵⁷: arguing that “without (a) labour force, its skill, adaptability and hard work, the (agricultural) industry would cease to function. It is high time that the labour force was rewarded with food wages and conditions. One way to do that is by the abolition of the agricultural tied-cottage”.⁵⁸ The Union concurrently maintained symbolic pressure on the issue external to the Party: in 1975 Farmworker delegates motioned a successful resolution at the TUC's Trades Councils Conference, calling on the TUC to press the government to end the system.⁵⁹

In 1976, after an uncomfortably long period of governmental silence, Wilson's Cabinet published a consultative document, which nominally considered how the ending of the tied-cottage system could best be achieved: resultant discussions led to the finessing of proposals, and a clear route of action emerged. The proposal, while stopping short of the actual abolition of the system, put the onus on Local Councils to provide alternative accommodation to farmworkers when farmers required them to vacate their homes.⁶⁰

Conceding to the organised interests of agricultural employers, the government proposed to create regional Agricultural Dwelling House Advisory Committees (ADHACs), tripartite three person bodies formed from representatives from the Union and the NFU, and a MAFF appointed individual. Rather than taking tenants to court, the new system would require farmers to approach a regional ADHAC, which would meet and assess a farmer's claim that repossession was essential in order to allow incoming workers to move into. If such *agricultural need* was proven, the ADHAC would instruct the relevant Local Housing Authority to provide “suitable alternative accommodation” to the agricultural farmworker and their dependents: in practice this would entail moving said worker to the front of the relevant local councils' housing list.⁶¹ While initially hostile to the formation of ADHACs, the Union's EC quickly came to embrace the legislation as the apparent *de facto*, if not *de jure*, dismantling of the tied-cottage system, or at the least the insidious powers it afforded to employers: Union President Bert Hazell argued that the proposed Rent (Agricultural) Act would “lead to a greater degree of harmony in the countryside”.⁶²

Passed by a narrow majority in the Commons, and forced through the hostile Lords by use of the Guillotine Procedure,⁶³ the Union's leadership was exuberant in describing the apparently revolutionary effects of the eventual 1976 Rent (Agriculture) Act: Reg Bottini, the Union's General Secretary, argued that it was “one of the most dynamic and beneficial proposals ever put forward on behalf of farm

⁵⁶ Mason O'Connor, *Joan Maynard*, pg. 130.

⁵⁷ That is, an MP's first speech to Parliament.

⁵⁸ *The Landworker*, 1975, pg. 205.

⁵⁹ Trades Union Congress, *Trades Councils Conference Report*, London: TUC, 1976, pg. 36.

⁶⁰ National Union of Agricultural and Allied Workers, *Outlook for Agriculture*, pg. 22.

⁶¹ Department of the Environment. *Press Notice: Abolition of the Agricultural Tied-cottage System*, London: DOE, 12th April 1976, pg. 2.

⁶² National Union of Agricultural and Allied Workers, *Outlook for Agriculture*, pg. 22.

⁶³ Where the Government restricts the length of time that can be spent discussing a particular piece of legislation.

workers in England and Wales”, saying that it secured the security sought by the Union since its inception in 1906,⁶⁴ and that while “the Union has many more battles to fight... I am convinced that this particular achievement is the most significant development in the Union's history”.⁶⁵ The Union marked its “red letter day” with emotional and genuine celebrations the length and breadth of the nation.⁶⁶ Concurrently, Big Beasts in the Party gave much credit to the Union in securing the Bill’s passage: John Silkin, MAFF’s senior Minister, accredited the Act as being the “culmination of many years hard work by the Union, and an intensive bout of skilled and detailed work by the EC and Union officials throughout ...(the) critical parliamentary stages of the Bill”.⁶⁷

Farmer attempts at repossessions certainly decreased as a result: MAFF recorded 534 ADHAC hearings in 1981, 538 in 1982 and 522 in 1983; compare this with the number of court cases recorded by the Union prior to 1976, and one can say that repossession attempts decreased by roughly 50% following the Act’s passing.⁶⁸ No longer facing the threat of being dragged through the courts, and afforded a bypass of council housing waiting lists, agricultural tied-cottagers went, in theory, from being among the least, to most, legally protected tied-tenants in the country. Indeed this inequality in the farmworkers’ favour was one of the first criticisms to emerge regarding the Act, with the Farmworkers’ Union⁶⁹ and Movement⁷⁰ arguing that the Act’s remit should be expanded to include other tied-cottagers in rural and urban environments. However, further glaring issues emerged with the Bill’s provisions within a couple of years.

The ADHACs were found, in practice, to favour the farmers’ interests, being more likely than even the county courts had been to find evidence of the ‘agricultural need’ for eviction⁷¹: Union researcher Tony Gould analysed MAFF data from 1001 ADHAC hearings in Southern England in the mid-to-late 1980s and found an overwhelming majority of cases found such a need; in 1987 90.3% of cases went in the farmers’ favour, 81.9% in 1986, 87.9% in 1985 and 86.3% in 1984.⁷²

In part this predisposition stemmed from the remit afforded to ADHACs by the Bill: while the NFU and the farmer were each allowed to submit written documentation prior to the meeting of an ADHAC, no allowance was made for the Union to provide non-verbal evidence in support of their members’ cases.⁷³ Moreover, the Bill required ADHACs to close cases within 28 days or less: the Union saw this rush as working in the employers’ favour, as ADHAC members would struggle to properly interrogate a farmer’s claims.⁷⁴ In equal measure, the ADHACs’ predisposition to farmers stemmed from the informal societal institutions of rural

⁶⁴ National Union of Agricultural and Allied Workers, *Outlook for Agriculture*, pg. 21.

⁶⁵ *The Landworker*, January 1977.

⁶⁶ *Ibid.*

⁶⁷ *The Landworker*, January 1977.

⁶⁸ As cited in Danziger, *Political Powerlessness*, pg. 192.

⁶⁹ Ministry of Agriculture, Fisheries and Food, *Press Notice: Parliamentary Secretary at N.U.A.A.W. Conference*, London: MAFF, 8th May 1978.

⁷⁰ Trades Union Congress, *Private and Confidential Internal Report: Tied Accommodation*, London: TUC, 4th December 1978.

⁷¹ *The Landworker*, 1977, pg. 233; July 1982.

⁷² Cited in Wynn, *Skilled at All Trades*, pg. 207.

⁷³ *The Landworker*, July 1982.

⁷⁴ National Union of Agricultural and Allied Workers, *Motions and Amendments to be considered by the 1980 Biennial Conference*, pg. 22.

areas, with ADHACs often taking the form of “a cosy tea party or wine and dine in some quaint country pub”⁷⁵; with much intermixing between farmers, landowners and local authorities, the rulings of many ADHACs seemed to be written in advance; Pye-Smith and Rose demonstrate that “in 1967... farming was the dominant occupation of rural district councillors, with 35% of all rural district council members in England and Wales being farmers”⁷⁶; less than a decade later, an average ADHAC may well have seen a farmer, backed by the NFU, give evidence to a supposedly independent local representative of a government department long influenced by the NFU, and have its decisions executed by a council whose executive would be dominated by farmer interests. It should be little wonder then why agricultural need was found in such a high proportion of ADHAC cases.

Such laxity in oversight allowed many farmers to participate in outright illegal behaviour, as still spiralling rural house prices left many farmers desperate to sell their tied-cottage stock to weekenders for massive personal profits.⁷⁷ The Bill’s fine print only allowed a farmer to be persecuted for providing false information to an ADHAC within six months of an offence: this left farmers free to claim issues of agricultural necessity during rushed ADHAC proceedings, keep the home vacant for a six month period, citing unforeseen events or delays, before selling the property on, further reducing rural workers’ housing stock in the process.⁷⁸

Clearly, the Bill did little to *secure the tenancy* of tied-cottagers. More so, a worsening lack of rural housing problematised Local Housing Authorities’ task of locating ‘suitable alternative’ housing when required: the Labour Government of the latter 1970s is rightly remembered as a homebuilding government, which encouraged rural councils to marginally increase their minimal housing stocks. Oppositely, Thatcher’s first government is remembered for the exact opposite: freezing construction programmes and conducting lightning sales of council housing stock, the government greatly limited rural access to social housing, which had been particularly limited to begin with. With “no homes for rural workers”,⁷⁹ councils were forced to lower their standards regarding the definition of *reasonable alternatives*: in the 1980s, Local Housing Authorities were re-housing agriculturalists in substandard and distant housing, ripping workers from their local geographies and social networks in the process.⁸⁰ In the worst case scenario, councils housed tenants in euphemistically termed ‘Bed and Breakfasts’ when no other alternative was found: in these private properties entire families faced, and continue to face, being housed in a single room; shared bathrooms are the norm and no legal requirement is made regarding the provision of cooking or living facilities.

So, while a security of sorts may have been legislated for by the Act – not a security of tenure but a security of housing⁸¹ – which aimed to reduce the ‘insidious powers’ of farming landlords, many farmworkers remained artificially subservient to their employers under such conditions, due to legitimate fears of the alternative. Due

⁷⁵ *The Landworker*, July 1982.

⁷⁶ Charlie Pye-Smith and Chris Rose, *Crisis and Conflict: Conflict in the British Countryside*, London: Pelican Books, 1984, pg. 23.

⁷⁷ *The Landworker*, February 1988.

⁷⁸ *The Landworker*, July 1982; January 1987.

⁷⁹ National Union of Agricultural and Allied Workers, *Press Release: ‘No Homes for Rural Workers’ Forecast*, London: NUAAW, 1979.

⁸⁰ *The Landworker*, June 1982; August 1981; July 1982.

⁸¹ That is, the bill supplied to workers a right to a council-supplied house, if not the tied-cottage many tenants would have long called ‘home’. Cf. Hugh Rossi, *Shaw’s Guide to the Rent (Agriculture) Act 1976*, London: Shaw and Sons Ltd., 1977, pg. 1.

to a lack of rural housing, farmers were still able to use the offer of tied-housing to retain a pacified workforce: tied-cottagers remained dependent on their employer for *truly* suitable accommodation.⁸² Despite the fact that the Union's leadership victoriously declared that the Rent (Agriculture) Act brought about "the end of a vicious system which prevailed throughout generations",⁸³ the system was far from abolished in practice: tied-cottagers remained physically and psychologically isolated and over-dependent on their landlord/employer. Indeed, the playing out of the 1984 overtime ban demonstrated that farmers remained able to use the threat of dismissal to artificially acquiesce their workforce: observations of the rubber stamping motions of the ADHACs would have done little to remove the figurative "Sword of Damocles" hanging over many in the industry.⁸⁴

The key lesson to take from this section is the fact that after 1970, the Union continued to use the same legal lobbying strategy it had used previously, and was apparently able to secure an Act, which, while going further than the various tied-cottage legislations passed in the 1960s, conservatively reformed, rather than abolished, the system.

4. The Union's Ultimately Subordinatory Orientation.

Having identified the strategic *modus operandi* of the Union up to the passing of the 1976 Act, this section analyses the orientation held by the Union towards precarity-prone work as it legally lobbied for the reform of the tied-cottage system at the onset of our periodisation. Tied-cottaging renders many aspects of an agricultural workers' life precarious, and the Union nominally tried to dismantle the tied-cottage system: is this an open-and-shut case of a rejuvenatory orientation towards precarity-prone workers? No.

The negative aspects of the system have been well documented, and the Union, before and during the 1970s, was sincere in its mission to restructure the institutional power structures it created and maintained. Indeed, rhetorically at least, the Union had often appeared to press for the *total abolition* of the system⁸⁵: frequent usage of the term in the *Landworker* would certainly have given the general impression to a lay union member that this was the Union's prerogative in any case. However, when speaking in confidence, the Union's Executive was wont to argue that it was against "eviction of all employed farm and rural workers *unless they have alternative accommodation to go into*".⁸⁶ This discrepancy between public and private sentiments implies the Union's EC was more cautious regarding the matter of the tied-cottage than its rank-and-file, and pushed for reform in private while giving the outward appearance of radically pursuing total abolition.

At times, this inconsistency made itself publicly known. Joan Maynard,⁸⁷ a decidedly left-wing member of the Farmworkers' Union, motioned at the Labour Party's 1965 Conference (as a Local Party representative) for the total abolition of the

⁸² Shelter, *The Forgotten Problem*, pg. 79.

⁸³ Hazel, *Presidential Address to the Biennial*, pg. 6.

⁸⁴ House of Commons, *Record of 4th May 1976*.

⁸⁵ *The Landworker*, December 1974.

⁸⁶ National Union of Agricultural and Allied Workers, *Letter to the International Labour Organisation r.e. the ILO Symposium on Workers' Education Methods and Techniques for Rural Workers and their Organisations*, London: NUAAW, 18th December, 1974, pg. 3, emphasis added.

⁸⁷ As discussed at length imminently.

system, describing the effects the agricultural efficiency clause of the 1965 Rent Bill as leaving farmworkers unprotected in practice and the powers of the system undiminished. The Union's EC delegate to Conference, Harold Collison, begrudgingly supported this unequivocal motion, but was compelled to publicly state that the Union was unhappy with the wording of the motion and that "we (the Union) have never sought the abolition of the tied-cottage but a change in the law to prevent eviction unless suitable alternative accommodation was available".⁸⁸ Responding in the local press, Maynard stated that a brief perusal of the Union's most recent policy documents⁸⁹ proved this not be the case, and that "ever since its formation, this Union has consistently demanded the abolition of the tied-cottage".⁹⁰ In a way both delegates were correct – Maynard on the public pronouncements of the Union, Collison on its EC's backroom dealings

So, despite its rhetoric assertions, the Unions' EC, at the onset of our periodisation, never pushed for total the system's 'abolition' according to standard definitions of the term, and instead focused its efforts in securing wide reaching reforms. Writing in the Party's 1976 consultative document '*Abolition of the Tied-cottage System in Agriculture*', Union General Secretary Reg Bottini certainly pushed this reformist, employer-placating logic, arguing "the focus should be on how to shape the legalisation on lines that will enable farmers, farmworkers, local authorities and other interests concerned effectively to adapt themselves to the changing requirements of modern society while maintain of the key contribution which this great industry can make to the national economy".⁹¹

The otherwise marketable and privileged workers that represented the *average tied-cottager* had much to gain from such a partial reorganisation. To expand: this thesis has demonstrated that a greater proportion of the agricultural workforce came to inhabit tied-cottages in the Post-War Era. However, levels of tied-cottage inhabitation were, in the 1970s and 1980s, highly differentiated according to one's occupational position: in 1982 MAFF found that 67.8% of dairy stockmen in England and Wales lived in tied-cottaging, while 51.8% of all other stockmen – those with responsibilities for livestock – were tied, as were 56.9% of tractor drivers. However only 39% of general farmworkers, and 14% of horticultural workers were tied at the time.⁹² Dairy workers and stockmen have long been regarded as agriculture's *aristocracy of labour*: those with the best pay and conditions due to their niche labour market positions: indeed it was these workers that formed the Appointment Grade II workers upon the creation of the AWB's grading scale.⁹³ It was these same workers, alongside other skilled groups, that had become disproportionately accommodated in tied-cottages, *replete with zero or near-zero rent rates*, throughout the Twentieth Century.

While the limitations of the 1976 Act have been discussed, it is certain that on the Act's passing there was a degree of redistribution of risks and rewards in the industry: while not freed *entirely* from the system's insidious powers, tied-cottagers did experience a significant solidification of their security of housing, if not tenancy;

⁸⁸ Cited in Wynn, *Skilled at All Trades*, pg. 195-6.

⁸⁹ Cf. National Union of Agricultural and Allied Workers, *Outlook for Agriculture*; National Union of Agricultural Workers, *Health and Welfare Under Our Feet*, London: NUAW, Undated (early-1960s).

⁹⁰ *Hull and Yorkshire Times*, 23rd October 1965.

⁹¹ Department of the Environment and Ministry of Agriculture, Fisheries, and Food, *Abolition of the Tied-Cottage System in Agriculture: Consultative Document*, London: DAE and MAFF, 1975.

⁹² Ministry of Agriculture, Fisheries, and Food, *Earnings, Hours and Numbers of Persons 1983*.

⁹³ Appointment Grade I workers normally had managerial roles, responsible for other workers in addition, or instead, of livestock.

and critically, the Act allowed tied-cottagers to continue enjoying sub-market “*privileged rents*”⁹⁴ for their tied-cottage. These privileged rents helped assure a relatively decent quality of life for those that paid them: when it stipulated that farmers were not allowed to charge more than £1.50/week rent for a tied-cottage, the 1964 Prevention from Eviction Act merely underwrote a pre-existent norm that had long seen tied-cottages pay only a nominal rent for their admittedly Spartan accommodation.⁹⁵ Clearly then, the 1976 Act, which secured a right of housing while maintaining privileged rents, reduced precarity *for otherwise relatively privileged workers* – that is, tied-cottagers – in the industry.

After strengthening and solidifying the relatively privileged position of stockmen and other skilled workers, the 1976 Act marked, for the hegemonic majority in the Union and the PLP, not a partway battle towards total abolition, but an armistice regarding the tied-cottage. Gavin Strong, a TGWU sponsored MP who did much to promote the Bills’ passage, argued in 1987 that the Act had “achieved its basic purpose”⁹⁶: this implies that for the Party, the Act was seen at the time and henceforth as a final solution, rather than evolutionary waypoint. Meanwhile, the Union’s leadership continued to give unequivocal support for the Party in the run up to elections⁹⁷: however, differentiating itself from its earlier actions, the Union no longer lobbied the Party to include commitments regarding the further reform of the system in their various manifestos. While, in the 1980s, the Union symbolically pushed the now Conservative Government to rectify issues regarding ADHAC biases,⁹⁸ and expand the national stock of public housing,⁹⁹ such a campaign was piecemeal and starved of resources and attention, when compared to the Union’s performances of the 1970s.¹⁰⁰ It seems the Union’s, like the Labour Party’s, organised actions against the tied-cottage were completed in 1976.

This accepted end-point actually increased precarity for many in the industry. Labour ministers, in passing the Act, voiced pleasure at successfully “disengag(ing) farmworkers’ conditions of employment from the circumstances in which they were housed”¹⁰¹: unfortunately for *non-tied-cottagers*, negative ramifications of the Act’s reorganisation of the housing market spilled over and affected their labour relations after 1976; *no disengagement occurred here*. Of importance is the fact that non-tied-cottagers, a slight minority of the agricultural workforce in the 1970s, generally occupied less marketable positions in the labour market and could therefore be thought of as more, if differently, precarity-prone than tied-cottagers at the time.

Before, during and after the 1970s, the Employers’ Side of AWB negotiations frequently argued that the presence of tied-cottages, and their privileged rents,

⁹⁴ *The Landworker*, May 1975.

⁹⁵ Unless they were specifically granted permission to raise rents by an ADHAC, as from 1976: in which case a slightly higher rent, still well below rural free-market rates, could be deducted; as of 2012, a total rent (per cottage, not per tenant) of up to £33.11/week could be charged by an ADHAC-permitted farmer. Cf. Department of the Environment, Farming and Rural Affairs. *RoWiA*, 2012.

⁹⁶ *The Landworker*, January 1987.

⁹⁷ *The Landworker*, April 1979; June 1987.

⁹⁸ *The Landworker*, January 1987.

⁹⁹ *The Landworker*, November 1988.

¹⁰⁰ This is perfectly understandable considering the wider socio-political environment: the International Labour Organisation found that the Conservative Governments of the 1980s breached at least eight pieces of international employment legislation regarding union rights: with such a disregard for pre-existing employment laws, the Union would have been ill-advised to attempt to change the government’s strategic actions through direct contact. Cf. *The Guardian*, 28th April 1989.

¹⁰¹ Department of the Environment and Ministry of Agriculture, Fisheries, and Food, *Abolition of the Tied-Cottage System in Agriculture*, pg. 70.

justified the depression of wages of the workforce as a whole: not just those higher grade workers disproportionately concentrated in tied accommodation.¹⁰² The NFU regularly pointed to the “myth of a free cottage with the inevitable roses around the door, gallons of milk, unlimited free vegetables, dozens of eggs and baskets of firewood” when justifying the depression of agricultural minimum wages to the relative inexpert Appointed Members of the AWB.¹⁰³ *So, the 1976 Rent (Agricultural) Act solidified a system where the worst paid in the industry were required to pay rural private rents or mortgage payments well above the national average, while farmers provided cheap accommodation to the better paid in the industry in order to secure and retain their services, and subsequently used this arrangement to justify the continued existence of the lowest pay rates in the industry.* The Rent (Agricultural) Act reduced some forms of precarity for some in the industry, effectively ending the photogenically dreadful evictions that left farmworkers and their dependents homeless of the roadside: however the system’s tendency to depress wages for the less marketable workers in the industry remained undiminished. In fact, this power of the tied-cottage was strengthened, as the system was discursively cleansed of many of its negative aspects: rather than having to engage in often contested, protracted and publicised legal proceedings, employers could now turn to the sterile mechanisms of the ADHACs to vacate their holdings; rather than publicly leaving farmworkers destitute at the roadside, farmers could rely on the council to swiftly and discreetly re-house disposed workers at the public’s expense.

The Union leadership, in practice, pushed and dedicated many resources for the attainment of such legislation, and then failed to further this development with further coherent campaigns for total abolition, which could have deflated the precarities created by otherwise marketable workers’ privileged rents. *This must then be interpreted as an actualisation of a ‘pre-rejuvenatory’, subordinatory orientation*¹⁰⁴: the interests of marketable workers were furthered at the expense of the more marginal and precarity-prone workers in the industry.

In 1992, Union researcher Patrick Bond found that 45% of adult, full-time hired men in the industry were paid below the government’s recognised poverty line, up from 41% in 1987, while 72% of full-time female workers were paid poverty wages in 1992, up from 68% in 1987¹⁰⁵: such hardship was experienced primarily by workers paid on or below the Ordinary Grade AMW, which had been kept low by the Employers’ use of a slight-of-hand logic, which purposefully confused the living arrangements of relatively marketable and unmarketable workers in their submissions to the AWB. Yet by 1992, the proportional level of tied-cottagers in the industry had fallen, so that only 40% of the workforce was accommodated in such housing: spiralling rural house prices continued to encourage farmers to further deplete their tied-cottage stock, yet they, through the NFU, continued to use the system’s continued existence, now implicitly sanctified by the Union in practice, to justify the deflation

¹⁰² Trades Union Congress, *Report of Congress 1972*, London: TUC, 1972, pg. 500; *The Landworker*, 1975, pg. 147; Danziger, *Political Powerlessness*, pg. 188.

¹⁰³ Bottini, quoted in Trades Union Congress, *Report of Congress 1972*, pg. 500. It must be pointed out that, despite the discursive power of such arguments, reality contradicts the claims of the farmers: a Department of Industry survey conducted in 1978 found that when compared with the pension and sick pay schemes, subsidised canteens and other supplementary provisions common with urban firms, an agricultural worker/tenant received substantially *below* the national average in fringe employment benefits. However, when this argument was proffered by the NFU on and around the AWB, it appeared to be regularly accepted. Cf. Winyard, *Cold Comfort Farm*, pg. 7.

¹⁰⁴ Cf. Heery, *Trade Unions and Contingent Labour*.

¹⁰⁵ *The Landworker*, January 1992.

of wages in the industry, to the greatest detriment of the most precarity-prone. While producing many well-documented difficulties, tied-cottaging at least allowed marketable workers to pay nominal rates of rent, thereby significantly increasing their social wage. Yet these benefits were not enjoyed by the most precarity-prone: in 1992 only a third of the poorest full-time workers in the industry were provided with tied accommodation, with the number significantly lower for workers on non-standard contracts.¹⁰⁶

Many voices in the Union had long held alternative visions regarding the tied-cottage. In the 1960s Maynard, and others in the left of the Union and Party, called for the nationalisation of the rural housing stock via compulsory governmental purchases of farm dwellings¹⁰⁷: tied-cottagers then would have had the state as a depersonalised landlord. Though the great nationalising zeal of Attlee's Post-War government remained a recent memory at the time, and in spite of the fact that some of the big battalions of British industry were nationalised around the same time,¹⁰⁸ this proposal was dismissed by most in the Union and Party as unrealistic. With this plan rebuffed, the left then pushed for a governmental intervention which would have banned the tied-cottage system's privileged rent: "the present system, whereby farmers are allowed to charge tenants 50p a week for accommodation under the terms of the AWB, would be abandoned and rents would be put on a "fair-rent" bias".¹⁰⁹ It was hoped that the abolition of privileged rents would force employers to pay market clearing rates for labour, unable to use tied-cottages as incentives to coerce relatively privileged workers to accept low basic wages: Maynard, by now an MP, declared to Parliament that "if the farmers were not able to offer the bait of a cheap house at the time of a housing shortage, they would have to pay the rate for the job. That is why the tied-cottage issue is so important to agricultural workers".¹¹⁰ However, the majority of MPs rejected the logic of such a claim, arguing that employers would be under no obligation to raise wages, and generally disregarded the plan as non-pragmatic and hence unrealistic.

When the Union settled for the provisions of the 1976 Rent (Agricultural) Act, it was not just high profile union rebels that felt aggrieved: amongst all the celebratory articles of the *Landworker* some disparaging letters could be found; one writer stating "in my estimation the blackest day in our Union's history was the day (Union) delegates rolled over on their backs to have their tummies tickled by the Government and the Union's top brass, and accepted their own practical version of what we all thought was going to mean the abolition of the agricultural tied-cottage, and with it the disengagement we have been promised in the Labour Party manifesto and the Government's consultative document", both of which were peppered with that unequivocal term, 'abolition'.¹¹¹ So, Maynard, the Union's left and a minority tendency in the PLP recognised then that unless these rents were abolished, the tied-cottage system would sustain linkages between the agricultural labour and housing markets to the benefit of marketable workers and employers, and to the detriment of

¹⁰⁶ *Ibid.*

¹⁰⁷ Danziger, *Political Powerlessness*, pg. 188-9.

¹⁰⁸ British Steel was nationalised in 1967, the National Bus Company in 1969, and Rolls-Royce Engines in 1971.

¹⁰⁹ Maynard, quoted in *The Landworker*, September 1974.

¹¹⁰ House of Commons, *Report of 4th May 1974*, London: Hansard 1974.

¹¹¹ *The Landworker*, December 1978.

the most precarity-prone workers in the industry.¹¹² However, such parties seemed unable to affect the hegemonic orientation of the Union, and its proffered solution to the tied-cottage system.

The key lesson to take from this section is the fact that the Union hegemonically orientated itself in a subordinatory manner towards precarity-prone workers when it tried to legislatively restructure the tied-cottage system. Disregarding occasional rhetoric claims to the contrary, the Union hegemonically pushed to secure the security of housing for tied-cottagers, but did little in practice to end the privileged rents that remained a key component of the system. Resultantly, relatively marketable workers' social wages were maintained at a relatively comfortable level: a fact which the employers could use to suppress real wage levels, to the greatest detriment of the more precarity-prone, less marketable, non-tied-cottagers in the industry.

5. The Effectiveness of the Union's Legal Strategy.

This section assesses the effectiveness of the Union's legal approach, with narrow regards to its subordinatory orientation. The Union wanted the reform of tied-cottaging, and tied-cottage reform occurred: however analysis shows that the Union's formal policies regarding *cautious* lobbying was not particularly effective in securing this desired end. Instead one must put a lot of the credit for the reform of the tied-cottage at Joan Maynard (MP)'s feet.

Maynard's tireless work, inside and outside the Party, and inside and outside Parliament, did more than any other's to secure the 1976 Act; the Act which, ironically, Maynard was one of the greatest critics of. Elected onto the NEC of the Labour Party in 1972, as a Women's rather than Union representative, Maynard's persistent advocacy on the Committee was instrumental in securing for the Union the two Manifesto promises of 1974: "not because NEC members were unsympathetic, but because everybody was fighting for their own bit: foreign policy, civil liberties, housing, and I was the only person who had direct knowledge and experience of the problem (of tied-cottaging)".¹¹³

Later, as an MP, Maynard proved invaluable in arranging and facilitating large scale lobbies of Parliament, helping Union activists and lay-members track down supportive, and unsupportive, MPs to describe their experiences of the system. Furthermore, along with Thomas 'Tim' Torney, a TGWU sponsored MP, Maynard personally compiled 140 MP signatures in 1974, delivering them to Number 10 to prove the widespread backbench support for legislative change.¹¹⁴ This bread-and-butter work proved invaluable in passing the 1976 Act: Jack Bobby, leftist General Secretary of the Union in the 1980s, stated that "the eventual success in getting this Act must to a substantial degree be laid at Joan's door".¹¹⁵ When granted access to Parliament as an MP, Maynard waged her guerrilla campaign on behalf of the Union: "if it had been left to the politicians nothing would have been done".¹¹⁶

This unionist's active lobbying strategy won the passing of the 1976 Act, whereas the Union's pre-existent and later concurrent strategies – focussed on closed-door lobbying of the PLP – largely failed. In the course of the previous decade the

¹¹² Shelter, *The Forgotten Problem*, pg. 16.

¹¹³ Quoted in Mason O'Connor, *Joan Maynard*, pg. 224.

¹¹⁴ *Ibid.*, pg. 226.

¹¹⁵ Cited in Wynn, *Skilled at All Trades*, pg. 206)

¹¹⁶ Tony Benn MP, quoted in Mason O'Connor, *Joan Maynard*, pg. vii.

Union had enjoyed sporadic parliamentary representation in the form of sponsored MPs, and dedicated much of its resources in attempting to construct a niche for itself as a pressure group with “insider status” within the Party.¹¹⁷ However, as Jordan *et al.* argue, “even if pursuing an insider strategy is a precondition to attaining the status, there can be cases where the strategy is not enough”¹¹⁸: the fact that the Union could gain a formal foothold in the Party's policy formulation processes did not guarantee it any form of success. Until the election of Maynard, the sizeable resources the Union expended was hardly justified by the superficially insider, but powerless, status the Union secured for itself: Jack Bobby, speaking of the Union’s relationship with the Party since WWII, summarizes “we always submitted our policy documents to the Labour NEC; to what extent they paid any attention is debateable”¹¹⁹; opinions were regularly taken from the Union, but not acted upon.

Maynard changed this: however, while Maynard was in the Union, and was guided by what she interpreted as its ideals, observations of the Shakespearean dealings of the upper echelons of the Union in the 1970s reveal she cannot be viewed, for the purpose of this thesis, as an instrument of Union strategy; she was not a manifestation of the Union’s internal group structure. Maynard was a renegade loose cannon, a virtual *persona non grata* amongst the hegemonic Union leadership, due to her perceptively extremist orientation; and all the more successful for it.

Maynard was introduced to the Union in 1947¹²⁰ and quickly became popular with the rank-and-file, being sent as a delegate to regional and later national conferences. A few years later, Maynard was put up, by left wing elements of the her county branch, as a nominee to represent Yorkshire on the Union’s central EC: this ruffled many feathers at central office, as it entailed her challenging a long-term, right wing incumbent.¹²¹ Maynard relished this opportunity, sensing that while policy was formally determined at Biennial, “real power resided in this Executive Committee”.¹²² As a Union activist, Maynard was deeply suspicious of the ECs of the 1950s and 1960s, believing that many on the Podium were indoctrinated with a conservatism: arguing that “not wanting to go back to the farm”, the EC ended up not pushing against agricultural *status quos*, and came instead to defend the injustices they nominally wanted to combat, both on the AWB and in relation to the tied-cottage¹²³; in her words, “they really were a load of bastards... what they were doing was against the interests if the members”.¹²⁴ Maynard’s popularity, unsurprisingly, did not extend

¹¹⁷ According to Grant’s vocabulary, cf. Grant, *Pressure Groups, Politics and Democracy in Britain*. Grant

¹¹⁸ William Jordan, Grant Maloney and Andrew McLaughlin, *Insiders, Outsiders and Political Access*, Aberdeen: British Interest Group Project Working Paper No. 3, 1992, pg. 17, cf. William Jordan, Grant Maloney and Andrew McLaughlin, “Collective Action and the Public Interest Problem: Drawing a Line Under Olsen?”. In: P. Dunleavy and J. Stanyer (eds.), *Contemporary Political Studies, Volume Two*, Belfast: Political Studies Association, 1994.

¹¹⁹ Wynn, *Skilled at All Trades*, pg. 417.

¹²⁰ Maynard, a post-office worker and daughter of tenant farmers, helped form a new rural branch of the Labour Party in Thirsk and Malton in 1946. It was through this organisation that Maynard met Union EC member Jack Brocklebank, who suggested Maynard looked into investing some of her activism in the Union’s activities. Mason O’Connor, *Joan Maynard*, pg. 55.

¹²¹ *Ibid.*, pg. 59.

¹²² *Ibid.*, pg. 110.

¹²³ *Ibid.*, pg. 107.

¹²⁴ *Ibid.*, pg. 113.

to the EC: a fellow unionist wrote to Maynard in 1957, warning her that she was coming to be regarded as a “bad odour” at Headland House.¹²⁵

Maynard lost her first attempts at gaining a seat on the EC. Still pushing to upturn the Union from the inside out, she later ran for the office of Vice-President, in order to take the position’s reserved seat on the EC.¹²⁶ Maynard fought for and won the ballot in 1966. Her very first act was to attack the EC over its “sordid sell-out of our members” regarding the tied-cottage and the 1965 Rent (Agriculture) Act, arguing the Union had failed to push hard for abolition, and had “hidden behind the Labour Party” for too long.¹²⁷ There was no love lost from Maynard’s ‘bastards’: on taking her seat, Maynard found “they hated the sight of me; they were feeding all sorts of lies to the national press about me”. Wilf Page, a fellow leftist that joined her on the EC soon after, reported “she’d be howled down and they’d shout at her... they used to say, ‘why don’t you go to bloody Russia’”.¹²⁸

Knives began to be drawn. A key confidant of Maynard, the right wing but cordial EC member Brocklebank, was sidelined in the Union in the latter 1960s. Joan felt this was as punishment for her rocking the boat regarding the tied-cottage: while the EC conducted closed door negotiations with the Party, Maynard had thrown down a combative gauntlet in the local press, saying the Union “has been incensed about the tied-cottage for sixty years. We are not going to throw in the towel now. The system is still the curse of the countryside and the Labour Party above all others... know that”.¹²⁹ Things came to a head at the 1970 Biennial. Facing an ever-deeper financial crisis, the Union sought answers. The EC wanted to raise subscription fees, Maynard wanted to cut the pay roll: branch delegates loyal to the EC used this opportunity to usurp Maynard: “they said, right, if we need to cut back we’ll cut back on the vice-presidency”.¹³⁰ A delegate moved “that in order to economise in overhead expenses, this conference herewith decides that a vice-president is not necessary and that the office shall cease to exist”¹³¹: the motion was passed by 50 votes to 37, Maynard was disposed, and a second emergency motion had to be carried to even let her remain till the end of Biennial, no longer being a Union delegate nor member of the EC.¹³²

While personalities certainly played their part, Maynard paid this price due to the militancy of her orientations and strategies, which diametrically contrasted with the caution and conservatism of the dominating right wing men of the Union at the time, not in the least President Bert Hazel and General Secretary Reg Bottini¹³³: “her removal from the presidency saved about £400 a year, so few in the know believed that the saving was the paramount motive for getting rid of her”.¹³⁴

¹²⁵ Largely due to her constant demands at Conference for the Union to pursue high numerically figured claims on the AWB, as opposed to demanding general ‘significant increases’ in wages. *Ibid.*, pg. 106.

¹²⁶ The Vice-President’s role was to perform the tasks of the President, including chairing conferences, if and when the President was indisposed: resultantly the Vice-President was afforded a permanent chair on the EC. *Ibid.*, pg. 117.

¹²⁷ *Ibid.*, pg. 119.

¹²⁸ Both Maynard and Page quoted in *Ibid.*, pg. 121.

¹²⁹ Quoted in *Ibid.*, pg. 213.

¹³⁰ Maynard, quoted in *Ibid.*: 130.

¹³¹ Wynn, *Skilled at All Trades*, pg. 94.

¹³² Maynard’s supporters rallied to no avail: one suggesting that “a lot of you are against (her) because you feel a lady’s place is in the house washing the dishes”. Quoted in Wynn, *Skilled at all Trades*, pg. 95.

¹³³ The Guardian, *Obituary of Barry Leathwood*, 28th May 1999.

¹³⁴ Wynn, *Skilled at All Trades*, pg. 97.

While the Union sponsored her later candidature for Parliament, Maynard's selections to the NEC and PLP were borne from her concurrent and discrete career in the Labour Party; where she was functioned first as an activist, and later as a Local Councillor and part-time professional staffer. Indeed Maynard said "my Union were quite glad to unload me on the Labour Party NEC, anything to get me out of their hair".¹³⁵ Right up until the passing of the 1976 Act, articles in the *Landworker* scolded Maynard for endangering the government with her public criticisms of the PLP's policy regarding the tied-cottage: anonymous editorials argued "no one in this country wished the Labour government keeps afloat more than the tied-cottager", and suggested Maynard's parliamentary behaviour was jeopardising this.¹³⁶ The Union's leadership's hostility was tangible: in December 1976 the *Landworker*, reporting on one of the Movement's keystone annual events, the Tolpuddle Rally, referred to Maynard dismissively as "a celebrated MP who had a go at the Platform Speakers".¹³⁷ Most insultingly of all, the Union failed to invite Maynard to the press conference it held in celebration of the passing of the 1976 Rent (Agriculture) Act that she had done more than any other to create, to the anger of much of the rank-and-file.¹³⁸ From the above evidence, it would be a discourtesy to Maynard's legacy to suggest her actions were a manifestation of Union strategy.

The key lesson to take from this section is the fact that *the Union's hegemonically cautious, legal lobbying strategy was ineffective* at restructuring the housing market as according to the Union's desire. The reasons for this, and why *the unionist* Maynard's combative legal strategy appears to have been more effective, are discussed in the following section.

6. Why the Union Adopted a Subordinatory Orientation and Maintained an Ineffective Strategy.

This section identifies the causal mechanisms that helped determine the Union's subordinatory orientation, and its continued usage of a clearly ineffective strategy, with regards to the tied-cottage system.

The reasons why the Union was keen to reduce the insidious powers of the tied-cottage, as felt by its relatively privileged tenants, are clear: the historic experience of the urban Movement shows that relatively protected groups in the labour market are instrumental in creating and maintaining those forms of unionism typical of Britain in the Post-War Era. Under normal operating conditions it would be reasonable to expect the stockmen, the skilled and marketable workers, to act as the muscle of the agricultural Union. The same conditions that allowed these members of the workforce to become the best paid in agriculture should have, if theory, given them the greatest leverage over employers in making claims of contention.¹³⁹

However, the tied-cottage system had the effect of anesthetising those that otherwise would have had the strongest bargaining position in the industry: something needed to be done. Indeed, celebrating its "red letter day" the *Landworker* proclaimed

¹³⁵ Mason O'Connor, *Joan Maynard*, pg. 134.

¹³⁶ *The Landworker*, June 1976. Indeed EC loyalists at one point suggested the Union publicly disassociated itself from Maynard, over her concurrent protestations regarding the Social Contract. Cf. *Labour Weekly*, 3rd December 1976.

¹³⁷ *The Landworker*, December 1976.

¹³⁸ Wynn, *Skilled at All Trades*, pg. 204.

¹³⁹ Cf. Tilly and Tilly, *Work Under Capitalism*.

a key effect of the Rent (Agriculture) Act was that it would allow farmworkers to “stand up and be counted”¹⁴⁰: able to assert their market power through union organisation. Likewise, in 1977 the Union declared that that the Act was a significant step along the path towards the day where agricultural workers would “see they have the right to approach their employers as equals and not as subservient people”¹⁴¹: clearly, the tied-cottage was seen as an impediment to the organisation of the countryside. Evidently, the apparent incentives offered by reform, which would theoretically have allowed for a stronger organisation, motivated the Union in part to act in the manner that it did.

This self-interested identification of incentives was not solely performed by the then hegemonic right wing of the Union. When Maynard was struggling to secure a Labour Party Manifesto commitment on the issue, she wrote to all her members on the NEC, advising them that “farmworkers cannot fight for decent pay when they are bound and gagged in tied housing”¹⁴²: this reveals that, at least in part, Maynard had the same motivation for pursuing the abolition as the EC had for reform – that is the hope that legislative change would create the potential for Union organisation in the countryside. Indeed, Maynard argued in her pamphlet *‘A Hundred Years of the Farmworkers’ Struggle’* that in addition to keeping wages low in the industry the tied-cottage had “kept them (farmworkers) quiet”: abolition, she hoped, would change this.¹⁴³

However, it is clear that additional moral prerogative motivated the Union further: it had long argued, disregarding any theoretical or economic arguments, that it was simply morally unacceptable “for the employer to have control of a man's job and his home”.¹⁴⁴ This moral motivation was not accepted by all: farmers in the industry, and their supporters, had often accused the Union of whipping up the issue of the tied-cottage throughout the Twentieth Century for its own purposes, against the material interests of apparently contented tied tenants.¹⁴⁵ Clearly a large number of tied-cottagers experienced a relatively protected and secure standard of living, compared to their non-tied peers left to the mercy of an increasingly tightening housing market¹⁴⁶: however, one cannot make an empirical case that the Union’s resistance to the system was driven by an unaccountable and unrepresentative EC, motivated solely by theoretical incentives that promised increased organisational resources. A trawl through decades of resolutions at local, regional and national Union conferences turns up not a single example of a delegate resolution supportive of the tied-cottage from Union, compared to a wealth of motions calling for the abolition or reform of the system¹⁴⁷: the overrepresentation of skilled workers in tied-cottaging was not then the sole impetus behind the Union’s orientation, only a substantial one.

The Union was motivated *to act* due to a combination of theoretical incentives and moral prerogative. However, decisions regarding *how to act*, and the *extent* of such actions, were determined by considerations of structural conditions outside of the Union’s control. It has been argued that the Union, recognising its own economic

¹⁴⁰ *The Landworker*, January 1977.

¹⁴¹ Trades Union Congress, *Report of Congress 1977*, London: TUC, 1977, pg. 608.

¹⁴² Quoted in Mason O’Connor, *Joan Maynard*, pg. 225.

¹⁴³ Maynard, *A Hundred Years of Farmworkers’ Struggle*.

¹⁴⁴ *The Landworker*, December 1972.

¹⁴⁵ Irving and Hilgendorf, *Tied-cottages in British Agriculture*, pg. 14.

¹⁴⁶ Shelter, *The Forgotten Problem*, pg. 9.

¹⁴⁷ House of Commons, *Record of 4th May 1976*.

and resourceful weaknesses, felt compelled to rely on Party support in its attempt to secure the abolition/reform of the tied-cottage. However, the Party proved, time and again, not to be the good friend the Union so greatly needed. Over-reliance on the uncooperative Party bred discourses of pragmatism and practicality: the Union's Executive resultantly proceeded with a *softly-softly* approach to lobbying and reform, which failed to secure regulative change. So, the underlying cause for the Union's adherence to an ineffective lobbying strategy, and the reason why it adopted a subordinatory orientation regarding tied-cottage reform, is one and the same and is found not in the structural composition of the Union, but the Party: to delve deeper, we must ascertain it was so particularly uncooperative with the Farmworkers' Union at the onset of our periodisation.

In the 1970s some voices in the Union and Party, additional to Maynard, pushed for outright abolition: as mentioned, many advocated compulsory council purchases of agricultural housing in the 1960s and early 1970s. However *most* MPs considered such a proposal impractical: the PLP hegemonically failed to explore this avenue of possible action for reasons of *economic expediency*. To unpack this further: before the onset of WWII, Britain was only 32% self-sufficient in terms of food production; by 1982 this figure had risen to 60%, despite a 20% rise in a largely urban population¹⁴⁸; throughout this period, both the Conservative and Labour parties strove to maximise low-cost domestic food production, seen as it was as a key tenet of both the Home Front and the subsequent Post-War economic recovery, and later as a counterweight to the threat of balance of payment crises.¹⁴⁹ Furthermore, the Labour Party, more so than the Conservatives, had a material interest in placating its highly urban-concentrated constituents by minimising inflationary pressures on the cost of living: Labour resultant commitment to this "*cheap food policy*" was found by Edwin Gooch, the Union's President in 1950, to have caused "the Minister of Agriculture...(to) lean too much towards the farmers",¹⁵⁰ thereby explaining the reformist Attlee Government's failure to tackle the tied-cottage system in the immediate Post-War Era. This urban bias was obvious: in 1952 the Party produced a policy statement, '*Our Daily Bread*': while this document made a partial commitment to protecting tied-cottagers,¹⁵¹ the majority of the document was concerned with encouraging cheap domestic food production.

The Party's material interest in the cheap food policy – which helped to fuel the expansion of the urban-centred welfare state in the Post-War Era – was in diametric opposition to the Union's material interest. Low-priced food required low agricultural wages, which as shown, the tied-cottage system did much to keep deflated. So, when explaining the purpose of the 1964 Protection from Eviction Act, the Agricultural Minister Richard Crossman stated that the courts, in adjudicating cases, "should not forget that women and children might be thrown onto the streets, but also that a pedigree herd might be ruined. How one measures between the two I don't know"¹⁵²: here, we can clearly see that the Party, in government, privileged agricultural efficiency as much if not more than it did agricultural living conditions.

¹⁴⁸ Beresford, *We Plough the Fields*; Ministry of Agriculture, Fisheries, and Food, *Annual Review of Agriculture 1984*, pg. 82.

¹⁴⁹ House of Commons, *Report of 16th November 1964*, London: Hansard, 1964.

¹⁵⁰ *The Landworker*, June 1950.

¹⁵¹ Stating as it did "we must see that the interests of (tied) tenants are far more securely protected than they are at the present". Cited in Wynn, *Skilled at All Trades*, pg. 192.

¹⁵² House of Commons, *Report of 16th November 1964*.

On this issue the Union found itself isolated from both the Party *and* the hegemonic trade union Movement – itself also representative of an urban-centred workforce. In 1970, after the Conservatives had returned to power, food prices rose by 40% on the year before. The TUC's Executive promptly moved a resolution demanding national controls in rents, council taxes and food prices. The Farmworkers' Union alone abstained from the vote, fearing the effects that price controls would have on “the interests of agriculture and those employed in it”.¹⁵³ Later, the Union's President argued “of course we all like to have cheap food, but we have to have some thought for those I represent who produce our food - the farm workers... amongst the lowest paid in the country”.¹⁵⁴ On the issue of food pricing, the Union seems to have had very few natural allies.

“Insider status”, as Garner argues, “by itself, is not equivalent to influence”¹⁵⁵: “given the low threshold for entry into consultation lists... most groups who wish insider status can, relatively easily, develop the necessary degree of political sophistication to attain (it)”.¹⁵⁶ To extrapolate these sentiments to our current example: due to their shared heritages and rhetoric vocabularies, the Union had much reason to place trust in the Labour Party, and was readily able to carve out for itself a position of some reasonable centrality within the Party's internal structure; however, the NEC and PLP, while wont to afford shows of sympathy and solidarity to the Union, were never compelled to act in an essentially altruistic manner, which would have redistributed risks in society in the agricultural workers' favour to the detriment of the urban constituents of Labour's heartland.

Where spontaneous and implicit cost/benefit analyses on the part of the Labour Party helped disable the Union's influence, the NFU helped the process along. For many Labour MPs at the outset of our periodisation, the rural landscape was considered an alien and potentially hostile homogeneity, with landowners, farmers and farmworkers seen as alike. This made it difficult for the Union to sell its narrative concerning the tied-cottage to the urban centric PLP. Reporting on a lobby of Parliament in 1970, the *Landworker* found that “whilst the majority of Labour MPs were extremely sympathetic, some of them did not fully understand the implications of the tied-cottage for farm workers”¹⁵⁷: this was in part due to the fact that agricultural farmworkers, whilst prone to voting Labour or Liberal, resided in market-town constituencies dominated by Conservative interests; resultantly, the support of the Union *could not be seen as an electoral assets or item of interest* for the PLP or the average aspiring parliamentary candidate. Indeed, the Labour MP for Lichfield and Tamworth, a partially rural constituency, commented on his abnormal constituency in 1976 thusly: “on the Labour side of the house it is increasingly rare to represent such a constituency, because the division between the Parties is becoming increasingly one of urban and rural interests and seats”.¹⁵⁸ *The NFU, on the other hand, had*

¹⁵³ National Union of Agricultural and Allied Workers, *Outlook for Agriculture*, pg. 9.

¹⁵⁴ *The Landworker*, January 1973.

¹⁵⁵ Robert Garner, *Animals, Politics and Morality*, Manchester: Manchester University Press, 2004, pg. 193.

¹⁵⁶ Jorden *et al.*, *Insiders, Outsiders and Political Access*, pg. 20; Cf. Grant, *Pressure Groups, Politics and Democracy in Britain*.

¹⁵⁷ *The Landworker*, June 1970.

¹⁵⁸ House of Commons, *Record of 4th May 1976*. In a few cases, the Union could mobilise enough members to actually affect the outcome of election: before the 1970s the Union semi-regularly enjoyed the support of a sponsored MP in one or other of the rural constituencies in Norfolk. This was due to the highly concentrated nature of the Union's membership in such areas. However, such electoral

traditionally been greatly feted by the Party: not being seen as a natural ally, but as an instrument through which to feed the Party's natural allies – the urban working classes – at low cost.

Focussing only on the 1970s, the NFU was able to mobilise its far superior financial resources to better convince Labour MPs that the farmers' interests were synonymous with those of the urban working classes: in the run-up to the passing of the 1976 Act the NFU sent circulars to all MPs, forecasting the imminent end of agricultural efficiency, and therefore low cost food, if and when far reaching reforms of the tied-cottage were to occur.¹⁵⁹ A few renegade MPs pointed out the oversimplicity of these claims, drawing parallels to the efficiency of midwives, arguing that if their professional performances were not harmed by their offsite accommodation, neither should stockmen's.¹⁶⁰ However, for an MP ill-versed in agricultural matters such statements, coming from an organisation apparently highly regarded at MAFF, would have seemed compelling: with Labour enjoying only a tiny minority in Parliament, the NFU only had to sway a couple of Labour MPs with their rhetoric, whereas the Union needed to mobilise the entire PLP.

Again, like on the AWB, it cannot be downplayed how much the NFU's political superiority over the farmworkers stemmed from its financial superiority: in the same year of the passing of the Rent (Agricultural) Act, the NFU's total expenditure exceeded £4 million, with an income of £4.2 million raised from subscriptions alone, with further undisclosed revenue streams coming from its portfolio of investments: this dwarfed the Union, which that same year had an income of £870,000 and an expenditure of £830,000.¹⁶¹

The material interests of the PLP in securing the support of urban working classes, and the highly professional, eternal campaign waged by the NFU in equating farmers' material interests with those of the Party, explain why the hegemonic body of the PLP consistently refused to honour their traditional pre-electoral lip-service made regarding the plight of the tied-cottage, and failed to respond to the soft-touch lobbying of the Farmworkers' Union in the years immediately preceding our periodisation. Esping-Anderson argues that "class unity is...difficult to achieve under conditions of competition between craft workers, unskilled industrial labourers, and the rural proletariat"¹⁶²: in our study, the PLP was heavily invested in the interests of craft workers and unskilled industrial workers; to abolish the tied-cottages would have raised the cost of food, effectively representing a redistribution of risks in society to the detriment of most Labour MPs' traditional constituents material well-being, and

leverage could not be expected elsewhere: Maynard was elected to the largely urban constituency of High Peak, Sheffield, and while she benefited from the financial sponsorship of the Union, her average constituent would far more likely be a steelworker rather than an agricultural labourer.

¹⁵⁹ One such circular read "the provision of accommodation on the farm...is essential if the full food producing potential of agricultural land in the UK is to be achieved. The abolition of the system...will surely lead to a decline in the efficiency of all sections of farming...*the resulting disruption of agriculture will mean inevitably that food prices will need to be increased...* any interference with the freedom of the worker to be housed on the farm, and hence with chances of attracting the right type of labour... will lead ultimately to reduced food production". Quoted in Danziger, *Political Powerlessness*, pg. 173, emphasis added.

¹⁶⁰ House of Commons, *Record of 4th May 1976*.

¹⁶¹ Cf. National Union of Agricultural and Allied Workers, *Motions and Amendments to be considered by the 1980 Biennial Conference*, pg. 1; Danziger, *Political Powerlessness*, pg. 177.

¹⁶² Gøsta Esping-Anderson, *Politics against Markets: the Social Democratic Road to Power*, Princeton: Princeton University Press, 1985, pg. 88. Here, Esping-Anderson is explaining the cleavages in national trade union movements, lying beneath rhetoric appeals of 'brotherhood' and 'solidarity'.

resultantly the security of their elected positions of responsibility. Resultantly, the Party consistently made it clear that any tied-cottage reform could not significantly threaten the underling structure of agricultural production, for fear of the effect on productivity: *the Union's EC's cautionary legal strategy and subordinatory orientation were reactions to this orientation, originally held by the Party.*

It is undeniable that up to the passing of the 1876 Act, the Union regularly stated its ultimate goal was for the system's absolute abolition: however this rhetoric goal was always tempered by an acceptance of the Union's depleted power resources; at the 1956 Biennial the Executive Podium declared "we must face the fact that it is not possible to abolish the tied-house completely".¹⁶³ Likewise, even when, in 1972, Union delegates passed a Podium supported motion which deplored "the failure of both the Labour and Conservative Governments to abolish the tied-cottage system",¹⁶⁴ it was accepted that "if you cannot easily say that tied-cottages are to be wiped out, then put clauses in the Act which make evictions impossible; if the prospects of being evicted from a tied-cottage is removed the farmworker will be safeguarded to a reasonable extent".¹⁶⁵ *Here, the external, political operating environment of the Union constrained the apparent commonsensical avenues of action available to it, so that the Union adopted a subordinatory orientation as the only seemingly rational choice course of action.*

Such a constraining of orientation is very much like that which occurred with relation to the AWB, and the Union came to embrace this *realist*, reforming route with little protest beyond rhetoric. The Union recognised that it would always be able to win resolutions and motions of support regarding abolition, from the Party and the wider trade union Movement, but felt that "bucketful(s) of sympathy gave no assistance" to the Union in practice¹⁶⁶: this explains not only the subordinatory orientation of the Union, but the highly cautious lobbying strategy in developed up until the 1970s. It could not lobby too much or too hard, for fear of being dismissed as extremist. As early as the 1950 Labour Party Conference, Union delegates informed the floor that many farmworkers were losing confidence in the Party as a vehicle of change due to their perceived inactivity over the tied-cottage,¹⁶⁷ but a lack of apparent alternatives prohibited a change in strategy.¹⁶⁸

Why then did Maynard, a unionist acting with some support from the Union and wider Movement, appear to succeed in winning the Act where the Union alone had failed for so long? For a start, the house building policies of the Labour Government of the mid-1970s greatly improved the national housing stock¹⁶⁹; likewise, the sheer persistence of Maynard, and a few fellow travellers in the PLP, has to be given much credit. However, it is necessary to take a second critical look at Maynard's apparent success.

¹⁶³ Wynn, *Skilled at All Trades*, pg. 193.

¹⁶⁴ *The Landworker*, September 1972.

¹⁶⁵ *Ibid.*

¹⁶⁶ *Ibid.*

¹⁶⁷ Wynn, *Skilled at All Trades*, pg. 191.

¹⁶⁸ Of course, counter-hegemonic tendencies in the Union believed this apparent realism was little more than a false consciousness, constructed and bought into by the Union's and Party's leadership: Maynard always maintained that the 1976 Act should have been seen as a stop-gap measure, and that "had labour leaders not been so close to the farmers", the Union could have achieved what she saw as the Union's true policy – that of total abolition. Cf. Mason O'Connor, *Joan Maynard*, pg. 236.

¹⁶⁹ Clark, *Rural Housing*, pg. 39.

For the urban centred Labour Party, the interests of urban consumers and producers took precedent, and partly due to a deft lobbying campaign of the NFU, these interests were seen to coincide with those of farmers. Resultantly, while Maynard pushed, through sheer will, the PLP into action after decades of half-measures, she was wholly unable to secure the remedial action of abolition that she sought: one compromise bore another, which bore another. This explains how the NFU managed to orchestrate the insertion of ADHACs, and their ability to demand the rehousing of workers at the taxpayers' expense, into the Act. ADHAC provisions were inserted during the consultative stages of the Bill's passage through Parliament, "at a meeting between ministers, civil servants and NFU and NUAAW rep(resentatives)"¹⁷⁰: Maynard and the Union originally opposed the dilution of the Act – they believed the courts would better judge farmer claims of agricultural need – but by continuously compromising in their stated ambitions of outright abolition a key power resource, needed to force through already compromised policy proposals, was lacking – that of respect. So, the Union agreed to these new stipulations at later meetings with the government, with Maynard handily excluded from negotiations.¹⁷¹

Again, the role of the NFU's professional lobbying enterprise cannot be emphasized enough here: speaking in the 1980s, a senior officer of the NFU's Westminster staff stated, "getting in early is a very important golden rule. We have a sort of intelligence role on behalf of the farmers to keep our ears to the ground to find out what new initiatives are being proposed and what legislation may be coming on with the object of influencing it from the outset... whatever it is we shall be wanting to take an interest from the earliest stage. There is no question that once a piece of legislation reaches Parliament you may be able to tinker around the edges, but the prospect of getting any significant changes at that stage are very remote indeed. Therefore it makes it much more important to try to get it right before it ever enters Parliament".¹⁷² Clearly, in our case the NFU did not mind a formal defeat with the eventual passage of the Bill, as it had shaped the Bill's actual form in Parliament's surrounding environment: an environment the Farmworkers' Union was largely excluded from due to a lack of professional and monetary resources.

Whereas the Farmworkers's Union emerged formally victorious in the policy arena, albeit in a large part due to Maynard's renegade actions, the NFU had dictated the method and extent of the change to occur, so that it coincided with its own material interests: Maynard's more muscular, less cautious approach to lobbying only worked because the NFU was able to shape proposed legalisation to its liking. While Maynard's alternative strategies appeared effective, what was really observed in 1976 was an exercise by the NFU in controlling the political agenda: ADHACs suited the NFU, they pacified the potentially explosive issue of eviction while maintaining the *de facto* right of farmers to dispose of their tenants with short to medium term notice. The farmers' economic resources were transmuted into a legislative reaction, which was forced to gift the Union subordinatory benefits for relatively privileged agricultural workers, but only at the expense of other more precarious workers.

The key lesson to take from this section is the fact that due to the Labour Party's divergent traditional constituents to the Union, it was unwilling to pay more than mere lip service to the notion of working class solidarity and allow the Union to

¹⁷⁰ Danziger, *Political Powerlessness*, pg. 182.

¹⁷¹ *Ibid.*, pg. 182.

¹⁷² Barney Holbeche, "Policy and Influence: MAFF and the NFU". In: *Public Policy and Administration*, 1986, 1, pp. 40-7, pg. 46.

adequately pursue its members' material interests within the confines of the Party's internal structures: cheap food demanded a suppression of agricultural wages. Lacking political resources in the forms of substantial MP representation, further lacking organisational and economic strengths, and dealing with a PLP with much differentiated material interests from itself, the Union was compelled to hegemonically, hyper-cautiously and covertly lobby for subordinatory reform, rather than the total abolition, of the tied-cottage system. With the Party having conflated its interests with those of the NFU, the Union had little chance in radically overhauling the agricultural housing market, and any attempt to do so risked the further alienation of its strongest theoretical ally.

7. Summary of the Union and the Tied-Cottage.

This chapter has, up till this point, looked at the Farmworkers' Union's actions regarding the tied-cottage between 1970-1976, and the ramifications of the legislation that these actions *helped* create. To summarise sub-research questions (vi) to (viii):

vi) What orientations and strategies has the wider Movement employed with regards to precarity-prone workers?

Newby, surveying in the 1970s the state of British agriculture, argues that the workforces' inadequacies in workplace organisation could only be compensated for by the Union building alliances with more powerful external agencies¹⁷³: the Union seemed to be aware of such notions, and sought to utilise a highly cautious legal approach, seeking to regulate tied-cottaging by focussing its efforts on lobbying the Labour Party. The Union displayed an ultimately subordinatory orientation in the process: change resultantly emerged in a reformist, rather than abolitionist manner, to the benefit of some but to the detriment of an eventually larger group of workers.

vii) What causal mechanisms have been responsible for producing or inhibiting said orientations and strategies?

The Union had many reasons to challenge the tied-cottage system: pressure from its rank-and-file, genuine concerns for the wellbeing of its members and the wider workforce, all also the envisioned potential of reform leading to greater organisational strength in the countryside all provided powerful incentives for the Union to push for change.¹⁷⁴ However, having to ally itself to a stronger partner with diverging material interests regarding food prices, the Union was forced to adopt a pre-rejuvenatory and subordinatory orientation regarding certain groups of precarity-prone workers: that is low-paid non-tied workers in the industry. Likewise, in selecting the form of strategy to take, the Union's lack of electoral, financial or organisation leverage over the Party, and the Party's self-identified divergence in material interests, coerced the Union to utilise a soft-touch and discrete legal lobbying strategy with the PLP and NEC.

¹⁷³ Newby, *The Deferential Worker*, pg. 20.

¹⁷⁴ In actuality, the passing of the act coincided with further substantial declines in the Union's membership levels. Some, such as Maynard, attribute this to the free-rider issue – accordingly, legislative protection of tenancy now left little need for Union protection in the minds of workers – though any and all membership declines throughout our periodisation must primarily be viewed through the prism of the drift from the land. Cf. Wynn, *Skilled at All Trades*, pg. 206.

viii) How effective have said strategies been in securing the Union's desired orientational goals, and why?

Ironically, the Union's preferred lobbying strategy only brought dividends once it was seized and altered by a unionist much maligned by the Union's leadership, primarily due to her choice of strategic actions both inside and outside the Union. However, even with this augmentation, the Union was only able to achieve its apparent partial victory once the NFU had designed a policy solution that satisfied its own material interests: the Union's preferred legal strategy was clearly ineffective at securing its own interests. Again, this failure was ultimately caused by the perceived discrepancies between the Farmworkers' Union's members' interests and those the Labour Party conceptualised regarding urban workers. In sum, rejuvenatory collaboration with the Labour Party seemed to bring few dividends, and those only came when the Union adopted a pre-rejuvenatory orientation towards precarity-prone workers in practice.

From this evidence, and that of the previous chapter, it seems the Union has consistently used rejuvenatory *yesque* strategies, even at the earliest stages of our periodisation: namely, a variety of differentiated legal approaches to union action. However, these strategies have been often ineffective in the agricultural environment, now reminiscent of the New Economy: for the Farmworkers, we have so far only seen rejuvenatory legal strategies coherently utilised in conjunction with pre-rejuvenatory orientations towards precarity-prone workers, and even then the effectiveness of these strategies have been partial at best. The legally confined arena of the AWB seems to have offered the Union minimal rejuvenatory opportunities, and a differentiated legal approach, aimed at creating wholly new legalisation regarding the tied-cottage, seems to have performed little better.

This evidence begs the conclusion that the legal approach is an innately ineffective rejuvenatory strategy for a resource poor union operating in a hostile economic environment. This would be a bold assertion to make: key tenets of union rejuvenation theories suggest unions should closer tessellate their actions with those of supportive democratic parties and legal systems. The following sub-sections further interrogates this bold suggestion, by analysing the Union's attempts at changing agriculture's operating environment utilising similar, but also differentiated, channels of influence, in an alternative operational domain. This allows for the cross-referencing and potential validation of this intermediary finding.

8. Agriculture, Health and Safety and Precarity.

To interrogate the intermediately finding I now shift this chapter's narrative, to focus on the actions of the Union in an operation domain regarding the regulation of agricultural health and safety. Clearly, habitational issues are not the sole determinants of a worker's quality of life. Good health and the protection from danger are also minimum requirements. In the Post-War Era the mainstream Movement largely sought satisfaction regarding its members' physical welfare via voluntary collective bargaining processes, and other direct relations between workers and managers. As seen in the preceding chapter, the Farmworkers' influence in bipartite bodies, or tripartite approximations of such bodies, has long been lacking, due to an unequal distribution of resources between itself and its primary adversary, the NFU.

Yet, in terms of physical danger agriculture has been a highly precarious industry for a prolonged period of time, in part due to the same unequal distribution of industrial resources between workers and employers. Therefore the Union has adopted, out to necessity, action plans differentiated in strategy from the Post-War *modus operandi* of the mainstream Movement, in its attempts to regulate health and safety in the agricultural environment.

Agriculture has long been a physically dangerous profession in Britain; such danger is considered a key aspect of job precarity.¹⁷⁵ With workers working ultra-long hours and often alone and in isolation, agricultural work has been a particularly dangerous profession for centuries.¹⁷⁶ However, whereas over-employment and dangers associated with livestock used to provide the trade's principle threats to physical wellbeing, the industrial revolution brought wholly new dangers to the field. An acceleration of the mechanisation and chemicalisation of agricultural work increased physical precarity for the agricultural workforce in the late Nineteenth and Twentieth-Centuries. At the beginning of our periodisation, between 1969-1973, 637 agricultural workers, farmers and other persons were killed on farms¹⁷⁷: only the mining and construction industries were more dangerous industrial sectors in these decades.¹⁷⁸ Looking beyond deadly incidents, in the latter half of the 1970s 4,000 non-fatal agricultural injuries were reported to government agencies each year, and with calculations suggesting agricultural workers reported only 1 in 30 injuries, it is not unreasonable to estimate that 120,000 injuries occurred per year: leaving a staggering annual injury rate of 1 in 3 for the industry's workforce as a whole.¹⁷⁹

The Union has dedicated much of its scarce resources on issues of health and safety throughout its history: the Landworker has long maintained health-specific columns and sections of various guises and, considering the size of the Union, its reactive legal department, which principally deals with health and safety related incidents, was considerably sophisticated when compared to others in the Movement in the 1970s; being one of the first to offer 24 hour legal coverage as an example. The sheer number of health and safety related motions emanating from the various regional and national conferences of the Union throughout the Twentieth Century give some impression of the extent to which the Union desired to secure the physical wellbeing of its members and the wider workforce.

The Union concerned itself with myriad health and safety related issues during our periodisation, not all of which we have time to consider in depth: from an ultimately successful campaign, conducted primarily in the late 1960s, at ensuring all tractors came equipped with safety cabs in case of overturns,¹⁸⁰ to a long running focus on reducing child deaths and injuries on the farm¹⁸¹; from ensuring all agricultural vehicles receive certification of roadworthiness,¹⁸² to issues regarding the handling of chemical additives in animal feed,¹⁸³ the Union often involved itself with issues of health and safety in the 1970s. Beyond these issues, the Union fought for, and won, statutory sick pay from the AWB,¹⁸⁴ campaigned to get Brucellosis

¹⁷⁵ TUC CoVE, *Hard Work, Hidden Lives*.

¹⁷⁶ Hasbach, *A History of English Agricultural Labour*.

¹⁷⁷ *The Landworker*, October 1974.

¹⁷⁸ Danziger, *Political Powerlessness*, pg. 201.

¹⁷⁹ *Ibid.*, pg. 201.

¹⁸⁰ Health and Safety Executive, *Health and Safety: Agriculture 1978/1979*, London: HSE, 1979, pg. 1.

¹⁸¹ National Union of Agricultural and Allied Workers, *Outlook for Agriculture*, pg. 17.

¹⁸² *Ibid.*, pg. 17.

¹⁸³ National Union of Agricultural and Allied Workers, *Annual Report 1972*, pg. 12.

¹⁸⁴ Ministry of Agriculture, Fisheries and Food, *RoWiA*, 1975.

recognised as an industrial disease,¹⁸⁵ and lobbied for the government to investigate harvest lung.¹⁸⁶ Rabies, electrical installations, effluent storage,¹⁸⁷ and the dangers of carbon dioxide poisoning in grain silos¹⁸⁸ had likewise all been issues of contention for the Union in the first decade of our periodisation. In latter years, the Union has occupied itself with fears over genetically modified crops,¹⁸⁹ and joined a wider trade union campaign, spearheaded by the TGWU's central office, aimed at strengthening laws regarding corporate manslaughter.¹⁹⁰ All the while the Union has continued to maintain that working hours need to be reduced in the industry, in order to improve accident and fatality rates.¹⁹¹ Disregarding these numerous campaigns, the remainder of this chapter focuses on those health and safety related issues that the Union has dedicated the most time, effort and resources into addressing during our periodisation, in order to interrogate the chapter's earlier intermediately finding regarding the apparent ineffectiveness of the legal approach. The first issue discussed is agriculture's potential for chemical harm; an issue with which the Union's attentions congealed, in the 1970s and 1980s, around the herbicidal ingredient 2,4,5,T.

9. The Chemicalisation of Agriculture, Precarity, and 2,4,5,T.

This section briefly introduces the reader to the issue of pesticide usage in British agriculture, and its connection to physical wellbeing. Synthetic pesticides tell the tale of the chemicalisation of British agriculture: in 1944 there were 65 approved pesticide products on the market, each one based on a few base ingredients; by 1980, agriculture utilised 800 products produced from over 200 synthetic ingredients.¹⁹² By the commencement of our periodisation much public unease surrounded the agrichemical industry: in the 1940s and 1950s, a herbicidal ingredient, DNOC, was found to be the culprit of a spate of worldwide fatalities,¹⁹³ and in 1962 Rachel Carson's seminal *Silent Spring* underlined the ecological and human dangers posed by the insecticide DDT, thrusting environmentalism into the centre of public discourses on both sides of the Atlantic.¹⁹⁴

At the onset of our periodisation many concerns were being raised, by a number of interested parties, over the usage of one ingredient in particular: 2,4,5-Trichlorophenoxyacetic. '2,4,5,T' had been produced and used since the 1940s. The chemical process that formed this herbicidal ingredient created, as a unavoidable by-product, trace particles of TCDD, a chemical in the dioxin family; rightly regarded as being among the most toxic synthetic structures yet produced, due to their carcinogenic and teratogenic properties.¹⁹⁵ By the 1970s a scientific consensus existed over the fact that contact with pure 2,4,5,T could, due to TCDD impurities, lead to

¹⁸⁵ Wynn, *Skilled at All Trades*, pg. 327.

¹⁸⁶ *Ibid.*, pg. 330.

¹⁸⁷ Trades Union Congress, *Report of Congress 1976*, London: TUC, 1976, pg. 116.

¹⁸⁸ Trades Union Congress, *Report of Congress 1972*, pg. 500.

¹⁸⁹ *The Landworker*, January 1999.

¹⁹⁰ *The Landworker*, September/October 2000; *The Record*, August 2003; November/December 2007.

¹⁹¹ Holland of Unite, *Response to the Department of Environment, Food and Rural Affairs' Consultation on the Abolition of the Agricultural Wages Board for England and Wales*.

¹⁹² House of Commons, *Record of 31st January 1980*, London: Hansard, 1980.

¹⁹³ Donald Hunter, "Industrial Toxicology." In: *J Pharm Pharmacol*, 1953, 5, pp. 145–157.

¹⁹⁴ Rachel Carson, *Silent Spring*, New York: Houghton Mifflin, 1962.

¹⁹⁵ That is, their tendency to cause cancers and birth defects. Cf. Lesley Doyal, Ken Green, Alan Irwin, Doogie Russell, Fred Steward, Robin Williams, Dave Gee and Samuel Epstein, *Cancer in Britain*, London: Pluto, 1983, pg. 111.

both fatal and non-fatal conditions: cancers; skin diseases; miscarriages; sterility and birth defects.¹⁹⁶ However there was no agreement, between scientists, nor between scientific institutions and those workers charged with handling the product, regarding the potential *safe dosage* of the chemical.¹⁹⁷ Regardless, by 1979 Sweden, Norway, the Netherlands, Italy and the USA had either banned or suspended use of the chemical, while Belgium, Luxemburg and Ireland required producers prove that dioxin contamination did not breach 0.01 parts per million. In comparison, the British government allowed a far greater level of contamination: specifying that dioxins should not surpass 0.1 parts per million in any product.¹⁹⁸

10. Chemical Regulation: The Union's Formal Legal Approach.

This section briefly describes and analyses a further usage of a legal strategy by the Union, aimed at restructuring those regulations that determined agricultural usage of potentially dangerous chemicals. Throughout the 1970s, due to the overriding anecdotal concerns of its rank-and-file, the Union committed itself to push for a complete ceaseage in 2,4,5,T's usage, even if this meant harming the productivity records that the Union so often used to justify wage claims on the AWB.¹⁹⁹ The Union would go on to argue that the government was treating 2,4,5,T "like an accused person in the dock ought to be treated: as innocent until proven guilty. So if it's guilty, what then? Hundreds more people will have died agonising deaths from malignant soft tissue cancer while ministers sit on their hands and wait for evidence".²⁰⁰ Clearly, the Union felt that the potential dangers posed by the chemical were so severe that it was right to act in a highly conservative manner regarding its usage, conceding "none of the anti-2,4,5,T campaigners claim to have watertight, copper-bottomed scientific evidence" regarding its apparent ill-effects.²⁰¹ This caution set the Union at odds with the farmers' interests in high yield agricultural production, and the interests of the agrichemical industry, which by the 1980s recorded £542 million pounds worth of annual sales in Britain.²⁰² Farmers and agribusiness strove for maximum yields via the use of chemical inputs, whereas farmworkers, and their Union, privileged the safety of the workforce.

Throughout the 1970s issues related to 2,4,5,T were routinely raised at the Union's conference,²⁰³ and after numerous sporadic actions, the Union significantly increased the amount of resources it dedicated to the issue of chemical usage at the onset of the 1980s. The 1980 and 1982 Biennials demanded Britain ban the manufacturing and sale of all chemical products until extensive trials had been carried out on individual products, and no employee be allowed to use such products without

¹⁹⁶ *Ibid.*

¹⁹⁷ William Durham, "Pesticides in Public Health". In: T. Sheet and D. Pimental (eds.), *Pesticides: Contemporary Roles in Agriculture, Health and the Environment*, New Jersey: Humana, 1979, pg. 18; Danziger, *Political Powerlessness*, pg. 206-7.

¹⁹⁸ National Union of Agricultural and Allied Workers, *Not One Minute Longer*, London: NUAAW, 1980.

¹⁹⁹ Judith Cook and Chris Kaufman, *Portrait of a Poison*, London: NUAAW/Pluto Press, 1982.

²⁰⁰ *The Landworker*, November 1982.

²⁰¹ *Ibid.*

²⁰² Stockbrokers, Wood, Mackenzie and Co, *Agricultural Service*, London: Keynotes Publishing Limited, 1983.

²⁰³ *The Landworker*, June 1972; National Union of Agricultural and Allied Workers, *Motions and Amendments to be considered by the 1980 Biennial Conference*, pg. 24; Trades Union Congress, *Report of Congress 1971*, London: TUC, 1971.

first completing a Union recognised course of instruction.²⁰⁴ Supplementing these demands, the Union sought fundamental changes regarding the formal regulative mechanisms that controlled pesticide usage in Britain.

Between 1957 and 1985, British pesticide regulation fell under the remit of MAFF's Pesticides Safety Precautions Scheme (PSPS), which operated on a non-statutory basis: that is to say, producers and sellers of new, untested pesticides were not required, only encouraged, to join the scheme. The PSPS was responsible for commissioning an Advisory Committee on Pesticides (ACP), a body of academics and civil servants, trained in areas such as pharmacology, toxicology and the agricultural sciences.²⁰⁵ Participating companies supplied the ACP confidential results of in-house tests performed on their own products: the ACP sought to scrutinise these results, and requested more company-conducted testing of chemicals if desired. The agrichemical industry effectively *marked its own homework*, before passing their test results on to the government's *teacher* for review. Perhaps unsurprisingly, in 1979 the ACP had concluded, after completing an eighth review, that 2,4,5,T was benign "if used in the recommended way".²⁰⁶ This perceived whitewash caused uproar from the Union. It argued that the ACP had an operating bias in the favour of agrichemical usage; being under MAFF's purview, which the Union saw as being rife with NFU influence, the ACP was perceived as being dedicated to ensuring high-yield agricultural efficiency at any cost.

In reaction, the Union launched a highly bureaucratic *legal* campaign, focussing on government ministers and insider pressure groups such as the British Medical Association, seeking to "wind up the APC",²⁰⁷ and transfer pesticide regulation to the tripartite Health and Safety Executive (HSE),²⁰⁸ which monitored and regulated health and safety issues across the economy. Worker representation, in addition to the "academic scientists (of the ACP) with no knowledge of what it is like to get (one's) boots dirty",²⁰⁹ was seen as a vital component of oversight from the Union's point of view.

Put simply, the Union believed that, even discounting its ideological and operational biases, the ACP was unable to understand the health and safety implications of 2,4,5,T, or any other chemical, whilst working from offices analysing summaries of company-designed tests, themselves conducted in sterile and controllable indoor environments. The ACP maintained that workers would remain safe if they handled the chemicals in the "correct manner": the Union argued it was in practice impossible to use the chemical according to the manufacturers' guidelines in the field.²¹⁰ Clearly, the Union felt that the ACP effectively blamed 2,4,5,T's victims

²⁰⁴ *The Landworker*, June 1982.

²⁰⁵ Danziger, *Political Powerlessness*, pg. 205.

²⁰⁶ Advisory Committee on Pesticides, *Review of the Safety for Use in the UK of the Herbicide 2,4,5,T*, London: MAFF, 1979; Advisory Committee on Pesticides, *Further Review of the Safety for Use in the UK of the Herbicide 2,4,5,T*, London: MAFF, 1980.

²⁰⁷ *The Landworker*, February 1990.

²⁰⁸ Trades Union Congress, *Report of Congress 1986*, London: TUC, 1986.

²⁰⁹ *The Landworker*, July 1983.

²¹⁰ It is worth repeated the Union's visual description on the banal dangers of agrichemical usage in depth: "there are so many ways of getting splashed or drenched by the chemical. Before use, the chemical has to be diluted. It is very difficult to pour from a five-gallon drum into a half-pint beaker without splashing. Then, while the diluted mixture is being carried in a knapsack sprayer, it can easily seep from the top and leak down the wearer's neck. Operators may well be walking forward through areas which have already been sprayed. Their boots, especially if they are leather, become saturated. It is difficult, often impossible, to detect where the spray has settled". Expanding on this point, the Union argued that, even if ones' employer supplied protective clothing, which the Union maintained was a

for the harms accrued to them, due to their biases and lack of knowledge regarding agriculture's operating environment.

This ultimately unsuccessful legal strategy helps reveal the form of the Union's orientation regarding the interconnections between chemical regulation and worker well-being: of note is the fact that the Union seemed to be seeking workplace protections for all workers, regardless of labour market position; indeed it is difficult to imagine how the Union's regarding chemical regulations even *could* have been pre-rejuvenatory; as chemical sprays refuse to recognise societal cleavages in the agricultural workforce, so the Union did likewise.²¹¹ Likewise, the strength of the Union's orientation is also revealed through these actions: the Union's first 2,4,5,T publications of the early 1980s were not insubstantial pamphlets, but expansively researched investigative reports – akin in form and scope to state-funded studies²¹²; so, when trying to influence the policy of an ultra-hostile Conservative government, the Union sunk scarce resources into a strategy that any observer would sense as having little chance of succeeding; from this one gains some idea regarding the depth of the Union feelings over the issue. *The inclusion seen here was far from tokenistic.*

Unfortunately for the Union, the value it attached to the matter was not met with legislative change. Indeed, when assessing the effectiveness of the Union's legal attempts at legislatively outlawing 2,4,5,T and gaining worker representation in the regulation of pesticides, one surveys abject failure. The Union failed to convince the government that workers were physically unable to follow manufacturers guidelines regarding *correct usage*: Jim Wiggins, the Conservative Parliamentary Secretary for MAFF argued in the latter 1970s that the vast majority of 2,4,5,T incidents were caused by “sheer carelessness” on the part of the user; a position that was never retracted by the MP or the Department in subsequent years.²¹³ Likewise, the ACP, agribusiness and the government all publicly besmirched the Union's apparent motivations in pushing for change: the British Agrichemical Association portrayed the Union's campaign as a “witch-hunt”,²¹⁴ while the Conservative Government portrayed it as “biased”, “politically motivated” and “amateur”.²¹⁵ While the Union's publication of 1982's *Portrait of a Poison* did help open an *advisory* Pesticide Committee on the tripartite HSE, ultimate authority, and insider access to government, still resided with MAFF, the PSPS and the ACP, which maintained their exclusions of worker representatives. In sum, the Union's legal approach, which aimed to restructure a formal regulative body dominated by the interests of an

rarity, “it is common for the spray to get under face masks, gloves and visors. It is also common for operators to transfer the herbicide to their ordinary clothes when they remove their protective gear after spraying. And what if the operator sneezes? Is there any way of using a handkerchief without putting themselves at risk?”. Cf. Agricultural and Allied Workers National Trade Group, *How Many More?*, London: AAWNTG, 1983, pg. 24.

²¹¹ The Union could, imaginably, have encouraged the more precarity-prone workers in the workforce to disproportionately participate in the most precarious practices of the industry. However, the historic and ideological discourses of the Union and the wider Movement would certainly have proscribed such a course of action. Though it has to be noted that the Union pursued an inclusive strategy – implicitly treating all agricultural workers as equally susceptible to health and safety issues – rather than an engaging orientation, which could have considered, for example, how the temporal nature of the seasonal agricultural workforce left non-standard workers more susceptible to certain physical dangers, due to a lack of experience and so forth.

²¹² National Union of Agricultural and Allied Workers, *Not One Minute Longer*.

²¹³ Wynn, *Skilled at All Trades*, pg. 347.

²¹⁴ Danziger, *Political Powerlessness*, pg. 222.

²¹⁵ *Ibid.*, pg. 229.

ideologically hostile government and the economic resources of the agrichemical industry, failed.

This failure should not be unexpected. As seen with regard to the tied-cottage, the Union was unable to translate its relative degree of insider status within Labour Party circles into actual influence over legislative matters, and due to changes in the wider parliamentary environment in 1979, the Union's task in the 1980s regarding chemical regulation was far greater: with the Conservative Party in government, Westminster had become explicitly, rather than implicitly, hostile to the Union's approaches, and with the Union itself acknowledging its desired goal's capacity for harming agricultural production, the usage of the legal approach seems to have been destined for failure from the outset. This *seems* to confirm this chapter's intermediary conclusion regarding the ineffectiveness of legal approaches in a hostile political-economy: such findings will of course be critically revisited when I answer this essay's primary research question, as occurs in chapter seven. However, to complete this chapter's analysis a pertinent point needs to be addressed: despite the fact that the Union failed to change the formal legal regulations that controlled chemical usage in agriculture, Union actions meant that 2,4,5,T usage effectively ceased in Britain by the mid-1980s, reducing precarity in the process. To ascertain how and why this occurred, it is necessary to describe some supplementary strategies utilised by the Union.

11. 2,4,5,T: The Union's Informal Campaigning Approach.

Rather than the above-analysed abortive legal approach, aimed at statutorily re-regulating the industry, it was a concurrently developed course of Union orchestrated-actions that won this precarity-reducing change in industrial norms. In the latter 1970s and early 1980s – in the early years of the mainstream Movement's cascade of decline – the Farmworkers' Union successfully utilised a rejuvenatory *campaigning approach* to union organisation, securing a *de facto* ban on the 2,4,5,T's continued usage in the process. This campaign emerged organically from the rank-and-file of the Union, which had begun to regularly contact the Union's EC in the late 1960s and early 1970s with concerns over the chemical.²¹⁶ As mentioned, by the late 1970s the Union was frequently commenting on the subject, in an attempt to counterbalance the findings of the ACP. However, failing to secure any legislative change and seeing none on the horizon, the Union took *unilateral action* in November 1979.

The Union instructed its members in the forestry industry – which utilised a substantial portion of Britain's 2,4,5,T – to cease handling the product until further notice, and asked its farmworkers to seriously consider their continued usage of the product, pledging to support anyone, providing they were a member, who ran into difficulties with their employer by abstaining from such tasks.²¹⁷ This unilateral regulation of the market, while a common tactic of the relatively privileged craft unions in the Nineteenth Century, had not been a commonly seen industrial strategy in Britain's Post-War decades: the Union was acting in a relatively pioneering manner in prescribing such a wide-scale unilateral product ban.

To vindicate its actions, the Union published widely '*Not One Minute Longer*' in 1980, which included a substantial study on the chemical properties of the

²¹⁶ Mason O'Connor, *Joan Maynard*, 2003, pg. 251.

²¹⁷ *The Landworker*, December 1979.

chemical, along with a hefty dossier of farmworker anecdotes regarding their contact with 2,4,5,T and subsequent ill-health.²¹⁸ This publication's intended audience was specialist readers in the corridors of legislative power: aimed as it was on seeking an insertion of worker representatives into agrichemical regulations. However, the Union received a deluge of messages and queries to its central office on the back of these two actions: while many of these approaches were from the Union's own rank-and-file, a snowballing of interest came from other societal groups. Other unions, MP's, the press,²¹⁹ and state-employers all sought the Union's voice as to whether it was "just there weeds that (were) dying".²²⁰ Likewise, Doctors, environmental groups, and local authorities all solicited the Union's advice.²²¹ As interest increased, Farmworker's Union delegates to the TUC and TUC Women's Conferences moved successive motions, asking not for the wider Movement to lobby government for change, but for the Movement to affect change itself.²²² Links were likewise forged internationally: in 1980 the Union managed to secure the commitment of the *European Farmworkers Association*, a loosely bound peak confederation representing two million European agricultural trade unionists, to instruct their respective members to either cease or seriously consider their usage of the chemical.²²³

The support of one group quickly begat the support of others: each not wishing to find themselves on the wrong side of history, or lawsuits, over the issue. 1980 saw British Rail, and later the English and Welsh Water Boards, cease use of 2,4,5,T²²⁴: due to the fact that both the TGWU and the General Municipal Workers' Union had imposed similar 'unilateral' regulations on their members, on the advice of the Farmworkers' Union.²²⁵ Unilateral bans had augmented practice to become multilateral dictates, borne from a coalition of interests: at the 1980 Trades Union Congress, docking and ship-worker delegates unanimously supported a Farmworkers' Union motion to prevent the importation of 2,4,5,T into Britain,²²⁶ and by January 1981, under pressure from their workers, 74 local authorities in England and Wales had banned use of the herbicide on their properties.²²⁷

The Union purposefully fanned the flames of this explosion of interest, producing further literature on the subject aimed at as wide an audience as possible: such as 1982's *Portrait of a Poison* and 1984's *How Many More?* Such publications helped privilege the contributions of the Union's own rank-and-file in the unfolding campaign: while they were being written, a questionnaire drawn up by Union researchers and allies in the scientific and medical trades was circled to all members, seeking any evidence regarding the chemical's links with health effects.²²⁸ While still formally lobbying for a change in pesticide regulations, much of the Union's activities now revolved around an embrace of a coherent, and distinctly rejuventatory, *campaigning approach* to union activity.

When the Union's campaign was gaining momentum in the 1980s, the British Agrichemical Association launched a well-funded counter-action, sending highly

²¹⁸ National Union of Agricultural and Allied Workers, *Not One Minute Longer*.

²¹⁹ Particularly the left-leaning *Mirror*.

²²⁰ *The Landworker*, December 1979.

²²¹ Kaufman, *In Conversation with Robin Hinks*.

²²² Wynn, *Skilled at All Trades*, pg. 349.

²²³ *Ibid.*, pg. 350.

²²⁴ *Ibid.*, pg. 352.

²²⁵ Danziger, *Political Powerlessness*, pg. 232.

²²⁶ Trades Union Congress, *Report of Congress 1980*, London: TUC, 1980.

²²⁷ Danziger, *Political Powerlessness*, pg. 233.

²²⁸ Wynn, *Skilled at All Trades*, pg. 350.

hostile circulars to all local authorities, amongst the biggest purchasers of the chemical. One such read: “we accept that the trade union movement and others are free to pursue their objectives of seeking direct influence in the control arrangements governing all pesticides. However to... create groundless scare-stories about specific products is deplorable”.²²⁹ Despite these countervailing pressures, by the mid-1980s 2,4,5,T sales in Britain were virtually non-existent: similarly to its latter first campaign to save the AWB, the Union managed to access and use the critical power resource of solidarity with resource-endowed civil-society groups, the wider Movement, state employers, church groups, gardener associations, and others in order to win *de facto* changes in the agricultural environment, which undoubtedly reduced the occupational precarity of its members. All without legal re-regulation, the Union’s spearheading of this approach managed to end large-employee firms’ use of 2,4,5,T on a *de facto* basis by the early 1980s. Ironically, due to the dispersed nature of the agricultural workforce, many of the Union’s own members did not immediately benefit. However, with the support of international contacts the Union sent a delegation to West Germany, the largest remaining manufacturer of the product, and managed to win the support of unionists and environmentalists there to help cease 2,4,5,T’s production in the country. By 1983, all Continental manufacturing of the product had ceased, with only a few producers in New Zealand accounting for the remaining global production of the product.²³⁰ Finally, in 1986, a Farmworker delegation travelled to the Antipodes and managed to forge links with civil-society groups there, ceasing manufacture of the chemical in this final productive centre.²³¹ Whereas the Union found its voice silenced in formal governmental and scientific channels, it found itself able to directly orchestrate the wider public discourse surrounding the chemical, leading to a complete cease in its usage.

12. The Effectiveness of the Union’s Campaigning Approach.

While interrogating the effectiveness of a third consistent usage of a legal strategy, analysis has uncovered a supplementary approach utilised by the Union: in the 1980s the Union coherently utilised a rejuvenatory campaigning approach to remove 2,4,5,T from the industry; this section critically examines the effectiveness of this.

We have seen how the Union apparently found success in its actions in civil-society. Walzer describes civil-society as a “space of uncoerced human association”: such a space is liable to be dominated by capitalist interests reflected through cultural terms, as economic inequality “commonly translate(s)... into domination and radical deprivations (through)... socially mediated process(es)”²³²; however, civil-society, in our instance, proved itself to have been intrinsically open and fractured, an independently existing entity “juxtaposed... against the state... the economy and the private sphere as well”.²³³ This space offered an arena of contestation and struggle, where the Union could secure its material interests despite its lack of power resources in comparison to those organised interests of science, business and the state that ideologically resisted a change in the *status quo* regulation of chemicals.

²²⁹ Cited in Wynn, *Skilled at all Trades*, pg. 352.

²³⁰ *The Landworker*, January 1981; September 1981; December 1982; September 1983.

²³¹ *The Landworker*, March 1986.

²³² Michael Walzer (ed.), *Toward a Global Civil-society*, Providence: Berghahn, 1995, pg. 153, 165.

²³³ Kai Neilson, “Reconceptualising Civil-society for Now: Some Somewhat Gramscian Turnings”. In: Walzer (ed.), *Toward a Global Civil-society*, pp. 41-67, pg. 43.

However, while the Union discovered a way to resist such interests over the narrow issue of 2,4,5,T usage, the following analysis shows that such a campaigning approach would serve the Union poorly if used repeatedly to resist the economic and political hegemony of its adversaries. Solidarity with other occupational groups provided a great power resource for the Union in the 1980s: however, such solidarity was only activated under highly contingent circumstances beyond the Union's control.

The Union formally launched multifaceted actions to end 2,4,5,T usage in Britain in 1970: yet it took most of a decade for the Union to successfully, and at the outset inadvertently, initiate a high profile campaign aimed at ending the usage of the chemical. While in the early 1970s agricultural workers cited plenty of anecdotal evidence linking the use of the herbicide with severe health issue, no publicly accessible, scientifically corroborative evidence existed: high profile events beyond the Union's control changed this lack. In 1976 an industrial explosion in Seveso, Italy, released substantial quantities of TCDD into the atmosphere, causing immediate deaths of crops and animals. Soon after a proliferation of human illnesses and birth defects was noted by journalists and civil-society groups.²³⁴ Subsequently, in 1979, attorneys representing US Vietnam War veterans opened a class action lawsuit against US chemical manufacturers, seeking compensation for health issues caused by the extensive and until then partially declassified use of Agent Orange – a mixture of 2,4,5,T and 2,4,D²³⁵ – in Vietnam, Thailand and Cambodia between 1962 and 1970. Settled for the sum of \$180 million dollars in 1984,²³⁶ this then ongoing court case significantly increased the general British public's concerns regarding the herbicide more than any other issue. The Union knew this well, and did much to underline the connection: the introduction of its 1984 publication '*How Many More?*' read "the cases (of 2,4,5,T related illnesses) we have unearthed are uncannily similar to those Vietnam war veterans who have just received a... pay out from American chemical companies".²³⁷ While the Union had made sporadic appeals against the use of the chemical before this date, it is no coincidence that its major successes were won only *after the intervention of these contingent politicised events*. For this reason, the Union could be ill advised to dedicate substantial resources in campaigns regarding other issues.

A brief analysis of a second major series of health and safety related actions, that the Union has spearheaded during our periodisation, reveals further details as to why this is the case: this is the story of the Union's largely unsuccessful attempts, dating from the mid-1970s through to the present day, at securing a legal basis for Union Roving Health and Safety Representatives (URHSRs) in the industry.

Since the passing of the 1974 Employment Protection Act, workers in firms with union recognition agreements have had the right to appoint health and safety representatives – unionists empowered to inspect the workplace for hazards, access information regarding machinery and chemical usage, and write up legally binding codes of practices for employer and employees alike.²³⁸ Such positions have reduced precarity across the economy, as workers did not have to depend on employers for the

²³⁴ Cf. B. De Marchi, S. Funtowicz and J. Ravetz, *Seveso: a Paradoxical Disaster*, Tokyo: United Nations University, 1996.

²³⁵ That is, another herbicidal ingredient.

²³⁶ Cf. Wilbur Scott, *The Politics of Readjustment: Vietnam Veterans Since the War*, New York: Aldine De Gruyter, 1993.

²³⁷ Agricultural and Allied Workers National Trade Group, *How Many More?*.

²³⁸ Wynn, *Skilled at All Trades*, pg. 322.

provision of safe workplace environments. However, most agricultural workplaces employed too few employees to be eligible for automatic union recognition. Therefore, the Union currently has to make individual voluntary agreements with each and every employer in the industry if and when it wants to secure the same protections long enjoyed by urban industrial workers.²³⁹

In combating this deficit, the Union has consistently pushed for an extension of the 1974 Act, to compensate for the isolated nature of agricultural work, seeking statutory recognition for URHSRs: union representatives empowered to inspect not only one's own union-recognising firm, but other firms in the industry with no union recognition agreements in place.²⁴⁰ The Union has lobbied successive ministers of agriculture, and also sought allies in the wider Movement, medicals professions and other civil-society groups over the issue, winning rhetoric support from some²⁴¹: in 1989 the TUC agreed with the Farmworkers' proposed scheme in principle,²⁴² and vitally the NFU conceded in 1990 that the regulative systems of the day enabled farmers to "ignor(e) basic safety rules and indeed break... the law".²⁴³

While making little progress in the 1970s and 1980s, the Union, with the support of the NFU and in receipt of funds from the European Commission, international union organisations and the HSE, conducted a series of successful independently audited field tests of the system in the 1990s and 2000s. These tests found URHSRs to be a cost effective and desirable supplement to governmental inspectors in the industry.²⁴⁴ The Union felt that the test was particularly "successful to the extent that farmers found it a good source of advice".²⁴⁵ This farmer support for the Union safety rep scheme makes sense on a practical, if not ideological basis: in the first decade of the 2000s, while 32% of deaths on farms were of employees, 56% were self-employed farmers²⁴⁶; seemingly unable to look after their own physical wellbeing, farmers could utilise URHSRs for their own advantage with minimal cost. It seemed then in the early 2000s the Union's hybrid legal, campaigning and partnership approach was close to fruition.

However, disillusionment soon followed: New Labour put the scheme "on the back burner", explicitly due to cost-related fears, in 2005.²⁴⁷ The Union's arguments – that such a project could be funded with less than 1% of the annual state subsidy to the industry, and that in mothballing the scheme hundreds of Union, HSE and governmental hours would be lost – were met with sympathy but no change in policy.²⁴⁸ Ultimately, the creation of URHSRs would have contradicted the government's ideological attachments to a 'deregulated' labour market: like with 2,4,5,T, the Union's legal approach failed due to the structural power differentials that the Union encountered in the governmental arena; despite empirical evidence pointing

²³⁹ National Union of Agricultural and Allied Workers, *Outlook for Agriculture*, pg. 19; John Hose, *Presidential Address to the Biennial*, London: NUAAW, 1980.

²⁴⁰ *The Landworker*, August 1979; Cf. Trades Union Congress, *Report of Congress 1973*, London: TUC, 1973, pg. 493; *The Landworker*, February 1981.

²⁴¹ Trades Union Congress, *Report of Congress 1990*, London: TUC, 1990, pg. 62; *The Landworker*, August 1990.

²⁴² Trades Union Congress, *Report of Congress 1990*, pg. 62.

²⁴³ *The Landworker*, August 1990.

²⁴⁴ ADAS Consulting Ltd., *Measuring the Effect of Health and Safety Advisers and Roving Safety Representatives in Agriculture*, London: HSE, 2006.

²⁴⁵ Kaufman, *In Conversation with Robin Hinks*.

²⁴⁶ Health and Safety Executive, *About Health and Safety in Agriculture*, London: HSE, 2012.

²⁴⁷ *The Landworker*, October/November 2005.

²⁴⁸ *Ibid.*

to the effectiveness of the scheme, a nominally Labour Government failed, like its Conservative predecessors, to implement changes to the regulation of the industry that would have redistributed regulative powers to the workers' favour. However, unlike the issue 2,4,5,T, *no substantial civil societal support snowballed off from the Union's initially legal approach at affecting change.*

Why then did the Union succeed in creating a successful campaign regarding 2,4,5,T, and not over URHSRs? The answer lies in incentives: not those offered to the Union, but other societal actors. The campaigning approach, now well resuscitated by rejuvenating unions, seeks to take trade unions beyond the workplace, and build contacts with other groups with *tessellating material interests*: to be successful, a "congruence between groups' demands and... values, beliefs and emotions" needs to be in existent.²⁴⁹ While the Union was afforded sympathy *en mass* over the issue of URHSRs in the 1970s, 1980s and 1990s, other societal groups did not recognise their material interests tied up in the issue, and they were therefore disinclined to substantially invest their resources into the issue. This logic of self-interested motivation ironically meant that the traditionally antagonistic NFU provided the greatest amount of material support for the URHSR project in the 1990s and 2000s: the farmers' collective stance was vital in implementing the field trials of the system. Wider civil-society groups could not locate a congruence of issues over the narrow issue of work-site safety in agriculture: opposingly, local authorities, state employers, environmentalists and other societal groups could easily ascertain where their material interests lay with regard to an such as 2,4,5,T, once previously discrete information had been inadvertently released into the public domain via contingent political events. This retroactively explains why no campaign congealed around 2,4,5,T for the bulk of the 1970s: it was then regarded as a niche agricultural issue. While the Union of the 1970s was afforded sympathy in droves from the wider Movement and civil-society groups, this solidarity of sympathy was not enough: the eventual international response to 2,4,5,T, so well spearheaded by the Farmworkers' Union in the 1980s, was not driven by altruism, but by self-motivated interests. The revelations of Seveso and Vietnam²⁵⁰ gave groups – equipped with better power resources than the Union – reason to act: larger unions, with the still-existent capability to mobilise militant strike action, whipped local authorities into line, once contingent political events gave these unions good reason to fear for their members' welfare. The Union was fortuitous in the fact that an issue that so closely affected its members also came to be seen as affecting the material wellbeing of more powerful interests in civil-society: therefore a successful rejuvenatory union campaign against 2,4,5,T could be launched; the Union's 2,4,5,T campaign was apparently effective, but under higher contingent and not easily replicable conditions.

Furthermore, even when acknowledging the role of contingent events, one should not interpret the Union's actions over 2,4,5,T as an example of an absolutely successful campaigning approach to unionism. While the 2,4,5,T campaign ultimately led to a reduction in precarity for farmworkers, this reduction was with regards to the ultimately narrow issue of a single chemical. Just like its principle legal actions, the Union's campaigning failed to secure the Union's principle goal of readjusting the regulative systems of the sector in order to better protect the wider health interests of all agricultural workers on a systematic, long-term basis, and thereby reduce precarity

²⁴⁹ Richard Rose, *Politics in England Today*, London: Faber and Faber, 1974, pg. 253.

²⁵⁰ And Thailand and Cambodia.

across the industry.²⁵¹ Only able to mobilise the resources of others if and when others' material interests were at stake: through campaigning, the Union could not achieve a wider regulative influence over the pre-emptive control of all pesticides. Nor could the Union replicate the apparent success of its campaigning approach with regards to URHSRs, leaving agriculture to remain, throughout our periodisation, "still the killing fields".²⁵²

The key lesson to take from this section is the fact that while the Farmworkers' campaigning approach was successful with regards to 2,4,5,T, it relied on the self-interested support of other societal groups, and could not be replicated over more niche agricultural issues.

13: Summary of the Union and Health and Safety.

The past five sections of this chapter have focussed primarily on research sub-question (vi) and (viii), looking at the Farmworkers' Union's actions in the operational domain of health and safety. Analysis finds the Union's attempts, under several governments, to *legally* restructure the formal institutions that regulate agriculture's chemical usage and workplace safety regimes were ineffective: the under-resourced Union, whose interests diverged substantially from those represented by governmental bodies, brought little positive changes to the industry. Alternatively, a *campaigning approach* proved to be an effective supplement to this approach, when restructuring agriculture's chemical regulations. However, this approach's limitations became quickly apparent: wider societal bodies could not be relied upon to provide altruistic support, and therefore the approach could only win narrow and relatively shallow benefits for the Union, over only those issues that directly and negatively affected better resourced interests in society. Because of agriculture's many idiosyncrasies, such a tessellation of interests has been difficult to consistently identify and exploit throughout our periodisation. The ramifications of these findings are discussed at length in chapter seven of this thesis.

This essay has maintained, until now, an uneasy dichotomy: separating the Farmworkers' Union from the urban Movement. We have looked at the Union's actions in several relatively niche operational domains; highly pertinent to the agricultural workforce but perceptively disconnected with the wider economy. Now we shift this thesis' thematic narrative to examine the overlaps between the two.

²⁵¹ In 1986, as a result of the Environmental Protection Act 1985, control of pesticide regulation was transferred to the HSE from MAFF, however, this was the result of European Commission pressure regarding competition, rather than the effect of the Union's actions. Cf. *The Guardian*, 23rd August 1984.

²⁵² *The Landworker*, August/September 1991. While death rates fell slightly in the 1970s, 78 people were killed on farms in 1980; in 2004, figures had nominally fallen again, to 54 fatalities, and in 2011 'only' 42 fatalities were reported in the industry; while this certainly represented a long-term downward trend, one must bear in mind the reductions in the agricultural labour force during this time. For this reason, and due to improvements in other industries, agriculture went from being the third, to the most fatal British industry by the mid-1990s, with this ignoble distinction remaining up to the present day. Cf. *The Landworker*, June 1981; August/September 2004; August/September 1995; Health and Safety Executive, *About Health and Safety in Agriculture*; Anderson and Rogaly, *Forced Labour and Migration to the UK*, pg. 33.

Chapter 5: The Farmworkers' Union, Merging, and the Attempted Imposition of Rejuvenation.

During our periodisation, the Farmworkers' Union has found itself increasingly bound to the mainstream Movement: it is therefore necessary to ask how, if at all, this affected the orientations and strategies of the Union towards precarity-prone workers. This chapter principally examines the events leading up to and following the Farmworkers' merger with the larger TGWU, looking at the Union's actions in an operational domain related to membership recruitment in the process.

Mergers have long played a role in trade union histories. Well before the cascade of decline, Britain's TUC recognised that the structural organisation of the Movement was noticeably contradictory in places, and argued that some kind of conscious reorganisation was called for.¹ However, since the international onset of multiple cascades of decline there has been an acceleration of merger activities: mostly due to merging, there were around 520 unions in the UK in 1970, 440 in 1980, 270 in 1990, and 220 in 2000.² Conscious rejuvenation remained, for the most part, a validating or secondary concern for merging unions: rather than purposefully reorganising itself to secure its continued survival in the New Economy, Britain's merger process left the national Movement's inter-union system as "uneven (and) illogically structured" as always.³ However, contemporary rejuvenation theorists,⁴ and union strategists,⁵ argue that merging processes have prompted unions *once used to relatively privileged positions within industrial relations systems* to rejuvenate their orientations and strategies towards precarity-prone workers, consciously or otherwise. Analyses from the Netherlands, Finland, Germany, and the UK identify several decidedly similar driving forces which have pushed this trend: economic structural changes, membership declines and the privatisation of public services all pushed resource deficient unions to pool their resources, attempt to build economies of scale, increase their perceived authority and regulative clout, and decrease inter-union competition by conglomerating.⁶

The following sections alternatively investigate how the 1982 TGWU merger affected the orientations and strategies of the *relatively unprivileged* Farmworkers' Union, more used to the hostile environmental conditions that were beginning to become recognizable in multiple sectors of the then embryonic New Economy. In section one I discuss the conditions that led to the merge, and in section two demonstrate how this required the Farmworkers' Union to formally augment its orientations and strategies towards precarity-prone workers. In section three I investigate the *ineffectiveness* of this imposed cocktail of orientations and strategies, and in section four explain why this was the case. A summary of the chapter is presented in section five.

1. Dwindling Finances, a Turn to the Left, and the Merger.

¹ Trades Union Congress, *Report of Congress 1962*, London: TUC, pg. 298.

² Jeremy Waddington, "The Trade Union Merger Process in Europe: Defensive Adjustment or Strategic Reform?" In: *Industrial Relations Journal*, 2006, 37(6), pp. 630-651, pg. 633.

³ Crouch, *Afterword*, pg. 354.

⁴ Gary Chaison, "Union Mergers and Union Revival: Are We Asking Too Much or Too Little?" In: L. Turner, H. Katz and R. Hurd (eds.), *Rekindling the Movement*, New York: Cornell University Press, 2001, pp. 238–255; Jeremy Waddington, *Restructuring Representation: The Merger Process and Trade Union Structural Development in Ten Countries*, Brussels, P.I.E/Peter Lang, 2005.

⁵ Cf. Waddington, *The Trade Union Merger Process in Europe*.

⁶ Cf. Visser, *Patterns and Variations in European Industrial Relations*.

Like the mainstream Movement, the issue of finances, or rather the lack of them, greatly affected the Farmworkers at the outset of our periodisation. The Union was close to bankrupt: Bottini spoke regularly of the Union's increasing annual spending deficit, up to £50,859 in 1970, and in 1971 the Union was compelled to increase membership subscriptions by 2 shillings a month and withdraw heavily from its dwindling political reserves, extracting £75,000 that year.⁷ As mentioned, the Union had traditionally offered its members a wider variety of 'friendly society' services when compared to modern urban unions: a lack of rural independent advice bodies, such as the Citizens Advice Bureaux, long compelled the Union to offer resource-intensive non-political services to its members.⁸ In 1972, the Union's legal department fought 3,155 legal cases on behalf of its members.⁹ This represented an increasingly expensive drain on the Union's resources: the Landworker reported that more than anything else, "the friendly society aspect of our Union's work" demonstrated how "finance is the life blood of the industry".¹⁰ Yet the EC, while affirming the need for efficiency drives, ultimately blamed the Union's financial state of affairs on the dwindling agricultural workforce: from a Post-War peak of over 500,000 full-time agricultural workers, the industry experienced a 78% decline in its full-time workforce between 1950 and 1980.¹¹ While a surge in membership in the *Allied Industries* helped shore up the Union's finances in the late 1970s, such developments proved a double-edged sword for the Union. The militant factory workers were prone to expensive strike actions: a 1982 strike at a Bernard Matthews' turkey processing plant removed a further £75,000 from the Union's strike fund.¹²

Concurrently with its escalating financial crisis, the Union took a significant turn to the left. While the Union in the 1920s had decidedly socialist tendencies,¹³ by WWII the Union's EC was markedly on the right wing of the Labour Movement. This trend persisted up to the initiation of our periodisation: in 1971 the Landworker published several unchallenged articles authored by the Conservative Minister of Agriculture, in a move designed to counterbalance Maynard's influence as an occasional columnist, and the letter-writing tendencies of others in the rank-and-file.¹⁴ However, the election of Jack Bobby as General Secretary in 1978 took the Union the furthest left it had been in the Post-War Era. Many other EC Chairs followed suit at around the same time: having previously been a minority voice in Headland House, the left came to dominate by the end of the 1970s.¹⁵ This should be thought of as a lay-member reaction to the Union's performance in the Post-War Era: the 1950s and 1960s had been a moment of unprecedented bounty for the agricultural industry, but under a conciliatory and non-combative leadership the Union failed to secure for its members an adequate share of the spoils; disillusioned with the performance of the Union's officials and its apparent allies in the perceptively right wing PLP, the Union

⁷ Wynn, *Skilled at all Trades*, pg. 94.

⁸ In 1957 the Union reported on some of its day-to-day services: the task of winning £6 compensation for a member's lost coat and the securing remuneration for a member's personal cauliflower crop that had been eaten by a neighbour's sheep featured heavily. Cf. National Union of Agricultural Workers, *Annual Report 1957*, London: NUAW, 1957.

⁹ National Union of Agricultural and Allied Workers, *Annual Report 1972*.

¹⁰ *The Landworker*, May 1970.

¹¹ Wynn, *Skilled at All Trades*,

¹² *Ibid.*, pg. 418, 423.

¹³ Groves, *Sharpen the Sickle*, pg. 39-81.

¹⁴ *The Landworker*, December 1971.

¹⁵ Wynn, *Skilled at All Trades*, pg. 412.

turned to the left in reaction. This gives us an indication of the form of reparative actions that were soon to follow.

The idea of a merger had been mooted several times throughout the Union's history,¹⁶ but with ever-greater frequency in the 1970s. Many in the Union, especially the left, believed that amalgamating with a larger body would bring twinned benefits: of a more secure financial position; and a stronger hand on the AWB and in other arenas of contention. The EC, until the late 1970s, resisted these calls.¹⁷ Their greatest fear, shared by many sceptical lay-members, was that the Union's specific and expert agricultural voice would be diluted in a broader general union: many predicted that the only thing an "asset stripping trade union"¹⁸ would be interested in "would be... (monetary) contributions. Services would fall to the wall".¹⁹ Clearly then, those opposed to a merger rhetorically voiced the fear that an amalgamation would lead to greater levels of precarity in the industry. However, advocates used the same discursive logic: arguing that if it were to remain independent, the increasingly impoverished Union would only possibly be able to function as a *de facto* regional organisation, operating in the West of England where membership density was highest, to the detriment of agricultural workers in other areas.²⁰

The calls for merging from the left persisted till the end of the 1970s, as did the financial crisis of the Union: in 1980 the Landworkers' selling price was forced to double to 10 Pence an issue, after the Union became unable to cover the paper's already discounted printing costs.²¹ That same year, only months after Biennial narrowly voted *against* instructing for a merger,²² the EC recalled delegates for an emergency Conference, to propose once again raising subscription fees. With Thatcher's storm clouds breaking, the now dominant left wing of the EC came to urgently advocate for a radical change in structure. Seeing the Union's inability to act in a decisive manner on insufficient funds, and sensing the illogicality of shoring up the Union's financial situation solely in an industry facing sustained and dramatic job decreases, delegates agreed to open discussions "with the major unions... with a view to a merger with one or other".²³ Maynard seconded the motion as a regional delegate, arguing that "however beautiful small is we just can't go on as we are... if we go under now and don't merge, there will be nobody looking after the interests of rural workers"²⁴: clearly, rhetorically at least, the precarity of the agricultural workforce was at the forefront of the amalgamators' thoughts.

While many members were uneasy with the TGWU's cheap food policy, this general union appeared to offer the greatest array of incentives in the minds of the EC, particularly as the TGWU already participated on the AWB.²⁵ The Farmworkers' were promised a large degree of freedom within the TGWU's internal structure, as a semi-independent Agricultural and Allied Worker National Trade Group (AAWNTG), maintaining a separate delegation to TUC and Labour Party

¹⁶ *The Landworkers*, June 1970.

¹⁷ Hazel, *Presidential Address to the Biennial*.

¹⁸ Cited in Wynn, *Skilled at all Trades*, pg. 116.

¹⁹ *Ibid.*, pg. 116.

²⁰ *Ibid.*, pg. 116; cf. *The Landworker*, April 1981.

²¹ Despite the paper being published in a Movement affiliated printing press.

²² *The Landworker*, June 1980.

²³ Wynn, *Skilled at All Trades*, pg. 117; *The Landworker*, December 1980.

²⁴ *The Landworker*, June 1980.

²⁵ Wynn, *Skilled at All Trades*, pg. 133.

conferences.²⁶ While the TGWU had only a small agricultural presence, with that concentrated in Scotland,²⁷ it did have a relatively sizeable rural membership, and promised a transfer of 75,000 members to the Trade Group,²⁸ to help stabilise the Union's financial resources. With a deal on the table, the EC went to great lengths to convince the Union's members that the financial benefits of association offered to farmworkers – the array of subsidies available to members in cases of redundancy, strike, accident or bereavement – would be substantially improved post-merger,²⁹ as would the fringe facilities offered by the Union: access to the TGWU's sophisticated educational services, which included courses in shop stewardship and safety representation, and the provision of convalescent and holiday centres were touted as substantial incentives to merge.³⁰ An additional perceived incentive was the fact that, instead of enjoying the legislative clout of one Union sponsored MP, the 20+ TGWU sponsored parliamentarians would greatly improve the agriculturalists' parliamentary voice.³¹

Many in the Union remained unconvinced. Previous TGWU mergers had promised much independence to soon-to-be utterly enveloped unions. Such a fate befell then National Union of Dyers, Bleachers and Textile Workers just as the Farmworkers' were conducting exploratory meetings, offering a "dreadful warning" to many lay-members.³² However, in February 1982 the *Landworker* revealed the result of the national ballot it was required to conduct when seeking to merge: by 29,787 votes to 4,709, respondents voted in favour of amalgamation.

The fact that only 52% of eligible voters participated revealed an underlying antipathy towards such an action: the Union's President, Jack Bobby, bemoaned "sadness at the end of an era".³³ Amalgamation was not a normatively desired result: to merge was the lesser of two evils, but it was hoped that the greater financial position of the TGWU would grant the Farmworkers' Union "the stability from which we can redouble our efforts to attack the problems which face agriculture and allied industry workers - low-pay, poor and unsafe working condition".³⁴

The NUAAW's EC became the Group Committee of the AAWNTG.³⁵ Joining the 13 strong NUAAW EC on this committee were 4 TGWU members, from positions of responsibility in the general union's rural section.³⁶ In another augmentation, the Farmworkers' week-long Biennials were substituted by annual, two day National Trade Group Conferences. Conference decisions were, from here on in, complemented by the individual actions of the Trade Group's GC and overarching interventions from the national TGWU Conferences, which Trade Group delegates attended. Above the AAWNTG, the TGWU was structured thusly: at its pinnacle was its all-industry General Executive Council (GEC). Chairing this sat the TGWU's

²⁶ *The Landworker*, January 1982; National Union of Agricultural and Allied Workers/Transport and General Workers Union, *Transfer of Engagement Agreement*, London: TGWU, 1982.

²⁷ Wynn, *Skilled at All Trades*, pg. 123.

²⁸ *The Landworker*, June 1981.

²⁹ *The Landworker*, January 1982.

³⁰ National Union of Agricultural and Allied Workers/Transport and General Workers Union, *Transfer of Engagement Agreement*.

³¹ Kaufman, *In Conversation with Robin Hinks*.

³² *Ibid.*

³³ *The Landworker*, February 1982.

³⁴ Jack Bobby, quoted in *Ibid.*

³⁵ This Group Committee is referred to as the Union's EC throughout this thesis, in order to avoid confusion in chapters where the thematic narrative focuses on the actions of the Union in both its independent and semi-independent forms.

³⁶ *Ibid.*

General Secretary; Moss Evans at the time of the merger. Below this central body there was a series of 12 National Industrial Sector Conferences, “each fiercely independent... not dictated to any more than the farmworkers would be”.³⁷ It was at this level that the AAWNTG joined.

The key lesson to take from this section is the fact that a financial crisis, precipitated by a declining agricultural workforce, required the Union to formally merge with a larger body, and be held ultimately accountable to its policy decisions.

2. Union Actions under the New Regime: the Imposition of Rejuvenatory Orientations and Strategies.

This section recounts how the merger forced a partial change in orientation and strategy from the Farmworkers. At first, the TGWU seemed to recognise that then-existent idiosyncrasies of agricultural production demanded differentiated methods of unionism from the AAWNTG: in June 1982 Moss Evans assured the Union’s members that “we recognise... farming... horticulture and many of the allied industries are not like factories and that’s why we appreciate the need for a specialist service to these workers.”³⁸ However it was not long before the perceived “peculiarities” of the Farmworkers’ Union were addressed by restructurings imposed by Transport House – the TGWU’s central office.³⁹ AAWNTG Branches of less than 50 members were merged, and District Committees were replaced with Regional Trade Group Committees in regions with low memberships: here branch delegates came to work with brothers and sisters from urban TGWU branches, dealing with issues far detached from the NUAAW’s traditional remit.

This development, confirming many members’ fears regarding the dilution of the Farmworkers’ interests, was exacerbated in 1983, when the TUC vetoed the policy of the TGWU and denied the AAWNTG its assured right to affiliate separately at TUC and Labour Conferences; claiming that the Trade Group was not sufficiently independent enough to warrant special consideration. While the trade group could still get agricultural issues raised at conferences via the TGWU’s sizeable delegations, the Farmworkers’ independent operations were certainly inconvenienced by this development.⁴⁰ Waddington, analysing British mergers in the late Twentieth and early Twenty-First Centuries, finds that many of the incentives towards rejuvenation that mergers theoretically offer are counterbalanced and inhibited in practice, as much post-merger attention and resources are directed towards “the minutiae of internal structural changes at the expense of energies spent on renewal”.⁴¹ The structural adjustments felt by the Farmworkers’ Union following their incorporation into the TGWU certainly support this observation.

Having said this, the merger also produced centrifugal forces in the Union’s structure, running against these above-mentioned trends towards centralisation that helped disable membership participation. Many in the Headland House, particular of the right wing persuasion, took advantage of the generous pension and redundancy packages offered by the TGWU.⁴² This encouraged, via necessity, a trend towards

³⁷ Jack Bobby quoted in *The Landworker*, November 1981.

³⁸ *The Landworker*, June 1982.

³⁹ Kaufman, *In Conversation with Robin Hinks*.

⁴⁰ Wynn, *Skilled at All Trades*, pg. 132.

⁴¹ Waddington, *The Trade Union Merger Process in Europe*.

⁴² Wynn, *Skilled at all Trades*, pg. 131.

lay-member participation, which could be described as an organisational approach in contemporary parlance. Even while cutting branches, both Headland House and Transport House encouraged this development⁴³: a new committee of the TUC, the Distribution, Food, Drink, Tobacco and Agriculture Industries Committee – dominated by delegates from the AAWNT – used its inaugural meeting to discuss the tactics necessary to “identify” and “penetrate” “difficult to unionise areas” in the industry; likewise, the 1984 Trade Group Conference emphasized the need for unpaid branch secretaries and rank-and-file members to get involved with recruiting, enabled by personalised canvassing literature supplied by central office⁴⁴; furthermore, aided by the financial clout of the TGWU, the *Landworker* was made free as of January 1984, with it made clear that lay-members were expected to use this resource in attracting new members into the Union’s fold.⁴⁵ Clearly, the recruitment and retention of members became pressing concerns for the Farmworkers’ Union, opening the door for a growth in organising approaches, which helped to counteract the centralising forces imposed on the Union’s internal structures post-merger.⁴⁶

Yet more change soon appeared on the Union’s horizon. The NUAAW was but one in a number of unions to join the TGWU in the 1980s. Despite this series of mergers, the TGWU experienced massive membership declines in the 1980s, as economic restructuring took their tool: between 1981 and 1987, the TGWU’s total membership declined by 708,000 persons.⁴⁷ This decimation soon prompted a significant, consciously deployed attempt at changing the multifaceted orientations and strategies of the TGWU, and by implication the AAWNTG: explicitly seeking to reverse its decline in membership, the TGWU launched its ‘*Link Up*’ campaign in 1987. Being the largest union in Britain at the time, this major initiative represented, in terms of the dedication of resources, the most significant conscious attempt at rejuvenation in the entirety of the Movement at the time.⁴⁸

Launched in February 1987, *Link Up* aimed to, quite literally, link up the interests of the perceived cores and peripheries of the UK’s workforce, and also “make links between industrial and political work, (and) between the workplace and community”.⁴⁹ *Link Up* specifically strove to organise non-standard workers in all sections of the economy: the TGWU argued that it had to “come to terms with changing nature of the workforce and need(ed) to stop talking about the problems these changes have created and do something positive on behalf of the thousands of workers suffering the adverse affects”⁵⁰; rather than blaming or victimising “a complex mixture of part-time, temporary and casual workers... (the) majority (of whom were) women and youth”,⁵¹ *Link Up* orientated itself to defend their interests, by bringing them into the Union’s internal structures. Hying the extent of this intended reorientation, Ron Todd – the TGWU’s General Secretary from 1985 through to 1992 – argued that *Link Up* would be the Twentieth Century’s equivalent of the New Unionism that revolutionised the British craft tradition at the previous *fin de siècle*: that historic tendency refocused the Movements’ attentions to, and enabled

⁴³ *The Landworker*, February 1982.

⁴⁴ *The Landworker*, June 1984.

⁴⁵ *The Landworker*, January 1984.

⁴⁶ Trades Union Congress, *Report of Congress 1983*, London: TUC, 1983.

⁴⁷ Ed Snape, “Reversing the Decline? The TGWU’s *Link Up* Campaign”. In: *Industrial Relations Journal*, 1994, 25(3), pp. 222-233, pg. 223.

⁴⁸ *Ibid.*, pg. 223.

⁴⁹ Ron Todd, quoted in *The Landworker*, April 1987.

⁵⁰ *Ibid.*

⁵¹ *Ibid.*

active participation from, “unskilled general workers”; Todd believed that “temporary and part time workers are in the equivalent position today”, and that via Link Up the resultant *new* “New Unionism will address itself to the problems and aspirations of groups such as temporary workers, women, young people, and members of the ethnic minorities, who have, quite frankly, been neglected in the past”.⁵²

Under the auspices of the then Deputy General Secretary Bill Morris, a coordinatory working party was set up at Transport House to coordinate the campaign. Link Up’s formal orientation was codified in a newly drawn up ‘*Charter for Part Time and Casual Worker*’, which promised that the TGWU would strive to secure *pro rata* pay and conditions, the legal rights of job security, and adequate health and safety provisions for non-standard workers.⁵³ Clearly, Link Up had *more of an inclusive, rather than engaging orientation*, preoccupied as it was with *pro rata* treatment for non-standard groups of workers, and underplaying any exonerating circumstances that could have required differentiated treatment for such groups from the TGWU: according to the campaign’s adage, “temporary workers need permanent rights, part-time workers need full-time rights”.⁵⁴ Underwriting this inclusive orientation was a self-interested motivation to survive: Bill Morris, speaking to the AAWNTG, informed members “we must come to terms (with labour market changes) or die”.⁵⁵ That is to say, while the Link Up campaign was designed to protect and stabilise potentially precarity-prone groups of workers, this stabilisation was ultimately in the interests of the TGWU’s traditional, relatively protected constituents.

Drawing from an extensive repertoire of rejuvenatory strategies, Link Up can be better describe by what it tactics it did not embrace, rather than those that it did: in contradiction to strategic developments emanating from elsewhere in Transport House at the time, Link Up explicitly and stringently disavowed itself from the rejuvenatory tendency towards business unionism: employers were envisioned as playing little role in the developing campaign.⁵⁶ Alternatively, Link Up placed emphasis predominantly on *organising and campaigning approaches to Union action*.

Link Up unfolded in a series of phases during the late 1980s and early 1990s. For its launch, an “organisers’ pack” was produced and distributed nationally, which included briefings on the “periphery” labour force and the freshly inked Charter for Part Time and Casual Worker. Link Up’s first action was to hold a weekend seminar for union officers, including delegates from the AAWNTG, to convince its own staff of the need to prioritise recruitment over the servicing of pre-existent member.⁵⁷ After its February launch, Link Up formally commenced with a week long Kick Start Week in September 1987. Here, Transport House provided suggested activities and campaign materials to all Districts, which were required to draw up individually

⁵² *The Landworker*, April 1987.

⁵³ *Ibid.*

⁵⁴ *Ibid.*

⁵⁵ *Ibid.*

⁵⁶ Bill Morris, speaking to the AAWNTG, emphasized the difference between the Link Up campaign and moves towards business unionism: arguing “there are those unions who think that nothing can be done at all. In a way, they even welcome these (structural) changes (to the economy). They are looking to recruit and keep core workers only. To sell their skills as expensively as possible. Business unionism is a short step down the path of single union deals, the sweetheart approach follows as night follows day, and you end up in a ghastly parody of the old craft unionism, crossing picket lines, selling out the jobs of thousands of your fellow trade unionists. If the trade union movement abandons all but the highest paid and most secure workers, it will pay a heavy price. For core workers will themselves be undermined”. Cf. *Ibid.*

⁵⁷ Snape, *Reversing the Decline?*, pg. 223.

tailored schedules and targets in line with Link Up's stated ideals.⁵⁸ Afterwards, the campaign's first phase began by targeting individual sectors, and trade groups, with "rolling recruitment campaigns": first up was the AAWNTG, along with the commercial road transport, construction and public service sectors of the TGWU. These sectors received increased resources and attention in the first quarter of 2008, with central office placing a general emphasis on the need to prioritise recruitment.⁵⁹

After all sector's had participated in Phase One, Phase Two was initiated in April 1989: this focussed on the need to deepen penetration rates in pre-existent union strongholds, and concurrently still emphasised the need to recruit new groups in unorganised sectors of the economy. Likewise, attention was placed on developing links with wider societal actors, in a distinctly rejuvenatory manner.⁶⁰ This *campaigning* aspect of Link Up purposefully drew from previous TGWU actions: the TGWU had held in 1987 its '*Trade Unions in the Community: a TGWU Conference for Social Action Groups*', where unionists and other invited participants discussed the possibility of building strategic links between unions⁶¹ and other societal groups.⁶²

Phase Three began in 1990, which saw the launch of a two year plan to increase and retain membership numbers: new recruitment and publicity materials were produced, specifically appealing for greater day-to-day involvement from the lay-membership of the TGWU: as an example, in September 1990 the self-descriptive "recruit-a-mate" campaign was launched.⁶³ Such lay-member participation was supposed to be activated through the use of newly created '*Lay-membership Recruitment Teams*': the content of much of Link Up's centrally produced literature aimed to encourage and empower such groups to recruit within their own workplace and in their wider industrial environment.

Link Up was informally mothballed in 1992. The 1991 TGWU Conference had previously instructed the GEC to bring in a managerial consultancy firm to examine the Union's structure and precarious finances. While many of the eventual recommendations made by the consultants tessellated with Link Up's rhetoric aims – consultants underlined the importance of recruitment, internal equal opportunities and the forging of community bridges – Link Up's banner ceased to appear in Union produced literature soon after the commencement of the audit.⁶⁴

The key lesson to take from this section is the fact that soon after the TGWU merger, the Farmworkers' Union's internal structures were significantly centralised, albeit with some countervailing developments also occurring. Later, the TGWU, seeking to reverse its personal cascade of decline, created the self-consciously rejuvenatory Link Up campaign. This explicitly required the Farmworkers' to adopt an inclusive orientation towards precarity-prone workers, to be striven for via use of an organising approach, incorporating elements of campaigning approaches also. All unions, in the voluntarist Post-War Era and beyond, were wont to launch occasional *ad hoc* recruitment campaigns in order to shore up their industrial muscle. The TGWU was no exception. However, radically differentiating Link Up at the time was the nationally coordinated nature of the campaign, its greater emphasis on lay-

⁵⁸ *Ibid.*, pg. 225.

⁵⁹ *The Record*, January 1988.

⁶⁰ Transport and General Workers Union, *One Union TGWU*, London: TGWU, Undated.

⁶¹ N.B the purposeful pluralisation.

⁶² Cf. Transport and General Workers Union, *Trade Unions in the Community*, London: TGWU, 1987.

⁶³ Snape, *Reversing the Decline?*, pg. 225.

⁶⁴ *Ibid.*, pg. 226.

member participation, and its concurrent emphasis on strengthening the TGWU's extra-industrial community role.

3. Link Up and the Farmworkers' Union.

This section looks at how the Farmworkers' Union responded to the imposition of Link Up, principally examining how the Union's recruitment culture was affected. The AAWNTG first responded to Link Up by again calling for lay-member involvement in recruitment, with Jack Bobby appealing to the membership to recruit workers in memory of the Tolpuddle Martyrs.⁶⁵ Furthermore, the Union's delegation to the 1989 AWB negotiations tailored their annual demand with reference to the TGWU's aforementioned Charter, which must be afforded some credit for that year's raising of the part-time differential from 96% to 97.5% of the full-time rate.⁶⁶

However, we must look to the Lincolnshire, Humberside and Yorkshire districts of the Union to see concerted efforts towards Link Up's ideals that went beyond mere rhetorical appeals or highly centralised negotiations on the AWB. Here, the Union focussed its efforts on the labour-intensive horticultural industry: indeed, the Union specifically targeted individual firms with high numbers of employees. Appropriately enough for these operating environments, the Union sought to conduct firm level collective bargaining with employers, but placed "negotiat(ions) to improve the position of women, part-time and seasonal workers... firmly on the syllabus".⁶⁷ In a few of these targeted companies a degree of success was achieved: in one medium sized horticultural firm the Union negotiated a collective agreement that guaranteed *pro rata* rates for temporary workers, archiving an 80% union density rate of such workers in the process.⁶⁸ To note is the fact that here, the Union used the strategy of voluntary collective bargaining, typical of the mainstream Movement in the Post-War Era, while being guided by a rejuvenatory, inclusive orientation.

A few organisers elsewhere, on their own volition, launched programmes designed to complement Link Up's stated aims. District Officer Alex Russell, of Lincolnshire, held a series of meetings intended specifically to recruit part-time and casual female labourers.⁶⁹ Here, Russell augmented the discourse of the Link Up campaign and espoused a positively *engaging orientation*, which sought not only to protect the interests of non-standard groups of workers, but also confirm and cement such labour relations' apparently legitimate position in the labour market.⁷⁰

Clearly then, some Union activists eagerly embraced the aims of Link Up, and several advances were made under the campaign's banner in the areas of the AAWNTG's domain most conducive to traditional forms of industrial relations, due to high concentrations of workers in large-sized firms. However, Link Up was not particularly successful, within the AAWNTG nor the wider TGWU, at achieving its most privileged goals: producing organising cultures amongst rank-and-file unionists, and shifting the TGWU's hegemonic strategy towards an organising approach. A perusal of the *Landworker* and the *Record*⁷¹ in the years of Link Up shows full-time

⁶⁵ *The Landworker*, October 1987.

⁶⁶ Though employer anticipation of European anti-discrimination legislation should be seen as a greater causal factor. Cf. *The Landworker*, April 1989.

⁶⁷ *The Landworker*, March 1988.

⁶⁸ *Ibid.*

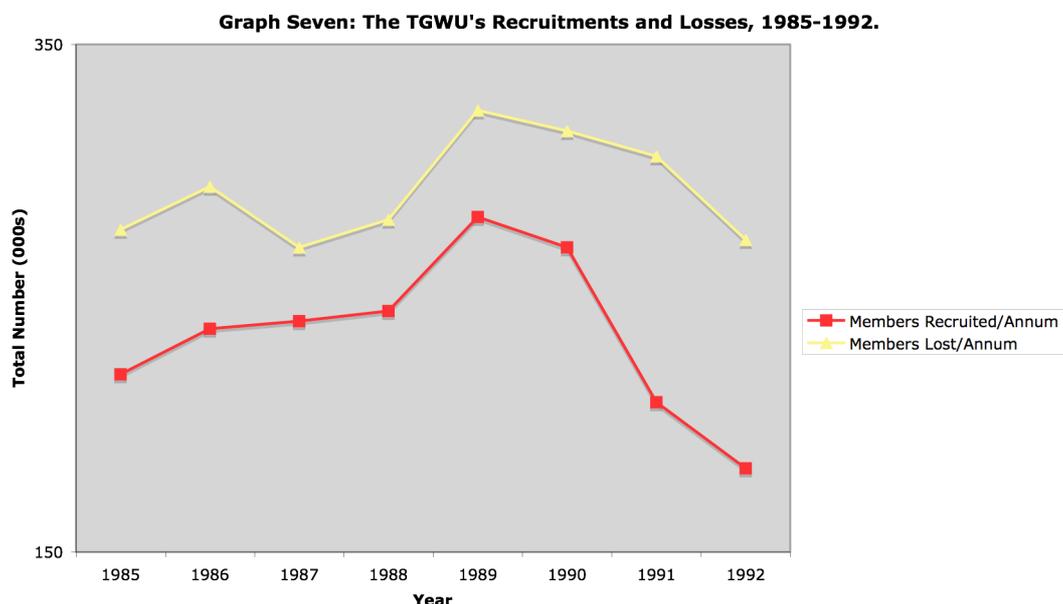
⁶⁹ *The Landworker*, July 1987; October 1987.

⁷⁰ *Ibid.*

⁷¹ That is, the TGWU's all-union paper at the time.

union officials achieved the campaign's greatest successes: while much fanfare was made regarding the potential of lay-member recruitment, neither paper reported many achievements in this area. As both papers would have been highly interested in such developments, it is fair to interpret this silence as evidence of a failure in Link Up's operationalisation.

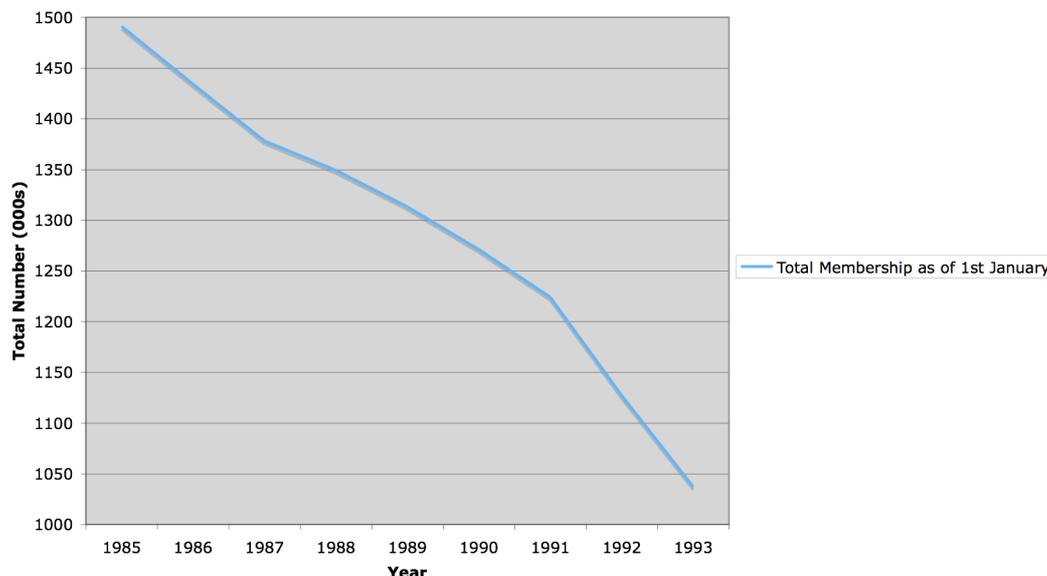
Graph Seven shows the result of this lack of lay-member participation. In the early years of Link Up one can observe a slight increase in overall recruitment rates across the TGWU, as the campaign's drives in lightly organised sectors paid off.⁷² However, without the creation of organising cultures, full-time union officials needed to shift their emphases to achieve such results: this led to a weakening of the services that formed the basis of their normal union duties. This was particularly the case, as those areas of the economy that the TGWU was hoping to organise proved inconducive to low-cost union practices. Resultantly, drop-out rates also increased over the same period, leading to an overall continuation in the precipitous loss of members the TGWU had been experiencing in the height of the cascade of decline, as shown in Graph Eight. Link Up's organisers soon recognised this pattern, stating that due at least in part to the campaign, "recruitment is on a rising curve in the Union but so is membership turnover".⁷³ Resultantly, whereas Link Up had initially been designed with a particular emphasis on recruitment, Phase Three, when launched, placed a renewed importance on retention: the TGWU codified a 'Members' Charter' that promised a "quality assessment" of the resources and services made available to all-ready existing members.⁷⁴ The 'services' of full-time officers were back in vogue, and membership losses, but also recruitment rates, particularly of traditionally difficult to reach precarity-prone workers, dropped accordingly. Key tenets of Link Up's rejuvenatory ideals were jettisoned, to the likely detriment of precarity-prone workers still left external to the union and Movement.



⁷² Unfortunately, individual figures are not available regarding membership, recruitment and drop-out rates of the individual trade groups.

⁷³ Bill Morris quoted in *The Record*, August 1990.

⁷⁴ *The Record*, April/May 1992.

Graph Eight: Total TGWU Membership, 1985-1993.

Sources: Transport and General Workers Union, *Annual Reports of the Certification Officer, 1986-1993*, cited in Snape, *Reversing the Decline?*, pg. 229.

The key lesson to take from this section is the fact that Link Up's imposed cocktail of rejuvenatory orientations and strategies was not effectively at achieving its desired ends on a coherent and widespread basis. Full-time officials achieved the successes that were made, against the spirit of Link Up's organisational ideals. This lesson applies specifically for the AAWNTG, and more generally to the wider TGWU.

4. Explaining Link Up's Ineffectiveness.

Unlike issues on the AWB, and those regarding tied-cottaging and health and safety, it was not features of the Farmworkers' Union's proximate environment that principally led to such a failure in effectiveness. Instead, the internal group structures of the Farmworkers' Union, and the wider TGWU, were culpable. For a start, from the outset of Link Up there was a widespread belief among the TGWU's traditionally left wing and 'fiercely independent' regions and branches that the whole project was a vehicle designed to shore up Bill Morris' internal position within Transport House.⁷⁵ Morris, then Deputy General Secretary, is notably for being, at the time and subsequently, the most senior British unionist of BME heritage. Despite, rather than because, of this fact, many in the TGWU were suspicious of Morris, regarding him as a right wing reformist: a high profile emissary of a faction within the Movement equivalent to the then embryonic New Labour project within the Party. Such suspicions helped prohibit Transport House from legitimately sanctioning its own activities,⁷⁶ which prevented the actualisation of Link Up from theory to practical actions.⁷⁷

Likewise, the internal structures of the Farmworkers' Union proved to be incompatible, not with organising approaches *per se*, but with the organising approach

⁷⁵ Kaufman, *In Conversation with Robin Hinks*.

⁷⁶ Grant, *Pressure Groups, Politics and Democracy in Britain*, pg. 130.

⁷⁷ Morris was elected to the top job in the TGWU in June 1991, after the Link Up campaign had done much to increase his national publicity, and perhaps disguise his 'Third Way' tendencies.

as advocated by Transport House. To understand why this was the case, it is necessary to look in depth at the earlier history of the Union.

From 1906 through to 1911, non-agricultural officials with deep loyalties to the Liberal Party dominated the EC of the Union in its earliest guise. This EC considered its own Union as little more than a Liberal vote machine, to be activated in the run up to national and local elections. It was only the actions of largely independent organisers in Norfolk and elsewhere, who often diverged so much from official Union policy as to be regarded with outright hostility by the then unaccountable, self-selected central office, which kept the Union functioning and growing between elections⁷⁸: Grove's seminal study of the early history of British agricultural unionism is replete with accounts of non-professional organisers travelling the length and breadth of their home counties, and further afield, on foot and bicycles, establishing new branches and ensuring subscriptions were paid, risking their financial and physical wellbeing in the process.⁷⁹ Clearly, the Farmworkers' Union, like all unions, had to recruit to survive in its formative years, and contrary to what the results of Link Up suggest, in the early Nineteenth Century Union lay-members were responsible for much of the Union's recruitment and maintenance. Only an internal coup, that followed the EC's disastrous handling of a Lincolnshire strike in 1911, allowed representatives from the Union's often socialist, pseudo-syndicalist lay-membership to gain controls on the EC.⁸⁰

As the Union matured in the interwar years, this socialist zeal turned to right wing pragmatism on the part of the EC. Concurrently, and necessarily for the expanding organisation, head office and a relatively small pool of full-time staff came to play a growing role in the organisation of the Union: negotiations channelled through the AWB are but the clearest example of the centralisation and professionalisation that accompanied the Union's journey rightwards in the interwar period and beyond. Just before the onset of our periodisation, this centralisation of Union affairs included the formal responsibilities for organising and recruiting: for much of the 1960s, the Union supplemented its unpaid branch officers with a number of dedicated, full-time, recruitment officers. By 1965 there were 6 recruitment officers operating in 24 regional districts across the country.⁸¹

In terms of raw figures, these officers seemed to serve the Union well: in 1963, the Union found that the contributions brought in by said officers more than covered their combined salaries and travel expenses.⁸² The geographic remits of the recruitment officers were selected with reference to the speed of the drift of the land: recruitment officers were sent to work in regions with more precipitous declines in the agricultural workforce. Yet despite these environmental disadvantages, those areas with a recruitment officer saw average sign-up rates of 128 new recruits per 1,000 members in 1966, compared to an average of 80 in other districts: resultantly, recruitment rates in 1965 were on average 8.8% up from 1959's rates in these *professionalised* districts, whereas other district were down -13.9% over the same period.⁸³

However, despite these successes, the lay-membership and delegate base of the Union never shared Headland House's enthusiasm for this professional recruiting

⁷⁸ Groves, *Sharpen the Sickle*, pg. 105-116.

⁷⁹ *Ibid.*, pg. 104.

⁸⁰ *Ibid.*, pg. 123.

⁸¹ National Union of Agricultural Workers, *Organising Sub-Committee Minutes*, December 1966.

⁸² National Union of Agricultural Workers, *Minutes of the General Purpose Committee*, October 1963.

⁸³ National Union of Agricultural Workers, *Organising Sub-Committee Minutes*, December 1966.

culture. It was felt that the involvement of professional staff was an alien imposition on the Union: beneath the layers of placidity, brought about from years of servicing, a general feeling pervaded the rank-and-file to the effect that the Union was, or should, be operated by the lay-membership: consequently, delegates at 1968's Biennial abolished the recruitment officer post, against the Podium's wishes.⁸⁴

This stimulated the budding re-emergence of a grass-root *organising culture* within the Union. This culture, while never particularly effective at stymieing membership losses, could be occasionally glimpsed throughout the 1970s and early 1980s. It would be disingenuous to claim that the mainstream Movement, while focussing on voluntary negotiations, paid no heed to the need to recruit at this time: unionists would often push for the idealised '100% organised' status for their firms, and the Farmworkers' Union did much the same in the 1970s.⁸⁵ However, diverging from the pre-rejuvenatory strategies of the urban Movement, which largely left recruitment to shop stewards or specific recruitment officers, the Farmworkers' Union, from the very outset of our periodisation, afforded a bigger role for its rank-and-file members when trying to increase its membership: in 1973 the Union launched its '*10% Campaign*', specifically appealing for the support of "every member of the Union... certainly every reader of the *Landworker*... should pass this issue on to a non-member"⁸⁶; clearly, it was felt that responsibility for recruitment extended to the rank-and-file, who were called to use "firm but gentle persuasion" "to get the reluctant ones in".⁸⁷ Beyond pressuring non-members, lay unionist were urged to "get to know your MP (and) see that (they were) well informed of the Union's aim and activities"; "attend political meetings... putting the Union's case at every opportunity"; "do everything you can to get a capable Union member on to your local council"; "get to know an editor or journalist on your local paper" and "boycott... firms" engaged in anti-union practices.⁸⁸ While remuneratory and quality of life issues had long been advocated for by the Union's centralised, service orientated structures, these above mentioned functions of Union activity were reserved for the rank-and-file at the outset of our periodisation, and beyond: this emphasis on lay-membership involvement could certainly be described as an organising approach according to Hyman's contemporary categorisation. Indeed, in 1980 the Union's President, John Hose, explicitly stated, "we need a greater involvement of our lay-membership at all levels".⁸⁹ The Union continued to rhetorically appeal for such action through the 1980s: in 1982 the *Landworker* published a page sized graphic of Jack Bobby, decked up in Lord Kitchener's classic attire, questioning unionists "have you recruited a new member this year?"⁹⁰

In light of this operational heritage, one can say that Transport House, when consciously striving to build an organising approach via the Link Up campaign, forced too much of a centralised, unaccountable strategy on the AAWNTG. In the mid-1980s Maynard, having initially been supportive of the merger, argued that "closing small branches has been disastrous, it (has) lengthened the line of communications",⁹¹ alienating and pacifying the lay-membership that Link Up was

⁸⁴ *The Landworker*, July 1968.

⁸⁵ *The Landworker*, July 1973.

⁸⁶ *The Landworker*, August 1973.

⁸⁷ *Ibid.*

⁸⁸ *The Landworker*, February 1974.

⁸⁹ Hose, *Presidential Address to the Biennial*.

⁹⁰ *The Landworker*, October 1982.

⁹¹ Wynn, *Skilled at All Trades*, pg. 281.

later so rhetorically intent on activating. This earlier action did not lend Link Up an air of respectability amongst the Farmworkers' conservative⁹² membership base, which had been highly suspicious of 1982's amalgamation largely for fears of Transport House negating the agricultural voice by bypassing or subsuming traditional avenues of communication. Later, even while Link Up sought to organise the agricultural workforce – particularly those otherwise excluded from trade union activity – the project remained a highly bureaucratic and centralised affair, out of keeping with the idealised form of unionism as subscribed to by the rank-and-file of the AAWNTG. Perceptively, what attempts Link Up made at activating the lay-membership, via Lay-member Recruitment Teams, bypassed the already vandalised, traditional branch structure of the Union.⁹³ This meant that most Farmworker activists could not embrace Link Up in anyway beyond a mere rhetorical manner, hostile as they were to its perceived imposition.

Even the most centralised of unions ultimately rely, to some extent, on the activity, support and interest of its lay-members: workers participate in union activity if and when they are convinced that the union's desired outcomes matter to themselves, that their personal investments in union activity have an instrumental value, that other potential union members will join the organisation, and that the totality of the union's members stand a good chance of succeeding.⁹⁴ Clearly any attempts at rejuvenation would have to assure such concerns at the very least. This was something that the TGWU failed to do with the Link Up campaign and the events surrounding it: in fact, by closing small branches it achieved quite the opposite. Satirising Hyman's vocabulary, one could say that Link Up inadvertently imposed an *anti-communicative* approach unto the Farmworkers' Union. This led to the actualisation of an incoherent, piece-meal, and ineffective mode of rejuvenation, one that the wider trade Movement had become well used to by this stage of the cascade of decline: only the grand scale of Link Up's incoherence was novel.

Melanie Simmms analyses "organising models" as developed, and often normatively advocated, by trade union theorists at the end of the Twentieth and beginning of the Twenty-First Centuries, and argues that self-conscious "organising", in the modern British context, is in fact highly differentiated from the Victorian union activities that strategists have explicitly linked such actions to. Rejuvenation is often touted as the 'rediscovery' of Nineteenth Century forms of unionism. However, in practice syndicalist notions of worker self-organisation have been abandoned by the hegemonic Movement: replaced by a desire for organising that still involves the activation of unions' lay-memberships, but in highly bureaucratic manners with union centers still retaining a high degree of influence.⁹⁵ Only the fuzziness of the term 'organising', and the apparent dichotomy between 'organising' and 'servicing' approaches to unionism, have allowed for a disingenuous construction of connections

⁹² N.B the small 'c' emphasised strongly: here, I describe conservatism – i.e. the antonym of progressivism, rather than Conservatism – i.e. the established political ideology – concerned with the 'natural' stratification of society – and associated party.

⁹³ Which had long seen unionists answerable to, and represented by local branches, which in turn were answerable to, and represented by, regional districts, which in turn were answerable to, and represented at national conferences.

⁹⁴ Bert Klandermans "Mobilization and Participation in Trade Union Action: a Value Expectancy Approach". In: *Journal of Occupational Psychology*, 1984, 57, pp. 189-204.

⁹⁵ Melanie Simmms, *Is There an Organising 'Model'? An Empirical Critique*, Bristol: University of the West of England/ BUIRA Conference, 2008.

between actually contradictory forms of union activity.⁹⁶ The evidence offered up by the Link Up campaign, particularly with regards to its overall ineffectiveness within the AAWNTG, suggests furthermore that a union with a historic heritage of ‘classical organising’ – that is, organising with a close-to-syndicalist form, however ineffective – proves incompatible with the conscious imposition of a centralised ‘rejuvenatory organising model’, despite the two sharing a basic aim of activating lay unionists.

Ironically, there is good reason to suggest that via different methods, an effective organising culture could have been developed in the Farmworkers’ Union over the same period. Speaking to Wynn in 1993, then Union Secretary Barry Leathwood argued that, with the constant rebel rousing and insubordination of delegates during the conciliatory Post-War years, “the Biennials demonstrated the tremendous talent of many lay-members. Yet it was never encouraged in terms of industrial organisation”⁹⁷: agriculture’s once-idiosyncratic environment produced a Union naturally inclined to syndicalist organising tendencies; highly dispersed and small-sized branches could not depend on central staff, nor overburdened district officers, in the way that urban union members could. However, first a right wing EC, and then a cost cutting general union, attempted to standardise the Union’s branch structures. If, rather than bypassing these rebels in the name of efficacy and standardisation, the TGWU had sought to empower the branches of the Union, a dynamic organising model, albeit differentiated from that envisioned by Link Up, could have been created and maintained in practice.

The key lesson to take from this section is the fact that the TGWU’s conscious attempt at rejuvenation did not have enough sympathy for the historical architecture – the traditional operating systems – of the Farmworkers’ Union. Not due to any inherent bias against precarity-prone workers, rejuvenatory technologies were rendered ineffective when applied against the grain of previous operating norms. There had always been an underlying, sometimes deeply underlying, tendency towards decentralisation, rather than centralisation, in the Union’s *modus operandi*, and the TGWU’s actions preceding and during Link Up contravened this cultural directive. Due to this unsympathetic design of the TGWU’s organisational technologies, Link Up’s conscious change in orientation and strategy was rendered ineffective.

5. Summary of the Attempted Imposition of Rejuvenation.

This chapter analyses research questions (vi) to (viii) with regards to the Farmworkers’ Union’s interactions with the wider Movement, namely its interactions with the TGWU. To summarise each

vi) What orientations and strategies has the Union employed with regards to precarity-prone workers?

From the late 1980s, the Union was, for a number of years, compelled to adopt an inclusive orientation towards precarity-prone workers in an operational domain related to recruitment, and make use of centrally operationalised organising and campaigning approaches to union strategy in the process.

⁹⁶ Cf. Kate Bronfenbrenner, Sheldon Friedman, Richard Hurd, Rudolph Oswald and Ronald Seeber, *Organizing to Win: New Research on Union Strategies*. New York: Cornell University Press, 1998.

⁹⁷ Wynn, *Skilled at All Trades*, pg. 425.

vii) What causal mechanisms have been responsible for producing said orientations and strategies?

The drift from the land, and the Union's friendly society functions – which were necessitated by then-existent idiosyncrasies of Britain's agricultural environment – compelled the Union to merge with a larger body as a survival mechanism. This required the Union to subscribe, in theory at least, to the rejuvenatory ideals of Link Up, which were created by the TGWU in an attempt to stave off its own cascade of decline.

viii) How effective have said strategies been in securing the Union's desired orientational goals, and why?

On the whole, actual practical manifestations of Link Up's orientations and strategies were rather thin on the ground within the AAWNTG. Due to the campaign's highly centralised form, and the fact that only years earlier the TGWU had reconfigured the Trade Group's structure in a unilateral manner, it was felt that Link Up had little to offer the average member of the Union, who as a result failed to offer the material support needed for the TGWU to legitimately sanctify its own activities.

Perhaps on reading this chapter, this thesis' research question appears to be fully answered: in that while the Farmworkers' Union initially operated in a marginally differentiated, and relatively coherent, manner with regards to recruitment when compared to the mainstream Movement, a series of mergers and resultant submissions of authority meant that the orientations and strategies of the Union became ever more convergent with the urban Movement as the cascade of decline progressed. Analysis in the next chapter, which looks at the Farmworkers' Union's relationship with labour providers, disproves this proposal: I demonstrate how agriculture's historic operating environment has led the Farmworkers to actualise, albeit while making use of its master-union's enhanced organisational and financial resources, a markedly innovative cocktail of orientations and strategies regarding certain forms of precarity-prone work in the industry, with remarkable, and perhaps mimicable, success.

Chapter 6: The Farmworkers' Union and the Return of Gangmastery.

In this thesis we have observed the Union's actions in a variety of operational domains that have directly affected its own membership – a membership that has partially resembled the archetypal workforce of the New Economy due to the once idiosyncratic nature of agriculture's framing environment. It is now necessary to examine the Union's actions in an operational domain directly interconnected with the archetypal workforce of the New Economy: this chapter looks at the Union's strategic actions regarding triangular employment relations.

Section one describes the history of agricultures' typical triangular employment relation, and that relation's relationship with labour precarity. Section two *describes* the Union's strategic actions regarding this employment relationship, and the resultant effects of said actions. Section three *analyses* the nature of these strategic actions, while section four analyses the orientations that the Union held when these actions were performed. Section five critically assesses the effectiveness of these strategies, and the reasons for this effectiveness. Section six summarises the findings of this chapter.

1. Gangmastery: Two Peaks of Influence.

British agriculture has rarely used a 'standard' bilateral employment relationship¹ between farmer and labourer as its sole *modus operandi*. Differentiating agricultural production from Post-War Fordist norms, third-party *labour providers* have long played a central role in the formation and maintenance of agricultural labour relationships. *Gangmasters* and *gangers* are the traditional names given to labour providers operating in the agricultural sector.²

Gangmastery developed in the first half of the 1800s, as Britain's agricultural employers were pressurised to reduce their wage costs, particularly after the repeal of the Corn Laws in 1846.³ Aiding this wage suppression was the fact that the Poor Laws of the 1800s partially bound unemployed rural persons to their parishes of birth, helping to arrest otherwise irresistible processes of urban proletarianisation.⁴ As adult male farm work was increasingly irregularised and precariatized, rural households were forced to send additional family members into the fields to make ends meet. Resultantly a large, infantilised and feminised rural workforce, essentially local in nature, was born into existence.⁵ Perceptually unable to negotiate and form labour relationships for themselves, *gangs* of around fifty women, children and young men came to be organised and controlled by local patriarchs, normally working class field labourers themselves.

This relationship came to be concentrated in the rural areas around Norfolk,

¹ Vosko, *Less Than Adequate*.

² J. Frances, *The Role of Gangmasters and Gang Labour in the UK Food Chain Network Past and Present: Memorandum Presented to the Select Committee on Environment, Food and Rural Affairs*, London: HMSO, 2003

³ The repeal opened British markets to discounted corn grown in the United States for the first time. Cf. Brass, *Medieval working practices?*

⁴ Cf. W.H.R. Curtler, *A Short History of English Agriculture*, Oxford: Clarendon, 1908; Feldman 2007; Hasbach, *A History of English Agricultural Labour*; Pooley and Jean Turnbull, *Migration and Mobility in Britain since the 18th Century*.

⁵ Cf. Hasbach, *A History of English Agricultural Labour*; Karl Marx, *Capital: Volume One*, Chicago: Charles H. Kerr and Company, 1906, chapter twenty-five.

Lincolnshire and Cambridgeshire.⁶ Gangmasters negotiated a fixed payment from farmers for work done, directed the work of their gang and remunerated their workers accordingly, extracting surplus value for themselves in the process. Such a labour relationship greatly suited farmers and landowners, who were reluctant to employ a regularized, full-time workforce⁷: resultantly, gangmastered labour came to play a central role in mid-Nineteenth Century agriculture, with gang-workers performing “the work for which (independently organised workers) apply for and are refused”.⁸

Victorian gangmastery was highly precarious. The Nineteenth Century gang-system employed workers at highly intensive piece rates for minimal remuneration: a ganged labourer in 1843 would expect to take home 7 or 8 Imperial Pence a day.⁹ Likewise, Gangmasters required workers to perform dangerous and strenuous work: for an 1800s’ ganged labourer, work chiefly involved “weeding, stone-picking, potato-setting and pulling, the spreading of manure, hay-making, and all kinds of work connected with turnip-growing”.¹⁰ Further producing precarity, ganged workers faced uncertain and unsecured employment on a daily basis: workers were paid by the quarter day and if poor weather prevented the completion of a full day’s work, labourers went unpaid.¹¹ Labourers also had to endure physical violence, embark on long and arduous walks to and from work,¹² and forsake opportunities for education; in the 1840s, over half of the ganged workforce was aged between 7 and 13.¹³ Not only was work precarious in these regards: gangmasters were making lucrative profits as “vendor(s) of necessities to the members of the gangs”; charging excessive rates for services, such as the provision of daily meals, under monopoly-like conditions, deflating real wages as a result.¹⁴ Having said this, it would be a fallacy to presume that gangmasters were getting rich from their exploitation: an average gangmaster’s income was modest at best, rarely exceeding that of an “ordinary labourer in regular work”.¹⁵

This initial peak of gangmastery was relatively brief, rising in the mid-1820s, expanding in the 1840s, and declining with the passing of the Agricultural Gang Act in 1867.¹⁶ Relatively dismissive of the economic and extra-economic abuses committed by gangmasters, the Agricultural Gang Act sought to ‘protect’ the manners

⁶ Hasbach, *A History of English Agricultural Labour*; Frances, *The Role of Gangmasters and Gang Labour in the UK Food Chain Network Past and Present*.

⁷ Parliamentary Papers, *Sixth Report of the Children’s Employment Commissioners*, London: HMSO, 1867.

⁸ Parliamentary Papers, *Reports of the Special Assistant Poor Law Commissioners on the Employment of Women and Children in Agriculture*, London: HMSO, 1843.

⁹ Frances, *The Role of Gangmasters and Gang Labour in the UK Food Chain Network Past and Present*; Parliamentary Papers, *Reports of the Special Assistant Poor Law Commissioners on the Employment of Women and Children in Agriculture*.

¹⁰ Hasbach, *A History of English Agricultural Labour*.

¹¹ Frances, *The Role of Gangmasters and Gang Labour in the UK Food Chain Network Past and Present*.

¹² Parliamentary Papers, *Reports of the Special Assistant Poor Law Commissioners on the Employment of Women and Children in Agriculture*.

¹³ Hasbach, *A History of English Agricultural Labour*.

¹⁴ Parliamentary Papers, *Reports of the Special Assistant Poor Law Commissioners on the Employment of Women and Children in Agriculture*.

¹⁵ Parliamentary Papers, *Reports of the Special Assistant Poor Law Commissioners on the Employment of Women and Children in Agriculture*; Frances, *The Role of Gangmasters and Gang Labour in the UK Food Chain Network Past and Present*.

¹⁶ Don Pollard, “The Gangmaster System in the UK: Perspectives of a Trade Unionist”. In: Stephanie Barrientos and Charlotte Dolan (eds.), *Ethical Sourcing in the Global Food System*, London: Earthscan, 2006, chapter seven.

and morals of women: seen as being degraded by unfettered interactions with males in the fields.¹⁷ However, the 1867 Act greatly curtailed the gang-system's continued presence in British agriculture: remaining gangers in the industry were required to acquire a licence and "prove their good character", and males and females were prevented from working in unsegregated gangs; in addition, the Agricultural Gang Act increasingly regularised and problematised the hiring of child labour.¹⁸ Magnifying the effects of the Agricultural Gang Act were the repeals of the Poor Laws in 1865/6, and the enacting of various education ordinances in 1870 and 1876.¹⁹ The Royal Commission on Labour, held in 1893, found that due to a combination of these acts, gangmastery was only still common in Lincolnshire, and even here it was being used less than it had been previously.²⁰ So, while agricultural labour relations never became totally de commodified in the early Twentieth Century, when highly personalised employment relationships remained a norm, triangular employment arrangements were a relative rarity from the 1870s through to the 1970s.

Gangmastery never truly vanished from Britain, and the system played a somewhat sizeable role in British agriculture, particularly in Northern England and Scotland, throughout the Twentieth Century.²¹ However, gangmasters, both legal and illegal, returned *en mass* to British agriculture from the early 1980s onwards, initially re-emerging in The Wash of East Anglia, and Lincolnshire.²² In 2002, Parliament's cross-party Environment, Food and Rural Affairs Select Committee (EFRA) began the state's first major study of modern gangmastery: its final report, published in 2003, conservatively estimated that between two and three thousand gangmasters operated in the agricultural sector, supplying over half of the 72,000 seasonal workers required by British agribusinesses at the time.²³ EFRA heard that British gangmasters had an estimated combined profit of £50 million per annum at this instant.²⁴ Upon their return, gangmasters have taken heterogeneous forms, ranging from small-scale field gangers controlling around twelve persons, to large-scale recruitment organisations, organising workers by the hundreds during periods of peak production.²⁵

¹⁷ Brass, *Medieval working practices?* pg. 323; Parliamentary Papers, *Sixth Report of the Children's Employment Commissioners*; Frances, *The Role of Gangmasters and Gang Labour in the UK Food Chain Network Past and Present*.

¹⁸ Hasbach, *A History of English Agricultural Labour*; Frances, *The Role of Gangmasters and Gang Labour in the UK Food Chain Network Past and Present*.

¹⁹ The Education Act of 1876 made it illegal for children under the age of ten to be employed in any circumstance, and enforced compulsory schooling up to the age of 14. However, children over 10 could still formally work, particularly during harvest periods when rural schools often closed their doors for the express purpose of providing child labour. Indeed, many a Scot or Northerner, if approaching the autumn of their lives, will still be able to recall their 'tatty (potato) holidays' in vivid detail; many a Londoner, of a certain generation, will likewise recount their experiences of the 'hop holidays', when schools would break to aid the beer industry. Cf. Hasbach, *A History of English Agricultural Labour*

²⁰ *Ibid.*

²¹ Phillip Conford and Jeremy Burchardt, *The Return of the Gangmaster*, 2011, available online at <http://www.historyandpolicy.org/papers/policy-paper-125.html>, last accessed 2nd May 2013.

²² Pollard, *The Gangmaster System in the UK*.

²³ House of Commons, *Gangmaster (Licensing) Bill – White Paper Debate 27th February 2004*; Environment, Food and Rural Affairs Select Committee, *Gangmasters: Fourteenth Report of Session 2002-3*, London: HMSO, 2003.

²⁴ International Labour Organisation, *Declaration on Fundamental Principles and Rights at Work: Forced Labour Outcomes of Irregular Migration and Human Trafficking in Europe*. Geneva: ILO, 2003.

²⁵ Frances, *The Role of Gangmasters and Gang Labour in the UK Food Chain Network Past and Present*.

The local female workforce that formed the core of Victorian gangs, alongside children, initially provided the majority of ganged labour on the system's return. However changes in British food production soon diluted their presence. Over the Twentieth Century British growers, using agricapitalist technologies, augmented growing seasons so that gangs, previously required on a seasonal basis, came to be utilised in a year round capacity. Gangworking went from being a part-time to full-time occupation, rendering the job less acceptable to rural women, disproportionately responsible for unwaged household labour responsibilities.²⁶ Therefore, the demographic makeup, and *modus operandi*, of 'modern' labour gangs have become significantly differentiated from their Victorian equivalents. While female and male native workers continued to work within the system,²⁷ migrant workers formed the major component of an average gang in the 1990s and 2000s.²⁸ The majority of gangmasters came to form gangs with a mixed, but migrant heavy demographic,²⁹ as a previously localised network of asymmetrical employment relations came to be internationalised, via the presence of sojourning labour.³⁰

As demonstrated in chapter one, precarity-prone migrant labour has long been utilised in British agriculture. However, what has changed over the past three decades has been the demographic composition of the sector's migrant workforce, which has become increasingly concentrated in labour gangs: Continental European and extra-European workers have substantially replaced intra-British Isles sojourners in the fields and pack-houses of Britain. By 2005, Britain's agricultural workforce was found to contain Portuguese, African, Chinese, Kurdish and Afghanistani workers in far greater numbers than had ever been reported before.³¹ Yet despite the sizes of these migrations patterns, flows from Eastern European nations have dwarfed all others, particularly after 1989 and the collapse of the U.S.S.R and its strict emigration restrictions.³² All in all, by the 2000s the gang-system had largely become "a (foreign) migrant worker issue... 82 per cent of gangmasters... employ Polish or some Polish workers; only about nine per cent of them employ just British workers".³³

This agricultural reconfiguration has broadly mirrored a general increase in the employment of foreign nationals, which has been observed from the 1990s onwards across Britain's low-waged sectors³⁴: total recorded migrations to the UK increased from 314,000 persons/annum in 1994 to 582,000 persons/annum in 2004³⁵; with the number of work-permits issued to non-EU nationals increasing from 40,000/annum to 200,000/annum over the same period.³⁶ Augmenting and further accelerating this growth was the relatively unrestricted migration of persons from the

²⁶ Environment, Food and Rural Affairs Select Committee, *Gangmasters*.

²⁷ *Ibid.*

²⁸ Rogaly, *Intensification of Workplace Regimes in British Horticulture*.

²⁹ Geddes *et al.*, *Gangmasters Licensing Authority Evaluation Study – Baseline Report*.

³⁰ Pollard, *The Gangmaster System in the UK*.

³¹ Anderson and Rogaly, *Forced Labour and Migration to the UK*, pg. 29.

³² Cf. Matthew Light, "What Does It Mean to Control Migration? Soviet Mobility Policies in Comparative Perspective". In: *Law and Social Inquiry*, 2012, 37, pp. 395-429.

³³ Paul Whitehouse, quoted in Wilkinson, *New Labour, the Gangmasters Licensing Authority and the Woefully Inadequate Protection of Migrant Workers in the UK*, pg. 5.

³⁴ Cf. Anderson *et al.*, *Fair Enough?*; TUC CoVE, *Hard Work, Hidden Lives*; Ruhs, *Greasing the Wheels of the Flexible Labour Market*.

³⁵ Martin Ruhs, *Greasing the Wheels of the Flexible Labour Market: East European Labour Immigration in the UK*, Oxford: University of Oxford, 2006, pg. 4.

³⁶ Wilkinson, *New Labour, the Gangmasters Licensing Authority and the Woefully Inadequate Protection of Migrant Workers in the UK*, pg. 1.

EU accession nations³⁷ commencing in May 2004: the period between 2004 and 2006 represented, in absolute terms, the biggest single wave of migration in British history.³⁸

The workers of Twentieth- and Twenty-First Century gangmastery have been consistently subjected to economic and extra-economic strategies aimed at destabilising their employment relations, making them dependent on their employer – the gangmaster, and their labour user – the farmer. EFRA's evidence givers, most prominently the TGWU and the Citizens Advice Bureaux, reported that systematic pecuniary and extra-pecuniary exploitation of workers existed within these relations³⁹: labour providers routinely failed to provide written contracts to workers, infringed minimum wage legislation, made substantial wage deductions and employed intra-gang 'security personnel', who bound workers to employers with the threat of physical violence.⁴⁰ Furthermore, gangsters deliberately contrived situations of perceptual isolation in the 1990s and 2000s, as a means of gaining greater control and leverage over employees, who are rendered unable to complain and seek assistance regarding labour infractions⁴¹: agricultural gangmasters were known to convince EU-15 workers, with the nominal right to reside and work in Britain without qualification, that they were working illegally and accordingly without employment rights. The resultant, constructed, fear of deportation led migrant ganged workers to isolate themselves from everyone but their precarity-producing employers.⁴²

In addition, the element of tied-housing, a method of control previously primarily felt by relatively privileged, permanently employed agricultural labourers, became an additional tool of gangmasters employing workers with origins far removed from the rural workplace.⁴³ Operating largely in the grey economy, gangsters became adept at bypassing the tied-cottage legalisation afforded by the Rent (Agricultural) Act. However, rather than charging privileged rents, to secure the services of relatively skilled workers, gangmasters utilised this differentiated system of tied-cottaging to extract maximum profits from their workforces: one migrant worker informed EFRA that £80 was deducted weekly, from their nominal £83.85/week wage, as payment for poor-quality but high-cost accommodation.⁴⁴ The same worker reported that this *neo*-tied-cottage system, buoyed by the endemic threat that workers would have to pay their ganger their supposed 'costs of recruitment' if they sought work and accommodation elsewhere, effectively bound workers to their employers in relationships resembling debt peonage. The system represented a deepening of precarity in agricultural production: depriving workers of a safe, private and secure environment in which to recuperate after work.⁴⁵ For instance, many

³⁷ Those being, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia and Slovenia, plus Cyprus and Malta, here on in referred to as the *A8 Nations*.

³⁸ Ruhs, *Greasing the Wheels of the Flexible Labour Market*. In the first three months following accession, around 21,000 A8 migrants entered Britain each month, with entry numbers fluxuating around this figure throughout the remainder of 2004 and 2005. Cf. Home Office, Department for Work and Pensions, Inland Revenue and the Office of the Deputy Prime Minister, *Accession Monitoring Report: May 2004 – September 2005*, London: HMSO, 2005.

³⁹ Environment, Food and Rural Affairs Select Committee, *Gangmasters*.

⁴⁰ *Ibid.*, pg. 8; cf. Equality and Human Rights Commission 2010.

⁴¹ Anderson and Rogaly, *Forced Labour and Migration to the UK*.

⁴² House of Commons, *Gangmaster (Licensing) Bill – White Paper Debate 27th February 2004*.

⁴³ Wilkinson, *New Labour, the Gangmasters Licensing Authority and the Woefully Inadequate Protection of Migrant Workers in the UK*.

⁴⁴ Environment, Food and Rural Affairs Select Committee, *Gangmasters*; Brass, *Medieval Working Practices?*, pg. 321.

⁴⁵ Hsiao-Hung Pai, *Chinese Whispers: The True Story behind Britain's Hidden Army of Labour*,

gangsters came to use “hot bedding”, where multiple workers on differentiated shifts were required to share a single sleeping space.⁴⁶ Many of these destabilising strategies would have been much familiar to a ganged labourer of the Nineteenth Century, when poor wages and unreasonable deductions left many workers bound to their gangmasters, unable to build up enough funds to move on to more rewarding employment.⁴⁷

By 2003, gangs of intimidated migrant workers, working excessively long hours for excessively low-wages, and through periods of sickness and dangerous night time conditions,⁴⁸ could be found across the entirety of the UK.⁴⁹ Indeed, in the mid-2000s many of agriculture’s ganged labour relations were found to meet the ILO’s definition of forced labour.⁵⁰ Such findings have been replicated by three independently audited surveys of the industry, conducted in 2007 and 2008, which found that a high level of worker precarity has been a structural imperative of gangmastery since the 1980s at least.⁵¹ Indeed, due to tendencies like those described above, the presence of a labour provider in an employment relation has been used by many *as* an express indicator of labour precarity⁵²: labour providers’ ability to horde and distort information regarding jobs in both sending and receiving societies, limit workers’ access to the market and, particular pertinent to the British countryside, provide the sole means of transport to the workplace produces cultures of dependence. Such dependence is magnified by the presence of debt accrued by workers in return for travel, food, accommodation and the like⁵³: gangmastered labour *is* precarious labour.

Having said this, the intensity of this precarity changes between gangs, and indeed over time. An acceleration of flows within agricultural businesses led gangsters in the 1980s, 1990s and 2000s to demand of their workers perhaps greater levels of flexibility/insecurity than their Victorian equivalents⁵⁴: ganged labour emerged more precarious after its partial hiatus, and appeared to be becoming increasing precarious and intensive year by year.⁵⁵

Gangmastery is not a natural phenomenon, it is a system born out of specific socio-economic circumstances. High levels of international economic competition,

London: Penguin Books, 2008.

⁴⁶ Wilkinson, *New Labour, the Gangmasters Licensing Authority and the Woefully Inadequate Protection of Migrant Workers in the UK*.

⁴⁷ Brass, *Medieval working practices?*

⁴⁸ Rogaly, *Intensification of Workplace Regimes in British Horticulture*; Wilkinson, *New Labour, the Gangmasters Licensing Authority and the Woefully Inadequate Protection of Migrant Workers in the UK*; Geddes *et al.*, *Gangmasters Licensing Authority Evaluation Study – Baseline Report*.

⁴⁹ Citizens Advice Bureau, *Home from Home?*

⁵⁰ Anderson and Rogaly, *Forced Labour and Migration to the UK*. The ILO’s Forced Labour Convention 1930 (No. 29) defines forced labour as “all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily”. Cf. International Labour Organisation, *Policies and Regulations to Combat Precarious Employment*.

⁵¹ Geddes *et al.*, *Gangmasters Licensing Authority Evaluation Study – Baseline Report*; Sam Scott, Andrew Geddes, Katrine Nielsen and Paul Brindley, *Gangmasters Licensing Authority – Annual Review 2007*, Sheffield: Sheffield University, 2007; Alex Balch, Paul Brindley, Andrew Geddes and Sam Scott, *Gangmasters Licensing Authority – Annual Review 2008*, Liverpool: University of Liverpool, 2008.

⁵² Guthman, *Agrarian Dreams*.

⁵³ Rogaly, *Intensification of Workplace Regimes in British Horticulture*.

⁵⁴ Frances, *The Role of Gangmasters and Gang Labour in the UK Food Chain Network Past and Present*.

⁵⁵ Environment, Food and Rural Affairs Select Committee, *Gangmasters*.

and an economically squeezed producing class, typified both the 1980s and the early Nineteenth Century. Indeed, EFRA found in 2003 that gangmastery was “a direct function of greater price pressure which producers are experiencing currently”⁵⁶: the same could easily have been said in the early to mid-Nineteenth Century. At each of these historic conjectures the use of gangmastery represented, for agrarian producers, a methodology for keeping labour costs lower than that of a directly employed workforce,⁵⁷ and maintaining a high level control over labour.⁵⁸ Then, the repeal of the Corn Laws led employers to turn to gangers and their ultra-precarious labour force; *now, much blame can ultimately be put at the feet of the supermarkets*. The following pages develop this point.

One should not vilify gangmasters too much for the precarious labour relations they have come to oversee. ‘Modern’ gangmastery has brought with it a whole array of incentives for increasingly profit-squeezed farmers. Numerous growers in the early 2000s readily waxed lyrical about their newly found foreign labour force, able to be “turned off” and “turned on” at will, with zero cost to the labour user.⁵⁹ Such enthusiasm is easy to understand: historians and social theorists have shown that, internationally, employers benefit greatly from the informal recruitment of labour that seems to be an innate feature of British gangmastery, in that the subversion of immigration and workplace regulations allows for the maximisation of profit at the expense of a degradation of working conditions.⁶⁰ In addition, triangularity allows employers to gain from a *lack* of information: by not knowing how their workers came to the country and gained work on their farms, agrarian employers are granted a degree of plausible deniability *vis-à-vis* any illegal, and precarious, employment practices that may occur on their property.⁶¹ *Farmers’ demand for such perks led to the recreation of the gangmaster system*.

Farmers were likewise complicit in recreating the precarity now intrinsic to the labour relation. In 2005, the TUC heard evidence from gangmasters that “it’s actually very difficult to be a legal gangmaster”: gangers who paid a real wage comparable with the AMW priced themselves out of the market; apparently, farmers simply could not afford to pay such a precarity dampening rate.⁶² Rogaly, interviewing British gangmasters in 2007-2008, finds that many gangmasters in the early 2000s resultantly relied on semi-legal profits, made from denying workers’ holiday and sick pay, in order to keep afloat. Likewise, he found that gangmasters had been effectively forced to use the precarity-producing, uncompetitively charged provision of ancillary services, such as accommodation and transport, as a principle income stream.⁶³

⁵⁶ *Ibid.*

⁵⁷ Frances, *The Role of Gangmasters and Gang Labour in the UK Food Chain Network Past and Present*.

⁵⁸ Brass, *Medieval working practices?*

⁵⁹ Frances, *The Role of Gangmasters and Gang Labour in the UK Food Chain Network Past and Present*.

⁶⁰ Cf. R.M. Prothero, “Labor Recruiting in the Developing World: Introduction”. In: *International Migration Review*, 1990, 14, pp. 221-228; Fred Krissman, “Immigrant Labor Recruitment”. In: Ed Nancy Ed (ed.), *Immigration Research for a New Century*, New York: Russell Sage, 2000; Fred Krissman, “Sin Coyote Ni Patron: Why the “Migrant Network” Fails to Explain International Migration”. In: *International Migration Review*, 2005, 39, pp. 4-44.

⁶¹ *Ibid.*; Dench *et al.*, *Employer’s Use of Migrant Labour*; TUC CoVE, *Hard Work, Hidden Lives*.

⁶² Anderson and Rogaly, *Forced Labour and Migration to the UK*, pg. 32.

⁶³ Rogaly, *Intensification of Workplace Regimes in British Horticulture*.

This was certainly true in the 1980s and 1990s, when the supermarkets were increasingly squeezing agricultural operators' profit margins. *Like gangmasters, one cannot malign labour users too much for the highly precarious and low-waged cultures that came to dominate the gang-system.* Modern farming is “a far cry from orthodox agricultural economics...(with) farmers... in perfect competition with themselves... rather, they are sandwiched between huge companies on both the input and the output side”.⁶⁴ Amongst the largest of these companies in recent decades, rivalling even the agrichemists in terms of influence, have been the supermarkets. *These chain stores have greatly reshaped workplace regimes in the agricultural sector over the last half-century, to the workforces' detriment.*

The abolition of the Retail Price Mechanisms – where producers could stipulate to retailers a minimum sale price for goods and services – in 1964 laid the groundwork for a wholesale restructuring of British grocery retailing⁶⁵: the ensuing price wars of the 1970s led to a decline in the number of British grocery sellers, as a few large retailers began to dominate the market. Global price instabilities, and the inflationary pressures of 1975-76, caused surviving retailers to consciously seek marginal gains via economies of scale, exacerbating further this trend towards oligarchic conditions, which continued into the 1980s and beyond.⁶⁶ Throughout the 1980s the major supermarkets increased their total market share of UK grocery sales from 25% to 40%⁶⁷; by 1993 supermarkets retailed 48% of Britain's fresh produce,⁶⁸ with this number rising to 80% in 2000; by 2004, 98.5% of UK consumers purchased their main food requirements from a supermarket.⁶⁹

Competition between stores kept retail price inflation low – indeed the supermarkets discursively defended their oligarchic positions by presenting themselves as humble servants serving sovereign customer.⁷⁰ Resultantly, profit was extracted from the supermarkets' suppliers, reducing their earnings in the process. With such oligarchic powers, the supermarkets came to cost their purchases with “market-price minus”, rather than “supplier-cost plus”, logics.⁷¹ With so few alternative end-sellers, British producers were forced to play by the supermarkets' rules, being as they were the sole remaining routes to the mass custom of British consumers. This prompted a proliferation of precarious labour relations: as it has been noticed, wages form a significant proportion of agricultural production costs, and therefore irregularisation, real wage deflation and job intensification came to be key tactics utilised by producers when resisting this reduction in profits.⁷² A supermarket buyer conceded in an interview conducted in 2005 that labour costs amounted to 50-60% of their average suppliers' costs, and further “efficiency” savings demanded by

⁶⁴ Charlie Clutterbuck and Tim Lang, *More than We Can Chew*, London: Pluto Press, 1982, pg. 64.

⁶⁵ J. Frances and Elizabeth Garnsey, “Supermarkets and Suppliers in the United Kingdom: System Integration, Information and Control”. In: *Accounting, Organisations and Society*, 1996, 21, pg. 591-610, pg. 594.

⁶⁶ *Ibid.*; C.S.C. Sekhar, *Volatility of Agricultural Prices: An Analysis of Major International and Domestic Markets*, New Delhi: Economic and Political Weekly, 2003.

⁶⁷ Precision Prospecting, *Temporary Workers in UK Agriculture and Horticulture: A Study of Employment Practices in the Agriculture and Horticulture Industry and Co-Located Packhouse and Primary Food Processing Sectors*, pg. 20.

⁶⁸ Frances and Garnsey, *Supermarkets and Suppliers in the United Kingdom*, pg. 596.

⁶⁹ Cf. Precision Prospecting, *Temporary Workers in UK Agriculture and Horticulture*, pg. 20.

⁷⁰ Frances and Garnsey, *Supermarkets and Suppliers in the United Kingdom*; Pollard, *The Gangmaster System in the UK*.

⁷¹ Cf. James Womack, Daniel Jones and Daniel Roo, *The Machine that Changed the World*, New York: Rawson Associates, 1990.

⁷² Rogaly, *Intensification of Workplace Regimes in British Horticulture*.

their supermarket could only be made at the expense of labour.⁷³ Even discounting producers' desire to extract surplus value, the supermarkets ultimately failed to pay their growers a price throughout the 1980s, 1990s and 2000s that did not demand the usage of precarity-prone labour in order to cover costs: between 1988 and 2003, a UK farmers' share in the value of a basket of supermarket goods fell from 56.8% to 41.5%.⁷⁴ Despite, or due to, this fact, by 2006 the profit margins on British supermarkets' sales of fresh fruit and vegetables were the highest in Europe.⁷⁵

The supermarkets did not solely increase precarity by dampening farm-gate selling prices. As mentioned, due to their newly acquired oligarchic powers, profits boomed for these end-point sellers: typical operating margins of 1.8% in 1978 inflated to between 5-7% by 1989.⁷⁶ Such conditions set the stage for an extensive technological reconfiguration of UK grocery retailing in the 1980s, when high-tech, high-cost ICT and accounting technologies allowed multiple-store supermarkets to closely integrate themselves with their suppliers.⁷⁷ The technologies used to secure this integration were numerous: however, a key tool was the use of "quick response partnerships" – a "harmonisation of order management, inventory replenishment, physical handling, transport and the point of sales through electronic interfaces".⁷⁸ These partnerships ensured close coordination between grocers and producers, eliminated apparent slacks in supply-chains and allowed the supermarkets to exert ever-greater levels of control over their suppliers.

These "preferred partnerships"⁷⁹ were highly asymmetric, in that they were not legally seen as contracts of employment, but informal transactions *sui genesis*, reproduced, or not, on an *ad hoc* basis⁸⁰: if a relationship turned sour, a supermarket was, and is, capable of using their oligarchic powers and knowledge to create a new contact with relative ease; opposingly, a lost contact could prove fatal for a supplier, particularly as the increasingly opened global markets of the 1980s and 1990s allowed supermarkets to substitute local producers with global suppliers if unsatisfied with performance.⁸¹ *These threats granted the supermarkets considerable informal regulative powers over their supply-chains*, which were increased exponentially with

⁷³ Precision Prospecting, *Temporary Workers in UK Agriculture and Horticulture*, pg. 30.

⁷⁴ Department for Environment, Food and Rural Affairs, *Agriculture in the UK 2003*, London: HMSO, 2004.

⁷⁵ Pollard, *The Gangmaster System in the UK*.

⁷⁶ Frances, *The Role of Gangmasters and Gang Labour in the UK Food Chain Network Past and Present*.

⁷⁷ Frances and Garnsey, *Supermarkets and Suppliers in the United Kingdom*; Pollard, *The Gangmaster System in the UK*; Precision Prospecting, *Temporary Workers in UK Agriculture and Horticulture*.

⁷⁸ Alan McKinnon, "Electronic Data Interchange in the Retail Supply-chain". In: *International Journal of Retail and Distribution Management*, 1990, 2, pp. 22-25. The then marketing director of Tesco, Terry Leahy, spoke of these technologies at length in 1993. It is worth repeating his description of his supermarket's quick response partnerships in full: "we have linked ordering to our electronic point of sale system. And we've linked our ordering system to our suppliers with electronic data interchange. Now when we sell a sandwich, for example, the sale is registered by the scanner, which automatically speaks to the ordering system, which orders a replacement. This is transmitted to the supplier straight into the supplier's production planning system; automatically calculating the raw ingredients required, the amount to be produced on the next shipment, the labour needed, the line capacities, the dispatch and distribution details and so on. Out go the lorries into the distribution depots; deliver straight to stores, back on the shelf, back in the trolley and across the scanner within forty-eight hours". Cf. Terry Leahy, *The Retailer as Supply-chain Innovator*, IDG Annual Convention, 1993.

⁷⁹ Frances and Garnsey, *Supermarkets and Suppliers in the United Kingdom*.

⁸⁰ Frances, *The Role of Gangmasters and Gang Labour in the UK Food Chain Network Past and Present*.

⁸¹ Frances and Garnsey, *Supermarkets and Suppliers in the United Kingdom*.

the passing of the 1990 Food Safety Act, which legislatively justified “the use of private standards to discipline and impose costs on suppliers” in the name of “consumer interests”.⁸² The BSE crisis of 1996 further discursively legitimised supermarket control of supply-chains, as supermarkets came to present themselves as defenders of the public’s health.⁸³

In practice, supermarkets became empowered to fully dictate supply programmes to ‘their’ growers, down to the most minute of details.⁸⁴ The supermarkets’ buying regimes had the tendency to produce insecure, and therefore precarious, employment relations throughout their supply-chains. Preferred partnerships usually took, and continue to take, the form of a yearly forecast of demand, which were subsequently refined with monthly, weekly and indeed daily adjustments in orders⁸⁵: these place implicit demands on producers to employ an ultra-flexible, “just-in-case’ workforce, due to the inherent need to “turn on” and “turn off” labour supply at the unpredictable whim of the supermarkets.⁸⁶ This designed unpredictability of buyers demanded an irregularised workforce. It was in this murky quagmire that the legal and semi-legal relations of ganged labour bloomed: a 2000 report by the Britain’s Competition Commission found that by “appropriat(ing) ever-greater value from horticultural producers”, the supermarkets were negatively affecting the labour markets of Britain⁸⁷; likewise EFRA found “the dominant position of the supermarkets in relation to their suppliers is a significant contributory factor in creating an environment where illegal activity can take root”.⁸⁸

It was not just the growth of the supermarkets that ushered in the second age of gangmastery, earlier legislative restructurings helped facilitate the widespread return of the system: the 1960 Local Government Act abolished the apparently obsolete licensing system established by the 1867 Act, leaving a regulatory vacuum waiting to be filled. Licensing for high-street employment agencies *was* introduced across the British economy with the 1973 Employment Agencies Act: this act came to regulate the actions of *some* gangmasters; if a gangmaster let their gang be controlled by the labour user, they required a license; if gangers directed labour themselves they were considered self-employed subcontractors and were not required to be licensed.⁸⁹ Yet even for those requiring a licences, the criteria for acceptance was lax and

⁸² Susanne Freidberg, “The Ethical Complex of Corporate Food Power”. In: *Environment and Planning: Society and Space*, 2004, 22, pp. 513-531, pg. 520; Rogaly, *Intensification of Workplace Regimes in British Horticulture*; Precision Prospecting, *Temporary Workers in UK Agriculture and Horticulture*. When one talks of the regulation of labour, one often thinks of the role of the state in affecting labour relations. However, regulative control of labour is routinely wrought, directly or indirectly, by other social actors. Cf. Peck, *Workplace: The Social Regulation of Labor Markets*; Chandler, *The Visible Hand*; Mark Goodwin, “Regulating Rurality? Rural Studies and the Regulation Approach”. In: Paul Cloke, Terry Marsden and Patrick Mooney (eds.), *Handbook of Rural Studies*, London: Sage, 2006, pp. 304–316; Rogaly, *Intensification of Workplace Regimes in British Horticulture*.

⁸³ Freidberg, *The Ethical Complex of Corporate Food Power*.

⁸⁴ Precision Prospecting, *Temporary Workers in UK Agriculture and Horticulture*.

⁸⁵ Frances and Garnsey, *Supermarkets and Suppliers in the United Kingdom*.

⁸⁶ Frances, *The Role of Gangmasters and Gang Labour in the UK Food Chain Network Past and Present*.

⁸⁷ Competition Commission, *Supermarkets: a Report on the Supply of Groceries from Multiple Stores in the UK*, London: Competition Commission, 2000; Competition Commission, *The Supply of Groceries in the UK Investigation*, London: Competition Commission, 2008.

⁸⁸ Environment, Food and Rural Affairs Select Committee, *Gangmasters*.

⁸⁹ *Ibid.*

enforcement even more so⁹⁰: during the 21-year period that licensing was in place, only 0.1% of new applications or licence renewals were rejected. What is more, enforcers took a *laissez-faire* approach to agencies operating without a licence.⁹¹ The 1994 Deregulation and Contracting Out Act dissolved this toothless licensing scheme in the name of red tape and bureaucracy.⁹² In effect, gangmasters were gifted a legislative *tabula rasa* on which to build on from the 1960s onwards, to be used if and when economic circumstance demanded their return.

Indeed, precarity-producing behaviour on the part of gangmasters seemed to be tacitly approved of by the state in the 1980s, 1990s and early 2000s, as it made no concerted effort to combat the precarity of these labour relations until the Twenty-First Century. Throughout the 1980s and 1990s, MAFF had generally refused to act proactively regarding the system, and instead waited for individual complaints before opening investigations. The few Conservative-led governmental actions against the system had not been guided by the principle of worker protection, but concerns over tax and benefit fraud on the part of gangers and ganged workers alike: in 1988 the Benefit Fraud Inspectorate attempted to prosecute 20 gangers and 40 ganged workers for offences under social security legislation.⁹³ New Labour inherited this lack of interest in agricultural employment protections, and governmental inaction remained the order of the day up until the mid-2000s. When Labour did intervene with this labour relation, it too appeared to be more concerned with its purse strings rather than employment conditions⁹⁴: in 1997 the Labour Government, concerned with tax evasion, launched an Interdepartmental Working Party on Gangmasters, which led to the initiation, in 1999, of the inter-body *Operation Gangmaster*, aimed at combating illegal practices in East Anglia. The scheme was later rolled out to other areas of the country. However, chronic under funding, a lack of leadership and a confused purview led to the abject failure of the scheme, which comprehensively failed to dent the tax evading tactics of gangmasters, let alone protect workers from precarious employment.⁹⁵

The key lesson to take from this section is the fact that the triangular labour relationship that is gangmastery has arisen twice in the fields of Britain over the past two centuries. This labour relation has been consistently, indeed inherently,

⁹⁰ TUC CoVE, *Hard Work, Hidden Lives*.

⁹¹ Environment, Food and Rural Affairs Select Committee, *Gangmasters*.

⁹² Anderson and Rogaly, *Forced Labour and Migration to the UK*; House of Commons, *Gangmaster (Licensing) Bill – White Paper Debate 27th February 2004*.

⁹³ The Union noted “with wry amusement the fact that one governmental department at least (was) acknowledging the case that the TGWU has been making against gangmasters”. However, Redgate argued “the problem will only begin to be redressed if the same dedication is shown by the Wages Inspectorate and the Ministry of Agriculture”. Cf. *The Landworker*, May 1988.

⁹⁴ *The Landworker*, July 1998; Geddes *et al.*, *Gangmasters Licensing Authority Evaluation Study – Baseline Report*; Precision Prospecting, *Temporary Workers in UK Agriculture and Horticulture*.

⁹⁵ It is worth repeating EFRA’s perception of Operation Gangmaster at length: “(it) appears to be little more than an umbrella term for a few local enforcement operations in which the various agencies have exchanged information. Five years after it was established Operation Gangmaster has had no significant resources allocated to it, has no targets and no Minister to take overall responsibility for its activities”. The Committee concluded Operation Gangmaster “remains a woefully inadequate response to the complex enforcement issues arising from the illegal activities of gangmasters”. In the time between the commencement of Operation Gangmaster and the publication of EFRA’s report, only 13 gangmasters were successfully prosecuted as a result of its actions. Cf. Environment, Food and Rural Affairs Select Committee, *Gangmasters*, pg. 37; Geddes *et al.*, *Gangmasters Licensing Authority Evaluation Study – Baseline Report*, pg. 26.

precarious, utilising a number of pecuniary and extra-pecuniary control mechanisms to exploit the ganged workforce. Farmers resurrected its modern conception as a survival mechanism, in the face of the oligarchic supermarkets' regulative controls of agricultural supply-chains.

2. The Farmworkers' Union, Gangmasters and the GLA.

This section describes the Union's ongoing actions regarding gangmastery, and the resultant regulative reconfigurations that these actions helped bring about. Despite its consistently subordinatory orientation towards casual workers as displayed on the AWB, the Farmworkers' Union has been highly active over issues *vis-à-vis* gangmastery throughout our periodisation. The Union has variously sought the complete abolition of the gang-system, and the more conservative target of the recreation of an effective licensing and inspection authority for gangmasters.

Before any other societal group had publicly acknowledged the *return of the gangmaster*,⁹⁶ the Union was commenting on the exploitation of Southern European workers, who were working massive hours for minimal pay in Britain's fields,⁹⁷ and reporting its concerns regarding intra-British Isle sojourning "moonlighters".⁹⁸ The Union went on to officially launch a concerted campaign against gangmastery in 1983: Paul Redgate, a district organiser in Lincolnshire, coordinated branch secretaries to produce a dossier on the system in the area.⁹⁹ This followed a performance by Maynard in the House of Commons, where she had argued for a system of licensing to be reintroduced.¹⁰⁰ This was not a centrally imposed campaign, as Link-Up would later prove to be, despite its similar scope and target: that is, unorganised casual workers. It was unionists in South Lincolnshire, Norfolk, Cambridgeshire and the Fens who seemed principally concerned by gangmastery at this time, when and where it was seen as a "growing problem"¹⁰¹: at the 1983 National Trade Group Conference, a branch delegate from Lincolnshire moved again for a system of licensing to be introduced, "in view of the fact that anyone can set themselves up as an agricultural gangmastery, and this can and does lead to exploitation of workers".¹⁰²

At this time, gangmastery was still viewed by the Union as being principally a feminised and seasonal phenomenon: "when farmers need temporary labour at peak periods... they turn to gangmasters to supply that labour and he engages the workers".¹⁰³ However, even at this time Maynard voiced the Union's fears that gangmastery was *becoming* a year-round, embedded feature of the agricultural geographies of certain areas: in Parliament, Maynard described the situation in Geest, Lincolnshire, which "always had 12-week contract workers. Now they were being called seasonal workers and paid £1.60 an hour instead of £1.74... the women wait

⁹⁶ Conford and Burchardt, *The Return of the Gangmaster*.

⁹⁷ *The Landworker*, January 1972.

⁹⁸ *The Landworker*, March 1982.

⁹⁹ *The Landworker*, February 1983.

¹⁰⁰ *The Landworker*, February 1983. Unfortunately for the Union, the Conservative's Undersecretary of State for Employment responded to Maynard's evidence by stating that he did "not believe it was true there are large numbers of unscrupulous people who go in for the intimidation of their workers and that there is widespread abuse". Quoted in Wynn, *Skilled at All Trades*, pg. 286.

¹⁰¹ *The Landworker*, February 1983.

¹⁰² Agricultural and Allied Workers National Trade Group, *Motions Considered by the AAWNTG Annual Conference 1983*, London: TGWU, 1983, pg. 8.

¹⁰³ *The Landworker*, February 1983.

outside their doors in the hope they will be given a job and some pay by one of the gangmasters".¹⁰⁴ Clearly, the Union recognised, and was concerned by, the fact that female part-time workers were becoming casualised and informalised in these areas, via the use of gangmasters, which had the effect of limiting employment protections: "the result is that there is a widespread abuse of AWB orders, trade union rates are ignored, and there is no security of employment. The system is encouraging farmers... to get rid of their regular labour and to bring in gangs instead, so the farmers are paying less an hour in wages, no sick pay, no insurance and no holiday pay".¹⁰⁵ Unionists were particularly concerned that gangmastery encouraged the proliferation of yellow-dog contracts: Maynard, again in Parliament, argued that any ganged worker who joined a trade union would, at best, never be called upon for their labour again.¹⁰⁶

A significant development, which demonstrated the uphill task the Union was facing, occurred in 1987: Richard Body, the Conservative MP for Holland, Lincolnshire, introduced a Private Members' Bill (PMB)¹⁰⁷ seeking to introduce a licensing system similar to that desired by the Union. Despite originating from the governmental party's backbenches, MAFF "doubted whether a system of licensing would improve the terms and conditions of workers" and found "the regulation of gangmasters would run counter to the thrust of Government's deregulation policy... the gang-system is a convenient arrangement which provides the necessary flexibility for farmers to meet their short-term needs and for the worker to choose the hours of work that fit their personal commitments. The advantages of the system for all concerned outweigh the cases of abuse that may arise"¹⁰⁸: while the Bill had gained cross-party support, the ideological bent of the government blocked legislative action on the issue for the foreseeable future, complicating the Union's actions.

The Union hoped that a change in government could affect legislative change over the issue,¹⁰⁹ and occasionally lobbied the Labour Party over the issue in the 1980s and 1990s: the system was discussed at particular length by Union delegates at the 1988 National Conference for Labour Women.¹¹⁰ Upon the election of New Labour in 1997, the Union seemed initially hopeful that the lobbying it had participated in with the Party in opposition would pay off: the Union met with the new Minister for Agriculture to "discuss... (the) need to regulate the system of casual labour that so often exploits vulnerable workers".¹¹¹ However, little immediate results were seen to follow this meeting.

Concurrent to this actualisation of a *semi-coherent legal approach*, the Union clearly believed that an alternative avenue for progression had to be sought. Unionists in Lincolnshire attempted, from the summer of 1987, to unilaterally regulate the labour market, like the national Union had successfully done over 2,4,5,T, by starting its own voluntary register of gangmasters. The Union approached gangmasters, requesting they "sign a statement agreeing to minimum standards". Redgate, at the helm of the register, told the Landworker that his members had no confidence in the current government halting gangmastery, "so we decided to set up own register. At

¹⁰⁴ *Ibid.*,

¹⁰⁵ *Ibid.*,

¹⁰⁶ *Ibid.*,

¹⁰⁷ A House of Commons lottery selects several back-bench MPs each year, who are allowed to present a 'Private Member's', i.e. non-governmental, White Paper to the House.

¹⁰⁸ *The Landworker*, April 1987.

¹⁰⁹ *The Landworker*, August 1988.

¹¹⁰ *Ibid.*

¹¹¹ *The Landworker*, July 1997.

least people will now be able to check if the employer is registered and hopefully will think twice about working for him if he's not".¹¹² Unfortunately for the Union, by October 1987 it had only persuaded one ganger to sign the voluntary contract.¹¹³

For the remainder of the 1980s and 1990s, the Union continued to experiment with a number of strategic techniques: in a further avenue of action, the Union fought, in 1992, 1995 and 1997, a number of test cases in county courts and industrial tribunals, on behalf of female and migrant workers, dismissed as 'casual workers' and thereby denied redundancy pay rights. These cases forced the courts, and subsequently labour users, to acknowledge implicit, unwritten contracts of service under certain conditions.¹¹⁴

We have seen that the Union's branches, when trying to combat the gang-system, utilised various legal and voluntary approaches in the 1980s and 1990s: however, none of these were deployed in a consistent fashion across time, nor received *substantial* investments of money or other resources from the central Union. Nonetheless, just at the time that foreign-migrant labour came to replace the traditionally settled, female ganged-workforce, a codified, coherent and well-resourced response began to emerge from the Union. From the mid-1990s onwards, the Union, at all levels, committed itself to the actualisation of a *campaigning approach to union strategy*. The Union began to publish numerous reports on the gang-system, circulating its findings widely with NGOs, consumer groups, foreign migrant populations and journalists. These papers were highly analytical and detailed in nature: for example, in 2000 the Union published a paper on the system in Sussex, which traced migrant networks from host to receiving nations in order to detail the way irregular immigrants were brought into the country and worked by gangmasters.¹¹⁵ Many of the reports that the Union produced regarding the system were funded by the TGWU's central office, while other resources came from the European Federation of Agricultural Workers' Unions.¹¹⁶

This campaigning approach began to find success when the Union started to consistently interact with retailers high up agricultural supply-chains. In 1998, under constant pressure from the Union's regular public statements regarding gangmastery, the top supermarkets, along with the NFU, helped establish the British wing of the Ethical Trading Initiative (ETI): a state-supported trilateral 'alliance' of firms, NGOs

¹¹² The register, designed to reduce labour precarity, required gangmasters to: "agree to make regular returns to the Inland Revenue and Customs and Excise"; "keep a proper wages register and comply with AWB orders"; "pay workers when they are at their place of work and will to work, ready to work, but cannot due to adverse weather conditions"; ensure that piece-rate workers would not receive less than they would have received had they been working for day pay; "not make deductions from the wages of employees for transport, or any other facility, without either their consent or the consent of their representative"; "not treat female workers differently to male workers, and (ensure female workers were) not harassed or spoken to in a manner that is likely to reduce their status as men's equal"; "try to provide adequate washing and lavatory facilities at the place of work"; "have and maintain adequate insurance cover"; make "a health and safety at work policy that will be shown to all employees"; "have a contract of employment for employees that itemises terms and conditions"; "recognise the right of individuals to belong to a trade union, and will not hinder them from so doing" and "notify both the HSE and the MAFF inspectorate that they are working as an agricultural gangmaster". Cf. *The Landworker*, October 1987.

¹¹³ *Ibid.*,

¹¹⁴ *The Landworker*, March 1992; September 1995; July 1997.

¹¹⁵ Transport and General Workers Union, *Gangmaster System in Sussex*, London: TGWU, 2000.

¹¹⁶ *The Landworker*, July 1997.

and trade unions.¹¹⁷ This domestic wing of the ETI was convened expressly and solely in order to address the issue of gangmaster-produced precarity in British agriculture. The ETI's inaugural meeting, held between the NFU, the Fresh Produce Consortium (FPC),¹¹⁸ the Farmworkers' Union and DEFRA Minister Joyce Quinn, determined that the supermarkets would set up a private code of practice for their suppliers.¹¹⁹ This code would be codified according to recommendations made by the NFU and supported, as a perceived first measure, by the Farmworkers' Union. The resultant code expected the supermarkets' growers to conform to International Labour Organisation standards,¹²⁰ and take responsibility for the actions of their labour providers. As an additional measure, the ETI set up a new *voluntary* register of agricultural and horticultural gangmasters.

Seemingly, the Union's campaigning approach to action had borne fruit, in the form of the creation of a potentially *cooperative* arena of contention, where the Union could work closely with other key industrial stakeholders. An initial glance at the operations of the ETI gives the impression that its early actions inhibited the unfettered proliferation of precarious employment relations. UK common law has long determined that retailers are without legal responsibility for the employment practices of their external suppliers¹²¹: the operations of the ETI went well beyond the minimum levels of action supermarkets were required to make by law. However, the scheme's self-regulated enforcement mechanisms uncovered very few cases of non-compliance, from neither gangmasters nor growers. Problematically, from the outset of the scheme the supermarkets claimed they could not insist that their farmers and producers employed people under the terms of the new code of practice, only recommend that they do so: they informed the ETI that this was necessary to avoid accusations of restrictive practices.¹²² Furthermore, despite their oligarchic positions in supply-chains, the supermarkets insisted that growers and producers bore the costs of the voluntary scheme's social audits, and steadfastly refused to acknowledge that their low prices contributed to the creation of precarious work in the first place.¹²³

With the supermarkets failing to acknowledge their influential role in the proliferation of precarious employment practices, gangmasters and growers came to operate within cultures of minimal-compliance and avoidance in the early 2000s.¹²⁴ This allowed precarity to remain a fact of life for the average ganged worker: a 2004

¹¹⁷ Members of the British manifestation of the ETI initially included: ASDA, the Co-operative Group, Marks and Spencer, Morrisons, Sainsbury's, Somerfield, Tesco, Waitrose, the Fresh Produce Consortium, the NFU, the TUC, and the Farmworkers' Union in the guise of the TGWU. Cf. Ethical Trading Initiative Temporary Labour Working Group (ETI TLWG), *A Licence to Operate: New Measures to Tackle Exploitation of Temporary Workers in the UK Agricultural Industry*, London: ETI, 2004.

¹¹⁸ That is, a lobbying body representing the supermarkets' interests.

¹¹⁹ *The Landworker*, November/December 1999.

¹²⁰ In that they demanded a commitment: 1) to freely chosen labour, 2) to freedom of association and collective bargaining 3) to safe and hygienic working conditions 4) that no child labour was to be used 5) that living wages were paid 6) that working hours were not excessive 7) that no discrimination was practiced 8) that regular employment was provided 9) that no harsh or inhumane treatment of workers occurred. Cf. Freidberg, *The Ethical Complex of Corporate Food Power*.

¹²¹ Precision Prospecting, *Temporary Workers in UK Agriculture and Horticulture*.

¹²² *The Landworker*, November/December 1999.

¹²³ Pollard, *The Gangmaster System in the UK*; Precision Prospecting, *Temporary Workers in UK Agriculture and Horticulture*.

¹²⁴ Chris Forde and Robert MacKenzie "The Ethical Agendas of Employment Agencies Towards Migrant Workers in the UK: Deciphering the Codes". In: *Journal of Business Ethics*, 2010, 97, pp. 31-41.

ETI study, which focused only on those gangmasters that had signed up to the ETI's voluntary protocols and could therefore be presumed to be those with the best practices in the industry, found a number of "critical, major and minor" cases of non-compliance. Such cases included situations where work was not freely chosen, workplaces were unsafe and overcrowded, sub-standard accommodation was provided, transport to and from work was unsafe and extortionately priced and health and safety procedures were lax.¹²⁵ Clearly, these cases amounted to the further propagation of particularly precarious employment relations in the industry.

For these reasons, the Union concurrently pushed for a fuller system of licensing, overseen by the state, as the minimum required course of action regarding the gang-system. Despite reluctance on the part of both major political parties, the Union firmly committed itself to a strategy that sought to mobilise the resources of the state against gangmastery. Leathwood argued, as early as 1999, that "tough new laws" were needed to combat the system, and expressed doubts regarding the efficiency of the ETI's essentially *voluntary, partnership approach*.¹²⁶ Such calls persisted from the Union up till the mid-2000s¹²⁷: in early 2004 the Union launched a well-supported campaign titled "legislation not exploitation", specifically focussing on the state's relationship with gangmastery.¹²⁸

Using its position on the ETI's board, the Union eventually managed to get *all* of the ETI's stakeholders to agree, in 2002, to the principle that the state needed to play a greater regulative role in British food production.¹²⁹ In the spring of that year the ETI, with the Union at the helm, ran a series of seminars across England, enlisting the participation of 120 organisations from across civil-society, industry and the state: packers, growers, retailers, big food companies, governmental bodies, unions and gangmasters all participated. While all provided differentiated perspectives on the system, a broad consensus advocated the creation of a statutory register of gangmasters, in order to shine a light on the hidden industry and enforce pre-existent laws that were being systematically broken at the time.¹³⁰

Whereas the Union had once been, in the 1980s, the sole voice advocating governmental interference, numerous stakeholders now came out in support: the FPC told EFRA "we have gone down the voluntary route for the last three or four years and we have used our very best endeavors to make the voluntary system work. Our conclusion is that despite the work that we have done, we do need the backing of legislation to bring this problem under control".¹³¹ Likewise FarmForce, a self-identified "respectable" gangmaster company, told EFRA that "with the combination of no licensing, no registration, various schemes being chucked in the pot and stirred around, supermarkets dictating very low prices, I hate to say it, but at the end of this, if we do not do something, there is going to be a large, black hole and it is called 'agriculture'".¹³² The NFU concurred, submitting a memorandum which "hope(d)... to show (EFRA) that we are prepared to make a stand on this issue and make sure that proper enforcement is put in place and also ask you to use your influence to have a statutory system put into place as quickly as possible".¹³³ The ETI, as a collective,

¹²⁵ ETI TLWG, *A Licence to Operate*, pg. 21.

¹²⁶ *The Landworker*, January 1999.

¹²⁷ *The Landworker*, May/June 2000.

¹²⁸ Schmidt, *Temporary Migrant Workers*, pg. 194.

¹²⁹ An analysis of how this occurred is found in the following section.

¹³⁰ *The Landworker*, December/January 2003.

¹³¹ Environment, Food and Rural Affairs Select Committee, *Gangmasters*, Evidence Submission 2.

¹³² *Ibid.*, Evidence Submission 11.

¹³³ *Ibid.*, Evidence Submission 16.

soon announced that their “good practice guidelines” were insufficient in eliminating the illegal working conditions that were negatively affecting temporary workers, in particular migrants, at this time.¹³⁴

Subsequently, the ETI proactively set up its Temporary Labour Working Group (TLWG), tasked with the stated mission to “establish a set of minimum standards for labour providers which could be enforced by new *statutory* controls”.¹³⁵ The TLWG conducted voluntary field trials of a *new* minimum standards protocol in Lincolnshire: the trials were designed to demonstrate to government the feasibility of a statutory licensing body. Differing from previous governmental inspection regimes, the new protocol focussed on the identification of worker exploitation, rather than tax evasion, benefit fraud and illegal workings¹³⁶: the ETI found that “a worker-focussed inspection such as this (was) a necessary part of law enforcement and should be one component of a licensing regime”.¹³⁷ The protocols were organised into four discrete categories, with labour providers expected to conform to the minimum standards of each. These were: basic business requirements; behaviour when taking on workers; conditions of employment; and the treatment of workers.¹³⁸ While far from perfect, the field tests allowed the ETI to finesse its recommendations to government, and present a broad basis of support amongst disparate interest groups, so as to provide a proof-of-concept demonstration of the benefits of a statutory licensing system.

Unfortunately for the Union, and other pro-statutory stakeholders, proposals for State licensing flew in the face of the received wisdom of both the Conservative and Labour parties. Labour’s governmental submissions to EFRA were highly sceptical over the need to legislatively regulate the industry, and this stance remained unabashed despite the emerging consensus from key stakeholders: DEFRA argued that registration or licensing schemes were “burdensome for business and public authorities alike and the burden falls especially heavily on small enterprises”,¹³⁹ while the Department of Trade and Industry had “no plans to re-introduce licensing or bring in a form of registration as it is considered that neither would result in an effective regime”.¹⁴⁰ Like their Conservative predecessors, regulation clearly went against New Labour’s ideological underpinnings. This long-term lack of front-bench support left EFRA “not convinced that a statutory registration scheme offers a stand-alone solution to the problems of illegal gangmasters”, despite the fact that the committee had itself found that “it is unrealistic to expect... voluntary codes to prevent widespread illegal activity”¹⁴¹: Parliament, it seemed, was intent on accepting the illegal precarity inherent to gangmastery. An improvement of ineffective private regulations via the injection of public legislation seemed unlikely, despite the support of numerous stakeholders from across the political spectrum.

¹³⁴ ETI TLWG, *A Licence to Operate*.

¹³⁵ The ETI’s UK Director, Dan Rees, writing in Dan Rees, “New Measures to Tackle Exploitation in the UK Agricultural Industry”. In: Kuptsch (ed.), *Merchants of Labour*, pp. 217-223, pg. 218, emphasis added.

¹³⁶ *Ibid.*, pg. 220.

¹³⁷ *Ibid.*, pg. 221.

¹³⁸ As examples, the protocols sought to insist that workers were made aware of employment rights in one’s own language, and be provided with confidential grievance procedures. Cf. ETI TLWG, *A Licence to Operate*, appendix 2.

¹³⁹ Ministry of Agriculture, Fisheries and Food, *Report of the Interdepartmental Working Party on Agricultural Gangmasters*, London: HMSO, 1998, paragraph 8.

¹⁴⁰ Environment, Food and Rural Affairs Select Committee, *Gangmasters*, paragraph 55, 57.

¹⁴¹ *Ibid.*, paragraph 6.

Hope briefly re-emerged in early 2004, when Jim Sherridan, a back-bench TGWU sponsored Labour MP, introduced a PMB that sought to secure the Union's and ETI's aim of creating a governmental licensing scheme. Sherridan saw the voluntary codes of the ETI as "well meaning", but believed they had "failed to tackle the problems associated with rogue gangmasters. They have not reduced exploitation of workers, nor have they made illegal operators operate within the law".¹⁴² Like the Union's recommended scheme, Sherridan's proposal gained a broad coalition of support from interested parties,¹⁴³ and won a degree of cross-Party approval on its first reading in the House.¹⁴⁴ However, lacking governmental sanction, the Bill failed to pass Parliament on its first reading.

This unfolding narrative was drastically altered by a tragic criminal event. In the spring of 2004 disaster struck on the sands of Morecambe Bay, near Liverpool, when 23 ganged Chinese migrants drowned in the dead of night while collecting cockles.¹⁴⁵ Harvesting in the dark of night, poorly trained and lacking safety equipment, they were caught out by the Bay's treacherous tides and quicksands. Fifteen individuals survived the incident. This was not the first mass fatality incident involving ganged labour: in 2003, three migrant workers travelling to fields outside of Birmingham were killed when their van stalled on a level crossing and was struck by a train; while in 2002, two Poles were mutilated and killed after becoming entangled in a rope reeling machine at a supermarket-supplying strawberry farm.¹⁴⁶ However, more than any other incident, Morecambe Bay propelled and ingrained the existence of gangmastery into the public's consciousness. The media were quick to construct a narrative that presented gangmasters as foreign *Others*: "triads" or "snakeheads" *from and of* China.¹⁴⁷ While this xenophobically charged narrative was highly disingenuous, the tabloids' rage against these apparently foreign criminals led gangmasters to become vilified throughout society.¹⁴⁸

Geraldine Smith, Labour MP for Morecambe and Lunesdale, subsequently told the House of Commons that she had informed the Department for Work and Pensions, and the Minister of Citizenship and Immigration, of her concerns regarding massive health and safety infringements on the notorious sands as early as 2003, with no positive response.¹⁴⁹ The government needed to defuse the situation, which was

¹⁴² House of Commons, *Gangmaster (Licensing) Bill – White Paper Debate 27th February 2004*.

¹⁴³ By 2004 the following organisations had signed up to Sheridan's Gangmaster Licensing and Registration Bill: the NFU; the FPC; The Recruitment Employment Confederation, which represents high-street employment agencies; Fusion Personnel, a gangmaster company; the TUC; numerous individual unions, notably the TGWU, Unison, GMB, and the Union of Shop, Distributive and Allied Workers; the Joint Council for the Welfare of Immigrants; the Dover 58 Group, set up in the memory of the 58 migrant victims of the 2001 Dover Shipping Disaster; the Family Welfare Association; the ETI; the Catholic Bishops' Conference of England and Wales; the Institute of Employment Rights; the Bishop of Lancaster; the major supermarkets, that is to say Tesco, Sainsbury's, Marks and Spencer, Somerfield and the Co-op; the National Association of Citizens Advice Bureaux; and the Portuguese Workers Association, a migrant welfare association set up by the TUC in conjunction with Portuguese trade unions. Cf. Transport and General Workers Union, *Memorandum Submitted by the Transport and General Workers Union: r.e. Jim Sheridan's Private Member's Bill*, London: TGWU, 2004.

¹⁴⁴ House of Commons, *Gangmaster (Licensing) Bill – White Paper Debate 27th February 2004*.

¹⁴⁵ A form of edible shellfish.

¹⁴⁶ Environment, Food and Rural Affairs Select Committee, *Gangmasters*.

¹⁴⁷ Pai, *Chinese Whispers*.

¹⁴⁸ Robin Hinks, *Deconstructing the Reportage of Dover and Morecambe Bay: a Discourse Analysis*, Leiden: Unpublished MA Project, 2012.

¹⁴⁹ House of Commons, *Gangmaster (Licensing) Bill – White Paper Debate 27th February 2004*.

leading to negative reportage of its immigration and workplace regulative regimes.¹⁵⁰ The Farmworkers' Union seemed to provide the answer: with it assuring the government that Sherridan's *'Gangmaster Registration and Licensing Bill'* would, if enacted, provide "a fitting tribute to those who died tragically at Morecambe".¹⁵¹ EFRA reversed its previous policy position, and came out in support of statutory licensing in May 2004. Sherridan's Bill resultantly passed its second reading in the House of Commons unopposed, and faced minimal resistance in the Lords.¹⁵²

The resultant 2004 *Gangmasters (Licensing) Act* made it a criminal offence to operate as, or utilise, an unlicensed gangmaster within the agricultural, horticultural, forestry and fishery sectors. To gain a licence, gangers had to be able to prove that reasonable wage payments and non-waged benefits were provided, and charges made for transport, accommodation and other workplace services were within reasonable market rates.¹⁵³ The Act took a broad definition of 'worker', so that both standard and non-standard workers were afforded equal employment protections: making those sectors covered by the Act unique to Britain in this regard. Government officers were enabled to enter premises and seize assets of illegally operating individuals and companies¹⁵⁴: on top of monetary fines, unlicensed labour providers, or labour users utilising an unlicensed labour provider, faced the threat of imprisonment.¹⁵⁵ A stated aim of the Act was for it to produce a "paper-trail", to make it easier to locate, check up on, and prosecute labour providers¹⁵⁶: rather than a disparate group of governmental agencies having to prove AWB underpayments, tax irregularities or specific health and safety violations, now, in theory, inspectors only had to ascertain whether a gangmaster was in receipt of a license, or not, before shutting down potentially exploitative operations.¹⁵⁷ A quango, the *Gangmasters Licensing Authority* (GLA), was launched in 2006 to implement the legislation.

Several unions gained seats on the Board of the newly formed GLA, with the Farmworkers' Union seen as the Movement's unofficial figurehead and lead voice.¹⁵⁸ Of the 19 industry-nominated seats, four went to unionists: the TGWU selected the Farmworkers' Chris Kaufman and Martin Smith of GMB,¹⁵⁹ while the TUC proposed Bill Snel of the Union of Shop, Distributive and Allied Workers, and Nick Cleak of the TUC.¹⁶⁰ These seats allowed the Union, and Movement, to play a hand in the continued shaping of the organisation, its scope and strategies. Indeed, these Board members helped develop much of the secondary legislation needed for the GLA to operate satisfactorily.¹⁶¹ The Farmworkers' Union and Movement conceived their roles on the Board as that of watchmen: ensuring that the GLA "held to its remit"; preventing "governmental watering down" of the legislation; and helping to

¹⁵⁰ Hinks, *Deconstructing the Reportage of Dover and Morecambe Bay*

¹⁵¹ Transport and General Workers Union, *Memorandum Submitted by the Transport and General Workers Union*.

¹⁵² *The Landworker*, April/May 2004.

¹⁵³ *The Landworker*, April/May 2006; June/July 2006.

¹⁵⁴ Rees, *New Measures to Tackle Exploitation in the UK Agricultural Industry*, pg. 218; Anderson and Rogaly, *Forced Labour and Migration to the UK*.

¹⁵⁵ Twelve months maximum for a first offence, two years for a second and ten for a third. Cf. *Ibid.*, pg. 219.

¹⁵⁶ *Ibid.*, pg. 218.

¹⁵⁷ *The Landworker*, April/May 2005.

¹⁵⁸ Kaufman, *In Conversation with Robin Hinks*.

¹⁵⁹ Which describes itself, in somewhat hyperbolic terms, as 'Britain's General Union'.

¹⁶⁰ Trades Union Congress, *General Council Report 2005*, London: TUC, 2005, pg. 95.

¹⁶¹ Trades Union Congress, *General Council Report 2004*, London: TUC, 2004, pg. 93.

“reinforce” the Authority on a rolling basis.¹⁶² Sitting with the unions were 15 nominated representatives of labour users, providers and retailers. In addition to these industrial reps, nine *ex-officio* chairs, filled by representatives from associated government departments, and an appointed Chairperson rounded off the Board’s composition.

Licenses, issued from April 2006, were granted on completion of Authority conducted audits.¹⁶³ By the summer of 2008, the Authority had approved 1,186 licence requests, while 70 applicants had been refused.¹⁶⁴ As demanded by the ETI and Union, the GLA ensured that its operations were worker orientated: the Authority’s first Chairman, Paul Whitehouse, declared that *the* key mission of the Authority was, first and foremost, “to prevent workers being exploited.”¹⁶⁵ Indeed, the envisioned role of the GLA, as defined by the 2004 Gangmasters (Licensing) Act, privileged the protection of workers, with the Act explicitly stating the GLA should exist to “safeguard (labourers’) welfare and interests”.¹⁶⁶

This commitment to worker wellbeing can be seen in the selection and targeting of GLA goals, and in its actual practices in the fields: during a series of operations in 2008, the GLA worked closely with the supermarket Sainsbury’s, so that workers affected by the revocation of a ganger’s license were quickly offered new jobs and alternative accommodation.¹⁶⁷ However, the extent of this particularly worker-sympathetic action, and others similar to it, went well beyond the rather vague requirements of the Act: no formal support mechanisms for workers affected by licensing decisions were statutorily included in Sherridan’s Bill. Instead, adherence to worker welfare was advocated for, and defended, on the GLA’s Board, more often than not by the Farmworkers’ Union.

“Funded on a shoestring”,¹⁶⁸ the GLA has had to operate with a minimal number of inspectors. In 2007, the GLA regulated the entirety of the UK on a budget of £3.4 million¹⁶⁹: initially then, then GLA operated with a skeleton staff of 48, with ten ‘compliance officers’ and ten ‘enforcement officers’ nationwide.¹⁷⁰ Whitehouse believed that with such operating restrictions, what was required was “a good hanging”¹⁷¹: rather than acting in a low-key, cautious manner, the GLA has consciously and consistently striven to make gangmasters, and the public, aware of its presence via the use of proactive raids on premises and by forcing non-compliant

¹⁶² Kaufman, *In Conversation with Robin Hinks*.

¹⁶³ Though in a *realpolitik* concession to budgetary concerns, those gangmasters that had voluntarily submitted to audits carried out by the ETI’s Temporary Labour Working Group’s trial-scheme were granted licenses without reassessment. Cf. Trades Union Congress, *General Council Report 2005*, pg. 95.

¹⁶⁴ House of Commons Home Affairs Committee, *The Trade in Human Beings: Human Trafficking in the UK, Sixth Report of Session 2008-09*, London: HMSO, 2009.

¹⁶⁵ Mick Wilkinson, Gary Craig and Aline Gaus, *Forced Labour in the UK and the Gangmasters Licensing Authority*, Hull: Contemporary Slavery Research Centre, 2010.

¹⁶⁶ Department of Business, Enterprise and Regulatory Reform, *Vulnerable Worker Enforcement Forum Final Report and Government Recommendations*, London: BERR, 2008.

¹⁶⁷ Gangmasters Licensing Authority, *News Release: Intimidation in Food Supply-Chain – GLA and Sainsbury’s Crack down*, February 2008.

¹⁶⁸ Kaufman, *In Conversation with Robin Hinks*.

¹⁶⁹ In comparison, that same year local authorities were funded £29.4 million in order to enforce new anti-smoking legislation. Cf. Wilkinson *et al.*, *New Labour, the Gangmasters Licensing Authority and the Woefully Inadequate Protection of Migrant Workers in the UK*, pg. 12.

¹⁷⁰ Geddes *et al.*, *Gangmasters Licensing Authority Evaluation Study – Baseline Report*, pg. 27.

¹⁷¹ Kaufman, *In Conversation with Robin Hinks*.

labour users to pay money due in arrears when rectifying licensing violations,¹⁷² to the delight of the Union.¹⁷³ Whitehouse combatively stated “we intend to demonstrate that we mean business in a big way, if they don’t follow the rules we will follow them”,¹⁷⁴ and “we’ve been given Draconian powers and we’re proud of them! And when people say ‘you acted in a Draconian fashion’, I say yes, that is what we are here for. Thank you, good, job done”.¹⁷⁵ As should be expected, the appointment of Whitehouse had been seen as appropriate by the Union: a progressive ex-army major and county police chief, Whitehouse was well used to enforcing legislation, and was experienced at negotiating often hostile corridors of power.¹⁷⁶ Many of Whitehouse’s actions shaped the eventual structure of the Authority: it was his decision to house the GLA’s backroom and enforcement staff in the same office in Nottingham, which resultantly ensured a high degree of joint intelligence sharing between departments.¹⁷⁷

Such intelligence sharing has been seen as vital for the operations of the GLA. In its operations, the Authority quickly set up a confidential hotline,¹⁷⁸ so as to provide anonymity that functioned as “an incentive to report informal or illegal gangmaster activity”.¹⁷⁹ However, there was a general perception within the GLA that ganged workers would be unlikely to come forward as informants *en mass*, due to the very precarity that necessitated state action in the first place. Resultantly, enforcements have been designed to occur in a proactive, investigative manner, utilising other regulative authorities’ pre-existent, but under-utilised, contacts in the field: describing itself as an “intelligence-led organisation”, the GLA soon started to collect intelligence reports from other government organisations, enforcement agencies, labour users, and migrant workers themselves, striving to “always action pieces of intelligence” whatever their point of origin¹⁸⁰; from its outset then, the GLA was designed to provide robust enforcement by acting as “a buckle and belt operation(.) pulling together DEFRA, the Department of Work and Pensions, the Home Office, police authorities, the HSE and Inland Revenue”.¹⁸¹

In the autumn of 2008, the GLA launched ‘*Operation Ajax*’: an 18-month period of unannounced raids on suspected violators. The operation involved all 55 members of the GLA’s staff.¹⁸² This represented a shift in the Authority’s operations: where it had previously concentrated on getting gangmasters ‘on board’ with licensing, it now sought to fully dedicate itself to the upholding of the Act. *Hangings were sought more than ever*. The GLA’s Chief Executive, Ian Livsey, explained to the House of Common’s Home Affairs Committee on Human Trafficking that “the acid test for (the GLA)... is over the next two to three years when we start to root out those who have evaded us, those who are operating illegally; and continue to police

¹⁷² *The Landworker*, October/November 2007.

¹⁷³ *The Landworker*, July/August 2008.

¹⁷⁴ *The Landworker*, February/March 2005.

¹⁷⁵ Wilkinson *et al.*, *Forced Labour in the UK and the Gangmasters Licensing Authority*, pg. 12.

¹⁷⁶ *The Landworker*, February/March 2005.

¹⁷⁷ *The Landworker*, April/May 2005.

¹⁷⁸ Cf. Gangmasters Licensing Authority, *Workers’ Right: Your Rights and Responsibilities*, Nottingham: GLA, 2005.

¹⁷⁹ CoVE, *Hard Work, Hidden Lives*, pg. 128.

¹⁸⁰ Dave Nix, the GLA’s head of policy and communications, giving evidence to the House of Commons Home Affairs Committee, *The Trade in Human Beings: Human Trafficking in the UK, Sixth Report of Session 2008-09*.

¹⁸¹ Rural Affairs Minister Alun Michael, quoted in *The Landworker*, June/July 2004.

¹⁸² To the voiced chagrin of the Authority, it was unable to take on more staff at the onset of Ajax. Cf. *The Landworker*, August/September 2008.

the standards so that nobody working in this field should be exploited".¹⁸³ This new stage of operations led to a spike in regulative interventions: by 2008, 72 labour providers had had their licences revoked, only one with immediate effect due to gross violations; as of May 2009, 93 gangmasters had had their licences revoked, eight of which with immediate effect¹⁸⁴; this implies that an intensification of disciplinary actions occurred. Further evidence for this can be seen in the fact that by 2010 there had been ten successful prosecutions of gangmasters under the Act, whereas only one gangmaster had been successfully prosecuted before 2008.¹⁸⁵ The TUC's Deputy General Secretary, Frances O'Grady, welcomed this harder-edged operation at Ajax's inauguration.¹⁸⁶

The GLA has not solely focussed itself on inspections: it soon started to produce literature, in an array of languages, aimed at informing workers of their employment rights and providing contact information for various civil-minded organisations, the Farmworkers' Union included. However, the biggest development in the GLA's history came in 2009/2010, when the GLA's Board compiled and adopted a formal '*Supermarket Protocol*', following an extended public consultation.¹⁸⁷ Although voluntary in nature, the protocol explicitly recognised the role of firms further up supply-chains in creating, but also potentially negating, precarious labour relations in British agriculture.¹⁸⁸

Whitehouse succinctly summarised the intended purpose of the voluntary agreement; stating, "this protocol seeks to take advantage of the supermarkets and their supply-chains' efforts to act in an ethical and socially responsible way".¹⁸⁹ The protocol provided mechanisms with which supermarkets could readily exchange information on workplace abuse, and encouraged the stores to conduct joint visits, with the GLA, to the firms in their supply-chains. Retailers agreed to inform the GLA of suspected breaches in licensing standards, and committed themselves to require their suppliers share confidential information regarding possible breaches also. In drawing up the protocol, the GLA made it clear that the Authority "expect(ed) the retailers to be seen making decisive action" if and when the Authority identified worker abuse, up to and including suspending or deleting the supplier permanently.¹⁹⁰ Reciprocally, the GLA agreed to give the supermarkets advanced warnings if and when it intended to revoke the licence of a gangmaster in their supply-chains. The Farmworkers' Union emphasized that it was happy "for the GLA to meet regularly with the supermarkets... using the supermarkets to support the GLA with uncooperative workplaces".¹⁹¹

The GLA has not enjoyed plain sailings throughout its operational lifespan: the Union rightly senses that "every year there is an attempt to water down or

¹⁸³ House of Commons Home Affairs Committee, *The Trade in Human Beings: Human Trafficking in the UK, Sixth Report of Session 2008-09*.

¹⁸⁴ Gangmasters Licensing Authority, *News Release: County Durham Gangmaster Loses Licence after Ignoring GLA Requests*, May 2009.

¹⁸⁵ *The Landworker*, July/August 2010.

¹⁸⁶ Trades Union Congress, *General Council Report 2008*, London: TUC, 2008, pg. 20.

¹⁸⁷ Trades Union Congress, *General Council Report 2010*, London: TUC, 2010, pg. 21.

¹⁸⁸ *Ibid.*, pg. 21.

¹⁸⁹ *The Landworker*, April/May 2009.

¹⁹⁰ *Ibid.*

¹⁹¹ ASDA, Iceland, Marks and Spencer's, Morrison's, Sainsbury's, Tesco, the Co-Op and Waitrose all signed up to this additional, non-statutory code of conduct.

introduce loopholes into the legislation”.¹⁹² An early point of order that the Authority had to deal with was whether secondary food processing and packaging firms should fall under the remit of the Act, when the increasingly hesitant government believed these firms should be excluded from the GLA’s scope.¹⁹³ The Union argued this would deny employment rights to up to 200,000 of the 250,000 precarity-prone workers under the Act’s original scope.¹⁹⁴ With the backing of the TUC, TGWU, ETI and GLA, this insistence that these sectors should be covered by the Authority’s scope eventually won out.¹⁹⁵

Soon after this showdown, the Cabinet’s Better Regulation Executive – a governmental body set up under the auspices of the Department for Business, Innovation and Skills to monitor, and if possible cut, the costs of new regulation – recommended cutting back on pre-licensing checks for gangmasters, so that not every ganger, but only those deemed as “risky” by DEFRA, would undergo inspection.¹⁹⁶ Again, a concerted campaign by the Union, and others on the Authority, managed to resist this proposal¹⁹⁷: Chris Kaufman praised the unlikely coalition of the unions, major supermarkets, the NFU and “reputable gangmasters” for standing firm in the face of “neo-conservative forces in the Government”.¹⁹⁸ At other points in the Authority’s short operational lifespan, suggestions have been floated by the Labour and subsequent Conservative/Liberal Democrat governments to merge the GLA and the HSE, removing all non-health and safety related issues from the Board’s remit in the process.¹⁹⁹ The Union has consistently resisted these proposals, arguing they would “not do what thousands of workers desperately need, and the GLA was set up to do”.²⁰⁰

Further problematising the Authority’s operations, the GLA has faced near annual threats, and actualisations, of funding cuts as Morecambe recedes in the public’s memory²⁰¹: in 2011 it was announced that the Authority’s £4.2 million/year budget would be reduced to £4 million for 2012-13, going down again to £3.9 million in 2014-15.²⁰² The GLA’s lack of financial resources has encouraged many gangmaster to continue with their exploitative patterns of work, “on the basis that there was no serious risk of inspection”.²⁰³ Likewise, the GLA has faced the threats

¹⁹² Unite the Union, *Unite Response to the Consultation on the Operation of the Gangmasters Licensing (Exclusions) Regulations*, London: Unite, 2006, pg. 1.

¹⁹³ Kaufman, *In Conversation with Robin Hinks*.

¹⁹⁴ *The Landworker*, December/January 2005; June/July 2005.

¹⁹⁵ Trades Union Congress, *General Council Report 2006*, pg. 95; Trades Union Congress, *Report of Congress 2006*, London: TUC, 2006, pg. 128.

¹⁹⁶ *The Landworker*, November/December 2005.

¹⁹⁷ *The Landworker*, April/May 2006.

¹⁹⁸ *Ibid.*

¹⁹⁹ Scott *et al.*, *Gangmasters Licensing Authority – Annual Review 2007*, pg. 173.

²⁰⁰ Whitehouse labelled these proposals as a distraction, stating that they were driven by “a misguided belief that somehow our business is principally with Health and Safety because everyone associates gangmasters with Morecambe Bay. But the principles behind the setting up of the authority were well under way before the accident... and what we are concerned with is protecting workers from being exploited and protecting the public from being exploited by illegal gangmasters not paying taxes, which is not really a health and safety matter but a much broader matter for the benefit of everyone”. *The Landworker*, June/July 2005.

²⁰¹ Trades Union Congress, *General Council Report 2012*, London: TUC, 2012, pg. 24.

²⁰² Labour Research, *Regulator on the Ropes*, London: Labour Research, June 2012, pg. 16. This led to voluntary redundancies in the organisation. Cf. Trades Union Congress, *General Council Report 2011*, London: TUC, 2011, pg. 27.

²⁰³ Department for Business, Enterprise and Regulatory Reform, *Vulnerable Worker Enforcement Forum Final Report and Government Recommendations*, pg. 35.

of: the imposition of a “softer touch” to regulation; an enforced reduction in inspectors²⁰⁴; and the prospect of the mothballing of the Authority in the name of austerity.²⁰⁵ These issues have been hung over the Authority’s staff’s necks, endangering the continued success of the project.²⁰⁶

Despite these very real threats and obstacles, the Act and Authority have dismantled some of the most precarious labour relations offered by British agriculture, to a slight but real degree. Cathy Speight, Agricultural Secretary of Unite in the latter 2000s,²⁰⁷ has argued the Farmworkers’ Union “feels the GLA has had a major impact on raising labour standards through its licensing arrangements... its endeavours... protect vulnerable workers by ensuring workers are paid their minimum entitlements and aren’t being exploited”. Likewise, Sarah Veale, the TUC’s head of Equality and Employment Rights, has stated “the GLA has significantly raised standards”: Veale believes the Authority has ensured workers are paid the AMW, improved the “cramped and squalid conditions” of much worker accommodation, and has played a “leading role” in combating human trafficking in the UK.²⁰⁸

Concurring, an ethical trading officer of a major supermarket has argued that the GLA has “got the issue of agency labour very, very much up the agenda and very much in the forefront of (supermarket executives’) minds”.²⁰⁹ Additionally, less than 12 months into licensing, “40% of labour providers felt the GLA had reduced business fraud, and... 45% felt that the GLA had improved working conditions”²¹⁰; surveyed gangmasters felt that licensing regime had partially tamed a once chaotic industry, forcing down the number of ‘rogue’ gangmasters in the sector. A year later, over 60% of surveyed gangmasters believed the GLA had had a positive effect on reducing worker exploitation and business fraud in the industry,²¹¹ with 79% favouring the continuation of licensing and 69% judging the GLA to be performing more than satisfactorily.²¹²

Outsiders agree: Sheffield University’s independent audit of the Authority, conducted in 2007, found that the quango’s tripartite approach, with specialist knowledge of business, civil and public sector agencies being drawn on, had “help(ed the GLA) to punch above its weight” in an “independently minded” manner, free from overt governmental interference.²¹³ Confirming these finding, a 2009 survey conducted by the naturally suspicious Better Regulation Executive found the Act and Authority had had a “positive impact in improving the working conditions for some vulnerable workers”.²¹⁴ Clearly, the trade unions, supermarkets, civil-society groups,

²⁰⁴ Labour Research, *Regulator on the Ropes*, pg. 16.

²⁰⁵ Trades Union Congress, *General Council Report 2012*, pg. 24.

²⁰⁶ Sonia McKay, *Employment Agencies and Migrant Workers*, London: Institute of Employment Rights, 2009, pg. 50.

²⁰⁷ Cf. the following chapter of this thesis for an account of the TGWU’s merger to form Unite. Cathy Speight can be considered the *de facto* General Secretary of the Farmworkers’ Union during the latter 2000s.

²⁰⁸ Labour Research, *Regulator on the Ropes*, pg. 16; cf. Unite the Union, *Unite Response to the Consultation on the Operation of the Gangmasters Licensing (Exclusions) Regulations*.

²⁰⁹ Wilkinson *et al.*, *Forced Labour in the UK and the Gangmasters Licensing Authority*, pg. 7.

²¹⁰ Scott *et al.*, *Gangmasters Licensing Authority – Annual Review 2007*.

²¹¹ Balch *et al.*, *Gangmasters Licensing Authority – Annual Review 2008*.

²¹² *Ibid.*,

²¹³ Scott *et al.*, *Gangmasters Licensing Authority – Annual Review 2007*.

²¹⁴ *The Landworker*, December/January 2010. Rather ironically, the successes of the GLA have been used by the Conservative-Liberal Democrat Government to vindicate the withdrawal of other employment protections in the industry: the Government, upon announcing its planned dissolution of

‘reputable gangmasters’ and academics are in agreement over the notion that the Agency has had a major effect in reducing precarity and improving working conditions, for migrants and natives alike, and that it should remain in existence for the foreseeable future.²¹⁵

Precarity has been reduced via a number of specific methods. Since its inception, GLA inspectors have spoken directly to workers – often in employees’ native tongues and while giving the assurance that immigration offences are beyond their purview – to check that workers are in receipt of a promptly paid and itemised AMW or better, entitled to sick and holiday pay, not subjected to excessive wage deductions,²¹⁶ are free to leave employment at will and have tax contributions made on their behalf.²¹⁷ In 2007, it was found that due to the Act’s new regulative regimes: “contracts and workers’ terms and conditions are now more transparent than was the case previously; health and safety at work is now taken more seriously; minor abuses of workers (e.g. deductions) have been reduced; transportation to work has been improved and sub-standard gangmaster accommodation is no longer so prevalent”.²¹⁸

Of the 1,230 gangmasters who had been licensed as of 2009, over 70% had been forced to improve their operating standards in order to secure their licence,²¹⁹ reducing precarity in the process. Further evidence of reduced agricultural precarity can be found in the GLA’s *conditional licences*. The GLA has offered these licenses to gangmasters who fail to meet satisfactory standards, but pledge to alter their practices in the near future. By 2007, 40% of all licenses had been granted on a conditional basis.²²⁰ However, between March 2007 and October 2008 there was a dramatic decrease in the number of conditional licenses being granted: falling from 400 to 68 per year, with a corresponding increase in full licenses being granted²²¹; this implies the GLA’s operations have stimulated self-improvements on the part of labour providers in the industry.

The key lessons to take from this section include the facts that from the 1980s onwards, the Union consistently sought to negate the effects of the gangmaster system: principally by seeking the creation of a statutory licensing system for the labour relationship. Throughout the 1980s and beyond, the Union attempted a *legal*, lobbying approach to union action, with little apparent effect. Concurrently, the Union utilised a *campaigning approach* to Union actions, which at the *fin de siècle* managed

the AWB, vindicated abolition with the fact that “agricultural workers who are supplied through a gangmaster will have the protection of the Gangmaster Licensing Legislation”, which apparently rendered the need for Agricultural Wage Mechanisms less pressing. Cf. Department for Environment, Food and Rural Affairs, *Consultation on the Future of the Agricultural Wages Board for England and Wales, and Agricultural Wages Committees and Agricultural Dwelling House Advisory Committees in England*.

²¹⁵ Wilkinson *et al.*, *New Labour, the Gangmasters Licensing Authority and the Woefully Inadequate Protection of Migrant Workers in the UK*; Balch *et al.*, *Gangmasters Licensing Authority – Annual Review 2008*.

²¹⁶ Vitally, the licensing system does not allow compliant gangmasters to charge interest on loans provided to workers.

²¹⁷ Geddes *et al.*, *Gangmasters Licensing Authority Evaluation Study – Baseline Report*; Scott *et al.*, *Gangmasters Licensing Authority – Annual Review 2007*; Balch *et al.*, *Gangmasters Licensing Authority – Annual Review 2008*.

²¹⁸ Scott *et al.*, *Gangmasters Licensing Authority – Annual Review 2007*.

²¹⁹ Wilkinson *et al.*, *New Labour, the Gangmasters Licensing Authority and the Woefully Inadequate Protection of Migrant Workers in the UK*.

²²⁰ Geddes *et al.*, *Gangmasters Licensing Authority Evaluation Study – Baseline Report*, pg. 93.

²²¹ Balch *et al.*, *Gangmasters Licensing Authority – Annual Review 2008*, pg. 14.

to secure the support of multiple stakeholders in creating a system of *private and cooperative* regulations for the industry. The Union continued to press for a mobilisation of state resources and, after a tragic contingent event, saw the creation of a *legal* statutory licensing and inspection body, as it had long desired. This body has helped reduce precarity in the industry, by taming some of the worst excesses of gangmastery.

3. A Closer Examination of Union Strategy.

In this section I analyse, in depth, the strategies of the Farmworkers' Union as described above. Initially, we look at the nature of the Union's campaigning and partnership approaches that engaged the attentions of the supermarkets. Next, we look at how the Union engaged the attentions of the British public, before we round off the section by ascertaining the degree of involvement the Union's lay-members had in the Farmworkers' multifaceted actions.

Many have praised the events leading up to the formation of the GLA, and its subsequent maintenance, as a "product of coalition", not in the least the Union itself.²²² Whereas the Union sustained such acrimonious relations with the NFU on the AWB that they "wouldn't piss on them if they were on fire",²²³ relationships in the operating arena of the GLA, "a product of coalition", appeared to be different: the Authority, embattled from outside from various quarters, was perceptively "maintained around the table".²²⁴ However, it is difficult to see why the NFU and the supermarkets so vocally supported increasing agricultural labour regulations at the beginning of the Twenty-First Century, when ganged-labour proved invariably cheaper than those on standardised employment contracts. It is necessary to analyse why these bodies seemed to act against their material interests when they came to push *with* the Union to regulate gangmastery, not just on a private, self-imposed basis, but with the involvement of state actors: an examination of this reveals, conversely, much analytical information regarding the underlying nature of the Farmworkers' Union's strategies.

In the 1980s, the Farmworkers' Union identified Thatcherite ideologies and the purchasing powers of the supermarkets as the prime movers behind the return of the gangmaster: there was little doubt that farmers' incomes were deflated due to oligarchic like conditions, and these losses were passed on down the supply-chain via the usage of gangmasters, who used a variety of pecuniary and extra-pecuniary tactics to keep costs of production low.²²⁵ Rather than simply bemoaning this fact, a key component of the Union's strategic actions focussed on these same supermarkets, higher up supply-chains than their traditional adversary of contention, the NFU.

As early as 1976, the Union had developed a negative orientation towards the supermarkets, recognising that "the development of... chain stores has resulted in well over one-third of all foodstuffs now being marketed through these monoliths... (they) are creaming off large profits at some expense to the agricultural industry".²²⁶ As the supermarkets rose to ever greater oligarchic positions in the 1980s, the Union pushed the issue within the TUC, managing to secure extensive conversations on the

²²² Kaufman, *In Conversation with Robin Hinks*.

²²³ *Ibid.*

²²⁴ *Ibid.*

²²⁵ Conford and Burchardt, *The Return of the Gangmaster*; Anderson and Rogaly, *Forced Labour and Migration to the UK*.

²²⁶ National Union of Agricultural and Allied Workers, *Outlook for Agriculture*, pg. 10.

body's Distribution, Food, Drink, Tobacco and Agriculture Industries Committee concerning the role of supermarket-led "discounting, sole supplier agreements and the growth of the own label produce market".²²⁷ However, as gangmastery became more widespread, the Union sought a greater public position when criticising the supermarkets: the Farmworkers helped research, and follow up on, televised documentaries recorded by undercover journalists for the BBC and Channel 4, ensuing the system entered the public's conscious, at least in part.²²⁸ Clearly, over years and decades the Union exerted a constant pressure on the supermarkets within the civil-society arena, via media campaigning.

Contributory inputs from other societal groups were minimal throughout the 1980s and 1990s. Nonetheless, feeling compelled to respond to the Union's drip-feed campaign, which chiefly involved strategic actions in publicly accessible arenas of contention, many of the supermarkets began to release statements on gangmastery in the 1990s: Tesco's Public Relations department responded to the Union directly, declaring that they "work closely with our suppliers to ensure that the whole of our supply-chain operates in line with the high employment standards that we set ourselves". However, the supermarkets were not keen to act in a cooperative manner at this point, as has so regularly been trumpeted as a defining feature of the ETI, and later the GLA: in this same statement Tesco stated that they did "not think a meeting between us (and the Union) will achieve anything".²²⁹ The supermarkets were not yet proactively sitting down with the Union to help reduce precarity in the industry: only a growing public din, while nowhere near the volume heard post-Morecambe Bay, assured that this happened.

Eventually, the Union-orchestrated din compelled the supermarkets to act. Simultaneously surprising and pleasing the Union, it was the supermarket's front-organisation, the FPC, which *first* came out and cautiously backed proposals for increased gangmaster regulations in 1998.²³⁰ Almost immediately thereafter, the supermarkets and the Union, along with other stakeholders on the recently formed ETI, set up their first voluntary code of practice under the *pretence* of uncoerced cooperation. Once the ETI had been set up, the Union did not cease in its increasingly high profile campaign against the supermarkets' market powers: by actively picketing and collecting signatures outside supermarkets found to be using exploitative gangmasters,²³¹ the Union maintained a constant pressure on the stores, preventing them from quietly but hegemonically imposing voluntary self-regulation as the end of the road regarding the issue of gangmasters. So, while initial press releases of the Union, the supermarket, and the ETI explicitly and purposefully gave the impression of industrial harmony between stakeholders, there is good reason to suspect that this was an artificially imposed congruence of interests. For once, the Union was being the imposer of this artificial acquiescence, *using the threat of shame, by means of mobilisations in the civil societal arena, to dictate the growing discourse on the issue.*

Freidberg describes how NGOs have, from the 1980s onwards, come to participate in the corporate governance of trans-continental fresh-produce supply-chains between Less Economically Developed Countries and the UK, via the use of well-funded and imaginative publicity departments.²³² By the late 1990s, numerous

²²⁷ Trades Union Congress, *Report of Congress 1984*, London: TUC, 1984, pg. 300.

²²⁸ *The Landworker*, May 1997.

²²⁹ *The Landworker*, May 1997.

²³⁰ *The Landworker*, December/January 1999.

²³¹ *The Landworker*, June/July 2003.

²³² Cf. Marc Mormont and Christine Dasnoy, *Source Strategies and the Mediatization of Climate*

NGO-directed campaigns had prompted British supermarkets to undertake ethical reforms of their *global* supply-chains.²³³ For example, NGOs such as Christian Aid were instrumental in setting up various discrete international outposts of the ETI²³⁴; though these various ETI-offshoots, NGOs managed to greatly improve the labour relations of agricultural workers in countries as far flung as Peru and Zambia.²³⁵ Freidberg recounts how, after recognising the importance superstores attached to their brands' profiles, NGOs came to impose an "ethical complex" on the supermarkets. This ethical complex allowed non-profit advocacy groups to acquire partial measures of power over the supermarkets, despite the stores' oligarchic market positions²³⁶: supermarkets started to act in *apparent cooperation* with these NGOs, which all the while used the *threat of public denouncement* to whip the supermarkets into line; demand for supermarket ethicality in international supply-chains originated not from consumers directly, but these advocacy groups, which in the words of one supermarket public-relations officer became "too shrill to ignore".²³⁷

However, while numerous NGOs concerned themselves with labour relations in Britain's supermarkets' international supply-chains, no NGO in the 1980s or 1990s launched high profile campaigns regarding domestic gangmastered labour.²³⁸ Yet the supermarkets came to act in much the same manner over the issue of domestic gangmastery as they did over their international operations once NGOs had injected their ethical complex into corporate governance regimes: first they sat down with other stakeholders to 'cooperatively' discuss the issue; then they partially imposed 'voluntary' protocols on their supply chain, and later then requested governmental legislation in recognition of their own *apparent* powerlessness. When assessing these strategic actions of the supermarkets, one sees the Union's own strategic actions as key components of their causal mechanisms: by operating mostly in the arena of contention known as civil-society, propagating a recognisably campaigning approach

Change, Arlon: Fondation Universitaire Luxembourgoise, 1995; David Smith, *Moral Geographies: Ethics in a World of Difference*, Edinburgh: Edinburgh University Press, 2000.

²³³ Freidberg, *The Ethical Complex of Corporate Food Power*.

²³⁴ The British TLWG was but one arm of a loosely affiliated international network of ETI operations. Cf. Susanne Schaller, *The Democratic Legitimacy of Private Governance: An Analysis of the Ethical Trading Initiative*, Duisburg-Essen: Institute for Development and Peace, 2007, for a historic account of this regulative model.

²³⁵ Separate from the voluntary code of practices applicable to domestic UK stakeholders regarding gangmastery, the international ETI has created an internationally adhered to, albeit self-regulated, 'base-code' for supermarkets and their global supply-chains: its main provisions being: "(1) employment is freely chosen; (2) freedom of association and the right to collective bargaining are respected; (3) working conditions are safe and hygienic; (4) child labor shall not be used; (5) living wages are paid; (6) working hours are not excessive; (7) no discrimination is practiced; (8) regular employment is provided; (9) no harsh or inhumane treatment is allowed". Cf. the ETI's transnational, continuously updated, homepage, available at <http://www.ethicaltrade.org>, last accessed 11th September 2013.

²³⁶ Freidberg, *The Ethical Complex of Corporate Food Power*.

²³⁷ *Ibid.*

²³⁸ This is not to say that Britain's fields have been immune to the NGOs' complex: Freidberg demonstrates that, internally to Britain, the ethical complex as created by the NGOs has forced supermarkets to, under the guise of voluntary cooperative action, reconsider their positions on numerous *environmental* issues: in 1999 British supermarkets were among the first in Europe to impose private regulations banning GMO ingredients in their own brand products; likewise, in the early 2000s NGO pressure directly compelled supermarkets to conduct research on issues regarding 'food miles'. However, the NGOs studied by Freidberg failed to press the supermarkets to consider the issue of labour welfare in British agriculture. Cf. *Ibid.*

to union action, albeit with little support from other societal groups, *the Union created its own ethical complex for the supermarkets.*

Not all the activities of the supermarkets were disingenuous during the formative years of the ETI. As part of their ethical complexes, the supermarkets came to uniformly employ ‘ethical officers’, and entire ‘ethical departments’ within their internal configurations from the 1990s onwards, so as to provide “handy smokescreens” for their corporate structures.²³⁹ While these staff members’ varying levels of internal powers and influence would make the content of a wholly different thesis, it is safe to say that they came to enjoy some degree of influence within the structures of the stores, and initiated a number of fundamental changes in the supermarkets’ hegemonic procurement habits as a result.²⁴⁰ These ethical officers proved of particular worth to the Union, as they allowed unionists to negotiate with sympathetic parties, rather than the more profit-minded departments within these non-monolithic institutions. This helped shape emergent private, and then public, regulations of gangmastery into forms as advocated for by the Union.²⁴¹

We can see then that highly skilful campaigning and lobbying by the Union helped compensate for the massive reserves of resources held by these supermarkets, which hegemonically had highly differentiated material interests from the Union. These actions were aided by the fact that the Union enjoyed a close relationship with the ETI’s sympathetic full-time staff, with whom the Union participating in discrete “informal chats” before the commencement of tripartite meetings.²⁴² These meetings allowed the Union to gain the upper hand at the negotiating table, which proved instrumental in shaping the then private regulative structures that emerged from these meetings. Clearly then, *beneath the apparently tranquil surface-waters of placidity and cooperation that were seen on the ETI, deep undercurrents of purposeful, combative and instrumental union actions surged.*

The Union’s campaigning was not the sole pressure placed upon the supermarkets over this period, but it was instrumental in shaping the eventual outcomes of a number of differentiated processes. Allow us to quickly explore one of these additional pressures. At the turn of the 2000s, the supermarkets’ wider public legitimacy was in a state of flux: in 2000 the Competition Commission published a long-awaited study of the supermarkets’ oligarchic position in Britain, and its highly critical report notably commented on the unreasonable transfer of risks, from supermarkets to suppliers, which was being caused by the high concentration of end-produce retail in Britain²⁴³: Hence force the supermarkets were, for several years, under pressure from a regulatory body that theoretically had the power to actually disband their well-crafted business empires. This fed into the issue of gangmastery: the supermarkets had to publicly assure the Competition Commission, and by implication the ETI and EFRA, that they were doing all in their powers to combat the system, acting in a socially responsible manner.²⁴⁴ However, the supermarkets could

²³⁹ Kaufman, *In Conversation with Robin Hinks*.

²⁴⁰ Cf. Freidberg, *The Ethical Complex of Corporate Food Power*.

²⁴¹ Kaufman, *In Conversation with Robin Hinks*.

²⁴² *Ibid.*

²⁴³ Competition Commission, *Supermarkets: a Report on the Supply of Groceries from Multiple Stores in the UK*. N.B at the time of the publishing of a follow-up report, it was found that the top five multiples accounted for 70% of Britain’s grocery market. *The Landworker*, October/November 2004.

²⁴⁴ Marks and Spencer’s told EFRA, when questioned on its internal gangmaster protocols, that it “will take action against suppliers who do not comply, which may involve cancelling our orders and ceasing to trade”. Asda told the body that while it “does not itself conduct physical checks of the agencies

not admit that their oligarchic positions granted them far-reaching powers to effectively combat the system via self-regulation. To do that would have endangered their public standings: a demonstration of their regulative controls over their supply-chains would have amounted to an acknowledgment of the criticisms made by the Competition Commission.²⁴⁵ Therefore, under the guise of proactivity, but in actuality in a defensive manoeuvre, the supermarkets lent their support to the notion of governmental legislation: exactly the policy the Union had been pushing for in the civil arena for decades.

After the passing of the Gangmasters (Licensing) Act, neither the Union's public pressures, nor the supermarkets' apparent support for tightening statutory regulation, let-up. As shown in the following pages, the Union, 'to shrill to ignore', has helped dictate the supermarkets' continued perceptive backing of the GLA, and its operative agenda.

Beneath the superficial image of cooperation that was painted of stakeholders on the GLA, fractures in interests exposed themselves intermittently. By interviewing labour users and providers during the first year of the GLA's existence, it was found that "there was a perception... that retailers were being two-faced... on the one-hand, they wanted to be seen as ethical and expected their suppliers to conform to, and invest in, strict codes of conduct; but on the other hand, they were placing immense pressure on buyers/managers to squeeze the margins of suppliers, and that this pressure was often anything but ethical and left little room for the creation of good working environments".²⁴⁶ Clearly then, the supermarkets were not true converts to the cause of ethical procurement practices: only the continued threat of consumer and regulative backlash kept them on the 'straight and narrow', on board rhetorically with the GLA's policy agenda.

Again, this threat of backlashes has in a large part been maintained by the Union: with its presence on the GLA's board, it is not surprising that the Authority has privileged actions designed to influence public perceptions in its operative behaviour. To this day, the GLA's own online news feed "names and shames" gangmasters, operating within the supermarkets' supply-chains, in breach of regulations.²⁴⁷ Likewise, the Union and GLA have produced an ongoing series of policy briefs and media engagements that have called for the oligarchic tendencies of the supermarkets to be kept in check, in order to avoid further precarity-producing price squeezes.²⁴⁸ So, while limited in its capability to inspect a large number of workplaces, the Authority's "effective use of publicity and communications" has managed to wrought changes throughout the industry, thanks in a large part due to the Union's imposition of an ethical complex on the supermarkets: "the impact (of inspection) is exaggerated by labour users' and labour providers' anticipation of the

(gangmasters) retained by our suppliers", its "expectation is that suppliers use reputable agencies". Cf. *The Landworker*, December/January 2003.

²⁴⁵ Accordingly, while EFRA found the "dominant position of the supermarkets... (was) a significant contributory factor in creating an environment where illegal activity by gangmasters (took) root", the supermarkets maintained that they bore no responsibility for the recent proliferation of precarious labour relations, claiming that abuses were the result of individual, renegade gangmasters. Cf. Environment, Food and Rural Affairs Select Committee, *Gangmasters*, pg. 11.

²⁴⁶ Scott *et al.*, *Gangmasters Licensing Authority – Annual Review 2007*, pg. 148.

²⁴⁷ Cf. Gangmasters Licensing Authority, *External Communications Strategy for 2009-2010*, Nottingham: GLA, 2009, pg. 3.

²⁴⁸ Wilkinson *et al.*, *Forced Labour in the UK and the Gangmasters Licensing Authority*, pg. 35.

main supermarket buyers' and ethical auditing/trading teams' response to such negative publicity".²⁴⁹

Similarly, the Union has continued to operate in the GLA's wider operating environment. In 2004, in a typically rejuvenatory action, the Union formed an alliance with Friends of the Earth, the Small and Family Farmers' Association and the Federation of Women's Institutes, to push for a strengthening of the supermarkets' voluntary code of practice that continued to exist alongside the GLA's legal regulations.²⁵⁰ Elsewhere the Union, sitting on the European Federation of Food, Agriculture and Tourism Trade Unions, publicly asserted that "primary contractors" should be made responsible for their subcontractors' hiring and working practices, and that for this to be achieved, cooperative actions should be organised between trade unions and consumer groups²⁵¹: that is to say, the proposition of boycotts was floated. These actions have helped marshal the supermarkets' continued support for the GLA's developing legislative regime.

Clearly then, in creating and then maintaining the GLA, the Union has "rel(ied) more on cultural impact than on articulated connections with the political system",²⁵² and has come to resemble, in terms of its *campaigning strategic actions*, a New Social Movement rather than a traditional Post-War trade union. Yet at the same time, the Union has engaged in apparent collaboration with employers, a notion that would have seemed heretical to much of Britain's Movement in the Post-War Era: by sitting on the ETI and later the GLA, the Union has attempted to *warren into* capitalism to ensure a legitimate distribution of risks and benefits in society²⁵³; this represents, superficially at least, a *partnership approach to unionism* according to Hyman's typography. This is a particularly novel combination of rejuvenatory strategies: while recognising that rejuvenation is a contested and contradictory process, Heery for one emphasises the apparent incompatibility "between an aggressive campaigning unionism and attempts to develop social partnership in relations with the Government and with employers' organisations"²⁵⁴; yet the Farmworkers' Union has managed to tessellate these two apparently diametrically opposed forms of unionism into a hybrid campaigning/partnership approach. Completing a strategic triptych: when strategising against gangmastery the Union all the while sought, and eventually won, the creation of a *legal approach* to gangmaster-regulation.

This combination of approaches represents a highly innovative methodological toolkit. Having said this, fundamentally uncoerced cooperation does not exist, and never has existed, between the supermarkets and the Union: trust is minimal. Despite the GLA formally considering itself the result of "industry-wide partnership",²⁵⁵ the Union continues to believe that "that the GLA should have enforcement powers over supermarkets that knowingly work with suppliers that break licensing standards or are negligent with their contracting. This would put more onus on the supermarkets to pay a fair price for products and therefore for suppliers to treat

²⁴⁹ Balch *et al.*, *Gangmasters Licensing Authority – Annual Review 2008*, pg. 30.

²⁵⁰ *The Landworker*, October/November 2004.

²⁵¹ International Labour Organisation, *Bureau for Workers' Activities (ACTRAV): Trade Union Best Practice Initiatives for Migrant Workers*, Geneva: ILO, 2005, pg. 7.

²⁵² Martin Shaw, "Civil-society and Global Politics". In: *Millennium*, 1994, 23(3), pp. 647-67, pg. 655.

²⁵³ Cf. Hyman, *Understanding European Trade Unionism*, chapter four.

²⁵⁴ Edmund Heery, "The Relaunch of the Trades Union Congress". In: *British Journal of Industrial Relations*, 1998, 36(3), pp. 339-360, pg. 348.

²⁵⁵ Scott *et al.*, *Gangmasters Licensing Authority – Annual Review 2007*.

their workers properly”²⁵⁶: alternatively, the proposal for direct public regulation of their private affairs remains beyond the pale for the supermarkets. However, the threat of tarnishing the public images of firms high up in supply-chains allows for the apparent combination of campaigning and partnership forms of unionism *in practice*. *The Union has used the threat of shame and embarrassment to mobilise the supermarkets’ resources for its own purposes.*

This combination has long been utilised by NGOs operating in a variety of contexts: many of whom regularly combine campaigning actions in civil arenas with partnership actions in the development of multi-stakeholder initiatives, in order to foster corporate social responsibility on the part of transnational corporations.²⁵⁷ The Farmworkers’ Union independently developed this tactic into the relatively discrete field of industrial relations, and utilised a hybrid strategy highly differentiated from those traditional manifestations of union actions typified by the threat of withdrawing one’s labour.

The story of how the NFU came to apparently support such legislation is similarly infused with the interconnected strategic actions of the Union. By the 1990s, the farmers’ position in public life, once so powerful and perceptively positive, had become increasingly embattled.²⁵⁸ The salmonella scares of the late 1980s had done much to reveal to the public questionable modern farming techniques, and resultantly “the power of farmers... started to decline”.²⁵⁹ Socio-demographic changes had also taken their toll: farmers were by the 1990s “much less economically important and their decline in numbers suggested that any electoral influence they might have had has declined... Conservative MPs have less attachment to rural issues than in the past and many on the right are critical of state support for agriculture”.²⁶⁰ Needing to reaffirm their position in society, massively damaged further by the BSE crisis of the late 1990s, the NFU “followed a strategy of damage limitation by accepting the need for certain changes within agricultural policy without destroying the policy community nor the privileged position of the farmers”.²⁶¹ In doing so, the farmers recognised the utility in identifying a new source of contention in the industry: highly pressurised by the supermarkets, it is easy to imagine how the farmers would have welcomed the Union’s interjections over the issue of oligarchic supply-chain controls.

The Union went to great lengths to ensure that, while its statements regarding gangmastery reflected the realities of the field, it left enough discursive signifiers to gain accreditation from this unlikely ally: at the 2005 TGWU Conference, calls were specifically made “to protect local growers” from the supermarkets; it was moved that the supermarkets were “choking the life out of local communities... *workers, consumers and producers*” alike.²⁶² In 1962 Self and Storing, when principally

²⁵⁶ Unite the Union, *Consultation on the GLA and Supermarket Protocol*, London: Unite, 2009, paragraph 9.

²⁵⁷ Cf. Benjamin Cashore, “Legitimacy and the Privatization of Environmental Governance: How Non-State Market-Driven (NSMD) Governance Systems Gain Rule-Making Authority”. In: *Governance: An International Journal of Policy, Administration, and Institutions*, 2002, 15(4), pp. 503-529; Peter Utting, *Regulating Business via Multistakeholder Initiatives: A Preliminary Assessment*, Geneva: NGLS, 2002; Dara O’Rourke, “Outsourcing Regulation: Analyzing Nongovernmental Systems of Labor Standards and Monitoring”. In: *Policy Studies Journal*, 2003, 31(1), pp. 1-29.

²⁵⁸ Grant, *Pressure Groups, Politics and Democracy in Britain*, pg.147.

²⁵⁹ Martin Smith, “From Policy Community to Issue Network: Salmonella in Eggs and the New Politics of Food”. In: *Public Administration*, 2001, 69(2), pp. 235-55, pg 249.

²⁶⁰ *Ibid.*, pg. 249.

²⁶¹ Smith, *Pressure, Power and Policy*, pg. 112.

²⁶² *The Landworker*, August/September 2005, emphasis added.

analysing the state's relationship with the agricultural industry, found that an alliance with the publicly courted NFU could feasible have benefited the Union²⁶³: by the late 1990s and 2000s, events had turned half-circle, and many farmers, increasingly embattled against forces higher up their supply-chains, recognised that an implicit alliance with the Union, which had been careful in its discursive statements regarding its traditional adversary, could benefit themselves.

Further strategic streams of union actions focussed not on the supply-chains of gangmastery. Throughout the early 2000s, the Union aimed to shore up public support for the prospect and maintenance of statutory licensing. The enthusiasm of Middle England was seen as vital if statutory regulations were to be introduced, and not just as a whip with which to threaten the supermarkets. The Union had used the threat of concentrated public outrage to produce an ethical complex on the part of the supermarkets: in addition, and leaving nothing to chance, the Union went to great lengths in the civil arena to articulate the self-interested reasons why Mondeo Man and Worcester Woman should support licensing for self-interested reasons, repeatedly underlined how such regulations could benefit the public's purses. When touting Sheridan's PMB, the Union was at pains to stress that it believed "the current failure of Government to co-ordinate and regulate effectively is costing the Treasury potentially many millions of pounds every year... proactive enforcement can help claw back large sums of previously unidentified money for the Exchequer".²⁶⁴ This was a language many untypical allies could understand: Mark Simmonds MP, a back-bench Conservative who proved to be the greatest parliamentary backer of Sheridan's PMB, based much of his supportive arguments around the rhetoric of financial costs and benefits.²⁶⁵

Once up and running, the GLA continued to use the promise of financial profits as a strong legitimising purpose, despite the body continuing to privilege worker welfare issues in practice: Whitehouse stated that proper taxation of gangmasters would "get a lot of schools and hospitals".²⁶⁶ Clearly moving its rhetoric focus beyond narrow workplace issues, the Union positioned itself as the defender of the taxpayers' interests, in another coherent and typically rejuvenatory *campaigning approach* to union action.

While the aforementioned approaches of the Union required little input from actual ganged labour, the Union has for decades required substantial input from its lay-members, in and around the fields of Britain, when actualisation the strategies described above. Since its formation, the GLA has never been keen on extending its duties to include undercover capabilities: stating "going undercover requires training which isn't worth our while doing – much better to go to a police force... Actually, we've got quite a lot of journalists who are willing to do that – so let them do it".²⁶⁷ Such a comment, while pertinent, ignores the functions that the Union has played both prior to, and during, the GLA's existence: any investigative journalist would go to exorbitant lengths to access the information matrix that exists within the Union's membership. The Union's lay-members, branch secretaries, district organisers and

²⁶³ Self and Storing, *The State and the Farmer*, pg. 175-6.

²⁶⁴ Transport and General Workers Union, *Memorandum Submitted by the Transport and General Workers Union*.

²⁶⁵ House of Commons, *Gangmaster (Licensing) Bill – White Paper Debate 27th February 2004*.

²⁶⁶ *The Landworker*, December/January 2007.

²⁶⁷ Paul Whitehouse, quoted in Wilkinson *et al.*, *Forced Labour in the UK and the Gangmasters Licensing Authority*, pg. 14.

full-time staff, all the way up to central office, can be thought of as an informant network, able and willing to penetrate and report back on developments in the field. Recognising this resource, the Union has sought to enlist its membership in support of the “battle” against “the obnoxious gangmaster system” throughout its campaigns²⁶⁸; while holding a persistent belief that it would be unable to organise ganged labour,²⁶⁹ the Union has information from branches about the spread and growth of the system.²⁷⁰ Such information helped bring the re-emergence of gangmastery to the public’s attention, resultantly creating ethical complexes on the part of the supermarkets.

Likewise, the TGWU’s traditional branch structures, which penetrated working class British-Chinese communities, albeit in a not particularly dense manner, allowed the Union to meet the families of Morecambe’s victims. This empowered the Union to present the facts of the events that unfolded in a manner that suited both the British-Chinese community’s, and the Farmworker’s, tessellated interests.²⁷¹ Again, the Union’s access to informant networks has been of great use, providing ammunition with which to recalibrate the industry using methodologies that have *superficially* looked decidedly service centred. While a small number of full-time Union officers have sat on the boards of organisations based in London²⁷² and Nottingham,²⁷³ the Farmworkers’ campaign has in actuality involved the whole body of the Union. Clearly, this further muddies the apparent distinction between servicing and organising approaches to unionism.

The key lessons to take from this section include the facts that the Union sought, and largely succeeded, to create an ethical complex on the part of the supermarkets when seeking the regulation of gangmasters: rather than threatening the withdrawal of agricultural labour, the Union threatened the brand images of firms further up agricultural supply-chains, in order to create first private, and then public, regulations of gangmastery. In doing so, the Union bypassed the asymmetries of labour and product markets by mobilising in the civil arena, utilising strategies common to the NGO movement but relatively novel to British unionism: *campaigning* and *partnership* approaches to union action were utilised in a complementary and coherent manner. The Union also secured the support of the British public, by presenting itself as concerned with the perceptively widely relevant issue of governmental finances, rather than with the narrow issue of agricultural workers’ wellbeing. The sum total of these actions was the creation and maintenance of a *legal approach* to union strategy. Despite superficial appearances, the Union required the mobilisation of its lay-members for these strategies to be effective.

4. The Union’s Orientation to Ganged Labour.

Having assessed the various strategies of the Farmworkers’ Union regarding the gang-system, it is now necessary to analyse the Union’s orientations towards precarity-prone workers, as embodied in these strategic actions. Of importance is the

²⁶⁸ *The Landworker*, January 1987.

²⁶⁹ As late as 1997 the Union seemed to accept that migrant ganged workers were simple “too frightened to join”. *The Landworker*, March 1997.

²⁷⁰ *The Landworker*, May 1988.

²⁷¹ Kaufman, *In Conversation with Robin Hinks*.

²⁷² That is, the ETI.

²⁷³ That is, the GLA.

fact that the Union maintained a sustained stance against gangmastery in agriculture despite systemic demographic alternations to this mode of production's form: the Union campaigned against the use of ganged labour when the average ganged worker was a rural-based female worker *and* when they were a foreign-born labour migrant. In both cases common characteristics can be seen: throughout 1980s, 1990s and 2000s, a gangmember, regardless of their demographic background, was unlikely to be a member of the Union.²⁷⁴ Likewise, a ganged worker – female, migrant or both – would have worked longer hours for less money than an average agricultural unionist, throughout our periodisation.

Clearly, the Union has long felt genuine sympathy and kinship with gangmastered labour: in the 1990 gangmasters were identified as the “real villains” and “criminals”²⁷⁵. Indeed, the Union quickly grew weary of the governments’ Operation Gangmaster as its actions were “only catching foreign workers”²⁷⁶: the Landworker editorialised that “the thing that upsets us about the raids and blitzes so far is the only people who have really been affected are the workers”²⁷⁷. It must be pointed out that this intimidating operation was having a pronounced effect on precarity-prone labourers in the industry, and a union with a pre-rejuvenatory attitude of exclusion could theoretically have welcomed this development, in that it helped discourage the entry of further non-union labour into the industry. This was comprehensibly not the case here: the Union’s rhetoric appeals were decidedly inclusive in this instance. Further evidence of this orientation could be seen in the mid-2000s, when the Farmworker’s Union formally codified its orientation towards migrant labour, by then gangmastery’s principle demographic group, thusly: “migrant workers should be treated no less favourable than indigenous workers... we should welcome them into the Union to be part of our organisation”²⁷⁸.

In fact though, the Union has repeatedly gone beyond this commitment for equal treatment, and has recognised the specific needs of ganged workers. This is particularly evident with the Union’s decades-long emphasis on creating a licensing system for gangmasters: unlikely to be of direct benefit to a ‘regular’ Union member, but vital to deal with the specific, precarity-producing issues that affecting ganged workers. This implies that the Union’s attitude towards precarity-prone gangmastered work has been, hegemonically over time, more one of engagement rather than inclusivity.

This discursive attitude towards migrant labour should not be surprising: even in the Post-War Era and before, unions throughout the British Movement rhetorically attempted to recruit migrants into unions, as “formal exclusion was not in conformity with union ideology”²⁷⁹: *rhetoric* appeals for solidarity with precarity-prone migrant workers can hardly be said to be novel for the British tradition. Having said this, the Farmworkers’ concern for migrant workers clearly went beyond discursive pleasantries: as documented, a huge amount of resources were sunk into the Union’s campaigns regarding gangmastery over a sustained period of time, more than could be explained away as a mere lip-service payment to notions of fraternity.

Knowing then that an engaging orientation was hegemonically displayed, in rhetoric and practice, it is necessary to question why this was the case. At least in part,

²⁷⁴ Kaufman, *In Conversation with Robin Hinks*.

²⁷⁵ *The Landworker*, November 1998; January 1999.

²⁷⁶ *The Landworker*, November 1998.

²⁷⁷ *The Landworker*, May/June 2001.

²⁷⁸ *The Landworker*, August/September 2006.

²⁷⁹ Penninx and Roosblad, *Conclusion*, pg. 207.

one can credit the historic demographic profile of the Union, particularly with regards to its attitude to migrant workers. The first group of migrants to positively join the Union *en mass* were the stay-behind prisoners of war; Germans and Eastern Europeans who remained on the land after their imposed penal services lapsed²⁸⁰; likewise, from 1983 onwards, the Farmworkers formed part of a larger body which had in the past included migrant workers in substantial numbers.²⁸¹ These contacts helped ward off some of the worst excesses of xenophobia found elsewhere in the Movement. So, while relatively infrequently, foreign labour has played a historic role within the Farmworkers' Union's internal structures: resultantly, foreign labour was not conceived of as an alien, hostile labour reserve during our periodisation. That is to say, the Union's operational history *helped* facilitate the strongly engaging orientation seen from the Union regarding gangmastery in recent decades.

However, this historic interaction cannot exclusively explain the Union's orientation towards ganged workers. It certainly cannot explain why the Union mobilised itself to support female ganged workers in the earlier moments of the system's return. In the immediate Post-War Era, women played a very subordinate role in Union affairs. In 1948, the Landworker recounted a Union social thusly; "a dance band was engaged and the younger members of the softer sex present displayed considerable suppleness and grace"²⁸²: it is difficult to locate the females' humanity in such an account, let alone recognition of Union participation. By the time we join our periodisation in the 1970s a few females, such as Maynard, held positions of reasonability at various levels of the Union: however, many felt marginalised within its formal and informal structures. One delegate told her County Committee in 1977 that "I often feel that our brothers are being patronising and not taking us seriously. We are often downtrodden and sometimes just a decorative addition to the group, especially in our Union, as few women have ever crossed the path to the plough"²⁸³. Such feelings are easy to substantiate: as late as August 1972, the Landworker dedicated the entirety of its front page to a photo of "Miss. NUAAW", decked out in *risqué* floral regalia atop a decorated float.²⁸⁴

So, in adequately analysing why the Union came to orientate itself the way that it did, it becomes clear that, again, self-interested calculations played a major role. Gangmastered work accounted for a significant share of the sustained, proportional increase in seasonal and casual labour that occurred in agriculture during our periodisation: remember, between 1972 and 1984 the full-time hired workforce fell by 25%, while the number of seasonal/causal men rose from 34,500 in 1972 to 48,100 in 1984, representing an increase of 39%; female seasonal/causal labour, particularly concentrated in labour gangs, rose from 32,600 to 37,000 over the same period²⁸⁵; bringing analysis forwards, by the 2000s "migrant workers in the country(side) outnumber(ed) indigenous ones four to one" during periods of peak production.²⁸⁶ Clearly, when the gang-system returned to Britain the Union was not in a position to restrict non-standard access to the labour market, nor use the position of migrants and/or females to further its own members' privileged interests in a

²⁸⁰ *The Landworker*, July 1993.

²⁸¹ The 1889 London Dockers' Strike, a formative event in New Unionism's history, from which the TGWU traced its ancestral roots, involved great numbers of Irish workers, for example.

²⁸² *The Landworker*, January 1948.

²⁸³ Cited in Wynn, *Skilled at all Trades*, pg. 68.

²⁸⁴ *The Landworker*, August 1972.

²⁸⁵ Cf. MAFF's survey of *Agricultural Labour in England and Wales*, cited in Danziger and Winyard, *Poor Farm-Workers, Rich Farms*, pg. 2.

²⁸⁶ *The Landworker*, August/September 2006.

subordinatory manner. In this environment, to act in a pre-rejuvenatory manner would have been to write one's own suicide note: only increasing gangmastery's ability to undermine conventional employment patterns, as a lack of trade union won protections would only decrease costs for the labour user.

Resultantly, when advocating support for Sheridan's PMB, the Landworker argued that the Farmworkers' Union needed to appeal to migrant workers for "two very good reasons. One is that in an age of globalisation unions need to fight for workers' rights wherever they are... The other is that it is in the interests of indigenous workers not to have their pay and conditions threatened by the exploitation of migrant workers below the rate"²⁸⁷: time and time again, the Union recognised that the discursive vocabulary of unionism necessitated the "morally right" defence of precarity-prone ganged workers, but also that advocacy was needed as to provide a "defence against undercutting employment conditions (for) those already here".²⁸⁸ Later supplementing this fear of gangmastery's undercutting potential was the hope that ganged labour could "be a source of fresh and enthusiastic blood" for the Union.²⁸⁹

In sum, the rejuvenatory, engaging orientation of the Union, coherently seen from the early 1980s onwards, was held for standardly rejuvenatory reasons: a recognition that the Union was not in a position to control the labour market; a desire to prevent the undercutting of wages; and the hope of increasing the Union's standing in the eyes of previously excluded groups, increasing the industry's union density in the process.

5. The Effectiveness of the Union's Strategies.

This section analyses the effectiveness of the Union's strategies, and the reasons for this. Initially, I scrutinise just how determinant the Union's campaigning and partnership approaches were in securing the creation of the GLA. Following this, we ascertain exactly how much precarity was reduced by the formation of the GLA, and at what cost.

First, we turn to look at the instrumentality of the Union's actions: in order to do this, it is useful to compare the establishment of the GLA with a subsequent, ineffective Union-led campaign. A massive loophole of the Act meant that only gangmasters operating within the fishery, horticultural, agricultural and forestry industries were required to obtain a license: other low-waged sectors, where gangmastery had an increasing presence, such as construction and cleaning, were beyond the Act's purview.²⁹⁰ This led many of the nation's worst operating gangmasters to simply shift their firms outside of agriculture: while some of the most precarious labour relations in agriculture were combated, precarity in other sectors remained unchecked and indeed expanded as a direct result. Wilkinson found that by the end of the 2000s the ganged mode of production had helped produce and maintain systematic labour precarity in the construction, hospitality, catering and care sectors.²⁹¹ Indeed this loophole could cynically be said to be a major factor

²⁸⁷ *The Landworker*, February/March 2004.

²⁸⁸ *The Landworker*, August/September 2006 cf. April/May 2003.

²⁸⁹ *The Landworker*, October/November 2006.

²⁹⁰ House of Commons, *Gangmaster (Licensing) Bill – White Paper Debate 27th February 2004*.

²⁹¹ With cases of worker abuse including violence and threats of violence, threats of deportation, underpayments and payments below the minimum wage, unlawful charges and deductions from wages,

contributing to the Act's partial success: far easier was it for poorly-operating gangsters to switch their focus to other labour intensive industries where legislation was, and is, minimal, than to remain in the now regulated agricultural industry.²⁹² Whitehouse surmised this logic in 2009: "the chances of getting caught in our sector are mounting. The chances of getting caught elsewhere are still zero".²⁹³

The Union,²⁹⁴ wider Movement,²⁹⁵ GLA,²⁹⁶ ETI,²⁹⁷ supermarkets, labour users and numerous gangmasters²⁹⁸ have all repeatedly stated that the GLA's truncated remit is an illogical state of affairs, and that gangmastery should be regulated equally in all areas of the economy. Beyond rhetoric appeals, the Union helped compose, in 2007, a new PMB seeking such an extension.²⁹⁹ Yet this Bill failed to pass even its first reading in Parliament. This is despite the fact that the GLA is a revenue producing, lightly budgeted, widely supported body, which has proved highly effective at combating precarity in the small sector of the economy where its remit falls: without reference to the ideological persuasions of the New Labour and Conservative/Liberal Democrat governments, the case for the extension of the GLA's scope is seemingly incontestable and unanswerable. While the Union utilised an array of innovative and complementary rejuvenatory strategies in securing the licensing system, its subsequent failure when utilising these same strategies demonstrates that, ultimately, a contingent political event was needed to win the GLA from the hostile political establishment: as Kaufman readily admits, "it couldn't have happened without Morecambe".³⁰⁰

Ostensibly, an analytical reading of the GLA's formation suggests that the Union was reduced to playing the role of a hyena: waiting for contingent events, involving terrible suffering on the part of the labour force, before its own strategic actions could have their effects felt, and even then only in the contingent events' immediately spatial/temporal surroundings. However, the Union's strategic actions were not irrelevant. Even after the events of Morecambe Bay, on the second parliamentary reading of Sherridan's Act, the Minister for Rural Affairs was still adamant that he was "not convinced of the need to set up a new agency... We should... consider the possibility of a co-operative approach within the industry"³⁰¹: that is to say, the actual events of Morecambe did not immediately change

the withholding of documentation, the lack of work contracts and the existence of substandard, tied and excessively priced accommodation being regularly reported. Cf. Wilkinson *et al.*, *Forced Migration in the UK and the Gangmasters Licensing Authority*.

²⁹² Geddes *et al.*, *Gangmasters Licensing Authority Evaluation Study – Baseline Report*; Scott *et al.*, *Gangmasters Licensing Authority – Annual Review 2007*; Balch *et al.*, *Gangmasters Licensing Authority – Annual Review 2008*.

²⁹³ Wilkinson *et al.*, *New Labour, the Gangmasters Licensing Authority and the Woefully Inadequate Protection of Migrant Workers in the UK*, pg. 13.

²⁹⁴ Unite the Union, *Press Release Regarding the Home Affairs Select Committee Report on the Trade in Human Beings*, London: Unite, 2009; *The Landworker*, November/December 2008; *The Landworker*, May/June 2009.

²⁹⁵ Trades Union Congress, *General Council Report 2006*, London: TUC, 2006, pg. 26; TUC CoVE, *Hard Work, Hidden Lives*; Trades Union Congress, *General Council Report 2008*, pg. 15.

²⁹⁶ Paul Whitehouse, quoted on BBC Radio 4, *You and Yours*, 15th August 2007.

²⁹⁷ Cf. Wilkinson *et al.*, *Forced Migration in the UK and the Gangmasters Licensing Authority*, pg. 46.

²⁹⁸ Cf. BBC Radio 4, *You and Yours*, 15th August 2007; Balch *et al.*, *Gangmasters Licensing Authority – Annual Review 2008*, pp. 49-50.

²⁹⁹ Sherridan, supporting the Bill, argued in Parliament that an expansion of the GLA was normatively necessary, as there "is no such thing as an illegal worker. A worker is a worker is a worker". Cf. *The Landworker*, December/January 2007.

³⁰⁰ Kaufman, *In Conversation with Robin Hinks*.

³⁰¹ House of Commons, *Gangmaster (Licensing) Bill – White Paper Debate 27th February 2004*.

governmental policy, which still privileged self-regulation. Therefore, it was providential that the Union had previously played an instrumental role in creating a ‘climate’ that *pushed* the government to reactively respond to this contingent event in a legislative manner³⁰²: gangmastery and Morecambe had to be made visible – public opinions and attitudes had to be groomed – and this was achieved in a large part due to the Union’s decades long campaign. Acknowledging this crucial agency, the Farmworker’s Union was declared the joint winner of 2004’s annual *Trade Union Press and PR Awards*, which recognised the “sharp, timely (and) influential campaign, which reached top gear when contemporary events helped the Union shape a clear and successful strategy”: following the contingent, *catalytic* event that was Morecambe Bay, the pre-existent work of the Union was found to have played a “direct and almost instant influence” over the unfolding proceedings.³⁰³

The Farmworkers’ Union rightly felt that amongst the combination of factors that led to the development of the Authority, its actions were invaluable, declaring “it was the TGWU that won the GLA”,³⁰⁴ and that the Authority represented “a victory for Trade Union political action”.³⁰⁵ Sheridan agreed: when thanking the “broad coalition” that had helped ensure his Bill’s eventual passage, he was at pains to point out that it was “the TGWU at the forefront”.³⁰⁶ This instrumentality came at a cost. The Farmworker’s Union’s vanguard position had demanded actions that had taxed the its resources immensely: just looking at the latter years of the ETI, the Trade Group’s Research Department produced reams of high-specification research, while intensive political lobbying managed to secure the support of +100 cross-bench MPs for Sheridan’s PMB even before the events of Morecambe Bay.³⁰⁷ To put things succinctly, the “old NUAAW couldn’t have done it”,³⁰⁸: the greater financial and organisational resources of the TGWU were indispensable in providing the legal, lobbying and journalistic expertise needed to progress a piece of statutory legislation diametrically opposed to the government’s free market ideology. If it were not for the Farmworkers’ Union utilising these resources in the civil arena, it is fair to assume the Government would have reacted to Morecambe in a less forceful manner. *Not by design, but the earlier TGWU merger inadvertently ‘won the GLA’.*

To round off analysis of the effectiveness of the Union’s strategies, it is now necessary to look at an unforeseen consequence of the Act, which recalibrated, rather than destroyed, British gangmastery. Post-2004, small-scale, informal operators found their profit margins squeezed, as their ability to increase intensity and precarity by illegal means was curbed by the Act and Authority. As producers and grocers refused to pay higher premiums, many small gangmasters, working without the luxury of economies of scale, were simply forced out of business.³⁰⁹ Throughout the 1990s and early 2000s, these small-scale operators were once the norm, in terms of turnover and employees: preceding the implementation of the Gangmasters (Licensing) Act, 80% of gangmasters had a turnover of less than £1 million/year, with less than half having more than 100 employees on their books at any one time.³¹⁰ However, the

³⁰² Grant, *Pressure Groups, Politics and Democracy in Britain*, pg. 86.

³⁰³ *The Landworker*, August/September 2004.

³⁰⁴ *The Landworker*, February/March 2005.

³⁰⁵ Tony Woodley, TGWU General Secretary, quoted in *The Landworker*, August/September 2004.

³⁰⁶ *The Landworker*, May 2004.

³⁰⁷ Kaufman, *In Conversation with Robin Hinks*.

³⁰⁸ *Ibid.*

³⁰⁹ Rogaly, *Intensification of Workplace Regimes in British Horticulture*.

³¹⁰ Geddes *et al.*, *Gangmasters Licensing Authority Evaluation Study – Baseline Report*, pg. 10.

gangmasters that survived and proliferated after the formation of the GLA have tended to be larger, region- or nation-wide operations, bearing more resemblance to high-street employment agencies than Victorian field gangers.³¹¹ Rather than removing labour providers from British agriculture, the GLA standardised agriculture's internal labour provider market, whipping the sector into line with the larger labour provider industry that has come, from the 1980s, to play a central role across the whole of Britain's New Economy.³¹²

This augmentation of British gangmastery did not occur overnight. Following the events of Morecambe Bay, gangmasters, recognising the need to influence the growing public discourse surrounding their profession, set up the Association of Labour Providers (ALP). This representative body – which soon joined the ETI and, upon its creation, the GLA – sought to link agricultural gangmasters to the burgeoning British *employment agency industry*, rather than their traditional forebears, in order to seek publicly approved legitimacy. Indeed the ALP, in discussion with its members in 2006, found that ‘labour provider’ and ‘recruitment agency’ were the preferred self-ascribed terms for operators in the industry.³¹³ In fact, the gangmaster industry began to embrace the public's sterilised, professionalised perception of employment agencies as far back as the 1990s³¹⁴: then, keen to escape the Victorian ramifications of their profession, “gangmasters operat(ing) inside the existing legislative structure... tend(ed) to try to legitimise their businesses by turning them into employment agencies, rather than carrying on as what we would all understand as traditional gangmasters”.³¹⁵ The Gangmaster (Licensing) Act and Authority merely accelerated a pre-existing trend towards perceptual professionalisation.

The slick rebranding of labour providers did not lead to a disavowal of illegal, precarity-producing practices on the part of the industry. Ultimately, there is little qualitative divergence between the gangmasters of proverbial yore and the employment agencies found on any British high-street today³¹⁶: stating that the GLA has performed well is not to say that *de facto* gangmastery has evaporated from British agriculture, nor has the precarity within this mode of production. By 2008, the GLA had intervened in seven cases that it considered ‘serious’, six of which involved activities by employers that matched the ILO's definition of forced labour³¹⁷; likewise, by 2007 twenty-five applicants had been refused a license due to “critical”

³¹¹ Frances, *The Role of Gangmasters and Gang Labour in the UK Food Chain Network Past and Present*.

³¹² Scott *et al.*, *Gangmasters Licensing Authority – Annual Review 2007*. While it has been noticed that an effect of the GLA was a shifting of ‘traditional’ gangmasters into other low-waged economic sectors, the standard high-street employment agency industry has maintained dominant market positions in these sectors.

³¹³ Dench *et al.*, *Employer's Use of Migrant Labour*, pg. 19.

³¹⁴ Precision Prospecting, *Temporary Workers in UK Agriculture and Horticulture*; Frances, *The Role of Gangmasters and Gang Labour in the UK Food Chain Network Past and Present*; Dench *et al.*, *Employer's Use of Migrant Labour*.

³¹⁵ House of Commons, *Gangmaster (Licensing) Bill – White Paper Debate 27th February 2004*; Cf. Citizens Advice Bureau, *Nowhere to Turn*; Frances, *The Role of Gangmasters and Gang Labour in the UK Food Chain Network Past and Present*.

³¹⁶ Dench *et al.*, *Employer's Use of Migrant Labour*; Citizens Advice Bureau, *Nowhere to Turn*; Precision Prospecting, *Temporary Workers in UK Agriculture and Horticulture*; Balch *et al.*, *Gangmasters Licensing Authority – Annual Review 2008*.

³¹⁷ Wilkinson *et al.*, *New Labour, the Gangmasters Licensing Authority and the Woefully Inadequate Protection of Migrant Workers in the UK*, pg. 13.

issues of non-compliance³¹⁸; evidentially, highly precarious practices could still be found after the creation of the GLA. Overall, the ratio of successful to unsuccessful licensing applicants was 74:1 for this period, but by this same date 20 license holders had had their permits revoked as a result of subsequent GLA inspections: this tells us that the GLA sometimes failed to adequately vet license requests during its first operational years.³¹⁹ Clearly, worker mistreatment remained a widespread phenomenon in the industry.

Indeed, despite his muscular rhetoric, there is evidence that the GLA was marked by an over-lenience towards gangmasters under Whitehouse's tenure: as of 2008, of the 39 appeals against revocation that had been lodged to the GLA, only one was settled to the appellant's favour³²⁰; this suggests that the GLA was not being overly draconian in its regulative approach, potentially allowing perceptively respectable but precarity-producing firms through its net in the process. As a result of this leniency, a significant number of gangmasters have continued to operate in agriculture with little regard to the GLA's legal regulations: auditors estimating in 2008 that "approximately 15% of GLA-governed industry is potentially operating illegally"³²¹; gangmasters have still been "getting away with it",³²² producing insecurity, dependence and ultimately precarity in the agricultural workforce. As analysis below shows, the Union has, inadvertently, condoned at least some of this continuing precarity.

One should not presume that all labour providers in Britain have an equal tendency to produce precarious labour relations. In the late 2000s, three broad categories of agencies could be seen to exist, each defined by their specific, or lack of, representative body. The first group, represented by the Recruitment and Employment Confederation (REC), operated in all sectors of the economy, but with a diminished role in the agricultural sector. This group has had a long established code of 'good practice' for its members, requiring affiliated agencies to respect "international recruitment norms... adhere to the spirit of all applicable human rights, employment laws and resolutions" and "treat work seekers, clients and others without prejudice or unjustified discrimination" in order to provide equitable work opportunities to natives and migrants alike based on "objective business related criteria".³²³ In effect, the organisation presented itself as the representative organisation for agencies of 'best practice'. The Association of Labour Providers represented the second group, with a larger presence in British agriculture. This body ascribed to a much more "minimal compliance" doctrine³²⁴: ethical issues were seen as pertinent to employers only to the extent that falling foul of the law could result in damaged reputations, for the individual labour provider and the industry as a whole.³²⁵ A third group, without a representative body, was composed of the most unscrupulous and/or illegal operators in the industry, and it too was heavily involved in agricultural production, and other low-waged industries both before and after the formation of the GLA. It is mostly in

³¹⁸ 10 of whom were successful on re-application, cf. Geddes *et al.*, *Gangmasters Licensing Authority Evaluation Study – Baseline Report*, pg. 95.

³¹⁹ *Ibid.*, pg. 95.

³²⁰ Scott *et al.*, *Gangmasters Licensing Authority – Annual Review 2008*, pg. 22.

³²¹ Scott *et al.*, *Gangmasters Licensing Authority – Annual Review 2007*, pg. 23.

³²² *Ibid.*

³²³ Recruitment and Employment Confederation, *REC Code of Professional Practice*, London: REC, 2008.

³²⁴ Forde and MacKenzie, *The Ethical Agendas of Employment Agencies Towards Migrant Workers in the UK*.

³²⁵ Association of Labour Providers, *Agency Labour Audit Tool*, London: ALP, 2008.

these second two categories that rural observers have found systematic cases of grossly precarity-producing practices, even after the formation of the GLA.³²⁶

However, all three categories contain agencies that seek to make profits off the surplus value of labourers working in relations considerably more precarious than permanent workers': the codes and conventions of the REC and ALP, which somewhat arrest the development of precarious labour, represent not the *modi operandi* of individual operators, but only corrective lenses through which profit maximisation is vigorously pursued³²⁷; the high-road of the REC, low-road of the ALP and off-road route of renegade labour providers have all led to the precarisation of the workforce, in agriculture and elsewhere. Yet the Union, while purposefully condemning this third group of labour providers/gangmasters, has been forced to lend an air of respectability to the ALP, and by implication the REC. While the Farmworkers' Union, and the wider Movement, have campaigned against the proliferation of employment agencies in recent decades³²⁸: when co-operating on the boards of the ETI and GLA, the Union has been forced to keep check of its rhetoric statements regarding agency labour, helping to legitimise this mode of production, which is typified by high levels of worker precarity for normally unorganised workers.

One would be mistaken to believe that regularised employment agencies have always enjoyed the public approval they receive in Britain's contemporary employment environments. The International Labour Organisation's first ever recommendation, issued in 1919, called for the prohibition of profit-making employment agencies, which were seen as innately predatory organisations reliant on the unwarranted extraction of surplus value.³²⁹ While the British government never adopted such early conventions, organised labour made a convincing enough argument for the state to regulate and license the embryonic high-street employment agency industry across the economy, even at the outset of the nation's economic restructurings, with the passing of the previously mentioned 1973 Employment Agencies Act.³³⁰ The latter normalisation of these firms in the latter stages of the Twentieth Century represents the normalisation of precarity across the economy, a normalisation that the Farmworkers' Union can be shown to have been complicit in.

Focussing on our case study: the Union had once regularly moved to remove all ganged and triangular employment from the entirety of the food processing industries, sensing that such contracts undermined full-time employees and manning levels³³¹; licensing was but the planned first step of a longer term process of eradication. Accordingly, gangmasters, as a totality, were once described by the Union as "the epitome of Thatcherite values", rural turncoats requiring only a van, some contacts and "a whole-hearted devotion to one's own interests and a capacity for brutality".³³² As late as 1998 the Union believed "pay and conditions for thousands of

³²⁶ Jayaweera and Anderson, *Migrant Workers and Vulnerable Employment*; Citizens Advice Bureau, *Nowhere to Turn*.

³²⁷ Forde and Robert MacKenzie, *The Ethical Agendas of Employment Agencies Towards Migrant Workers in the UK*.

³²⁸ Cf. Trades Union Congress, *Migrant Workers in the Labour Market*, London: TUC, 2007; TUC CoVE, *Hard Work, Hidden Lives*.

³²⁹ McGaughey, *Should Agency Workers Be Treated Differently?*

³³⁰ Wilkinson *et al.*, *New Labour, the Gangmasters Licensing Authority and the Woefully Inadequate Protection of Migrant Workers in the UK*.

³³¹ National Union of Agricultural and Allied Workers, *Motions and Amendments to be considered by the 1980 Biennial Conference*, pg. 36.

³³² *The Landworker*, February 1988.

causal workers will only improve if there is legislation to *outlaw* gangmasters”.³³³ Now however, the Union has come to, rhetorically at least, blame the precarity of gangmastery on renegade “cowboys”³³⁴: apparently not representative of labour providers in general.

Consultation with labour providers was seen early on as an imperative task of the ETI: stakeholders, the Union included, had to act in a relatively positive manner towards those willing to get on board with its precarity-dampening, but not vanquishing, agenda, and later that of the GLA. Resultantly, in order to secure maximum stakeholder support, the ETI was known to state that “legitimate” labour providers “provide an essential service to the agriculture and food industries, without which much of the food processing industry and food supply-chain in this country could not function”.³³⁵ Needing to publicly align itself with the ETI, and to an extent the neo-liberal New Labour Government that stridently emphasised “there is nothing inherently illegal in the activity undertaken by gangmasters”,³³⁶ the Union was compelled to agree that “labour providers are an undeniable part of modern-day agriculture”.³³⁷ So, the Union’s nominally partnership approach, which proved of use in forcing concessions from the supermarkets, required sacrifices on the part of the Farmworkers also. That is to say, the Union’s hybrid campaigning/partnership approach was only partially effective, and was only able to mitigate the worst excesses of gangmastery by explicitly legitimising the still precarity-producing practices of others.

These sacrifices did not just help maintain some aspects of precarity in the agricultural market, but the wider economy as well. As mentioned, by sanctioning the low-road of the ALP, the Union implicitly supported the precarity-producing practices of the more formalised labour providers throughout the economy. Throughout the New Economy, the labour contracts formed from such professionalised triangular relations tend to be highly precarious in nature. In 2009 the average wage differential between an employee of an agency and a permanently employed worker, once corrected for the typical characteristics of temporary job-holders, was 15% to the permanent workers’ favour. Additionally, access to employer-provided benefits, training and trade union representation had been consistently worse for agency staff across the British economy since the 1980s.³³⁸ Furthermore, agency staff receive limited access to state supplied social benefits and statutory entitlements linked to the duration of one’s employment relationships, such as protections from unfair dismissal, since their paid working lives are interrupted by periods of unemployment, often purposefully manufactured by agencies for this express purpose.³³⁹

Such factors built up during the 1990s and 2000s to the extent that the TUC’s Commission on Vulnerable Employment found that “some of the most extreme employment rights abuses” in the economy “involv(ed) employment agencies and temporary labour providers”.³⁴⁰ Tellingly, the enforced provision of sub-standard but high-cost tied accommodation and food, transport and miscellaneous deductions today seems to be as real an issue with nation-wide, PR-conscious, REC-represented

³³³ *The Landworker*, November 1998, emphasis added.

³³⁴ *The Landworker*, December/January 2004.

³³⁵ ETI TLWG, *A Licence to Operate*, pg. 20.

³³⁶ Environment, Food and Rural Affairs Select Committee, *Gangmasters*, Evidence Submission 68.

³³⁷ The TUC’s General Secretary, Jack Dromey, quoted in *The Landworker*, December/January 2004.

³³⁸ European Foundation for the Improvement of Living and Working Conditions, *5th European Working Conditions Survey*, Dublin: EFILWC, 2010.

³³⁹ Vosko, *Less Than Adequate*.

³⁴⁰ TUC CoVE, *Hard Work, Hidden Lives*, pg. 117.

employment agencies as it ever was with field gangers³⁴¹: a 2008 survey found that 23% of responsive agency workers, nationwide, were provided accommodation by their labour provider; of these only 27% were provided with written, itemised information about their associated pay deductions.³⁴² Such providers have, however indirectly, been partially legitimised by the Union's interactions with the ALP on the ETI and GLA. As the GLA has consistently attempted, with the Union participating on its board, to penalise the gangmasters of *worst practice* in the industry, one can not call this sanctification a manifestation of a subordinatory orientation, only a inclusive orientation typified by *pragmatic realism*.

The key lessons to take from this section include the facts that the Union could only mobilise its resources to an effective enough degree to win the creation of the licensing body that it had desired for decades after the intervention of a contingent political event. This was due to the Union's inhospitable political environment. However, once the contingent event unfolded, the Union's hybrid campaigning and partnership actions, buoyed by resources acquired upon merging with the TGWU, were instrumental in determining the form of the resultant legal legislation. However, by partially relying on a partnership approach to union action – necessary in order to create and maintain an ethical complex on the part of the supermarkets – the Union was forced to concede some ground to industrial stakeholders with divergent material interests from itself, thereby allowing the continuation of gangmastered precarity to a significant degree.

6. Summary of the Union and Gangmastery.

This chapter helps address research sub-questions (vi) through to (viii), with regards to the Farmworkers' Union's relationship with gangmastery. To summarise each:

vi) What orientations and strategies has the Union employed with regards to precarity-prone workers?

The Union has employed a coherent and *engaging orientation* towards precarity-prone ganged work for a number of decades, seeking state regulations *tailored specifically in defence of these particularly vulnerable workers*. In terms of strategy, a hybrid combination of campaigning and partnership actions was invoked, which hegemonically focussed neither on labour providers nor the Union's traditional foes – the farmers – but on supermarkets higher up agricultural supply-chains. The Union utilised this combination of rejuvenatory *esque* non-legal strategies in the hope of eventually producing a codified *legal approach* to gangmastered industrial relations. Yet, while always pushing for this system of statutory regulations, the Union happily participated in voluntary discussions with multiple stakeholders both before and after the creation of the GLA. In actualising these actions, the Union afforded an investigative, almost journalistic role to its lay-membership.

vii) What causal mechanisms have been responsible for producing or inhibiting said orientations and strategies?

³⁴¹ Pai, *Chinese Whispers*; Citizens Advice Bureau, *Home from Home?*; Citizens Advice Bureau, *Nowhere to Turn*.

³⁴² TUC CoVE, *Hard Work, Hidden Lives*, pg. 194.

Self-interested cost/benefit analyses helped select the Union's rejuvenatory, engaging orientation, as the Union intended to prevent the undermining of full-time workers in the industry, and was hopeful that traditionally unorganised groups of precarity prone workers could reinforce the Union's ranks. The Union focussed on the supermarkets in order to pursue these ends, as it recognised that the oligarchic powers of these bodies, which were doing so much to indirectly produce precarity in the market, could be used directly to privately regulate agriculture, helping ward off the worst excesses of these precarity-producing practices: the Union mobilised its resources in the civil arena when seeking to commandeer the *de facto* regulative market powers of these bodies.

vii) How effective have said strategies been in securing the unions' desired orientational goals, and why?

Ultimately a contingent and tragic event was needed to secure this final goal: an inhospitable political environment was too tough to yield to frontal assaults from the Union; however, one cannot underplay the skill and innovation required of the Union as it *finessed* its desired aims. Rather than being relying on pre-existent public opinions and attitudes to facilitate its strategic actions, the Union primarily used the threat of an augmentation of these public perceptions to force change from the industry. A totally effective strategy aimed at the precarity produced by agricultural labour providers has not been found: indeed, the Union's strategic cocktail has helped to maintain and formalise certain forms of precarity, in agriculture and other sections of the economy. However, multiple stakeholders with differentiated material interests have found the GLA's, and by extension the Union's, strategies to have been instrumental in reducing a large amount of agriculture's precarity-producing practices.

Chapter 7: Answering, and Extrapolating from, my Principle Research Question.

Until this point in the thesis I have utilised a shifting thematic narrative, observing first the Movement's, and then the Union's, actions by way of analytically discrete operational domains. Echoing the TGWU's strategies of the 1980s, I now turn to *link up* the analyses made in the previous five chapters, to answer this thesis' principle research question, and draw out critical and constructive ramifications from this answer.

Remember, I seek to ascertain: *in terms of form and effectiveness, how differentiated were the orientations and strategies of the Farmworkers' Union, with regards to precarity-prone workers, when compared to the wider Trade Union Movement, and why?* I answer the first part of this question in section one of this chapter,¹ in section two I analyse the second.²

I illustrate some of the various implications of this analysis – those that can help guide the Farmworkers' Union's continuing operations – in section three. In section four I do much the same but on a wider scale, demonstrating how my observations of the Farmworkers' Union's metaphorical Petri dish can help inform the future strategic actions of the British Movement operating in the New Economy. I do a similar action in section five, explaining how the experiences of British farmworkers can help inform the future operations of the Dutch Trade Union Movement, despite its highly differentiated operational heritage and environment. Rather than provide a single end-point summary of this series of exploratory sections, each individual section of this chapter is summarised in turn.

1. In Terms of Form and Effectiveness, how Differentiated were the Orientations and Strategies of the Farmworkers' Union, with Regards to Precarity-Prone Workers, when compared to the Wider Trade Union Movement?

If one were to focus narrowly on its choice of strategy, the Farmworkers' Union would appear to have acted in a broadly rejuvenatory manner throughout the entirety of our periodisation: *utilising methodologies now associated with union rejuvenation for a prolonged period of time in a generally coherent manner*. This trend is most clearly demonstrated with reference to the AWB, where the Union has utilised, from a date well preceding the onset of our periodisation, a *legal approach* to union action, albeit one partially imposed on the industry and specifically designed to provide a verisimilitudinous representation of voluntary collective bargaining. Likewise, in the earliest years of the 1970s, the Union was utilising a coherent, if differentiated, *legal approach* when mobilising its resources to win the "abolition" of the tied-cottage system³: attempting to activate the resources of its fellow travellers in the Labour Party in order to win statutory regulative changes for the industry, via direct governmental interference in the housing market. A further *legal approach* could be seen less than a decade later, when the Union again hoped to guide the creation of governmental policy, this time with regards to agrichemical control regimes.

¹ That is, *in terms of form and effectiveness, how differentiated were the orientations and strategies of the Farmworkers' Union, with regards to precarity-prone workers, when compared to the wider Trade Union Movement?*

² That is, *and why?*

³ Cf. *The Landworker*, December 1972.

These repeated and coherent strategic deployments, used as a principle methodology rather than as an occasional supplement to voluntarism, markedly differentiated the Union from the mainstream Movement, or at least its craft-wing, in the earlier decades of our periodisation. This differentiation was not trivial: as many scholars have demonstrated, a hegemonic tendency in the Movement held a traditional antipathy to *pervasive* legal interventions in labour markets until well after the commencement of the cascade of decline⁴; yet, while the mainstream Movement hegemonically resisted any and all suggestions for a NMW at the commencement of our study, and pushed for a transformation of the tripartite wage councils into bipartite bodies, *most* in the Farmworkers' Union actively supported the continuation of AMW machinery.

Not only was the Union's use of this strategic methodology novel in its early and consistent deployment: so too was its early deployment in operational domains unassociated with hegemonic forms of Post-War unionism. Until well into the 1980s, much of the mainstream Movement shied away from interventions over non-labour market issues, seen as they were as secondary in value to the normatively privileged issues of worker remuneration and workplace conditions⁵: so, it was only in the latter years of that decade, long after the commencement of the cascade of decline and the initiation of conscious union rejuvenations, that the Mainstream movement dedicated *significant* resources to issues regarding the housing of workers; of course, the agricultural union long differed, greatly, over the issue of tied-cottaging.

Indeed, the multifaceted legal methodology can be defined as *the* enduring *modus operandi* of the Farmworkers' Union. As demonstrated in chapter two, the mainstream Movement, when it started to seek rejuvenation, began to increase its usage of legal approaches soon after the onset of the cascade of decline, albeit neither in a particularly coherent nor convincing manner. Concurrently, the Farmworkers' Union continued to utilise this methodology to an almost stubborn degree, on the AWB and elsewhere.⁶ This hegemonic dominance of a single strategy endured until relatively late into our time series: the Union argued in 1985 that it still "had to *rely* on political action to resolve (its) industrial and social problems",⁷ due to the perceptively precarious and powerless position of agricultural workers *en mass*. Indeed, the Union continues to privilege appeals for governmental interference as its preferred 'solution' to all manner of precarity-producing phenomena – regarding triangular employment relations and health and safety protections – right up to the present day. Accordingly, I can assert that in its persistent usage of this strategic approach, seen as it was in a variety of operational domains, the Union's actions were *at first* significantly differentiated from, and one could say more rejuvenatory than, the mainstream Movement's. Yet, around a decade after the onset of our periodisation, many of the mainstream Movement's strategic actions began to

⁴ Oude Nijhuis, *Labour Divided*, pg. 29; cf. Hugh Clegg, *The Changing System of Industrial Relations in Britain*, Oxford: Blackwell, 1979, pg. 43.

⁵ Hyman, *Understanding European Trade Unionism*, pg.72.

⁶ Of course, it has to be remembered that factions within the Union have regularly fought for the hegemonic privileging of divergent preferred strategies throughout the decades of our study.

⁷ Jack Bobby cited in *The Landworker*, September 1985, emphasis added. This argument was made when the Union's executive instructed its members to vote 'yes' on the ballot the Conservatives required all unions to hold in the mid-1980s regarding the continuation of political funds. Like every union that balloted on the issue, the TGWU voted overwhelmingly in favour of retention, albeit on a 51.3% turnout. Cf. *The Landworker*, November 1985. N.B unfortunately, broken-down statistics are not available regarding the votes of individual Trade Groups.

converge on, and resemble, those previously seen from the Farmworkers' Union. This observation is entirely consistent with my initial expectations.

However, I found unexpected results with regards to the Union's usage of further, differentiated, strategies: I expected the Farmworkers' Union to utilise an identifiably rejuvenatory *yesque* strategy from the outset of periodisation, and therefore implicitly assumed that any strategic *modus operandi* would remain a relative constant throughout our study; however, the previous chapters clearly demonstrate that the Union has *partially* shifted its preferred strategy in recent decades; from a dominate privileging of various legal approaches, the Union has come to *increasingly* insert aspects of campaigning and partnership approaches into its repertoire of contention. As shown, the Union consciously deployed a *campaigning approach* to Union action in the *latter* 1970s and early 1980s – with it being only at first utilised as a supplementary by-product of its legal manoeuvres – when it sought to regulate British pesticide use on a *de facto* basis. Of note is the fact that it was at around the climax of this campaign that other British unions, facing their personal cascades of decline, came to embrace this campaigning approach in a manner and extent that had not been seen since the Inter-War period, if not before. In the following decades, when the mainstream Movement greatly increased its usage of this rejuvenatory mode of action, the Farmworkers' Union continued to increase its usage also, when trying to regulate gangmastery for example. So, in the case of its use of campaigning approaches to unionism throughout its operational domains, the Farmworkers' Union's developmental path proves to be, against expectations, consistently complementary to that of the mainstream Movement's, instead of being initially differentiated.

The Union's multifaceted actions against gangmastery – which provide us with latter examples of the usage of campaigning – are particularly noteworthy, in that while the Union utilised a campaigning approach, it *sought* to create a statutory *legal approach* to agricultural labour regulation, and by implication union action, and later actively participated in and around the resultant legislative body in a nominally *partnership*-based manner. While conscious rejuvenation had certainly become *the* accepted aspirational principle of the Movement by the time the Farmworkers' Union's engagement with gangmastery reached its crescendo, the deployment of this strategic triptych was highly innovative, and effective, when compared to the actions of the mainstream Movement at the time. Yet further, similar, if less effective, *hybrid actions* were seen from the Farmworkers's Union both before and after the formation of the GLA: most notably with regards to the Union's various *campaigns* to secure the continued *legal* existence of the AWB.

While perhaps not as effective nor notable as the Farmworkers' Union's, hybrid actions, significantly differentiated from the Post-War tradition of voluntarism, have *concurrently* emerged elsewhere in the Movement in recent years: for instance, many unions now accept that narrow, workplace-centred organising approaches appear to be ineffective when used in isolation with certain precarity-prone groups with highly specific needs and interests, such as sojourning migrants⁸; resultantly, rejuvenatory strategies aimed at organising migrant labour have come to increasingly incorporate aspects of 'community unionism' – with union activity focussing on extra-workplace issues and domains, such as housing and lifelong learning, so as to allow the Movement to build links with employers, migrant community networks and

⁸ Cf. Heery and Abbott, *The Insecure Workforce*; Jane Holgate, "Organizing Migrant Workers: a Case Study of Working Conditions and Unionization in a London Sandwich Factory", *Work, Employment and Society*, 2005, 19 (3), pp. 463–80.

other civil society groups⁹; elsewhere, organising approaches that incorporate an emphasis on worker education schemes, designed to increase workers' human capital, have become a recurring theme in the mainstream Movement¹⁰; these nominally *organising* approaches have adopted *campaigning* and *servicing* tendencies in their operationalisation. Clearly then, the Union and Movement have *both* come to employ multifaceted hybrid strategies on a systemic basis.

Remember, in this thesis' introduction I predicted that the mainstream Movement's rejuvenatory strategies would come to resemble the relatively stable actions of the Farmworkers' Union, well versed as has been to agriculture's consistently hostile operating environment: I anticipated a process of convergence between the Union and the mainstream Movement, *with the latter being the prime mover*. However, we can see from the above that in practice, as our periodisation progressed, the Farmworkers' Union partially turned away from its traditional privileging of legal approaches, and came to utilise a broader array of strategic actions, all nominally rejuvenatory according to the ontologies of rejuvenation theorists: while a harmonisation of strategies has occurred, this has involved a significant move from the Farmworkers' Union. *Convergence has been bilateral*: from a previous privileging of a single approach – legalism for the Union, voluntarism for the Movement – both of our subjects have come to prefer strategic cocktails.

This insight proves to be the thin end of a wedge: a wedge that eventually discounts the core premise I outlined in this thesis' introduction. To demonstrate why this is the case, we must look more closely at the Union at the initiation of our periodisation. In 1970 the Union was hegemonically utilising legalism in a small-*c*-conservative manner¹¹: in much the same manner that the Movement was conservatively utilising voluntary collective bargaining. Recognising its lack of mobilisable resources, an issue stemming ultimately from the Union's hostile and then-idiosyncratic environment, the Union had to act in a manner differentiated from others in the Movement, *but not for differentiated purposes*: self-interested, subordinatory advocacy of one's own traditional constituents remained the order of the day, for both the Farmworkers' Union and the wider Movement.

This allows us to make an observation regarding the nature of rejuvenation; one that delineates the term to a greater extent than has been seen in this thesis up till now. Theorists such as Hyman have defined certain strategies as more rejuvenatory than others, often due to their enhanced *capacity* to represent the interests of precarity-prone workers. However, analyses of the Farmworkers' Union's actions, with regards to the AWB and the tied-cottage, clearly demonstrate that *apparently* rejuvenatory strategies can be used in highly divisive manners – the Union has repeatedly, throughout time and space, used legalism to divide the agricultural workforce, for the purpose of facilitating inequitable distributions of socio-economic risks and benefits to the advantage of the Union's traditional constituents; opposingly, apparently pre-rejuvenatory strategies have been used for *orientationally* rejuvenatory purposes, as evidenced by *Link Up*'s partially realised ability to shift the emphasis of horticultural voluntary collective bargainings so as to better protect precarity-prone workers in an enhanced manner. It is here where we find a contradiction between this

⁹ Cf. Datta *et al.*, *From Coping Strategies to Tactics*.

¹⁰ Cf. Trades Union Congress, *General Council Report 2004*, London: TUC, 2004, pg. 7; Trades Union Congress, *General Council Report 2008*, London: TUC, 2008, pg. 17.

¹¹ Again, conservative being the antonym of progressive, rather than Conservative being the established political ideology and associated political party.

thesis' two chief theoretical texts. To illustrate with a further example: remember, orientational change is in no way deterministically assured, and while the recent formations of company 'unions' – a trend that has occurred in recent years in which many niche-representing unions have been observed making their beds with the managements of individual firms – are wholly *strategically* rejuvenatory as according to Hyman's account, in that the unions in question have moved away from the norm of voluntary collective bargaining, they are wholly pre-rejuvenatory as according to Heery's, in that the subjugation or exclusion of non-privileged workers is required for such strategies to be effective. From this, we can see that *the two theorists are clearly describing two uncorrelated issues*.

Wanting this thesis' findings to serve a long-term practical purpose, by being of help in identifying avenues of future action that assure the efficacy of unionism, I propose that, for the remainder of this thesis, references to *strategic* and *orientational rejuvenation* should be read as to describe two independently existing phenomena, *with the latter privileged in analysis*: I posit that in order to produce a *practically valuable* academic work, we must *normatively* emphasise a shift in orientation as *the* defining aspect of union rejuvenation.

Allow me to dissect this position: because multiple theorists have been working, in recent years, under a single rubric – that of union rejuvenation, albeit otherwise defined as renewal¹² or revitalization¹³ – there has been a tendency in the British academic context to view any action differentiated from the once-hegemony of voluntary collective bargaining as being of equal potential value to the Movement in desperate need to change. This view is reinforced, inadvertently, by works such as Heery's, which, while going to lengths to highlight the contested and counter-directional tendencies found within the Movement, ultimately present orientational change as that of a Hegalian progression, with unions moving through four bespoke and, *seemingly*, progressively preferable moments: with such a mindset, it would be easy to interpret any and all strategic *divergences* as strategic *improvements*. Heery, and myself, would thoroughly reject the deterministic tinge of this account. However, analysis of the Farmworkers' Union demonstrates that this apparent progression *should* be adopted as an aspirational ambition of the Movement: *practicality and normativity combine*, when we see that rejuvenatory orientations towards precarity-prone workers – normatively deserving of trade union representation – oft increase in practice the long-term efficacy of increasingly resource-deficient unions.

However, this synthesis of practicality and normatively does not occur with regards to strategic rejuvenation. Of course a move away from voluntarism, towards any other manifestation of strategy, is rejuvenatory according *dictionary definitions* of the term, but *unlike Heery's account of orientational change, strategists should not raise unquestionably all of Hyman's rejuvenatory strategies unto an aspiration pedestal*. A rose by any other name is still a rose, and a subordinatory tendency towards precarity-prone work is still a subordinatory tendency towards precarity-prone work, and pre-rejuvenatory according to *normative and practical 'definitions'*, in that it is likely to simultaneously harm both the long-term survival of the Movement and the interests of precarity-prone workers, regardless of the strategies utilised to actualise it. According to this account, orientations should be taken as the proper signifiers of rejuvenation, strategies are simply the vessels through which these orientations are operationalised, or not as the case may be: Heery describes

¹² Cf. Forrester, *The Quiet Revolution?*; Carter, *Trade Union Organizing and Renewal*.

¹³ Behrens *et al.*, *Conceptualizing Labour Union Revitalization*.

rejuvenation actual, while Hyman describes phenomena associated, but not directly correlated, with rejuvenation.

Clearly then, we cannot look at the Farmworkers' Union's strategies in isolation. With our newly defined term, we cannot view the Union's initial strategic divergence from voluntary collective bargaining as straightforward, observational *evidence* of premature rejuvenation: a choice of strategy provides only circumstantial data, signifying the presence of associated, and potentially-catalytic, symptoms which may, but also may not, indicate rejuvenation, as taken to mean the better representation of precarity-prone workers.

With this in mind, we must address the fact that there was nothing premature or novel about the Union's orientations towards precarity-prone workers as seen throughout our time series. In the earlier years of our periodisation the Union actualised strongly subordinatory orientations towards precarity-prone workers in diverse arenas of contention, such as those on and around the AWB and regarding the tied-cottage. This orientation has proved highly durable: across time, space and operational domains, the Union has been known to subsume and sacrifice the interests of precarity-prone workers – likely non-unionised workers from traditionally subordinated demographic groups employed on non-standard contractual forms – in order to further the interests of those workers typical of its core constituents – more likely than not white, British and male workers employed on standard contracts and paid precarity-dampening wages. Even though recent developments in Britain's political-economy, namely the creation of the NMW, have problematised the efficacy of such actions, these tendencies have proved highly persistent, and can still be seen in operation in one of the Union's principle operational domains, that of the AWB.

Of course, in some of its actions the Union has displayed a more rejuvenatory orientation: but these have *mostly* come in the latter years of our study. True, when the Union campaigned for better health and safety protections in the 1970s one saw a generalisable regard for all workers' welfare, which overrode divisive cleavages in the workforce. However, it was only in the 1980s that this inclusive orientation gained significant prominence within the Union's internal structures, when it concerned itself with 2,4,5,T. The Union has additionally displayed rejuvenatory orientations, of inclusion and occasionally engagement, towards precarity-prone workers in other operational domains: at times, such orientations were thrust upon the Union, as was the case with *Link Up*, but they also developed spontaneously from within the Union's internal structures, as was the case when farmworker activists placed themselves on the frontline of contentions related to gangmastery. Again, these tendencies rose to prominence only a decade or more after the initiation of our periodisation: while such orientations could occasionally be glimpsed from the Union in the late 1970s, they really exploded in the 1980s and 1990s, as markedly non-standard relations increasingly penetrated the labour market. So, with the majority of the Union's rejuvenatory orientations being operationalised from the 1980s onwards, standard union rejuvenation theorists should not view the emergence of such inclusive and occasional engaging orientations as surprising.

Indeed, the demographic groups that have ultimately wrought the greatest benefits from the Union's most coherent and effective rejuvenatory operation – the Union-aided construction of the GLA – have concurrently been targeted by similar operations of the mainstream Movement. Clearly the cascade of decline was well underway when feminised labour gangs began to reappear *en mass* in British agriculture, and by the time of the arrival of foreign labour into these gangs the wider Movement was consciously seeking rejuvenation, both inclusive and engaging: in

these rejuvenations, the self-motivated Movement has particularly emphasised the need to shift orientations regarding migrant labour, coming to recognise that if the particular extenuating needs of migrants are taken into account, their union density rates are often well in excess of native populations.¹⁴ So, in the same years that the Farmworkers' Union was ratcheting up its pressure on gangmastery, the mainstream Movement was publishing a substantial amount of literature designed to encourage the recruitment, servicing and organising of precarity-prone migrants and other typically non-standardised workers.¹⁵

Discrediting this thesis' prediction then, *the Union's extended heritage of working in a hostile operating environment did not result in an earlier realised nor more coherent orientationally rejuvenatory persona from the Union*. Instead, the Farmworkers' Union's 'journey' towards rejuvenation closely matches that of the wider Movement. The mainstream Movement did not move towards the Farmworkers' Union: the two have been fellow travelers. From being strongly pre-rejuvenatory at the onset of our periodisation, green-shoots of rejuvenation came to be seen in the latter 1970s and early 1980s, which then spread throughout the entirety of the body's institutional structures, though still not in a totally coherent nor hegemonic manner, with pre-rejuvenatory counter tendencies surviving to the present day: such a narrative perfectly describes both the Union and the wider Movement. Indeed, many of the developments variably enacted and experienced by the Farmworkers Union in the 1980s and 1990s were relatively standard fare for urban unions at the time: merging with a larger union for lack of an alternative and having centralised rejuvenatory protocols imposed on local branches being prime examples.

What our study does show us is that when a union rejuvenates its orientations, and faces the demands of catering to a more heterogeneous pool of worker interests, a *fractalisation* of strategies occurs. No single strategy can be utilised by a union aware and receptive to the multiple interests of a workforce: so, not only is a rejuvenating union's repertoire of contention augmented, it is expanded. The mainstream Movement went from hegemonically utilising the sole strategy of voluntary collective bargaining and came to use cocktails of the apparently rejuvenatory strategic forms as described by Hyman for often, but not exclusively, orientationally rejuvenatory purposes, as described by Heery; the Farmworkers' Union did much the same, only moving away from a hegemonic usage of legalism. From this, we can see that no single strategic form indicates the likely actualisation of orientational rejuvenation: a *dynamism* and *variety* of strategies does. Looking for such patterns, we can say that Farmworkers' Union was no quicker than the mainstream Movement in adopting a dynamic and varied cocktail of sympathetic strategies. The causal mechanics behind this mirroring are discussed in the following section, but first we must compare the effectiveness of the Union's actions with those of the wider Movement.

When analysing effectiveness, one finds that the Union's cocktail of superficially rejuvenatory *esque* strategies *generally* performed underwhelmingly at the outset of our periodisation. This analysis holds true even when one assesses those strategies with reference to the Union's normally subordinatory goals. Take the issue of remuneration as an example: from the start of our periodisation, the Union has attempted to maximise remuneration for a relatively small core group of workers,

¹⁴ Cf. Gamze Avci and Christopher McDonald, "Chipping away at the Fortress: Unions, Immigration and the Transnational Labour Market". In: *International Migration*, 2000, 38 (2), pp. 191-213; Bronfenbrenner *et al.*, *Organizing to Win*.

¹⁵ Cf. Trades Union Congress, *Report of Congress 1992*, London: TUC, 1992, pg. 500; Trades Union Congress, *Report of Congress 1994*, London: TUC, 1994, pg 308.

implicitly at the expense of others in the industry; yet we have seen how agricultural workers have remained low paid by national standards, a fact that includes the *relatively* better off in the sector; the aristocracy of agricultural labour has remained a precarious aristocracy indeed, despite the Union's best subordinatory efforts. Likewise, even if one accepts that in practice the Union sought a subordinatory restructuring of the tied-cottage system in the 1970s, rather than its abolition, the actual results it managed to achieve were far from spectacular: it is possible to imagine a hypothetical restructuring of the system that would have allowed for a continuation of its privileged rents, but which also would have secured a right to tenancy for normally economically-privileged cottagers, as opposed to the looser guarantee of housing that the Union managed to secure. Clearly then, the Union's combinations of rejuvenatory*esque* strategies and subordinatory orientations appear to have been far from efficient in the earlier years of our periodisation. It was at broadly this same moment that the mainstream Movement found its traditional subordinatory operations rendered ineffective by the first waves of economic restructurings that emerged after the Oil Shocks: again, a temporal mirror image is seen between the Movement and Union, this time regarding strategic ineffectiveness in the 1970s.

However, when the Union has utilised rejuvenatory*esque* strategies – legal and otherwise – in combination with rejuvenatory orientations, efficiency seems to have been improved. True, the Union's legal attempts aimed at restructuring agriculture's on-site health and safety regimes, seen from the 1970s onwards, have proved consistently ineffective. However, this story is different with regards to 2,4,5,T: in the early 1980s the Union successfully operationalised a combination of rejuvenatory strategies whilst holding a rejuvenatory, inclusive, orientation, albeit to win rather narrow results focused on a single chemical. While the benefits wrought by these actions were only partial – the Union was still excluded from regulative controls regarding general chemical usage in agriculture – the Union managed to launch an even more effective, if slow-burning, operation a couple of years later: from the 1980s onwards with regards to gangmastery; with the Union-won formation of the GLA providing, arguably, *the* largest counter-directional trend to the ongoing so-called 'deregulation' of the British economy, it is clear that, in one key instance at least, the effectiveness of the Union's actions have been markedly differentiated from the mainstream Movement's often partial successes. Of course these later successes have to be taken with a pinch of salt: contingent political events seemingly beyond the Union's control were needed to win regulative restructurings in both operational domains. Yet despite these limitations, it is clear that *the Union* has often *punched above its weight*,¹⁶ and not just with narrow regards to the GLA: not totally effective in all moments and manners, the Union has performed impressively when one considers its limited resources and hostile framing environment. However, this has only been the case in the latter years of our periodisation: the efficiency of the Farmworkers' Union's actions have improved with each passing decade of our periodisation.

This evidence again runs against my earlier postulations. In chapter two I describe how the mainstream Movement's cascade of decline problematised the once consistently efficient usage of subordinatory collective bargaining, and demonstrate how it took several decades of incoherent experimentations for some strategists within the Movement to reactively develop some relatively effective combinations of orientations and strategies. Going against my predictions, it appears that the

¹⁶ Cf. chapter 6, footnote 213 of this thesis.

Farmworkers' Union experienced much the same trend, but without an earlier moment of relative success to hold on to and bask in. Again, I analyse the causal mechanisms behind this trend in the following section.

To summarise the above and partially answer this thesis' principle research question: I can say that the Union's principal strategies *were* significantly differentiated from the mainstream Movement's at the onset of our periodisation; as predicted, the Union hegemonically utilised strategies that would be identified, by contemporary theorists, as rejuvenatory at an earlier date than others in the Movement. However, this differentiation cannot be taken to represent a truly premature rejuvenatory tendency from the Union: when one defines rejuvenation through the lens of orientation, the Farmworkers' Union's experiences mirror, rather than diverge from, the mainstream Movement's. At the beginning of our periodisation, as the first rumbles of the mainstream Movement's cascade of decline broke on the temporal horizon, the Union hegemonically utilised subordinatory orientations, just like the wider Movement. Only later did its orientations shift to more rejuvenatory ones, and even then this shift has only been partial, occurring in some operational domains, such as that related to gangmastery, and not in others, such as that on and around the AWB: again, this partial transition likewise typifies the mainstream Movement's experiences. The same story applies to the varying effectiveness of the Union's strategies: from its hegemonically ineffective cocktail of strategies of the 1970s, the Union has come to enjoy a degree, but certainly not a total, amount of success in more recent years: the one differentiation between the Union and mainstream Movement being that the wider Movement continued to enjoy the last dregs of its once effective strategy of voluntary collective bargaining in the early years of its cascade of decline, while the Farmworkers' Union never properly enjoyed this tattered but still somewhat effective safety net. So, to give a candid answer to the component of my research question addressed by this section: *in terms of form and effectiveness, how differentiated were the orientations and strategies of the Farmworkers' Union, with regards to precarity-prone workers, when compared to the wider Trade Union Movement?* Not particularly.

2. And Why?

Much of my hypothesise appears to have been falsified: my analysis describes a broad lack of differentiation between the post-1970 histories of the Farmworkers' Union and the mainstream Movement, with similarities particularly accentuated with regards to each body's orientations towards precarity-prone workers. This section completes the addressing of my thesis' principle research question, and ascertains what casual mechanisms caused this pattern.

First, we briefly assess why the Union acted as according to my initial expectations, and consistently utilised strategies that can in hindsight be described as typical *signifiers* of rejuvenation as early as 1970, and indeed before. It is easy to establish why the Union rarely utilised the strategy of voluntary collective bargaining in the earliest days in our periodisation¹⁷: "imagine any industry where a hundred or a thousand workers go through the same gate night and morning and in which fifty per cent of them had received no contracts of employment"¹⁸; with a mind to the wider economy in the Post-War Era, this cannot easily be done, as 'traditional' Post-War

¹⁷ Indeed, much of the theoretical content of this brief explanatory analysis has previously been sketched out in the introduction of this thesis.

¹⁸ *The Landworker*, July 1970.

forms of industrial production, the heralded decommodification of labour and the development of ‘traditional’ forms of industrial relations resided hand-in-hand in a symbiotic relationship. Yet as shown, throughout the Twentieth Century the vast majority of agricultural labourers worked in small-employer firms, unsuitable for such relations: Newby, surveying farmworkers in 1979, found that these environmental difficulties produced “problems of recruitment and organisation”, which “inhabited the use of the strike weapon” and accordingly disabled the effectiveness of voluntary collective bargaining, lacking as the Union was the ability to restrict access to the labour market.¹⁹ In such an environment, if the Union were to have single-mindedly pursued its desired ends via a portfolio of more ‘traditional’ Post-War actions, as it briefly considered doing so in the 1980s,²⁰ a vicious feedback loop would have developed, with farmworkers growing ever more apathetic in reaction to the probable failures of the Union’s actions, this would have in turn harmed membership numbers, which would have, in turn, weakened the Union’s actions further. Clearly then, the Farmworkers’ Union has long been informally prohibited from utilising those Post-War methods typical of the mainstream Movement, due to the once-idiosyncratic nature of the agricultural sector.

An alternative has long been needed. As mentioned, the rejuvenation of the mainstream Movement has not entailed a forging of totally new strategies and, even before the 1970s, unions, repeatedly across time and space, have held a “readiness to resort to the method of legal enactment” if and when “collective bargaining was unavailable”.²¹ This was certainly the case with our case subject. The Farmworkers’ Union has, when assessing the nature of its framing environment, repeatedly made a strategic choice to utilise a portfolio of actions that, in theory at least, represent a less direct conflict of interests between industrial parties with massively unequal power resources. The Union’s hegemonic choice of a legal strategy, made in the 1970s and 1980s, was exactly that: a highly restricted choice, selected by self-motivated Union officials assessing the various payoffs afforded by differentiated strategies of contention.

Now we must address why the Union’s *orientational* journey towards rejuvenation so closely matched, its terms of extent, effectiveness and timing, the mainstream Movement’s.

For a start, I readily accept that, throughout our periodisation, the relationship between the primary, and secondary and tertiary sectors has been far deeper than I supposed at the offset of my investigation. Rather than agriculture existing in an industrial semi-vacuum, partially detached from developments in the wider economy, this thesis’ analysis has repeatedly highlighted how agriculture has been inextricably bound with, and influenced by, its meta-environment via extensive feedback mechanisms. While the mainstream Movement’s cascade of decline *principally* affected Britain’s urban heartlands, this was not an event that happened only to urbanite unions: the cascade happened to the Farmworkers’ Union too.

A most striking parallel can be found between the cascade of decline and the equally cataclysmic drift from the land: while the onset of the drift certainly predated the cascade’s, I underappreciated the overlaps between the two at the beginning of my investigations. As shown, when Link Up was imposed on the Union the Farmworkers’ distinctive operational heritage led the host to mostly reject this transplant. However, it is an undeniable fact that in 1983 the Union consciously

¹⁹ Newby, *The Deferential Worker*, pg. 262.

²⁰ When it flirted with the idea of an overtime ban and over forms of direct militant action.

²¹ Flanders, *The Tradition of Voluntarism*, pg. 358.

accepted, and indeed sought, an augmentation of its once proudly independent structural *modus operandi* when it sought to merge with another body, itself suffering from the cascade of decline. This desire was caused by a crisis in the Union's own financial resources, which was in turn brought about by a sustained collapse in the traditional agricultural workforce.

Further interconnecting links can likewise be found. The continuation of the drift from the land, which we have observed throughout our periodisation, has not simply entailed a further decline in the agricultural workforce, but a wholesale restructuring of the workforce's composition, and the composition of the average agricultural contract. To demonstrate: while personalised employment relations remained an agricultural norm throughout the Twentieth Century, for relatively privileged and more precarity-prone agricultural workers alike, triangular employment relations, a key feature of the New Economy, were relatively absent from the rural environment from the late Nineteenth Century until the 1970s; then, triangularity re-emerged in agriculture at broadly the same moment that triangular labour relations exploded in use in the wider economy. In fact, it was the soaring nationwide unemployment of the 1980s, brought about by economy-wide restructurings, that helped solidify triangularity's return to agriculture: binding workers to precarious agricultural labour relations for lack of an alternative, new economic unemployment helped fuel the growth of the gangmaster system, as did the neo-liberal deconstructions of rural infrastructure and other aspects of civil society.²²

So, in this thesis I have talked optimistically about an agricultural Petri dish. However, the image of a Petri dish implies sterility, whereas the evidence above clearly demonstrates that the agricultural environment, which fundamentally affects the Union's strategic actions, has been grossly and repeatedly contaminated by the wider economy throughout our time-series.²³

Let us analyse this contamination further. It is true that agricultural gangmastery, at the turn of the Millennium, was often more precarious than the still-precarious temporary agency labour that had come to typify much work in other sectors. Likewise, it is true that system can be traced back to an earlier agricultural norm. However, the fact remains that this system is, when looking discretely at the Twentieth Century, a relatively new development in agriculture. While the workers who were consigned to the Basic Grade of the AWB soon after the commencement of our periodisation were highly precarity-prone, the labour relations of ganged workers, often denied access to the AWB's mechanisms altogether, grew to become *more non-standardised, more non-Fordist, and more precarity-prone* with the growth of this system: one can say therefore that the agricultural economy of the Post-War Era has transitioned to become a '*New Agricultural Economy*' during our periodisation. This transition has been idiosyncratically differentiated from the wider economy's transition into the, still undeniably ruralised, New Economy, in terms of the minutia of its form, but it has shared many of the same causal mechanisms, and likewise seems to have begged a similar response from the sector's interested trade union – our Farmworkers' Union. The response being, of course, rejuvenation.

²² Cf. *The Landworker*, March 1982.

²³ The farmworkers experiences in the operational domain associated with health and safety further demonstrate the fact that one cannot ghettoise agriculture from the wider economy: we have seen how developments in the secondary chemical industries have had a direct and decisive effect on agricultural precarity. For better or for worse, the sector has been intimately interconnected with developments in the wider economy throughout our time series, and any and all developments that have occurred therein.

To expand: in this thesis' introduction I accepted that agriculture would be a far from a static sector during our periodisation. However, I did not acknowledge how fundamental some of the changes it has experienced have been, and how inextricably intertwined with the wider economy's fortunes these changes are. The manners in which these significant structural reconfigurations have affected the Farmworkers' Union have been legion, with it experiencing: the further decimation of the workforce and hence its membership; an ever decreasing ability to control access to the agricultural labour market; and ever decreasing financial and organisational resources. These developments caused value-rational and self-motivated strategists in the Union to appreciate the pull-factors afforded by theoretical shifts in the body's orientations and strategies, and attempt an embrace of modes of action that would theoretically reduce costs, buttress member numbers, devalue the potential of under-cutting, and increase the Union's perceived legitimacy, even if this required a gamble on the Union's own core members' short-term material interests.

This conscious and self-interested acceptance of the need to change is most clearly vocalised in a Landworker editorial from 1982. Here, the Union's mouthpiece argued that "the group with which the Trade Union Movement could and should be most closely associated is the low paid towards the bottom of the wages scale", and that remuneratory "differentials... which have been jealously guarded for years", by many within the Union and wider Movement, were scuppering British unionism's own long-term interests. The editorial went on to argue that self-survival demanded, from the Union and Movement, a conscious effort to "instil into the average trade union member practical brotherly concern for his less fortunate neighbour".²⁴ While overly defensive in its efforts to blame average union members for the Union and Movement's ills, this opinion piece clearly demonstrate how and why the Union pushed for a rejuvenation of its tendencies. Remember, rejuvenation in the wider economy was in part a consequence of rational and direct strategic scheming in the face of economic restructuring: this was likewise the case with the Farmworker's Union's transition, when it came to privilege a less divisive array of orientations, and an associated fractalisation of its strategies.

So, self-interested cost/benefit analyses, highly similar to those that were being conducted throughout the mainstream Movement at roughly the same time, drove the Farmworkers' Union's rejuvenation away from subordinatory legalism. At the onset of our periodisation the Union had just enough power over agriculture's internal labour and product markets, primarily derived from its statutory position within the AWB and its slight influence over the PLP, to succeed in subsuming the interests of some – the lower-waged and more precarity-prone workers in the industry – to the advantage of others – normally representative of the Union's traditional core constituents. However, just as economic and political restructurings came to wreak havoc on the wider economy, rising unemployment and the continuing collapse of technologically-evolving farmers' labour demands forced a change, of a typical rather than divergent form, from the Farmworkers' Union, *left as it was unable to subordinate the material interests of others in several of its operational domains*.

This point about operational domains is important, and expanding on it leads us to a more refined answer to the question 'and why?' than our current answer: that currently being, *the Movement's and Union's operating environments were more closely intertwined than expected*. Throughout the body of this thesis we viewed the Union's actions through the frame of operational domains: theoretical divisions in the

²⁴ *The Landworker*, August 1982.

Union's actions. In this chapter we have merged these domains together, to reveal a picture of *apparent, albeit incomplete, Hegelian progression*: from pre-rejuvenation to rejuvenation. However, by once again allowing some analytical breathing space between domains, we are afforded a more nuanced view of the Union's rejuvenatory journey. This recompartimentalised view likewise allows us to appreciate the causal mechanism behind the varying effectiveness of the Farmworkers' strategies; rejuvenatory*esque* and otherwise.

As shown, in the operational domain in which the Union has had the most consistent presence throughout our periodisation – that of worker remuneration as mediated on and around the AWB – the Union has remained consistently pre-rejuvenatory in its orientations, right up to the present day. A standard account of rejuvenation would expect some partial and incoherent half-measures from any rejuvenating body, but the Farmworkers' Union has continued to display a regressive tendency towards precarity-prone workers in the operational domain regarded by many as the Union's operational home terrain.²⁵ This is in spite of the fact that the creation of the NMW has seriously problematised the effectiveness of the Union's actions from the late 1990s onwards. Viewing our analysis through too wide a lens gives a suggestion that a long-term but linear progression towards rejuvenation has occurred throughout our periodisation, albeit away from a hegemonic strategy untypical of the Post-War Movement: however, the pre-rejuvenatory '*stickiness*' of the AWB demonstrates that no totalised Hegelian progression, towards rejuvenatory synthesis, has occurred with the Union. In fact, this stickiness highlights the apparently deterministic power of one's operational domain in triggering, or stifling, rejuvenation.

As demonstrated, the long-term benefits wrought by the Union from its operations on the AWB were slight at the outset of our periodisation, and these becoming all the slighter after the creation of the NMW. However, the fact remained that some *guaranteed* short-term benefits have been consistently assured to the Union, or at least its relatively secure core members, by way of this legally bound institution. Now remember: it is in this one operational domain that the transition to rejuvenation has disabled the most. Contrasting this domain with others, we can see that only when and where self-assessments of the Union's ability to secure *any* short and/or long-term benefits, from established institutional configurations, have come up nearly *wholly* negative has the Union's orientational rejuvenation been near wholly realised: this was the case in operational domains regarding health and safety in the anti-regulative 1980s, and grey economy gangmastery at the turn of the millennium. So, rather than spilling over from one domain to another, building up a snowball of influence within the Union's internal operating systems, rejuvenation has only occurred discretely, within proverbial last-chance saloons: when guaranteed payoffs, no matter how slight or short-term, have been offered by pre-existent patterns of union action, *something* has resisted a change in orientation regarding precarity-prone workers.

What is this something? As demonstrated in chapter two of this thesis, numerous forces have encouraged rejuvenation from the mainstream Movement, but with the Farmworkers' Union rarely relying on voluntary collective bargaining, one can safely say that increasing governmental restrictions on this traditional form of union action would have affected the Union less than it did others in the Movement; and while discourses of human rights were soon utilised as a *tool* by the Union, when

²⁵ As demonstrated by the strength of the protests made by the Union to save the Board.

it sought to create an ethical complex on the part of the supermarkets, an internalisation of these discourses does not seem to be a driving force of the Union's rejuvenatory tendencies. No: cold hard calculations of incentives were the principle driving force that motivated the Union in its rejuvenations, but only in those domains where *no* incentives could be found elsewhere; only absolute *desperation* and *the perception of institutional helplessness* allowed a change in orientation, from a self-interested body with nothing to lose.

However, pre-existent path dependencies have been difficult to break: when incentives that have promised to better the interests of the Union's traditional constituents have been offered from within a stable domain, strategists have consistently chosen the perceptively safe bet, and actively participated in the reproduction of divisive distributional patterns of risks and benefits. This can be seen in the Union's continued implicit sanctification of the regressive stratification of the agricultural workforce on the AWB, and likewise in its commitment to the continuation of the tied-cottage system's privileged rents. Just like multiple other trans-global unions experiencing their own rejuvenations, the Farmworkers' Union has had to reach, in each of its operational domains, a nadir of influence so low that close to zero incentives are offered by a continuation of pre-existent patterns, for it to become "desperate enough" to implement a change.²⁶ Even then, for the most part, these changes have been fixed within self-identified boundaries of individual and perceptively discrete operational domains.

An appreciation for the importance of perceptive domains also helps in explaining the varying efficacy of the Union's actions. In its consistently pre-rejuvenatory domains, the Union has behaved as a classic "prisoner group"²⁷: self-perceptively reliant on incentives underwritten and guaranteed by the state or others. Identified by itself as being locked into such relations,²⁸ the Union has perceived itself as being unable to innovatively strategise for the attainment of the *long-term* interests of its own members and the wider agricultural workforce, and able to make only "tokenistic commitments to... (such a) cause",²⁹ in its annual and soon dropped written demands to the AWB for example. Even when afforded a more central position, as a classic albeit oft ignored "insider" group, able to influence governmental regulations as it was in relation to the tied-cottage, the Union came to be directed by a small-*c*-conservatism, all too aware of its tenuous position within agriculture's regulative mechanisms. This conservatism has meant that when the Union has been guaranteed some rewards from acting in a pre-rejuvenatory manner, said rewards have always been guaranteed to be minor: midway through chapter four of this thesis an intermediatory finding was posited, which observed that legalism *apparently* served the Union poorly regardless of its operational domain, a finding that was perceptively supported by observations of the Union's actions regarding health and safety; however, this is a deceptive pattern; in actuality it was not normally the Union's *legal* actions that meant it secured for itself and its members few material rewards from the operational domains under scrutiny; instead, it was the fact that, in at least two of the operational domains under consideration, some easily imaginable

²⁶ Lowell Turner, "Reviving the Labor movement. A Comparative Perspective". In: D.B. Cornfield and H.J. McCammon (eds.), *Labor revitalization: Global Perspectives and New Initiatives*, Amsterdam: Elsevier, 2003, pg. 40.

²⁷ As according to Grant's typography of pressure groups. Cf. Grant, *Pressure Groups, Politics and Democracy in Britain*.

²⁸ Cf. chapter 4, footnote 33 of this thesis.

²⁹ Grant, *Pressure Groups, Politics and Democracy in Britain*, pg. 145.

albeit short-term payoffs were perceptively within grasp of the Union's strategists; however, a deep caution was demanded in return for the guarantee of said rewards, and so the Union not only accepted its own participation in pre-rejuvenatory divisiveness, but the fact that its reimbursements for such participation would always be on the slight side.

However, when an operational domain's framing environment has rendered the Union an "outsider group by necessity", unable to realistically influence formal regulative channels due to a lack of political sophistication or for clashes in material interests,³⁰ as it was regarding the regulation of agrichemicals and the re-emergence of triangular employment patterns, the Union has been forced to develop its own strategies, which more often than not have incorporated aspects of orientational rejuvenation. This is most clearly demonstrated with reference to the operational domain related to gangmastery, the domain in which the Union has enjoyed perhaps its greatest successes in recent years: with its ever declining membership density and a resultant further loss in its ability to control aspects of the labour market, the Union practically acknowledged its lack of formal influence over the system on its return to British agriculture, particularly as most gangmastery occurred in the grey economy beyond the purview of the AWB³¹; conversely, this freed the Union from its usual deference to the pursuit of ever-decreasing but guaranteed short-term gains, and allowed it to instead forge its own strategically and orientationally rejuvenatory path. So, it was not the power of agency, nor the passage of time, that determined when and where the Union acted in a rejuvenatory manner, but ultimately the nature of its operational domains' distribution structures.

This brings us to an apparent contradiction. Since the 1970s the Farmworkers' Union has been unaffected by *some* of the contingent environmental factors that have impinged upon voluntarist, strike-prone unions: the gradual outlawing of the closed shop made little practical difference to the Farmworkers' Union for example. It would therefore be reasonable to expect that strategic actions would have had a greater influence over the Union's identity, in comparison to the mainstream Movement's. However, it appears that the natures of the Union's operational domains have enjoyed a highly determinant, albeit covert, influence over the Union's apparently free-chosen strategic actions. Thus, at this stage of analysis it *appears* that I overvalued the influence and importance of strategic actions in my introduction, and that in practice these are, in the Union's case at least, more of a mirage, ultimately dictated by a body's framing environment. This finding is further discussed in the following section.

However, before we move on we must address a further nuanced detail that this above finding reveals regarding agricultural employers', and the state's, role in the Union's partial rejuvenation. I have shown how continuing guarantees of short-term incentives have prevented a change from the Union in its principle operating domain – that on and around the AWB. Again remember: this was not an organic arena; while a wage mechanisms was originally, regularly and consistently demanded for by the Union, this regime was ultimately imposed on the industry and maintained by the state, largely with the support of agricultural Capital, until very recently at least. By creating this *approximation of voluntarism*, which guaranteed at least some benefits for the Union's traditional constituents, the state was once complicit in the causal mechanisms that has maintained the Union's long-term pre-rejuvenatory

³⁰ Wyn Grant, "Insider and Outsider Pressure Groups". In: *Politics Review*, September 1999.

³¹ *The Landworker*, February 1983.

subordination of precarity-prone workers: seeking stability in the industry, the state seemed content, nay intent, on safeguarding an environment that implicitly encouraged the pacification and subordination of a stratified workforce, for a large part of our periodisation at least. Only governmental ideologies explicitly, rabidly, hostile to any and all forms of worker-pacifying mediation in industrial relations, made visible from the 1980s onwards, have meant that the state's implicit sanctioning of subordination has diminished.

This demonstrates a significant differentiation between the Union's and wider Movement's rejuvenations. There, in the wider economy, active governmental prohibitions on traditional, voluntarist forms of collective bargaining inadvertently helped force the onset of rejuvenatory tendencies, with the Movement moving away from a pre-rejuvenatory *modus operandi* significantly of its own design. Alternatively, in agriculture the state helped design, albeit with active Union support, the environmental conditions that created the Union's pre-rejuvenatory Post-War *modus operandi*, and continued to help maintain many of the reward-dispensing regulative structures that demanded subordination on the part of the Union, until the 1980s at any rate.

Later the state sought, initially unsuccessfully and for its own non-altruistic purposes, to dismantle these regulative regimes found on the AWB. From then onwards, the Union required the support of employers when it fought, until recently successfully, to protect its meagre but guaranteed payoffs from the subordinatory AWB: it was the strategic actions of employers that helped maintain this operational domain's institutional structures in the face of state hostility. The agricultural employers' near constant baseline support for the Board, seen until the very last decade of our periodisation, suggests a further finding: before the introduction of the NMW helped convince agricultural employers that the future of agricultural profitability could be secured without direct Union involvement of any sort, farmers were among the key protectorates of the Board, despite their vocal participation in the arms race of dissatisfaction; supportive, and purposefully protective, of regulatory controls that demanded, through the guarantee of rewards, a stabilising and subordinatory orientation from the resource-poor Union. One can say therefore that employers played a direct role in the continued maintenance and propagation of subordination on the part of the Union. This finding matches a trend earlier recognised with regard to employers in multiple national economy, who have been found to have been hegemonically supportive of their self-created regimes of voluntary collective bargaining in the Post-War Era and before: embracers and encouragers of the stabilising, or perhaps that should be pacifying via divisive subordinating, duties performed by the Movement.³²

So in summary: typical effects of the national but multifaceted cascade of decline, which affected agriculture in a similar, if slightly augmented, manner as it did the wider economy, forced a rejuvenation of the Farmworkers' Union in much the same manner as it did of the wider Movement. Rising unemployment, contractual reconfigurations and declines in membership densities and resources necessitated a change from the self-interested Union and Movement alike. However, the guarantee of short-term rewards, no matter how slight, prevented the resource-poor and hence conservative Union from rejuvenating in several of its key operational domains, often to the relief of agricultural employers. Likewise, we can see that the state, before the commencement and during the earlier stages of our periodisation, was more complicit

³² Cf. Taylor, *Workers and the New Depression*.

in constructing certain regulative arenas that encouraged pre-rejuvenatory orientations from the resource-poor Union, in comparison to its lesser role in constructing the wider economy's Post-War industrial environment.

These issues allow us to locate the direct influence of the state's, and employers', strategic actions in the causal mechanisms that have helped determine the Union's continually evolving, and sometimes divisive, relationship with precarity-prone workers. Indeed, we have found some partial culprits in the mystery as to why my initial theoretical postulations have been disproven by the historic record: agriculture's once-idiosyncratic environment *may* have prematurely demanded consistently rejuvenatory*esque* orientations from the Union, as I predicted, were it not for a state once keen in artificially stabilising the sector, and employers appreciative of the potentials for profit extraction that such a stabilisation brought.

Having answered this thesis' principle research question – that is, *the Union's actions were not significantly differentiated from the mainstream Movement's partial and incomplete journey toward rejuvenation, except for its early usage of a legal strategy, due to the fact that limited but guaranteed incentives, offered by pre-existent but devisive institutional structures, proved too enticing to disconnect from for the resource deficient Union* – it is now time to study how these findings could be of value to the Farmworkers' Union and its continuing operations.

3. Implications of Analysis for the Farmworkers' Union.

A first point to underline is the fact that *unless decisive action is made*, abolition of the AWB could prove disastrous, for the Farmworkers' Union and significant numbers of the agricultural workforce alike. While the Union has struggled to secure many of its desired outcomes due to the Board's operating environment, and has been forced to adopt a subordinatory orientation as a rational response to the incentives and barriers which this environment has erected, some truly important provisions have been secured through the AWB. Abolition will remove legal underwritings, disproportionately but certainly not exclusively enjoyed by relatively privileged members of the workforce, regarding overtime payments, holiday and sick pay, on-call and dog allowances, accommodation offsets and bereavement payments. Furthermore, unheralded provisions of the AWB secure the legal right to paid time off for training for many farmworkers. While the Union has only secured a few of these provisions for the most precarity-prone workers covered by the AWB, and even less so for workers in the grey market, such guarantees certainly reduce the precarity-levels of others: again, the *aristocracy of agricultural labour* is a precarity-prone aristocracy indeed, and the imminent threat of abolition leaves a relatively unorganised workforce facing the demands of the New Agricultural Economy unprotected.

Precarity will likely increase throughout the industry as a result of abolition, and there is certainly no conciliatory forecasts of improvements in the remunerations of the most precarity-prone in the industry. Antecedents of the Farmworkers' Union campaigned for the establishment of an AWB as early as 1890, figuring that with agriculture's scattered and isolated labour force, standard manifestations of industrial relations were never likely to produce significant improvements in wages and conditions.³³ Judging by the effects of the staggered abolition of the Wages Councils,

³³ National Union of Agricultural and Allied Workers, *Outlook for Agriculture*, pg. 19.

and the fortunes of urban unions operating in the New Economy, agricultural unionism in the Twenty-First Century's New Agricultural Economy is going to have to again grapple with these very same problems as before.

Therefore, for the Farmworkers' Union facing the imminent extinction of the principle arena of contention in which it has operated in for the last nine decades, the need for it to assess the effectiveness and value of alternative strategic approaches is all the more urgent. However, analysis gives reason for hope. Despite the Union's best attempts on the Board, we have seen how an *average* farmworker has continued to face extreme remuneratory hardships, even in the latter years of our periodisation. Accentuating this destitution for many has been the fact that the Farmworkers' Union's often subordinatory orientation on and around the AWB helps produce and maintain large variations within this general poverty, to the immediate short-term detriment of the most precarity-prone in the industry, and the long-term detriment of all, as employers are encouraged to undercut and replace the contracts of relatively protected workers. So, while the AWB has warded off some of the *worst* aspects of precarity for agriculture's aristocracy of labour, it has hindered the development of innovative and novel strategies that *could* combat precarity for a wider pool of workers in a more effective manner. Its abolition could alternatively prompt the Union's understandably conservative strategists to act in a more decisive manner. The short-term disruptions caused by the AWB's abolition could likewise elicit fundamental orientational changes from the Union, which may improve the efficacy and scope of its actions in the process.

Again, new economic deconstructions of societal infrastructures have hit working rural communities hard. In many ways "agricultural workers are more isolated now than at the time of the 1948 Agricultural Wages Act, when dozens of farm workers would have lived in a village, with a pub to call their own and with members of their extended families working in the industry... the majority of farm workers still live and work in isolated rural areas... (and) urban visitor to a rural area is soon conscious of the second-class internet... and patchy mobile coverage".³⁴ Innovation is needed in such an environment: fortuitously, analysis shows that once forced to innovate by exonerating circumstances, the Union has been adept at securing far reaching, albeit not cure all, restructurings of agriculture's regulative environment. As the Farmworkers' Union's experiences with gangmastery demonstrate, the Union has at times been surprisingly agile when backed into a corner and forced to act without the benefit of a pre-rejuvenatory script.

We must now ask how the Union can guarantee such agility on a practical basis. I would suggest, for a start, that the Union would be well advised to embrace the highly successful role it has come to play in the regulation of gangmastery, and further encourage its knowledgeable and experienced lay members to compliment the shoestring operations of the GLA with their expertise: to play the role of informants in the hybrid public/private regulative institutions that have built up in and around the Authority. The successes of the Union's actions regarding gangmastery, and the earlier failure of Link Up, suggest that the Union could facilitate this encouragement by reasserting the importance of its earlier incarnations' hierarchical branch structures, so as to better foster a *communicative approach* to unionism and boost the Union's, and Unite's, central offices' perceived legitimacy in the eyes of the rank-

³⁴ Holland of Unite, *Unite's Response to the Department for Environment Food and Rural Affairs Consultation on the Abolition of the Agricultural Wages Board (AWB) for England and Wales*.

and-file, ensuring a deep level of participation from all unionists. This would reduce precarity in the ganged agricultural workforce, and help deny gangmasters the ability to undermine statutorily regulated labour relations in the process,³⁵ thereby buttressing agricultural wages for a while at least.

Further ramifications can be learnt from, and reverberatingly applied to, the Union's experiences with gangmastery. It is possible to accuse the Union's strategic deployments in this domain as running an idealised conception of orientational rejuvenation, in that the Union's actions have until now relied heavily on the input of highly professionalised central office staff. While the Union broadly rejected Link Up's imposition of a rejuvenatory augmentation of its orientations for exactly this reason, it is undeniable that the Union has been relatively detached from its own members in recent years, except for the aforementioned extraction of informational resources, but even more so from actual ganged labour. So, on and around the GLA it appears that many of the Farmworkers' Union's activities have been firmly of the servicing approach to unionism, with it failing to emphasise the need to actively bring ganged labourers into the Unions' fold to assure a mutual protection of interests: indeed, the creation of the GLA has had no statistically significant *national* effect on the union density rates of ganged and informal agricultural labour.³⁶ While undeniably effective in the short- medium-terms, one could perhaps accuse this service-heavy strategy of endangering the Union's continued survival, if one could demonstrate that the Union was continuously failing to provide demonstrations to the agricultural workforce as to why now-increasingly average ganged farmworkers should motivate themselves to engage in collective organisation: an engagement all the more important now since the imminent abolition of the AWB indicates the near-certain decentralisation of wage bargaining.

Numerous theoretical arguments, unrelated to the Union's own strategic actions, can be given so as to explain why the Union's performances regarding gangmastery have not resulted in an upsurge in union membership from the principle targets of such actions: issues of free-riders or Piorian agency for example.³⁷

³⁵ Of course, from here on in this statutorily regulation will likely be conducted by Revenue and Customs – responsible as it is for enforcing the less NMW – rather than MAFF – responsible for enforcing the soon to be jettisoned AMW. N.B I do not want to give the impression that a worker paid at or around the NMW is a worker free from remuneratory precarity: NMW work *is* precarious work; however, grey and black market work *is more* precarious, and any regulative structures that help ensure payment at the former rather than the latter should be cautiously applauded.

³⁶ Kaufman, *In Conversation with Robin Hinks*.

³⁷ Piore argues that a sojourner's imagined temporariness means a young worker, in the early stages of their migratory career, is likely to view work purely instrumentally, and therefore voluntarily enter labour relations of sub-standard quality that are unfilled by their native peers. Cf. Piore, *Birds of Passage*. N.B Employers certainly used such an explanation to justify the disproportional concentrations of migrants in ganged agriculture in the mid-2000s, and this argument does hold a grain of truth: certainly an unmistakably 'Piorean' demographic could be discerned in the work force found in British agriculture at the end of the 2000s; in 2009, of all first-time A8 migrants registered with the mandatory Workers Registration Scheme, 43% were aged between 18-24 years old, an dependent-free age-group more likely to voluntarily 'downgrade' their labour relations according to Piore's theory; likewise, in a 2008-09 survey of this same migratory group, 83% of respondents cited the Piorian opportunity "to work and earn money" as their sole or principal motivatory reason to come to Britain. This evidence supports the notion that many A8 migrants in British agriculture have been Piorian in nature. Cf. Anderson *et al.*, *Fair Enough*; Norfolk County Council and YMCA Norfolk, *Food on the table*, Unpublished, 2005, Dench *et al.*, *Employers' Use of Migrant Labour*; Anderson, *British Jobs for British Workers?*; Will Somerville and Madeleine Sumption, *Immigration in the United Kingdom: The Recession and Beyond*, London: Equality and Human Rights Commission, 2009, pg. 40; UK Border

However, by focusing its actions on seeking niches within governmental and private regulative structures, could it be argued that the Union has avoided the responsibility of organising migrant workers, and failed to secure its long-term survival in the process?

Certain isolated developments of the last decade indicate that this question should be answered in the negative. Instead, the Union's *initially* service-centred approach to combating gangmastery has reshaped the industrial environment, slowly rendering it more conducive to *supplementary* organising approaches. Rather than sitting on one side of a dichotomous divide between servicing and organising activity, the Union has utilised one such approach to develop the other. This developmental encouragement has produced some noteworthy, albeit currently localised, results.

For instance, in 2006, hundreds of migrant strawberry pickers in Herefordshire protested against the exploitative living and working conditions at S&A Produce – a high-intensity farm – first calling for, and then joining, a Union picket in what proved to become the single largest instance of agricultural direct action since the Great Norfolk Strike.³⁸ Encouraged by, and in reaction to, this spontaneous picket of migrant workers, the Union entered into negotiations with S&A at the bequest of community-based migrant advocacy groups, with the Union dangling the offer of aid in a planning-permission process regarding the construction of worker accommodation as an incentive for participation.³⁹ The injurious ramifications of the Great Norfolk Strike and latter Overtime Ban demonstrate the low utility of militant industrial action in the agricultural environment when used in isolation: but fortuitously for the picketing workers, we have seen that by 2006 the Union had opened an alternative channel of contention in the industry; after the growers failed to act on a number of their own initial rhetoric commitments, the Union bypassed S&A and publicly approached the chief buyers of the firm's products – the supermarkets Sainsbury and Tesco – opening petitions in supermarket car parks to increase pressure on the buyers.⁴⁰ The supermarkets launched their own investigations, which quickly brought S&A to the negotiating table once more. There, key issues of overnight accommodation, health and safety, bullying and worker harassment were discussed, and a far-reaching conciliatory agreement forged between the company and the Union.⁴¹ Following up on the case two years later, the *Landworker* found that this Union action, initiated by migrant workers and supported by professionalised services from the Union's full-time staff, had led to "massive improvements" within the firm.⁴² Margaret Armstrong, local district organiser, found that "we are not seeing the...rogue agencies (and) excessive deductions for overcrowded accommodation (seen previously)". In addition, workers were electing their own Union representatives, collective bargaining had been initiated, and key anti-union

Agency, *Accession Monitoring Report, May 2004-December 2008*, London: HMSO, 2009, pg. 10; Ruhs, *Greasing the Wheels of the Flexible Labour Market*, pg. 11; Jayaweera and Anderson, *Migrant Workers and Vulnerable Employment*.

³⁸ The campaign of industrial action arose soon after several tens of A8 labourers found themselves summarily laid-off for the night at 1 a.m. Lacking the provision of transport back to their company-supplied accommodation, these workers were forced to sleep in local woodland. This event exacerbated pre-existent tensions between management and workers within the firm, with the substandard caravans offered by the farm as accommodation proving the crux of many complaints. Cf. *The Landworker*, October/November 2006.

³⁹ Kaufman, *In Conversation with Robin Hinks*.

⁴⁰ *The Landworker*, December/January 2007.

⁴¹ *Ibid.*

⁴² *The Landworker*, February/March 2007.

managerial staff had been removed. Much of this new intra-firm regulative structure was manned by lay members of the Union, rather than full-timers, and central office held high hopes that this action would increase its national profile in difficult to reach precarity-prone groups, with news radiating out through the pre-existent migrant support networks that the Union had accessed, to a degree not seen before, as a result of its servicing-based actions: Chris Kaufman told the *Landworker* that “the message will now spread throughout agriculture and horticulture that organisation is the best way to ensure fair treatment wherever you come from”.⁴³

Despite the fact that an increasing mechanisation and chemicalisation of the agricultural industry has further disempowered agricultural workers’ militant power resources in the post-1970s era, this spontaneous migrant agricultural worker militancy should not be too surprising when viewed from certain theoretical standpoints: empirical research shows that A8 migrants have been highly subordinated by employers across the British economy in the last few decades, and Kelly’s Mobilization Theory argues well that self-generating collective actions often stem from such employer actions, which generate consciousnesses of injustice and illegitimacy among workers.⁴⁴ However, Kelly argues that unions, when pursuing co-operative partnership approaches as the Farmworkers’ Union was perceptively doing within the ETI and GLA at the time, inhibit the development of such workplace-based industrial actions, as ideologies of common interests between Labour and Capital negate the capabilities and willingness of unionised *and* non-unionised labourers to resist employers.⁴⁵

Conversely, the action described above points to a different conclusion, one that gives the Farmworkers’ Union a reason to be self-congratulatory: by spending decades publicly advocating for migrant workers’ interests in its often apparently servicing and partnership-based dealings with the supply-chains of gangmastery, as it has done on and around the ETI then the GLA, the Union has raised its profile and perceived public legitimacy, and has come to give a general impression to the wider agricultural workforce that unionism matters for traditionally marginalised, unorganised groups of workers. True, the Union has concurrently done much to subordinate these same workers’ interests on and around the AWB, but this arena of contention is a far more private affair, with news of its dealings rarely reaching the non-specialist press.⁴⁶ So, while most of the affected workers at S&A were employed directly with the grower, and therefore fell outside of the remit of the GLA, the Union earned credit from its GLA activity, which produced a conducive-to-unionism labour force, which in turn became the willing architect of a union action unseen in agriculture for numerous decades. So, while strategists “are still struggling at times to get (migrants and ganged workers) to buy into the Union”,⁴⁷ its good practices on the GLA have produced an as yet slight but real “degree of success” in recent years.⁴⁸

Here, we can counter Kelly with Klanderman’s Resource Mobilization Theory, which posits that workers participate in organised activity when and where they are adequately convinced that their personal interests are in alignment with the

⁴³ *Ibid.*

⁴⁴ Cf. John Kelly, *Rethinking Industrial Relations: Mobilization, Collectivism and Long Waves*, London: Routledge, 1998.

⁴⁵ John Kelly, “Social Partnership Agreements in Britain: Labor Cooperation and Compliance”. In: *Industrial Relations*, 2004, 43 (1), pp. 267-292.

⁴⁶ Indeed, even the planned abolition of Britain’s oldest surviving statutory wage mechanism barely made a ripple in the pages of the broadsheet and tabloid papers.

⁴⁷ *The Landworker*, January/February 2009.

⁴⁸ *The Landworker*, November/December 2008.

collective organisation's and are assured that their own participation in activity stands the chance of making a difference in achieving the collective body's desired result⁴⁹: perhaps counter-intuitively, the servicing and perceptively partnership-based approaches to national agricultural unionism seen from the Farmworkers' Union, which were reinforced by further campaigning actions, helped convince S&A's workforce of these points. This finding contradicts received wisdom derived from the Movement's obsession with the issue of free-riders, but the Union's servicing approach to unionism, which it used to foster such assurances, allowed for the subsequent organisation of precarity-prone groups of workers, and perhaps points to a post-AWB *modus operandi*.

Such servicing approaches to unionism have certainly not been unique to the Farmworkers' Union in the age of rejuvenation. However, in the operational domain of gangmastery the Union's engagingly-orientated servicing approach to unionism has been differentiated from typical manifestations of this approach as seen from the mainstream Movement: in that the principle and immediate benefits of the Union's approach were designed to be wrought by precarity-prone workers *anticipated to hegemonically remain outside of the Union's formal structures*. Ganged workers, who gained a regulative body to safeguard their employment rights, directly felt the immediate benefits of the Farmworkers' Union's actions, while the Union's membership only indirectly benefited, when gangmasters were curtailed from participating in their undercutting tendencies. We have seen how this approach had a supplementary capacity, in that it encouraged the subsequent organising of once unorganised workers. The Farmworkers' Union could, then, be well advised to attempt a replication of such previous actions when continuing to operate in its increasingly hostile and still somewhat differentiated environment, rather than be tempted to adopt wholesale the now minutely researched rejuvenatory techniques as crafted by the mainstream Movement, which are coming to increasingly prescribe upfront-organising approaches as founding principles in practice.⁵⁰

This is not the only lesson to be learnt from the Union's actions regarding gangmastery. Clearly, the Union needs to develop strategies to cater for those workers, of all hues and backgrounds, who are soon to have the often-pitiful safety net of the AWB snatched from beneath their feet. Our analysis suggests that a focus on agriculture's supply-chains, manifested through combinations of campaigning, servicing and partnership approaches, would offer an enticing avenue of further action for the Union, particularly if it were to snowball to create organising cultures within once unorganised groups: *the supermarkets can, and should, be used again*.

There is no need for the supermarkets' Union-imposed ethical complex to bear exclusively on perceptively foreign ganged labour. Indeed, the ugly labour-market nationalism that is being dredged up by Britain's long recession of 2008 onwards could feasibly be seized by the Union, so as to sow the seeds of a regulative reformation that could win benefit's for all workers in the industry. The Union, acting with great caution, could marshal the threat of a nationalist backlash against the supermarkets to force an extension of the ethical complex. Imagine: a Union-led campaign focussing on how the supermarkets' oligarchic demands for decreased farm-gate costs risk the wholesale restructuring of agricultural labour relations, and

⁴⁹ Bert Klandermands, *Mobilization and Participation in Trade Union Action*; "Mobilization and Participation: Social-Psychological Expansion of Resource Mobilization Theory". In: *American Sociological Review*, 1984, 49 (5), pp. 583-600.

⁵⁰ Cf. Heery *et al.*, *The TUC's Organising Academy*.

resultantly an increase in demand for Piorian migrant workers. Such a campaign could stand a good chance of igniting in British society, currently infested with discourses to the effect of ‘British jobs for British workers’.⁵¹

While any hope of saving the AWB, or statutorily extending the legal purview and protections of the GLA, seem minimal in the current political climate, such an extension of the complex could allow the Union to enter into only-perceptively partnership-based negotiations with the supermarkets, pressing them to extend their oligarchic controls of supply-chains so as to privately regulate all agricultural wages, migrant and otherwise, in a less precarity-producing manner in the future, guaranteeing wage premiums above the legal but still-precious NMW and those sub-rates paid in the New Agricultural Economy’s grey markets. Clearly, this suggested campaign would flirt with the proverbial dark side of pre-rejuvenatory unionism, with the Union juggling nationalist discourses and interactions with anti-democratic oligarchic powers in its actions. However, if the experiences of 2,4,5,T and the GLA show us anything, it is that when the Union is freed from pre-rejuvenatory patterns and forced to dare, it often wins. Economic nationalism and xenophobia are depressing but undeniable facts of Britain’s political-economy, and as long as the Union stands firm with a rejuvenatory orientation, there is no reason why these phenomena should not be crafted by the Union into tools, in order to reduce precarity for all, migrants and natives alike.

Further potential avenues of post-AWB engagements can be gleaned for the Union from recent developments regarding its own interactions with its traditionally chief opponent of contention – agricultural employers as represented by the NFU. The Union has a thousand and one fully legitimate complaints regarding this vicious standard-bearer of agricapitalism, and the Farmworkers’ Union must be understandably weary about its future interactions with the employers’ organisation after the climax of its most recent campaign to save the AWB. Numerous British unions have sought safety in the New Economy by aligning their interests with those of organised Capital, but as demonstrated by the abandonment of the NFU’s maintenance of the AWB, employers – theoretically capable of as much strategic action as their union counterparts and in receipt of significant financial and organisational resources – can easily turn apparent support into antipathy.

However, farmers and farmworkers have been brought together to an unprecedented degree throughout the course of our periodisation, for a number of reasons. For a start, the profits made by farmers from the selling off of agricultural housing to urbane weekenders has proved to be a double-edged sword: moneyed professionals have placed a new emphasis on preserving a romanticised, ‘unspoilt’ countryside; resultantly farmers have found their actions – once so readily sanctioned by standardly pro-farming political-economies – increasingly impinged upon, by influential outlanders preferring a tranquil, rather than working, environment. This shift in rural power-dynamics has, from the very outset of our periodisation, caused farmers to forge deeper bonds with their workforce,⁵² due to an increased awareness of a commonality of geographies, interests and feelings.⁵³ Such a tendency has been, until recently, slight, and farmers and farmworkers alike still find their chief adversary of contention in the other. However these contentious patterns have been dissolving more than ever in our most recent decades.

⁵¹ Cf. Anderson, *British Jobs for British Workers?*

⁵² Cf. Newby *et al.*, *Property, Paternalism and Power*.

⁵³ Cf. Doreen Massey, *Space, Place and Gender*, Cambridge: Polity Press, 1994.

Allow me to further detail this partial dissolution. As demonstrated, when the Union created an ethical complex on the part of British supermarkets, the NFU was quick to lend its support to a system of first private, and then public, regulations of the industry. Through the identification and targeting of a common opponent – the supermarkets – these two disparate groups came to work in their closest, most cordial and most prolonged relationship in living memory.⁵⁴ Likewise, farmers have come to work more closely with the Union in a perceptively differentiated operational domain, when a tessellation of common interests prompted the employers' organisation to lend its support to the Union's failed attempts at creating URHSRs in the industry.

These patterns give rise to the idea that the Union could be well advised to forge stronger links with employers in the New Agricultural Economy, or at least with those in the lower stretches of agricultural supply-chains. This theoretical *partnership approach* could go deeper than the only superficially partnership-based approach that the Union has utilised with regards to the supermarkets on the ETI and GLA. There, cooperation has been underwritten, ultimately, by way of a mobilisation of a campaigning approach, used to threaten the possibility of consumer backlash: instead, true partnerships with non-retail agricultural employers could well win dividends for all, with our resource-squeezed workers' organisation finding and identifying points of common benefit with an increasingly squeezed and embattled employer class, as represented through the NFU.

Transitions into new economies, agricultural and otherwise, represent new reconfigurations of capitalism. When this mode of production first spread across the globe all that was once solid melted into air, and social relations were thrown into a state of fundamental flux. Nonetheless, this evaporation was not permanent, and new solidities emerged, a principle category being the nature of class antagonisms. Indeed, classic Marxists would claim that structural conflicts between working and owning classes are among the few certainties of our mode of production. Now, however, societal waters are boiling again, and gaseous uncertainties again dominate our lived experiences of this mode of production: while the human geographies of agricultural production '*naturally*' produced ingrained antagonisms between agricultural owners and workers in the fields of Britain for the bulk of the Twentieth Century, in our current epoch of new economic flux it could be possible to locate enduring nodes of common interest between these often-hostile parties.

Such an approach could particularly benefit the Union in several key regards: while the Union has found utility in the threat of mobilising consumer interests when imposing an ethical complex on the supermarkets, producer-representing groups, such as the NFU, are likely "more effectively organised than those" formal and informal groups "which represent consumers",⁵⁵ even when they are embattled from forces higher up agricultural supply-chains: while the farmers' increasing powerlessness in the face of the supermarkets' pressures was in fact one of the prime causes for the widespread return of gangmastery, the NFU still enjoys substantial power resources,⁵⁶

⁵⁴ Kauffman, *In Conversation with Robin Hinks*.

⁵⁵ Grant, *Pressure Groups, Politics and Democracy in Britain*, pg. 25.

⁵⁶ The size of the NFU's still existent silos of influence are revealed with evidence from the ongoing British badger cull, currently being trialed in Gloucestershire and Somerset at the moment in the hope of reducing bovine tuberculosis. There, the NFU has used its multifaceted power resources to pressure the police – supposedly tasked with facilitating peaceful protests against the cull – to enforce the civil injunction it has taken out on behalf of riflepersons: effectively adopting the power of the state to be its own private security service and bailiff in the process. Having to justify the NFU's close and apparently protest-stifling relationship with the state, DEFRA argued that the advice it had been receiving from the NFU over the issue was "so integral to the development of the cull policy that it

and a coordinated campaign of concerted actions, organised by the NFU and Farmworkers' Union in conjunction, could benefit farmers and precarity-prone workers alike, in an efficient and rejuvenatory manner.

This development would certainly go against the general flow of rejuvenatory developments as they have unfolded in practice in Britain over the last several decades. While partnership has been academically identified as a signifier of one form of rejuvenation, joint private regulations of industry, conducted between employers and workers, have been markedly weakened and replaced, if at all, by legal regulations since the 1970s.⁵⁷ However, the Union cannot rely exclusively on its legal-minded operations in the future; if the cascade of decline has shown us one thing, it is that environments created and maintained by the state cannot be expected to remain stable over a prolonged period of time; nor should the Union remain forever confident in its current unsupported ability to maintain a precarity-reducing ethical complex on the part of the supermarkets, particularly in our current era of prolonged economic stagnation, which could be seen to affect the probability of consumers mobilising in an essentially altruistic manner; instead, and in *addition* to these strategies, the Farmworker's Union could be well advised to forge deeper connections than it ever has before with the NFU.

Excepting cases regarding life-long learning opportunities, when and where such partnership approaches have emerged in the past four decades they have usually been reserved by unions containing relatively marketable workers,⁵⁸ seeking divisive, orientationally pre-rejuvenatory protections against economic restructurings. Yet a strengthening of the already-existing, albeit embryonic and contested, cordial relationships found between the resource-deficient Farmworkers' Union and hard-pressed agricultural employers within the NFU could provide an insurance policy against future negative developments in the state's legal, and supermarkets' private, regulations of the industry, which have previously been secured for orientationally rejuvenatory purposes by the Union.

There are several imaginable ways in which such a development could occur, and several discursive themes with which the two could unite in the name of. Perhaps the greatest utility could be wrought from a combined series of actions focussing on the matter of food security. Popular academic works, such as Beddington's "perfect storm" hypothesis – which posits that a triptych of energy, food and water shortages will be creating problems of unprecedented proportions, for the UK and the world, by 2030⁵⁹ – are already beginning to be brought to the British public's attentions. One could imagine a usurpation of such a narrative, with the NFU and Union propagating a dual-campaign aimed at increasing the public's support for front-line employers and farmworkers in the industry, for the hypothetical national good: if consumers and politicians could be persuaded that the long-term survival of the UK's agricultural

considered the NFU to be a part of the government in this instance, and would therefore not release (any) its "internal" communications with the lobby group": clearly, despite the crises of influence that have occurred in some of its operational domains, the NFU still enjoys immense influence in Britain, both in its fields and its corridors of power. Cf. The Guardian, *Badger Cull 'Not Legal or Scientific', High Court will Hear*, 25th June 2012; *Badger Cull: the Police and NFU are Losing the Battle*, 1st October 2013.

⁵⁷ Cf. B. Kersley, C. Alpin, J. Forth, A. Bryson, H. Bewley, G. Dix and S. Oxenbridge, *Inside the Workplace: Findings from the 2004 Workplace Employment Relations Survey*, London: Department of Trade and Industry, 2006.

⁵⁸ Ackers and Payne, *British Trade Unions and Social Partnership: Rhetoric, Reality and Strategy*.

⁵⁹ Cf. Population Institute, *2030: the "Perfect Storm" Scenario*, London: Population Institute, 2011.

sector was literally a matter of (their own) life or death, the oligarchic tendencies of the supermarkets could be kept in check in the name of self-sufficiency.

In fact, the Union has, in recent years, been at pains to point out that while “food security is a major political issue facing all countries”, “the resilience of the UK’s food security is (particularly) poor, as we are so dependent on imports”.⁶⁰ Indeed, the lesson laid out in the preceding pages is not really a lesson needed to be learnt by the Union at all: in its latest campaign to save both the AWB and the more abstract notion of “rural Britain”, the Union was vocally calling for “a broad alliance” of rural interests to combat the government’s “senseless vandalism”⁶¹; unfortunately for the Farmworkers, at that time the NFU turned turncoat and broke ranks with the Union, helping to dismantle the AWB in the process; the Union *has* made the call for greater cooperation between the two bodies, and while it could be well advised to repeat such calls with frequency, it is now up to the farmers to respond in the positive.

This brings us to another pertinent point. It is not just employers that the Union could develop, and actually has been developing, deeper links with. One of the Union’s greatest fears, before the TGWU merger, was that its long-crafted agricultural voice would be diluted by less specialist urban voices. However, while it is true that the TGWU acted in a poor manner regarding the agricultural voice in numerous ways – amalgamating branches prior to the initialisation of Link Up for example –the hegemonic core of the Farmworkers’ Union came to regard the merger, and its *de facto* consolidation of union interests, as a positive long-term development for agricultural unionism.

Perhaps the greatest testament to this acceptance of the widening of the Union’s immediate internal structures is seen in the fact that, 25 years after the TGWU merger, there was remarkably little opposition from the now renamed Rural, Agricultural and Allied Worker national Trade Group regarding the merging of the TGWU and the general union Amicus to form the ‘super-union’ Unite.⁶² Facing a financial crisis in the early to mid-2000s, the TGWU sought to amalgamate further in order to strengthen itself and the Movement. Many of the vindictory arguments offered by supporters of the move were explicitly rejuvenatory in regards to the proposed plan’s anticipated effects on orientations and strategies.⁶³ However, such proposals, which required the Farmworkers’ Union become one of 23 highly disparate national trade groups, should have produced many the same concerns regarding the dilution of the agricultural voice as the planned TGWU merge had done previously. Nonetheless, the RAAW TG’s Executive Committee was proactively supportive of such a move this time round: Teresa McKay, the RAAW TG’s Secretary at the time,

⁶⁰ Holland of Unite, *Unite’s Response to the Department for Environment, Food and Rural Affairs Consultation on the Abolition of the Agricultural Wages Board (AWB) for England and Wales*.

⁶¹ *The Landworker*, September/October 2010.

⁶² The RAAW TG, or the Farmworkers’ Union for the purpose of this essay.

⁶³ Transport House argued that a super-union would “eliminate pointless inter-union squabbling which only benefits employers. It would give our members a louder voice politically... a new union committed to playing a major campaigning and educational role in the labour movement and society... our new union would be committed to organising those workers who desperately need trade union protection, and will have equality for women workers and ethnic minorities at its heart”, while Derek Simpson, Amicus’ General Secretary stated “the new union will be the greatest campaigning force on behalf of ordinary people that has ever existed... it is a precursor to the creation of a single global trade union movement capable of challenging the might of multinationals that seek to play workforces and governments against each other to reduce jobs and hard-won pay and conditions”. *The Record*, September/October 2006; People Management, *Power to the People*, London: CIPD, 2007.

stated unequivocally that the merger would create “a stronger fighting union for all”, presenting it as “the opportunity for us to stand together to fight for the socialist society”.⁶⁴ Likewise, a brief perusal of relevant Landworkers’ letter pages reveals a far lesser degree of lay member uneasiness in comparison to the run up to the 1983 merger: most correspondents’ ascribed to the argument put forward by Chris Kaufman, in that a radically enlarged union “will give rural workers a stronger voice”, while still allowing a large degree of autonomy for the farmworkers.⁶⁵

With this enthusiasm, the Farmworkers’ Union and wider Movement seem to have *partially* adopted a once widely existent mode of union action, most typical of the North American tradition, no stranger itself to hostile economic circumstances: we are perhaps seeing the groundwork laid for the re-emergence of the concept of ‘*One Big Union(ism)*’. This concept first fully actualised itself when and where the North American Movement was dominated by often highly exclusionary craft unions, openly hostile towards numerous groups of precarity-prone workers: *The Industrial Workers of the World Union* emerged within and in reaction to this environment, at the turn of the Twentieth Century. Avoiding compartmentalisations along occupational and industrial lines, the body subscribed to the slogan ‘*an injury to one is an injury to all*’: other groups soon emerged with the same principles in North America, and elsewhere, including the UK. The concept of One Big Union was purposefully grassroots orientated, militantly focussed and internationalist, and so one cannot claim that the Farmworkers’ Union’s acceptance of an ever greater interlocking with wider union bodies offers a direct parallel to this earlier strain of unionism.⁶⁶ However, common tendencies exist: rather than fearing other unions and workers of the economy, an agreement is seemingly being reached throughout much of the British Movement that greater trans-economic cooperation between unions is a broadly positive development.

This slow move towards super-unionism, if not One Big Unionism, has won positive, and orientationally rejuvenatory, developments for the Farmworkers’ Union throughout our periodisation. Again, Chris Kaufman, the Union’s Secretary for much of the 1990s and 2000s, accepts that the greatest regulative change to have been secured by the Union in its recent, if not total, history – the creation and maintenance of the GLA – “couldn’t not have happened without the TGWU”, and that the Farmworkers’ Union’s operational capacities were improved again after its subsequent merger to form Unite.⁶⁷ Innovation needs to be well supported, and in the New Agricultural Economy a formal amalgamation of interests secured vital financial and organisational supports for the Farmworkers’ Union.

Having said this, such an amalgamation needs not be formal or total in nature. This point is again best demonstrated with reference to the GLA: while the Farmworkers’ Union was at the helm of the campaign that won this body’s construction, multiple union representatives, from across the Movement, have sat on its Board; while deferent to the Farmworkers’ Union’s intimate knowledge regarding the system, these voices, appearing to represent a united voice of labour, have bolstered the Board’s perceived public legitimacy, helping to secure the Authority’s

⁶⁴ *The Landworker*, February/March 2007.

⁶⁵ *The Landworker*, June/July 2003.

⁶⁶ Cf. William Trautmann, *One Big Union*, Chicago: Charles H. Kerr and Company, 1913; Verity Bergmann, *Revolutionary Industrial Unionism: The Industrial Workers of the World in Australia*, Cambridge: Cambridge University Press, 1995.

⁶⁷ Kaufmann, *In Conversation with Robin Hinks*.

effectiveness.⁶⁸ Again, the Farmworkers' Union was no frontrunner down this particular rejuvenatory path – one which leads towards a synthesis of interests – but the Farmworkers' initial explorations down it demonstrates the path's suitability for our resource-deficient Union operating in a hostile environment, and potentially other bodies also.

Of course, certain provisos need to be attached to this finding. When regarding gangmastery, the TGWU respected pre-existent intra-union structures, which had been long-crafted by the Union in the agricultural environment: Transport House made good use of the Farmworkers' Union's traditional branch structure, utilising it as an investigative feedback mechanism. This is very much unlike the case when the Farmworkers' Union's foster-parent tried to force internal regulative changes upon it just prior to the commencement of Link Up: a campaign which, as we saw, won few of its forecast outcomes. So, while institutional change is inevitable after a merger, the Farmworkers' Union has benefited most when such amalgamations have reincorporated, rather than dismantled, its pre-existent structures. So, One Big Unionism should be regarded as an aspirational end point for the Union, and by implication the Movement, but it is this one field where a small-*c*-conservatism could prove prudent for the Farmworkers' Union, regardless of its orientational outlook.

It has not just been a closer integration with the wider Movement that has brought benefits for the Farmworkers' Union during our periodisation: as mentioned, the Union has recently been successful in integrating itself with extra-Movement migrant support networks, such as in its actions with S&A Produce. On a directly related note, when imposing an ethical complex on the supermarkets the Union's actions have closely mirrored the strategies of international NGOs: indeed, the first ETI – to which the British mission dedicated to issues of gangmastery is a direct descendent of – was formed through collaborations between states, multinational corporations and NGOs, all wholly external to international unionism. These two developments point towards a recommendable future path for the Union: one that has again been tentatively explored in recent decades.

Numerous rejuvenation theorists have found that one “weapon in the union movement's armoury for reversing decline” to have (re-)emerged in recent decades has been that of “reciprocal community unionism”. “Rather than being based *in* communities, or acting *for* communities”, theorists describe how some unions have positioned themselves to act “*with* communities for social change”.⁶⁹ This development can certainly be located with respect to *some* of the Farmworkers' Union's evolving actions: for example, in its *campaigning* attempts at saving the AWB, the Union came to increasingly recognise that a fusing of multiple interests, most being located externally to the Movement, “between people with common residence, common interests, common attachments or some other shared experience generating a sense of belonging”,⁷⁰ offered at least the hope of securing redistributions of risks and benefits in society, to the common benefit of both the Union's own members and the wider community.

A united rural voice could theoretically secure benefits for all in the rural environment. By working more closely with local groups – including extra-Movement worker advocacy bodies, NGOs and, indeed, front-line employers – and focusing on a

⁶⁸ *Ibid.*

⁶⁹ Wills and Simms, *Building Reciprocal Community Unionism in the UK*, pg. 61.

⁷⁰ Graham Crow and Graham Allen, *Community Life: an Introduction to Local Social Relations*. Hemel Hempstead: Harvester Wheatsheaf, 1994, pg. 1.

holistic range of issues, such as “race and gender equality, poverty, transport, regional policy, economic development, public services, social exclusion and the environment”,⁷¹ the Farmworkers’ Union could forge a new industrial position for itself in the New Agricultural Economy, “increase(ing) the public and political profile of trade unionism” in the process.⁷² Of course such a development would not be new: the Trade Councils of the TUC have tried to represent the Movement in the context of wider local affairs since 1868. However, the fostering of common interests *could* be one job that rural environments are, for once, more conducive to in comparison to urban geographies; precisely because of their overwhelming inhospitably, which is felt similarly by many otherwise disparate groups.

The Union has been partially aware of the value of such considerations for several decades: indeed, when the AAWNTG changed its name in 1992 to become the RAAW TG, it did so for an explicitly communal purpose; as the Union sought to discursively relocate itself away from the agricultural workplace, and link its struggles with wider civil societal issues.⁷³ While such an action had an undeniable symbolic value, the Union’s efforts have not exclusively been confined to nomenclatorial introspection. I have mentioned how in trying to save the AWB the Union launched its *Save Rural Britain* campaign, which sought to combine the interests of its members – focused on the withdrawal of the AWB – with the interests of wider rural populations and local interest groups – focused on fighting government cuts in rural funding and hence amenities.⁷⁴ While it failed to secure the Unions principle target, the campaign forged connections that could prove of use in its future actions.

One in fact saw such a stream of action activated earlier in the Union’s history, with its highly effective actions regarding 2,4,5,T: then, a seemingly united front formed of unified but disparate forces appeared to win the Union some of the greatest prizes in its history. Certainly, when fighting over 2,4,5,T, on behalf of the AWB, and indeed in preparation for the GLA, the Union found itself at the forefront of fully coherent, radical and sometimes effective social movements, which offered idealised visions of the rural environment that foresaw ceases in the exploitation of its inhabitants, farmworkers and otherwise. This tells us that the Farmworkers’ Union should not seek the support merely of One Big Union, but ‘*One Big Society*’: the mobilisation and support of the entirety of a social fabric that has been repeatedly, and savagely, ripped apart, but not destroyed, over centuries, by industrialisation, post-industrialisation, Thatcherism and the drift from the land.

Ironically, such a call finds a mirror, and a bestower of unexpected legitimacy, in the most unlikely of quarters. Prescribing how the UK could survive the austerity policies it had planned, the Conservative Party idealised a similar notion of a *Big Society* as a flagship policy of their 2010 general election campaign, where societal groups are envisioned to play the roles once played by the rapidly withdrawing welfare state.⁷⁵ While disingenuous and tokenistic, such an official governmental

⁷¹ Wills and Simms, *Building Reciprocal Community Unionism in the UK*, pg. 66.

⁷² *Ibid.*

⁷³ Leathwood summarised the purpose of this name change thusly, “the RAAW Trade Group will have agriculture at its heart but will embrace all rural workers and their families in the campaign not only to improve wages and conditions at work but also the quality of their lives and the environment in which they live”. Cf. *The Landworker*, January 1992.

⁷⁴ Cf. Unite’s agricultural webpage for continuing updates regarding the campaign: <http://www.unitetheunion.org/how-we-help/list-of-sectors/rural-and-agricultural/agriculture/>, last accessed 10th September 2013.

⁷⁵ David Cameron, *The Big Society Speech*, London: Conservative Party, 10th September 2009.

ideology could be seized, augmented and realised by the Farmworkers' Union acting in coalition with a whole host of societal groups in the rural environment, including and not limited to small-scale farmers, in order to protect the entirety of the rural population from the wrath of the economic and political storm currently ravaging the UK.

If such a development is to occur, the Union cannot expect other groups to automatically accept that a mutuality of interests exists between themselves and farmworkers. It must be a chief architect of such a readjustment: fortuitously it has already laid valuable foundations in its past actions. A perception still exists, among many civil societal groups, to the effect that much of the Movement is a self-interested grouping committed to being “merely workplace-based organisations, addressing grievance and disciplinary difficulties”.⁷⁶ Yet the Farmworkers' Union has done much to disprove this widely made observation: true, many of the Union's back-room dealings on and around the AWB and regarding tied-cottaging have been highly divisive, but by appearing to act in the pursuit of the totality of the rural populations' wellbeing in a highly publicised manner – as it did regarding the regulation of 2,4,5,T – and by appearing to place a particular emphasis on the needs of the most precarity-prone in agriculture's workforce – as it has been doing regarding gangmastery – the Union has built significant levels of legitimacy in the minds of other civic-minded societal organisations.⁷⁷ Put simply: when it has displayed rejuvenatory orientations and strategies, the Union has been able to secure, to an extent, the long-term support of better resource-endowed organizations; for the Farmworkers' Union at least, orientational rejuvenation seems to have had an inbuilt, amplifying karmic feedback mechanism. This finding provides all the more reasons for the Union to dedicate greater resources in the forging of new and innovative actions in the future.

The preceding pages of advice *should* increase the academic value of my study: however, could they have been a futile exercise in wishful thinking? A key finding of section two of this chapter is the implication that rejuvenation, for the Farmworkers' Union at least, appears to be an automatic reaction – occurring naturally if and when all guaranteed payoffs are removed from the pre-existent structures of an operational domain. What then is the value of discussing how this thesis' findings could help inform the Union's strategic actions, when we find that the actual independence of such actions have been thrown seriously in doubt?

In answering this question, we find that while guaranteed payoffs – secured and underwritten by the state and employers – have instrumentally hindered rejuvenation in some cases, much responsibility for the Union's continuing propagation of pre-rejuvenatory divisiveness has to ultimately be laid at the feet of the Union itself: in the following pages, we reinsert the Union's agency back into our calculations.

I posit that the lenses through which the Union has hegemonically viewed its operations have helped to variably encourage, and hinder, the development of fully-fledged rejuvenation. Indeed, these lenses have produced the partial, incoherent and unconvincing patterns that typify both the Union's and the mainstream Movement's continuing journeys. When acting in a pre-rejuvenatory manner, the Union was, and is, prone to unquestionable accept, *in its actual practices*, the division of its actions into the discrete, *theoretical* operational domains that we have analytically utilised

⁷⁶ Perrett *et al.*, *Trade Union Learning Strategies and Migrant Workers*, pg. 654.

⁷⁷ Citizens Advice Bureau, *Supporting Migrant Workers in Rural Areas*, London: CAB, 2005.

throughout our study.⁷⁸ So, when negotiating on the AWB for example, the Union has often viewed the issue of worker remuneration in isolation, focussing on securing settlements within a perceptively discrete operational domain and *largely* ignoring how issues of worker remuneration spill over into and affect aspects of agricultural production: as evidence of this trend, observe how, instead of pushing for a statutory restructuring of the AWB so that its legal remit could consider the effects of its orders on numerous facets of agricultural production and worker welfare, the Union instead invested its resources into debating the form of strictly remuneratory agricultural wage machinery; we see how the Union considered at great length the merits of, variable, the AWB, SIJCs and hypothetical, voluntary bipartite body, all tasked to narrowly discuss worker end-of-week wages in all but a few instances. Indeed, in the 1980s the Union hegemonically rejected the imposition of a logic that sought to formally *Link Up* its remuneration-focussed actions with its other operational domains, albeit due to concerns regarding the encroachment of insensitive urban unionism into its traditional territories.

If the Union had instead accepted the holistic, interlinked nature of agricultural production in its entirety, the short-term but guaranteed rewards afforded by its subordinatory tendencies on the AWB, secured through pre-existent regulative structures, would have appeared to be a lot less enticing. Stratifying the agricultural workforce by the way of widening wage differentials – paid for by stallings in the most marginal rates – would not perceptively provide the Union guaranteed payoffs if it more closely considers how this affects the augmentation and down-grading of agricultural labour relations, for example.

The Union is in fact in possession of the ability to switch the lenses through which it considers agriculture. Indeed, a wide angled lens has been utilised on a number of occasions: by no means coincidentally in some of the Union’s most orientationally rejuvenatory and successful actions of the past four decades: the Union has at times recognised the holistic nature of precarity, seeing *structures of control bleed across discursive divisions* between agricultural domains.

An early example of this could be seen when the Union recognised that the tied-cottage system, a “millstone around the neck” of agricultures’ “captive labour force”, represented the “greatest single factor depressing farm wages”.⁷⁹ In that instance, the Union analytically collapsed two operational domains – that of housing and remuneration – when considering its best course of action. Unfortunately for the most precarity-prone in the market, the lens the Union came to settle on was still rather narrow, and without adequately considering the effects of the continuation of privileged rents on other aspects of the agricultural environment, the Union was able to find an *apparently acceptable*, and guaranteed, subordinatory solution to its members’ problems. Later, when the Union’s rank-and-file’s fears of 2,4,5,T prompted a legal approach from the Union, a holistic interpretation to agricultural production prompted an effective, rejuvenatory, response from the Union. Industrial contaminants know no respect for the narrow confines of the workplace, and the realities of worker health and safety allowed the Union to realise the falseness of dichotomies between agricultural workplaces and the wider society: any chemical spray utilised in the field would have the potential to harm any rural inhabitant, and so it was senseless for the Union to compartmentalise its actions regarding safety at the

⁷⁸ Cf., for example, how the Farmworkers’ Union’s ‘official biographer’ – Bob Wynn, compartmentalises his descriptive history of the Union using similar, albeit not identical, operational domains such as those found in the body of this thesis. Cf. Wynn, *Skilled at all Trades*.

⁷⁹ Red Bottini, cited in Trades Union Congress, *Report of Congress 1972*, pg. 500.

firm level and the rural quality of life issues. This openness of interpretation, made clear in the Union's publications,⁸⁰ allowed other societal groups, endowed with greater allocations of resources than the Union, to readily identify their stake in the Union's actions, allowing for the successful snowballing of support and the eventual, if partial, restructuring of agrichemical regulations. Here, we can see that, beyond its normative value, a wide lens seems to win material benefits for the Union when utilised.

So, the Union is not incapably of seeing agriculture as a single, codified domain, in which the apparent incentives offered by subordinatory orientations and pre-existent regulative structures are revealed to be phantasmal, if not proactively counterproductive to the Union's self-interested cause. Indeed, when the Labour Party's NEC set up, in 1979, a Working Party on Rural Affairs, the Union's three delegates in attendance actively resisted calls from the Party to produce a dedicated Minister, and Ministry, of Rural Affairs: arguing instead, ultimately unsuccessful, for a Rural Coordinating Minister, who would comment on how any and all pieces of governmental legislation affected the rural worker.⁸¹ Then, the Union was at pains to point out to others that the agricultural experience could not be boiled down to a narrow set of discrete issues.⁸² While never reaching hegemonic status within the Union, this will for holistic interpretation has radiated out from the Union at various points throughout our periodisation, and this willingness could certainly return, in a more hegemonic form, in the future. It is up to the strategic actions of the Union, its strategists and members, to fully embrace this reversal in dominant logics: to collectively readjust the body's aesthetics so as to encourage an appreciation of panoramic landscapes, rather than self-contained valuables.

We can see then that the Union does in fact hold, and has always held, the keys to its strategic and orientational rejuvenation. When an apparently discrete operational domain appears to offer guaranteed but subordinatory rewards through pre-existent regulative channels, rejuvenation has been prohibited, but conversely the Union is able to actively view systems of agricultural production without subscribing to such a demarcation of territories. If and when this strategic action has been performed, the Union's apparently *bona fide* guaranteed rewards have oft been revealed to be false, and from this perspective rejuvenation – strategic and orientational – could be actively courted without restraint. Every cloud has a silver lining, and our current temporal moment provides an ideal opportunity for such a realignment: as the bright valuables offered by the AWB are forcibly removed from the Union's grasp, it may come to hegemonically view its operating environment in a new light.

To summarise this section: the Farmworkers' Union has reached a cross-roads; while the abolition of the AWB could well throw the agricultural economy into a state of crisis, potentially increasing precarity for all, it could too prove a catalyst, allowing a more fully realised rejuvenation of the Union; this could in turn improve the effectiveness and scope of its actions, for the good of many in the industry. In this moment of crisis, the Union would do well to remember that it does need not to tie itself up in too many circles trying to replicate the normatively preferred, organising-top-heavy models of rejuvenation found in the New Economy: as long as it enters into its contentions with an orientationally rejuvenated persona, and shows a respect for its

⁸⁰ Cf. Cook and Kaufman, *Portrait of a Poison*.

⁸¹ *The Landworker*, May 1979.

⁸² *The Landworker*, January 1979.

pre-existent internal institutional configurations, the Union seems to be well advised to invest in service-centred approaches to strategic rejuvenation, which can subsequently produce organic organising from newly appreciative precarity-prone groups. Such service centred action could focus on a oligarchic controllers of agricultural supply chains, so as to extend the private ethical complexes found at times in the industry already: a further encouragement of the Union's rank-and-files' journalistic capacities could further enhance this hybrid campaigning/servicing based, quasi-partnership approach. Likewise, a forging and deepening of its embraces with disempowered employers, the wider Movement and other societal actors, via the forging of truly partnership-based and reciprocal community unionism, would seem to be prudent for the Union, bearing in mind its current resources and operating environment. The preceding pieces of advice of course presume that the Union is enabled to act purposefully, despite its external institutional restraints. I believe this presumption to be warranted: even if, in the future, one or other of the Union's operational domains appears to offer guaranteed but non-rejuvenatory rewards, the Union can, and should, analyse its environment in a more holistic manner, so as to reveal these rewards to be phantasmal and thus be freed to act in a novel and decisive manner.

4. Implications of Analysis for the wider Movement.

In the introduction to this thesis I raised the notion that the mainstream Movement could treat the Farmworkers' experiences as a Petri dish experiment, so as to assess the potential of various actions in the New Economy. However, during analysis I have not seen the earlier-realised but relatively stable approximate image of the New Economy that I expected to find in the agricultural environment. Resultantly, I found complementary, rather than premonitory, tendencies from the Farmworkers' Union, in comparison to the tendencies of the wider Movement throughout our periodisation. As an example, one could certainly see the Union's successful 2,4,5,T campaign mirrored in the wider British Movements' instrumental role in the anti-Poll Tax movement of the only slightly later 1980s: like the issue of 2,4,5,T, this event "had the rare advantage of combining strong moral anger with material self-interest", which facilitated the growth of a grand coalition of civil interests, centered around a hub of Union-orchestrated actions.⁸³

However, this discovery of complementary tendencies does not invalidate the applicable value of agricultural study. As shown, many of the Union's experiences and actions have been unique – for several years the sector was the sole industry in Britain with statutory wage mechanisms, as an example – while its recent activities regarding gangmastery have been particularly noteworthy, in terms of their form and attained results: the Farmworkers' Union's actions have managed to secure and maintain one of the sole solid counter-directional resistancies to the 'de-regulative' flows that have come to typify the New Economy – that is to say the withdrawal of the state from proactive regulative structures in the economy.⁸⁴ Other unions have been rejuvenatory, but the Farmworkers' Union, while struggling in an especially hostile framing environment, has managed to operationalise its rejuvenation, in one narrow instance at least, in a particularly effective manner. Analysis of these

⁸³ G. Barr, "The Anti-Poll Tax Movement: an *Insider's View of an Outsider Group*". In: *Talking Politics*, 1992, 4 (3), 1992, pp.143-71, pg. 145.

⁸⁴ And, conversely, its hostile transgressions into once formally unregulated arenas of industrial relations.

experiences can reveal several lessons that the mainstream Movement would be wise to learn.

First though, we must ask why these lessons are important. In answer: unions have the *ability* to play normatively positive roles in society; union activity has been linked to decreases in low-paid employment, the raising of households out of poverty and the compression of wage structures.⁸⁵ Likewise, unionised British workers, *particularly* traditionally precarity-prone groups such as female workers and ethnic minorities,⁸⁶ have been shown to enjoy substantial wage-premiums over their unorganised peers.⁸⁷ Likewise unionism, if able to resist further wholesale reconfigurations of labour relations, could bring benefits for the whole nation: it has been well demonstrated that nations with large numbers of non-standard employment relations experience a reduction in welfare provisions.⁸⁸ However, as we have seen, these benefits are in no way guaranteed from a Movement with an ignoble heritage towards numerous groups of precarity-prone workers.

By linking lessons from the history of British unionism in general, and the Farmworkers' Union in particular, one can learn what institutional situations and, enticingly, what strategic actions have enabled, or could enable, unions to wrought such benefits, concurrently for themselves *and* the most disadvantaged in society. The practical and normative value of such a study should be obvious, to those both internal and external to the national Movement: by analysing the effectiveness of the various strategies employed by the Farmworkers' Union, strategists in the wider Movement could be enabled to make decisions regarding the best use of their increasingly limited resources, and "identify... space for *realistic* yet imaginative intervention".⁸⁹ This need to learn is intensely pressing in our contemporary period of recession and stagnation: it would be all too easy for unions to sacrifice their partially rediscovered orientations towards precarity-prone labour in defence, once again, of their traditional core constituents; this regression has been observed in other areas and periods of economic uncertainty,⁹⁰ and needs to be avoided in ours.

Again, the experiences of the Farmworkers' Union provide high-quality source materials of help in this endeavour. For one, the global recession of 2008 onwards hit often-ganged sojourners and migrant labourers particularly hard⁹¹: however the Union's chosen courses of action regarding gangmastery undoubtedly cushioned the impact of this in Britain agriculture; aspects of actions could, in principle, be adapted by other unions as part of their rejuvenatory processes. So, what can be learnt from the Farmworkers' Union – from its relations with gangmastery, its other notable successes, but also its failures – that is applicable to the wider Movement?

⁸⁵ Organisation for Economic Co-operation and Development, *Employment Outlook 2002*, pg. 69-70.

⁸⁶ David Metcalf, Kristine Hansen and Andy Charlwood, *Unions and the Sword of Justice: Unions and Pay Systems, Pay Inequality, Pay Discrimination and Low Pay*, London: London School of Economics, 2000.

⁸⁷ Behrens *et al.*, *Conceptualizing Labour Union Revitalization*.

⁸⁸ Kahn, *The Impact of Employment Protection Mandates on Demographic Temporary Employment Patterns*.

⁸⁹ Cf. Hyman, *Economic Restructuring, Market Liberalism and the Future National Industrial Relations System*, emphasis added.

⁹⁰ Heery, *Trade Union Response to Agency Labour in Britain*, pg. 441–442; Hazel Conley and Paul Stewart, "Representing Fixed-Term Workers: the Anatomy of a Trade Union Campaign". In: *Employee Relations*, 2008, 30, pp. 515–533.

⁹¹ Michael Fix, Demetrios Papademetriou, Jeanne Batalova, Aaron Terrazas, Serena Yi-Ying Lin and Michelle Mittelstadt, *Migration and the Global Recession*, London: Migration Policy Institute, 2009; Somerville and Sumption, *Madeleine Immigration in the United Kingdom*.

For one, we have seen that the Farmworkers' Union's actions regarding gangmastery, while reliant on the activation of its members' intelligence gathering skills, largely bypassed interaction with actual migrant labourers, in favour of cooperation with often community-based *representative* groups. Any desire of the Farmworkers' Union to actually engage in direct interactions with ganged workers has been systematically curtailed, even while the Union has otherwise come to utilise a recognisable form of reciprocal community unionism. In a large part, this has been due to the isolation inherent in the agricultural environment, which has affected many in the industry: with such a high number of agricultural migrant workers spending the entirety of their usually brief sojourns in Britain within the physical confines of their workplaces, and isolated from the community at large, migrants have been often unable to build expansive personal networks in the rural environment; this deincorporated, for the Union, the act of accessing such networks for the purpose of migrant protection and advocacy.

As demonstrated, large swathes of the New Economy are becoming increasingly reminiscent of the agricultural landscape, with many precarity-prone workers physically and psychologically isolated from the community at large. For this reason the Farmworkers' Union's perceptively service-based course of action is noteworthy for union strategists seeking to make their body's rejuvenation processes more coherent and effective. While perhaps intuitively going against normative conceptions of rejuvenation, this first lesson tells us that organising previously excluded groups is not the be all and end all of rejuvenation: investment in other actions, such as joint campaigns with representatives groups, could practically secure protections for workers still formally external to the Movement.

A second lesson should clearly demonstrate, to the Movement, that one cannot simply 'build rejuvenation and they will come'. If rejuvenatory ideals are imposed on a body in an alien manner, as they were with Link Up, they seem to have little chance of affecting long-term changes within the said body. Instead, rejuvenation must actively utilise the most useful aspects of a structure's previous form. If anything this highlights the need for strategists specialised in trade union history in the designing of future-looking rejuvenatory strategies: rejuvenation does not have to be wholly organic and natural phenomena, it can be coaxed and groomed by strategic actions, but an appreciation of historic forms is clearly needed.

A third lesson, again extracted from the issue of gangmastery, suggests that a focus on those firms empowered with substantial private regulative influence over economic sectors could prove to be an advisable development for the Movement's selection of sights of contention. As mentioned, much of the New Economy has been atomised in recent decades: 80% of employers subcontracted to some extent in 2008, with numbers increasing in the agricultural sector, but also other low waged industries.⁹² As these chains lengthen, so too do the opportunities for informality and precarity,⁹³ and also invisibility of the part of the employer. Any union would likely be overwhelmed if it targeted only end-point individuals in such environments, now

⁹² TUC CoVE 2008, *Hard Work, Hidden Lives*, pg. 5; Dench *et al.*, *Employer's Use of Migrant Labour*.

⁹³ Anderson and Rogaly 2005, *Forced Labour and Migration to the UK*. N.B such sub-contracted precarity has recently been manifested in agency workers who have come to lack written contracts and itemised payslips, been denied access to sick, maternity/paternity and holiday pay, and faced the threat of underpayment and instant and unwarranted dismissal. Cf. TUC CoVE 2008, *Hard Work, Hidden Lives*.

endemic in the construction, contract cleaning and residential care sectors at the least. However, unions need not focus on these end-point labour suppliers and users: if they recognise the importance of private regulation, and forge strategies that seek to usurp their powers for the Movement's own purposes – as the Farmworkers' Union did with its creation of the supermarkets' domestic ethical complex, as likewise did NGOs previously over international issues – precarity in these supply-chains could be reduced in practice.

To expand: while the New Economy has been atomised in theory, firms with dominant oligarchic tendencies still dominate many sectors in practice. Field-level agricultural employers of the 1980s, 1990s and 2000s had very little choice *not* to construct highly precarious labour relations when wishing to operate as profit-maximising enterprises, due to the pressures that the supermarkets' private regulations were placing on their organisations.⁹⁴ This narrative can readily be retold, but with a substitution of principle actors: so that the subject becomes small firms in the care sector, squeezed by oligarchic super-providers and resultantly forced to employ the usage of high street labour providers.⁹⁵ A focus on the practices of those companies with oligarchic controls over economic sectors could prove beneficial for unions operating in such environments. Such a focus could incorporate elements of campaigning and quasi-partnership approaches, just as the Farmworkers' Union did with the construction of the ETI and GLA – by using the emotive push-button issue of end-of-life care for old age pensioners, so as to mobilise the threat of public outrage in order to produce an ethical complex, for example.

To summarise this lesson: the Farmworkers' Union's experiences suggest that the Movement has to become more proactive in the atomised New Economy, and shift still-hegemonic patterns which still see unions focussing on the regulation of its own members' own individual work-sites, so as to seek access points in the mixture of private and public regulative structures that shape every sector of the British economy.

A fourth lesson that could be learnt has been partially laid in the previous section of this chapter, when I discussed how the Farmworkers's Union has been too prone to look through too narrow a lens when assessing its self-identified territories, treating its operational domains in isolation. As shown, this has overemphasised the value of short-term subordinatory benefits that have in reality created long-term losses, for the Union and agricultural workforce alike. This finding could well affect the wider Movement for the following reasons: one perfectly possible result of the cascade of decline may be a further atomisation, not just of the economy but also the Movement; the post-Oil Crisis economic restructuring, which have mostly destroyed the organised capabilities of those unions that the Post-War industrial economy had been inherently biased in favour of, have “render(ed) more transparent those differences of interests which were previous suppressed” within, and by, the Movement.⁹⁶ This rendering threatens to rupture British unionism to the point that the singular noun, *‘the Movement’*, seems anachronistic.

Unions may splinter off, following developmental paths leading towards ever divergent union types, each reminiscent of previously existent union models seen in

⁹⁴ Of course, and fortuitously for employers, successive governments had constructed a society in which it was relatively easy to construct and maintain such relations without penalty.

⁹⁵ These super-providers have themselves been buoyed by the Thatcherite ideology of compulsory tendering: where councils are forced to auction their services on an open market, awarding long-term contracts to the lowest bidder with little questioned asked.

⁹⁶ Hyman, *Changing Trade Union Identities and Strategies*, pg. 113.

Britain before the hegemonic dominance of voluntarist organisations in the Post-War Era: individual unions may, independently and regardless of others, focus on servicing the interests of individual workers as neo-friendly societies, or else embed, or entrap, themselves within the interests of the state, in the attempt to produce Continental style social-partnerships; alternatively individual unions may re-emerge from the *milieu* of the cascade of decline as campaigning social movements, mobilising to achieve mass support over a range of issues; or perhaps by forming productive coalitions with managers at the firm level, so as to produce company 'unions'.⁹⁷

Judging by the Farmworkers' Union's experiences, this radical atomisation would likely be in the long-term aggregate disinterest of the economy's whole workforce and Movement, even those unions that would initially wrought substantial benefits from creating sweet-heart deals with principle employers in their industry. We have seen how short-term subordination in narrowly perceived operational domains can secure short-term benefits for unions' core constituents: see the securing of tied-tenants' right to housing and the concurrent continuation of the privileged rents of the tied-cottage system, for example. However, such subordination, and purposeful compartmentalisation of activities, appears to ultimately lead to long-term pains for unions and their core constituents: see how the continuation of the tied-cottage system persistently dampened *all* agricultural wages, to expand upon our previous example. A resistance to atomisation and a preference for holistic analysis appear then to be of crucial importance for unions operating in new economies, agricultural and otherwise.

A fostering of such a preference will require constant coaxing from strategists and the grass roots of the Movement for it to attain a hegemonic status, as central offices may find the apparent rewards offered by more discrete tactics too strong to resist. Normatively accepting that this course of action is desirable, one could aid this fostering by again prescribing the concept of One Big Union, and indeed One Big Society, as an aspiration ideal for the mainstream Movement. In this regard, the trend towards super-unions is encouraging, as a merging of the principles of craft and industrial unionisms, so as to simultaneously place an emphasis on inter-group communality and intra-firm and sectoral specialisms, could better provide for all workers in the Movement's territory, precarity-prone and otherwise.

Of course, the construction of One Big Society cannot stop at the Movement's outer limits. If our analysis has shown one thing, it is that the transition to new economies, agricultural and otherwise, has vaporised the ingrained positions of all manner of social actors, not just the unions. Such actors include small firms. Any dealings with such bodies must be performed with great caution – lacking human resource departments, such firms have come to practically enact some of the economy's worst practices towards precarity-prone workers⁹⁸: however, parallels can be made between their new economic experiences and that of the NFU's in relation to gangmastery; small and atomised firms, lacking oligarchic powers, are inherently unstable and could theoretically welcome the support of the Movement, and curb their precarity-producing practices in return. Holistic thinking, on the part of the Movement and others, could lead to a forging of interests with these new and unlikely industrial allies.

⁹⁷ *Ibid.*, pg. 134.

⁹⁸ Cf. TUC CoVE, *Hard Work, Hidden Lives*.

With voluntarism all but dead, at least within new economic sectors, and with a once somewhat bright hope of the rejuvenating Movement – that of legalism – tempered by the election of the Conservative/Liberal Democrat Government and the associated hostile change to the political-economy, such a unionism, combining aspects of partnership and campaigning approaches, seems to be a desirable end point for the Movement to strive towards. This commonly *idealised* end point should not necessarily lead to common ends *in practice* – indeed, pragmatic and environmentally specific novelties were key in securing the few notable victories of the agriculturalists – but it would allow for a continuation of holistic lens wearing by all within the Movement’s own borders.

While Britain’s ever-deeper forays into the New Economy continue to provide a near constant stream of reasons to be pessimistic regarding the fate of worker influence in industrial relations, some counter-flows can be found. In recent years the wider Movement has been making further tentative steps towards rejuvenation, particularly in the directions suggested by the third and fourth lessons outlined in this section, albeit in not as an effective manner as the Farmworkers’ Union has done so at times. For instance, while not organised solely by the Movement, several of the general unions, most notable Unison,⁹⁹ have participated in the *Living Wage Campaign*. Based originally in London before spreading out across other cities, ‘*Citizens UK*’, an umbrella organisation of over 30 community groups, including representatives from the Movement, have been campaigning since 2001 to guarantee low-waged workers premiums on top of, what the campaign identifies as, the unsatisfactory and precarity-producing NMW.¹⁰⁰ This group’s tactics mirror the Farmworkers’ Actions in several ways. Firstly, in this group we can see a form of reciprocal community unionism being enacted, with several unions working in close proximity with multiple societal actors. Likewise, the campaign seeks to embed *Citizens UK* into the private regulation of the economy, *à la* the Union on the ETI: while lobbying multiple layers of government, the campaign has primarily focused on winning raises in wages through the securing the guarantees of employers; differentiated from the *gentlemanly agreements* of voluntarism, these guarantees have not been, when they have been, won in closed-door, firm or sectoral level collective bargaining, but through the mobilisation of public attentions and interest. This private institutional embedding, backed by the threat of consumer mobilisation, has wrought some successes: in its ten-years long operational lifespan, Citizen UK believes it has won over £70 million of premiums above the NMW, for low-waged workers normally external to the Movement and likely to have no collective bargaining agreement covering their firm.¹⁰¹ With the Farmworkers’ Union’s similar experiments in the New Agricultural Economy’s environment proving to be relatively successful in the lead up to and actualisation of the GLA, such a strategy seems to be a particularly lucrative avenue of future rejuvenatory actions from the Movement. A proper dedication of resources could see such a hybrid partnership/campaigning strategy, utilised in conjunction with inclusive and/or engaging orientations, become the Movement’s ‘*new firm-level voluntarism*’ – that is to say, its hegemonic strategy of contention, better suited to Britain’s new economic conditions.

⁹⁹ The self-avowed ‘Public Service Union’.

¹⁰⁰ To see a summary of the organisations work and aims, see the campaign’s continuously updating webpage, available at <http://www.citizensuk.org/campaigns/living-wage-campaign/>, last accessed 2nd September 2013.

¹⁰¹ *Ibid.*

Of course, such a prescription presumes that motivated unions will be consistently able to find willing allies in their intra-Movement peers and in the multiple, self-interested and strategically enabled actors existent in civil society. Again, analysis of the Farmworkers' Union shows us that the selling of this salve to naturally suspicious non-union parties is a job that can be tackled by individual unions, the Movement and their combined strategic actions. At first glance, it appears that the Farmworkers' Union was not in fact the best salesperson when it came to this job: relying on contingent, and often tragic, political events, such as Seveso and Morecambe Bay, to help sell its regulative elixirs. Yet hope is offered: contingent events form the basis of our socially constructed reality, mere random occurrences unfolding the maelstrom of time; these building blocks only come to hold the catalytic potential for change when they are *politicised*, turned into events of discursive importance by the strategic interactions of actors. The Farmworkers' Union, and its actions regarding gangmastery both preceding and following Morecambe Bay, point to how the Movement could better invest its resources in future so as to better *politicise reality*. By activating its rank-and-file in an almost journalistic capacity, the Farmworkers' Union was able to assure a constant stream of informational flows reached the general public regarding ganged labour relations, so that when a tragic event occurred, largely due to the exclusionary immigration policies of successive governments, the Union could conduct the following events so as to implement regulative regimes of its own design. The Movement could do likewise, embracing the importance of social dialogue so as to sell its narratives of the world, advertising its salves after pre-politicising events for its own purpose. Practically, this could involve the forging of deeper bonds with investigate journalists and informal societal information networks.

So to summarise how the experiences of the Farmworkers' Union could help guide the future actions of the wider Movement. The Movement should change its orientations, and in practice its strategies, for the future benefit of itself, precarity-prone workers and Britain's wider society alike. Experiences of the Farmworkers' Union tell us that the Movement's practical strategic realignments could focus on finding niches in the private regulations of the economy, so as to acquire controls over subcontracting chains. The Farmworkers' Union's actions also suggest that an initial emphasis on service-based approaches could win practical rewards for the Movement and precarity-prone groups alike, despite the fact that they appear to run afoul of orientationally idealised notions of rejuvenation which emphasise the need to actively and deeply involve previously excluded workers in the Movement's active affairs: as long as a sympathy for pre-existent union structures is shown, an increasing of the roles afforded to professionalised union staff is not a development that should be instinctively avoided in the future. To actualise these developments, the Movement could increase its intra- and extra-unionism bonds, so as to foster an oppositional Big Society, committed to resisting, rather than complementing, government-aided deconstructions of societal fabrics. The fostering of journalistic tendencies from within the Movement could help secure this development.

5. Implications of Analysis for the Dutch Trade Union Movement.

To close this chapter, we turn now to look at what lessons the Dutch Trade Union Movement can take from our analyses of the British Farmworkers' Union. Having demonstrated how closely interlinked the British agricultural sector has been

with the wider New Economy, there should be little doubt as to why our preceding section was relevant. However, doubts could be raised with regard to the applicability of this study's findings to the Dutch context, when one recognises that radically divergent socio-economic institutions and trade union histories have produced an industrial environment in the Netherlands much dissimilar to Britain's.

A theoretical school of use in demonstrating why such pressing questions must be raised is that of *Varieties of Capitalism*. This school differentiates modern national economies into, at least, two broad camps: the Liberal Market Economies (LMEs), such as the UK, United States, Canada, Australia, New Zealand and Ireland, are said to be typified by notions of governmental non-intervention and neo-liberalism; while the Controlled Market Economies (CMEs), such as the Netherlands and many of its Continental Western European neighbours, are said to be still typified by closer governmental oversights of macro-economic policy.¹⁰² Within each idealised camp there is said to exist "a set of rules, formal or informal, that actors", trade unions included, "generally follow, whether for normative, cognitive or material reasons".¹⁰³ Accordingly, such rules would have helped structure the forms of reactions made by actors in the face of social-political restructurings: unions, along with other societal actors, are likely to have been guided, if not directed, to react in differentiated manners, due to the "different types of constraints and opportunities" afforded by each context.¹⁰⁴

These differentiations are said to affect every aspect of economic life, including organised labour movements' relationships with traditionally precarity-prone groups of labourers. To expand: according to a wide body of theorists, economic restructurings have caused LMEs to react in a broadly 'deregulative' manner, with free-markets' roles in macro and micro-economic policy decision-making greatly expanded.¹⁰⁵ This trend has generally forced unions in LMEs, including Britain, to reactively seek out new positions for themselves in radically restructured industrial arenas. Such searches have often prompted conscious, albeit partial, rejuvenatory contemplations from unions regarding their relations with traditionally precarity-prone groups of workers, such as migrant labourers, in the process.¹⁰⁶ On the other hand, unions in CMEs, such as the Netherlands, have been assured *relatively* solid and continuing access to formal institutions of economic control. Seeking to protect their relatively embedded institutional positions against threats of disruptions, this has apparently encouraged CME based unions to espouse a firmer *small-c-conservatism* in comparison to their LME based peers.¹⁰⁷

I must then ask then what, if any, lessons drawn from the Farmworkers' Union's experiences are relevant for Dutch unions, reacting to similar globalised trends,¹⁰⁸ but in a *highly* differentiated institutional environment? To answer this

¹⁰² David Hall and Peter Soskice, "Introduction to Varieties of Capitalism". In: David Hall and Soskice (eds). *Varieties of Capitalism*.

¹⁰³ Hall and Soskice, *Introduction to Varieties of Capitalism*, pg. 9.

¹⁰⁴ Frege and Kelly, *Union Strategies in Comparative Context*, pg. 38.

¹⁰⁵ Hall and Soskice, *Introduction to Varieties of Capitalism*.

¹⁰⁶ Krings, *Organised Labour and Migration in the Global Age*, pg. i.

¹⁰⁷ Thelen, *Varieties of Labor Politics in the Developed Democracies*; Edmund Heery, Melanie Simms, Dave Simpson, Rick Delbridge and John Salmon, "Organizing Unionism Comes to the UK". In: *Employee Relations*, 2000, 22 (1), pp. 38-57. N.B this is not to say that trans-national trade union movements had a broadly homogenous attitude towards non-standard and/or precarity-prone groups of workers prior to the onset of post-1970 restructurings. This point is expanded upon imminently.

¹⁰⁸ Visser, *European Trade Unions: the Transition Years*.

question, I begin by examining the Dutch Movement, and its reaction to post-1970s developments, *in practice*.

If one wanted to describe the contemporary Dutch Movement, its industrial environment, and its relationship with other societal actors, in a single word, that word would be ‘*corporatism*’. Close, state-sanctioned interactions between the unions and employers, often through their peak confederations, play a determinant role in the construction of Dutch macro and micro-economic policy. While we have seen how Britain had a short, and relatively shallow, corporatist experiment in the Post-War Era, this institutional embeddedness significantly differentiates the Dutch economy from the British. To illustrate this point: Britain has never had a tri-partite body with as central an institutional position as the 1950-established Social and Economic Council of the Netherlands (SER), which is legally tasked to advise the government on issues of social and economic policy¹⁰⁹; likewise, the bipartite and privately operated Stichting van de Arbeid (the Dutch Foundation of Labour, or Svda), composed of representatives from the major peak confederations, has, since 1945, provided a platform for expansive interactions between employers and unions the likes of which has simply never existed in the UK.¹¹⁰ These bodies, key institutional components of the Netherlands’ oft idealised “consultative economy”, must be viewed as nationally unique institutional arrangements, borne out of the Netherlands’ Post-War reconstructions.¹¹¹

While its national arenas of contention are prime examples of the Netherlands’ consultative economy, one must recognise the deep and expansive “network of institutions”,¹¹² which has been embedded across the Dutch economy for many decades, to properly appreciate the degree of differentiation between this industrial system and the UK’s. In the Netherlands, at the company and sectoral levels, employers and employees regularly, and for the most part non-combatively, interact over issues of “social funds, pension funds and training funds” through formal representative bodies.¹¹³ Such a network has produced an economy still typified by expansive collective agreements, but distinguished from the Post-War British landscape by the relative absence of voluntarism and the numerous interconnections found between collective agreement making processes and the state: unlike ever in the British context, the Dutch government, through the Ministry of Social Affairs and Employment, has displayed a consistent willingness to extend collective bargaining agreements so as to cover the entirety of a industrial sector’s firms and workforce.¹¹⁴ This has meant that, despite a sustained loss of membership numbers in the Dutch

¹⁰⁹ Such issues range from matters regarding the “labour market, employment law, social security and general and international socio-economic issues.” Cf. Social and Economic Council of the Netherlands (SER), *The Power of Consultancy: the Dutch Consultative Economy Explained*, Den Haag: SER, 2010, pg. 13.

¹¹⁰ Cf. Social and Economic Council of the Netherlands (SER), *Industrial Relations and the Adaptability of the Dutch Economy*, Den Haag: SER, 2007.

¹¹¹ Cf. SER, *The Power of Consultancy*, pg. 10; Hyman, *Understanding European Trade Unionism*.

¹¹² SER, *The Power of Consultancy*, pg. 16.

¹¹³ Such bodies include the sectoral Commodity and Industrial Boards, and the statutory intra-company Ondernemingsraad (Work Councils). N.B while the latter are formally separated from the Trade Union Movement – Work Councils are elected through ballots of the entirety of a firm’s workforce – in reality their worker representatives have traditionally been drawn from a unionist-heavy pool, with 65% of Work Council reps being union members as of 2008. Cf. European Foundation for the Improvement of Living and Working Conditions (EFILWC), *The Netherlands: Industrial Relations Profile*, Dublin: EFILWC, 2012, pg. 9.

¹¹⁴ SER, *The Power of Consultancy*.

Movement's own personal cascade of decline, 85% of employees were covered by a union negotiated pay packet as of August 2010.¹¹⁵

Beyond the enhanced and formalised role of collective bargaining, the consultative economy has produced a few other significant features that place the Netherlands' industrial relations system in sharp contrast to others, including the UK. For instance, from the 1980s onwards, employers have had to, in most instances, obtain a permit to dismiss standardly employed contractors.¹¹⁶ While some employers are increasing seeking escapist routes so as to avoid the extension of collective agreements, and others have expressed anger at the large macro- and micro-economic influence enjoyed by the Dutch Movement, which has always possessed a low-density rate by international standards, state investigations consistently find that employers are relatively content with such an embedded arrangement.¹¹⁷

These institutional arrangements have played their part in producing a perceptively placid union movement: between 2005-2009, only 5.7 working days per 1,000 employees per year lost to strike action, a low figure compared to virtually all European nations,¹¹⁸ LME and CME. Other historical tendencies have further moulded the Dutch Movement into a rather unique configuration: having industrialised at a later date, the Dutch Movement did not inherit Britain's craft-heritage, due to the shorter transitional period that occurred between the eclipse of older modes of production and the rise industrial-capitalism.¹¹⁹ Resultantly, an "intangible concept of solidarity" has long been found between what would likely be competing union factions in the UK.¹²⁰ This solidarity was originally manifested in the fact that the Dutch Movement developed as an industrial, rather than occupational system, typified by fraternal and egalitarian-orientated interconnections between relatively disparate groups of workers *within the borders of the Movement*.¹²¹ With privileged groups not organising separately, there has been a greater acceptance, on the part of Dutch aristocracies of labour, for far-reaching redistributive strategies when compared with the UK.¹²²

So, we have ascertained that, due to the timing of the onset of industrial capitalism, the Dutch Movement developed with a less divisive orientational persona when compared to its British equivalent, at least with regards to its *intra*-Movement

¹¹⁵ *Ibid.*, pg. 23

¹¹⁶ Trudie Schils and Hester Houwing, "Sectoral Variation in Collectively Agreed Employment Protection: Evidence from Dutch Flexicurity". In: *European Journal of Industrial Relations*, 2010, 16, pp. 137-152.

¹¹⁷ Visser, *Patterns and Variations in European Industrial Relations*, pg. 34.

¹¹⁸ SER, *The Power of Consultancy*, pg. 27.

¹¹⁹ Oude Nijhuis, *Labor Divided*, chapter one.

¹²⁰ *Ibid.*, pg. 49.

¹²¹ One often finds the argument that a deep appreciation of the *pillorised* history of Dutch society – that is to say, its systems of *de jure* sectarianism – is needed to properly understand its political-economy's structure. This point is certainly pertinent, and the contemporary peak confederations of the Dutch Movement are still defined by their religious allegiances. However, the relevance of such a division has decreased greatly since the Post-War Era, and is overlooked in this essay for the purpose of expediency.

¹²² *Ibid.*, pg. 203. This is not to say that Dutch unionists have historically had altruistic motivations when joining trade unions. Vall demonstrates that, at the onset of our periodisation, Dutch unionists' most pressing motive for joining an organisation was that of "conflict insurance", that is to say, the provision of protections and assistance in the case of personal disputes with employers and managers. Self-interest calculations have typified the reasons why workers join unions in both countries currently under consideration: only in the Netherlands a more communitarian methodology has been created to secure such ambitions. Cf. Mark van de Vall, *Labour Organizations*, Cambridge: Cambridge University Press, 1970.

affairs. Then, at least in part due to the fostering of psyches based on the notion of the common good after WWII, expansive statutory institutions have continued to privileged the Movement's, and their employing counterparts', roles in industrial policy making arena. We have seen how, theoretically at least, this could mean that the Dutch Movement has reacted to its own cascade of decline in a more conservative manner than the British.¹²³ With these glaring differentiations, we must again ask how any lessons from the British agricultural sector could be applicable in the Dutch context.

To answer: despite what Varieties of Capitalism's *divergence theory* suggests, some industrial aspects of the UK and Netherlands have become increasingly drawn together in recent decades, in reaction to nation's cascade of decline.

A first parallel can be found in the declining numbers of unionists found in each nation. Just like how density rates had been consistently low in British agriculture preceding the onset of the cascade of decline, so too were they in the Netherlands, albeit for differentiated reasons: in the Netherlands' due to the Movement's perceived strengths, in British agriculture due to the Farmworkers' Union institutional and resourceful weaknesses. As hinted at, the Dutch Movement's historically ingrained position in industrial arenas perceptively lessened the necessity for it to maintain deep union density rates throughout the bulk of the Twentieth Century: with the Movement's nodes of control being located far above individual shop floors, it has been historically complacent regarding its density rates¹²⁴; so, at the outset of the 1970s, just 39% non-agricultural Dutch workers were in unions.¹²⁵

This finding becomes a pattern when we observe the fortunes of the two movements as their cascades of declines progress. Just as the with our Farmworkers' Union, and indeed the entirety of the British Movement, the Netherlands' already low density rates fell greatly after the onset of the cascade of decline, largely due to restructurings and retreatings in the manufacturing sectors.¹²⁶ Table Two demonstrates, the Dutch economy-wide density rate has been consistently lower than Britain's, and has in fact been reliably more comparable to that of Britain's agricultural sector, but the two national movements share a similar precipitous drop off rate in absolute terms. Likewise, the Dutch have responded to this collapse in its membership in a similar manner to the British Movement, and indeed the Farmworkers' Union: by merging. A number of super-unions, similar in scope and size to Unite, such as the *Federation Dutch Labour Movement* (FNV), have emerged in the Netherlands, largely in reaction to sustained membership losses,¹²⁷ with them being seen as a potential solution to the Movement's multiplying problems of

¹²³ I hope the reader now appreciates my repeated highlighting of the semantic difference between conservatism and Conservatism. True, the organisational heritage of the Dutch tradition has rendered its structures more egalitarian, if not radical, when compared to the British; however, its still relatively privileged position within an LME has left it likely to be more keen on preserving its standard *modi operandi*, again when compared to the British; one could simplify matters and say the British movement has traditionally been more Conservative, the Dutch more conservative in its recent history. Cf. chapter 5, footnote 92 of this thesis.

¹²⁴ Dirk Kloosterboer, *Innovative Trade Union Strategies*, Amsterdam: FNV, 2007, pg. 15.

¹²⁵ Benjamin Martin and Everett Kassalow, *Labor Relations in Advanced Industrial Societies: Issues and Problems*, Washington D.C: Carnegie Endowment for International Peace, 1980, pg 47.

¹²⁶ Cf. Kurt Vandaele and Janine Leschke, *Following the 'Organising Model' of British Unions? Organising Non-Standard Workers in Germany and the Netherlands*, Brussels: ETUI, 2010.

¹²⁷ Waddington, *The Trade Union Merger Process in Europe*, pg. 646.

organisational and financial viability, which have been created by the Dutch density declines which have been seen from the 1970s onwards.¹²⁸

Table Two: The UK and the Netherlands' Declining Density Rates, 1974-1991.

	% of Full-Time Equivalent Workforce to be a Member of a Union	
Years	The UK	The Netherlands
1974-1979	50	37
1980-1985	48	31
1986-1991	41	25

Source: as cited in Visser, *Trends in Union Membership*.

Further reactive parallels are also evident, which potentially increase the value of cross-national observations, of Britain from the Netherlands. It is not just a decline in membership figures, and a trend towards amalgamation, that unite the two movement's recent experiences. While still highly corporatist, a decentralisation of industrial relations has occurred in the Netherlands in recent decades, which certainly reflects the atomisation of industrial relations that has occurred Britain's emergent New Economy since the 1970s, and which has been found in Britain's agricultural sector for a significant period of time.

The 1982 *Wassenaar Agreement*, forged by the SER and supported by the SvdA symbolically initiated processes of decentralisation, by abandoning central state controls on wages. Reached in a tri-partite atmosphere of fear – regarding rising unemployment, decreasing international competitiveness, peaking industrial strife and increasing inflation¹²⁹ – the agreement is now seen by all parties as an “irreversible” development in the Dutch industrial landscape.¹³⁰ The SvdA's subsequent *New Course Agreements* of 1993 further prioritised the importance of “tailor-made approach(es)” to industrial relations, allowing firm-level deviations from national and/or sectoral level collective agreements.¹³¹ Employees have likewise been encouraged to “mix-and-match”¹³² their now “à la carte” employment protections¹³³: à la carte optioning is actualised via management/worker discussions – participated in by a firm's management and a union, Work Council or individual employee – where issues regarding the management of working hours, and policies on absenteeism and illness, training and result-dependent remunerations are talked about, with a mind to “fine tune” a worker's collective agreement. Such deviations have come to affect over 60% of all collective agreements,¹³⁴ and have implicitly underlined the sovereignty of individual workers in the Dutch economy, rather than unions.

While the practical effects of these developments do not offer an *exact* parallel to the collapse of British voluntarism, this “organised decentralization” of industrial

¹²⁸ Wolfgang Streeck and Jelle Visser “The Rise of the Conglomerate Union”. In: *European Journal of Industrial Relations*, 1997, 3 (3), pp. 305-332.

¹²⁹ SER, *The Power of Consultancy*, pg. 22.

¹³⁰ SER, *Industrial Relations and the Adaptability of the Dutch Economy*, pg. 8; EFILWC, *The Netherlands: Industrial Relations Profile*.

¹³¹ SER, *Industrial Relations and the Adaptability of the Dutch Economy*, pg.10.

¹³² *Ibid.*, pg. 14

¹³³ SER, *The Power of Consultancy*, pg. 21.

¹³⁴ SER, *Industrial Relations and the Adaptability of the Dutch Economy*, pg. 16.

relations,¹³⁵ which has undoubtedly increased the role of company level industrial arenas at the expense of sectoral and national ones, represents a massive reorganisation of the Dutch industrial environment.¹³⁶ This reorganisation certainly *evokes* the decline of multi-firm industrial relations that has been seen in the UK. Indeed, while industrial coordination has decreased in numerous CMEs since the 1970s, albeit in a dynamic and multidirectional manner, when *compared with other 'classic' CMEs*,¹³⁷ the Netherlands has emerged from its economic restructurings *relatively uncoordinated*.¹³⁸

This *relative* lack of coordination has caused a growth of phenomena typical of the British New Economy, and indeed the industrial environment of British agriculture: non-standard work. Both nations experienced a gradual but marked take-up of non-standard employment in the 1970s,¹³⁹ with traditionally precarity-prone groups, such as women and migrant workers, being disproportionately represented in such contracts.¹⁴⁰ Economic crises of the latter 1970s and early 1980s caused further, unprecedented and economy-wide growths in numerous forms of non-standard work in the Netherlands, as a European wide trend for relaxing contract laws was embraced. These continuous growths – nurtured by the Wassenaar Agreement and other flexibilising policies agreed upon by the corporatist social partners¹⁴¹ – lasted up until the mid-1990s,¹⁴² after which a period of stabilisation, and normalisation, of non-standard work occurred.¹⁴³

Such trends encompassed changes in the usage of temporary agency work, which had come to provide 2.8% of all full-time equivalent jobs by the 2000s¹⁴⁴: this may seem small by international comparisons, but when one bears in mind that, between 1987 and 1996, the use of temporary agency workers increased three-fold, the amplified usage of such labour contracts becomes more noteworthy.¹⁴⁵ Elsewhere, while the Netherlands usage of *agency* work is low by British standards, the Netherlands' reliance on temporary contracts is particularly high, with 18.2% of full-time equivalent work being conducted via such contractual forms as of 2008.¹⁴⁶ The Netherlands is likewise a European leader in its usage of other forms of non-standard work: with 47% of the full-time equivalent workforce working on a part-time basis

¹³⁵ Cf. Franz Traxler, "Farewell to Labour Market Associations? Organised versus Disorganized Decentralization as a Map for Industrial Relations". In: Colin Crouch and Franz Traxler (eds), *Organized Industrial Relations in Europe: What Future?*, Aldershot: Avebury, 1995.

¹³⁶ Schils and Houwing, *Sectoral Variation in Collectively Agreed Employment Protection*, pg. 138.

¹³⁷ Such as Germany, Austria, Sweden, Denmark and France.

¹³⁸ Schils and Houwing, *Sectoral Variation in Collectively Agreed Employment Protection*, pg. 140.

¹³⁹ Lei Delsen, *Atypical Employment: An International Perspective - Causes, Consequences and Policy*, Groningen: Wolters, 1995.

¹⁴⁰ Jeroen de Jong, René Schalk and Tobias Goessling, "An Institutional Perspective on the Employment Position of Temporary Workers in the Netherlands". In: *Industrial Relations*, 2007, 62 (3), pp. 492-515, pg. 497.

¹⁴¹ Jelle Visser, "Negotiated Flexibility, Working Time and Transitions in the Netherlands". In: J. O'Reilly (ed.), *Regulating Working-Time Transitions in Europe*, Cheltenham: Edward Elgar, 2003, pg. 142.

¹⁴² Jong *et al.*, *An Institutional Perspective on the Employment Position of Temporary Workers in the Netherlands*, pg. 497.

¹⁴³ Cf. Kea Tijdens, Maarten van Klaveren, Hester Houwing, Marc van der Meer and Marieke van Essen, *Temporary Agency Work in the Netherlands*, Amsterdam: University of Amsterdam, 2006.

¹⁴⁴ Albeit with this number increasing rapidly. Cf. Storrie, *Temporary Agency Work in the European Union*.

¹⁴⁵ Jan Looise, Maarten van Riemsdijk and Frans de Lange, "Company Labour Flexibility Strategies in the Netherlands: An Institutional Perspective." In: *Employee Relations*, 1998, 20 (5), pp. 461-482.

¹⁴⁶ Vandaele and Leschke, *Following the 'Organising Model' of British Unions?*, pg. 10

for example, with this number increasing to over 75% of female workers.¹⁴⁷ While such part-time arrangements suit many workers, over 40% of Dutch part-timers are discontent, working on this contract type primarily due to the lack of an alternative; a number not too far different from the 50% of British part-time workers in such a situation.¹⁴⁸ A further non-standard contractual form – self-employment – has also increased massively in recent decades: a 67% increase in usage occurred between 1996-2008 alone, with this growth, just as it has been in the UK, being especially pronounced in low-waged industries, such as the construction and care sectors.¹⁴⁹ So, while preferred modes of non-standard work are differentiated between the UK and Netherlands, we can see that both nations are similar in that they have experienced significant augmentations of the standard employment contract in recent decades.

Such work in the Netherlands has been relatively precarity-prone when compared with standard work, with non-standard workers on aggregate earning less on *pro rata* bases,¹⁵⁰ often excluded from fringe employment provisions such as pensions,¹⁵¹ denied access to training schemes designed to increase human capital,¹⁵² barred from intra- and extra-firm career development opportunities,¹⁵³ and being more likely to suffer in the wider political-economy.¹⁵⁴ In sum then: Dutch work has become less standardised in recent decades, with often precarity-producing results for those workers employed on divergent contractual forms. Clearly, these trends mirror developments in the UK: these similarities further enhance the value of transnational study, between the Dutch environment, Britain, and its agricultural sector.

Just as the consistent precarity of non-standard work offers a reciprocal image between our two nations, it is in this area where one can find the most blatant parallels between the Dutch and British movements. While the Dutch Movement has been historically imbued by notions of solidarity towards workers within its own borders,¹⁵⁵ its attitudes towards non-standard and precarity-prone workers excluded, sometimes purposefully, from the Movement have been far from consistently rejuvenatory throughout our periodisation, much like the British Movement in fact. Throughout the 1970s most Dutch union officials reacted to the embryonic growth of non-standard work – at the time still unsanctified by the social partners – with hostility, linking such “workers to a Trojan Horse...(in that they) undermine(d) the foundations of long-term industrial relations with regard to rewards, freedom,

¹⁴⁷ Vandaele and Leschke, *Following the ‘Organising Model’ of British Unions?*, pg. 8.

¹⁴⁸ *Ibid.*, though it must be pointed out that various statutory provisions, such as a guaranteed non-discrimination policy regarding part-timers’ access to the Dutch social security system, have rendered this contractual form significantly less precarious, and more attractive, than it is in the UK.

¹⁴⁹ *Ibid.*, pg. 12.

¹⁵⁰ Jong *et al.*, *An Institutional Perspective on the Employment Position of Temporary Workers in the Netherlands*, pg. 496.

¹⁵¹ *Ibid.*

¹⁵² *Ibid.*; Anneke Goudswaard and Frank Andries, *Employment Status and Working Conditions*. Dublin: EFILWC, 2002.

¹⁵³ Chatel Remery, Johanna van Doorne-Huiskes and Joop Schippers, “Labour Market Flexibility in the Netherlands: Looking for Winners and Losers.” In: *Work, Employment & Society*, 2002, 16 (3), pp. 477–496.

¹⁵⁴ Dutch non-standard workers are less likely to be able to access mortgages from their bank, and receive substantially less public benefits for illness and unemployment when compared to their standardly employed peers, as examples. Cf. Jong *et al.*, *An Institutional Perspective on the Employment Position of Temporary Workers in the Netherlands*, pg. 496.

¹⁵⁵ Cf. Oude Nijhuis, *Labor Divided*.

variety in work, job security, benefits, and other facilities".¹⁵⁶ Likewise, in the case of foreign labour, disproportionately represented in such relations, the Movement was outright exclusionary at the turn of the 1970s, with it pressing the government to restrict inflows of immigrant workers after the recession of 1966-67.¹⁵⁷ Even in the 1980s, when the Dutch started to consciously craft expansive policies regarding BME workers for the first time, the major unions, such as the FNV and CNV, spilt little ink formulating positions regarding new immigrants' often precarious positions in the labour market, at a time when migrant unemployment was unprecedentedly high.¹⁵⁸ Clearly then, in the early years of our periodisation the Dutch Movement was hegemonically exclusionary, and pre-rejuvenatory, in its orientations towards several groupings of precarity-prone workers, in much the same manner as the British Movement, and indeed the Farmworkers' Union: a difference in economy type did not produce an initial difference in orientations regarding such workers.

Such orientations came to have instrumental influence when the Dutch Movement came to participate, along with the other social partners, in the post-1970s restructurings of the Dutch economy. To expand: across the CMEs of Europe much of the recent discourses surrounding continuing economic reorganisations have centered around issues of "flexicurity", with corporatist bodies seeking to balance the demands of Capital – for greater flexibility – and Labour – for greater employment protections.¹⁵⁹ The Netherlands has had one of the most intense of these discussions,¹⁶⁰ and much of it has congealed around the position of non-standard contractors in the labour market. Of course, we have already seen how the Dutch Movement soon proved to be a willing draughtsman of the Netherlands' contemporary flexibilised economy, participating as it did as a corporatist partner in post-Wassener tripartism. Through a deeper analysis of aspects of this national discussion, we can see how, if it all, the Movement has shifted its orientations regarding often precarity-prone workers, largely external to its own borders, in recent years.

(Re)-Regulative negotiations, conducted by the corporatist partners of the SER and SvdA, have produced a new *flexicurity regime* in the Dutch economy.¹⁶¹ Key foundations to this new regime are the Placement of Personnel by Intermediaries Act of 1998 (WAADI) and the *Wet Flexibiliteit en Zekerheid* (Flexicurity Act) of 1999. The two bills fundamentally restructured the legislative controls that had, since the 1960s, regulated the Netherlands' use of temporary contractors, casual labour, and employment agency workers.¹⁶² The laws, forged in discussions on the SvdA at the request of the Dutch Government of the day, actually secured greater protections for many temporary workers: for one, the bills clarified that employers had full legal responsibility for their workers, even in the absence of a formal contract¹⁶³; more so, temporary workers came to be considered as equal to standardly employed workers after a period of 6 months with a single employer, with the principle of equal pay and

¹⁵⁶ Jong *et al.*, *An Institutional Perspective on the Employment Position of Temporary Workers in the Netherlands*, pg. 497.

¹⁵⁷ Judith Roosblad, *English Language Executive Summary of Vakbonden en immigranten in Nederland, 1960-1997*, Amsterdam: Aksant, 2002.

¹⁵⁸ *Ibid.*

¹⁵⁹ Cf. European Commission, *Towards Common Principles of Flexicurity: More and Better Jobs through Flexibility and Security*, Brussels: EC, 2007.

¹⁶⁰ Schils and Houwing, *Sectoral Variation in Collectively Agreed Employment Protection*, pg. 138.

¹⁶¹ EFILWC, *The Netherlands: Industrial Relations Profile*.

¹⁶² SER, *Industrial Relations and the Adaptability of the Dutch Economy*, pg. 36.

¹⁶³ In British common law parlance, non-standard workers were afforded the status of employees.

rights upheld with only a few exceptions¹⁶⁴; likewise, if and when an agency-supplied worker had spent 18 months with a single labour user, or 3 years with a labour supplier, they were newly guaranteed a permanent contract of employment; in addition, zero-hour contracts were discouraged economy-wide.¹⁶⁵ On the other hand, flexibility was also increased: the need for temporary employment agencies to acquire licences was practically phased out of existence; and fixed-term workers could now be used for up to 36 months of continuous work, when previously a firm would be obliged to take on an agency worker full-time if it were to offer said worker two fixed-term contracts of employment within a period of 30 days.¹⁶⁶ On aggregate, the protections offered to non-standard workers are still high by international, and certainly British, standards¹⁶⁷: however, for the Dutch CME, this restructuring represented a significant loosening of contract law and a normalisation, though perhaps not a significant precarisation, of non-standard work.

The Dutch unions were highly complicit in constructing this regulative regime, further foundations of which can be found in the New Course Agreement of 1993.¹⁶⁸ Investigations of this complicity reveal the self-motivated incentives offered to, and accepted by, the unions in return for their participation in such augmentations. To expand: as shown, Dutch employment laws allow, and in fact now encourage, the corporatist partners to forge agreements at the sectoral and/or firm level. These agreements are in fact allowed to run contrary to nationally prescribed statute norms.¹⁶⁹ The unions have certainly utilised such provisions with regards to non-standard work: most notably, the major unions – FNV, CNV, De Unie and LBV – have forged a series of collective agreements with temporary agency firms that, after mandatory extension, cover 94% of workers in such work¹⁷⁰; elsewhere, firm level collective agreements regularly transgress the standards laid out by nationally applicability flexicurity laws.

Indeed, one of the principle reasons why the Movement was such an eager supporter of the passing of flexicurity laws¹⁷¹ was that the unions' formal role in the negotiating of collective agreements remained unchallenged in practice¹⁷²; in fact, the unions effectively conceded any veto they held over such policies in exchange for a strengthening of their positions in newly important shop-floor collective bargaining arenas.¹⁷³ Here, we can see that the Movement accepted that it could not prevent the spread of non-standard contractual forms, but believed that it could substantially deviate from national employment laws via collective bargaining agreements for its

¹⁶⁴ European Foundation for the Improvement of Living and Working Conditions, *Temporary Agency Work: National Reports. The Netherlands*, Dublin: EFILWC, 2003.

¹⁶⁵ Cf. Tijdens *et al.*, *Temporary Agency Work in the Netherlands*.

¹⁶⁶ This rewriting of this law could be interpreted as a case of the state conceding to the whims of employers: it has been found that employers routinely avoided these earlier prohibitions, by hiring workers on fixed-term contracts for a period of 30 days, and then hiring the same workers but from an agency for an additional 30, before rehiring them on new fixed-term contracts. Cf. Schils and Houwing, *Sectoral Variation in Collectively Agreed Employment Protection*, pg. 140.

¹⁶⁷ Organisation for Economic Co-operation and Development, *Employment Outlook 2004*. Paris: OECD, 2004.

¹⁶⁸ Tijdens *et al.*, *Temporary Agency Work in the Netherlands*.

¹⁶⁹ Schils and Houwing, *Sectoral Variation in Collectively Agreed Employment Protection*, pg. 142.

¹⁷⁰ Tijdens *et al.*, *Temporary Agency Work in the Netherlands*.

¹⁷¹ These being: those already mentioned in the course of this section, alongside a few other pieces of legislation, such as the *Working Time Act* of 1996.

¹⁷² Cf. Visser, *Patterns and Variations in European Industrial Relations*.

¹⁷³ Tijdens *et al.*, *Temporary Agency Work in the Netherlands*, pg. 85.

own purpose,¹⁷⁴ namely, the preservation of its privileged position within the multi-leveled mechanics of the corporatist state.

These deviations, constructed in tandem by profit-maximising employers and not particularly rejuvenated unions, often produce additional degrees of precarity for non-standardly, and indeed standardly, employed workers. To give some examples: in 2010, 23% of long-tenured workers – those who had worked more than 10 continuous years for a single employer – had had their notice periods shortened below national statute norms by their localised collective agreement, while over 50% of fixed-term contract workers had had their probationary period raised above the statutorily ‘mandatory’ 6 months.¹⁷⁵ Overall, recent derivative negotiations show a strong tendency for “more flexibility for employers, that is, less security for workers”, particularly for the less marketable of the workforce.¹⁷⁶ Such a pattern remained a constant for much of the 2000s¹⁷⁷: the social partners’ precarity-producing usage of these provisions seems to be a lasting phenomenon. So, while it is undeniably true that the flexicurity regime of the Netherlands renders much precarity-prone work less precarious than its UK counterpart,¹⁷⁸ Dutch unions have been readily prepared to allow the flexicurity debate to fall on the side of flexibility rather than security, in return for the maintenance of their internal corporatist position in the Dutch economy. With this flexibility most directly and negatively affecting the most precarity-prone workers in the industry, it is possible to argue that a subordinatory current of Dutch unionism exists, with regards to its orientations towards precarity-prone non-standard workers.

The unions’ subordinatory collusion in producing this regulative regime has not gone unnoticed. Several recent studies have looked at the effects of both the peak organisations’ creation of the corporatist flexicurity regime, and lower-level collective bargaining deviations, and found that non-standard workers are “very unimpressed” regarding the system’s new economic rules, and the “roles trade unions have taken up as participants in the social-economic consultation structure and in the organisation of social security”.¹⁷⁹ As shown: in recent decades much of the Dutch industrial discourse has congealed around issues of flexibility and security, and methods with which to balance the interests of Capital and Labour¹⁸⁰; regarding this discourse, a perception, growing in popularity within *flexicurity’s new workforce*, views the Dutch Movement as having been operating from a position of defence, and primarily if not exclusively *in* defence, of its traditional core workforce.¹⁸¹ This perception is not unwarranted: while an emphasis on regulation, and a slight but undeniable strain of inclusivity,¹⁸² have come to be found in the Dutch Movements’ orientation towards non-standard work, precarity-prone workers external to the Movement have not been a priority; not as a recruitment target nor as an object of unrepresentative

¹⁷⁴ SER, *The Power of Consultancy*, pg. 29.

¹⁷⁵ Schils and Houwing, *Sectoral Variation in Collectively Agreed Employment Protection*, pg. 148.

¹⁷⁶ *Ibid.*

¹⁷⁷ *Ibid.*

¹⁷⁸ SER, *Industrial Relations and the Adaptability of the Dutch Economy*, pg. 9.

¹⁷⁹ Ben Valkenburg and Harry Coenen, “Changing Trade Unionism in the Netherlands: a Critical Analysis”. In: Jeremy Waddington and Reiner Hoffmann (eds.), *Trade unions in Europe. Facing Challenges and Searching for Solutions*, Brussels: ETUI, 2000, pg. 402..

¹⁸⁰ Luc Sels and Geert van Hootegem, “Seeking the Balance between Flexibility and Security: A Rising Issue in the Low Countries.” In: *Work, Employment & Society*, 2001, 15 (2), pp. 327–352.

¹⁸¹ Richard Croucher and Chris Brewster, “Flexible Working Practices and the Trade Unions.” In: *Employee Relations*, 1998, 20 (5), pp. 443–452.

¹⁸² To be discussed imminently.

protection.¹⁸³

The effects of such continuing hostilities, real and perceived, can be glimpsed in the membership patterns of the Dutch Movement. Table Three unpacks such patterns, so that we can see a large amount of similarities between the two movements under consideration: while the Dutch, well used to the trans-economic penetration of part-time workers, have maintained a relatively high density of part-time workers in comparison to the national density of full-time workers, it still struggles, like the UK and in fact more so, with the recruitment and retention of temporary workers. We can see then that, in both nations under consideration, orientational and strategic rejuvenations have been slight and partial.

Table Three: Union Density Rates for Workers on Particularly Contractual Forms in the UK and Netherlands, 1992-2008.

	1992	1994	1996	1998	2000	2002	2004	2006	2008
The Netherlands									
Part-Time: 12-20 Hours/Week	11	13	13	12	12	11	12	12	11
Part-Time: 20-35 Hours/Week	23	24	24	24	24	23	23	22	20
Temporary Contract: (Full + Part-Time)	11	11	11	10	10	9	11	9	9
Full-Time:	30	31	31	30	28	27	27	26	24
The UK									
Part-Time:	22	21	20	20	21	21	21	21	22
Temporary Contract: (Full + Part-Time)	23	21	20	19	19	19	17	17	17
Full-Time:	40	38	35	33	32	32	32	31	30

Source: Adapted from Vandaele and Leschke, *Following the 'Organising Model' of British Unions?*, pg. 14.

We must now ask whether this matters for the Dutch Movement: British unions, including the Farmworkers's Union, only turned to better protect precarity-prone workers when these actions were seen to better protect the core workforces' interests; however, from its corporatist position, the Dutch Movement has helped build a system of regulative protections that, like many European economies, the UK included, disproportionately secures the interests of regular workers with permanent contracts¹⁸⁴; if the Dutch have been, and are, able to preserve such a system, and its influence within it, perhaps there is no self-interested reason to better protect precarity-prone workers. It is in answer to this postulation where lessons from the Farmworkers' Union, finally, come in useful.

The Dutch Movement, formally inclusive but with an underlying subordinatory tendency toward non-standard and precarity-prone work, has not been totally successful in its recent operations, *even according to entirely non-normative and self-interested calculations*. The Dutch Movement's attempts at balancing increasing flexibility with a protection of all, but particularly core-, workers' rights

¹⁸³ Jong *et al.*, *An Institutional Perspective on the Employment Position of Temporary Workers in the Netherlands*, pg. 502.

¹⁸⁴ Schils and Houwing, *Sectoral Variation in Collectively Agreed Employment Protection*, pg. 139.

have only had limited success.¹⁸⁵ In part this has been due to a widening of the power deficit between the social partners,¹⁸⁶ which has increased to the point that it could be said to partially resemble that found between the Farmworkers' Union and NFU on the AWB. We can add that an inadequacy in the Movement's internal structures has helped accentuate this differentiation: while the social partners, the unions included, have enacted a decentralisation of corporatist management regimes in recent decades, the internal structure of the Dutch Movement has not reacted in turn; the strongly service-orientated and centralised nature of previous union negotiations, seen manifested in the power of the Dutch peak confederations over their affiliated unions,¹⁸⁷ have bred a passivity on the part of its members, rendering Dutch unionism inconducive to the now atomised scale of collective bargaining seen in the economy.

Furthermore, the Movement's lack of density has started to bite into its power reserves, so as to endanger its ingrained position in society. The state's enthusiasm for the mandatory extension of collective bargaining, highly regarded and valued by unions, has been repeatedly and with more frequency discussed in Parliament since the early 1990s, with many Dutch parliamentarians questioning the *apparent* democratic deficit found in allowing 'unrepresentative' worker organisations to veto national employment laws.¹⁸⁸ Likewise, with a massively increasing total number of collective agreements found in the economy, inter-union competitions have partially schismed open the once notably fraternal Movement,¹⁸⁹ threatening to create the fractured national structure that has long hindered the British Movement's activities. This development has allowed firms to adopt supportive pocket-unions, permitting them to undermine previously existing collective understandings via the forging of further deviating agreements.¹⁹⁰

Such developments, along with the Dutch economic slowdown and the tightening of its labour market, both seen since 2001,¹⁹¹ have hindered the Movement's ability to secure satisfactory payoffs for itself and its members from its *apparently conserved* industrial position. To illustrate this: in 2002, nationally agreed wage ceilings were reintroduced into the economy for the first time in a decade, with firms' pay rises limited to +2.5% of a firm's cost increases becoming an economy-wide norm. Then, in 2005, the social partners recommended their most conservatively fiscal plan for 20 years to government, prescribing nation wide pay freezes, or else only minimal increases, in worker remuneration¹⁹²: the unions expected a precarity-reducing relaxation of governmental austerity policies, and the dropping of various proposals regarding changes to the Dutch pension structure, in return for their support for such conservatism, yet the measures were considered so extreme, by many within the Movement, that the FNV held an unprecedented referendum on the matter, to which the majority of its member's begrudgingly lent their support; despite this ballot, the plans hit a subsequent reef when no tripartite agreement could be met regarding retirement provisions; with the unions threatening to break ranks and seek unrestrained pay increases, the government threatened to desist from its practice of

¹⁸⁵ Valkenburg and Coenen, *Changing Trade Unionism in the Netherlands*.

¹⁸⁶ Schils and Houwing, *Sectoral Variation in Collectively Agreed Employment Protection*, pg. 149.

¹⁸⁷ Valkenburg and Coenen, *Changing Trade Unionism in the Netherlands*, pg. 402-404.

¹⁸⁸ Vandaele and Leschke, *Following the 'Organising Model' of British Unions?*, pg. 26.

¹⁸⁹ *Ibid.*, pg. 26.

¹⁹⁰ Leni Beukema and Harry Coenen, "Revitalization of the Labor Movement in the Netherlands. With or without the Traditional Unions". In: Daniel Cornfield and Holly McCammon (eds.), *Labor Revitalization. Global Perspectives and New Initiatives*, Amsterdam: Elsevier, 2000.

¹⁹¹ SER, *Industrial Relations and the Adaptability of the Dutch Economy*, pg. 9.

¹⁹² *Ibid.*

extending collective agreements, and thereby encourage the undercutting of Union members.¹⁹³ From this tale, we can see how the unions' institutional niche has been compromised, and a greater degree of compulsion has entered into the corporatist dynamic: rather like Britain's Farmworkers' Union in some of its operational domains, the Dutch Movement risks becoming a prisoner to governmental actions.

So, the social partners have long justified the existence of the Netherlands' corporatist structures, and their positions therein, due to their role in "creat(ing) economic stability" and "increase(ing) social prosperity".¹⁹⁴ However, the Movement, as it currently operates – uninviting to workers outside of its own borders and hegemonically focussed on formal consultation, not courting the activation of lay unionists, precarity-prone and otherwise¹⁹⁵ – has inadvertently endangered this purpose.

It is here that lessons from the Farmworkers' Union are applicable, though it must be pointed out that due to the Netherlands' differentiated political-economy, the lessons it could take away from our case study is different from those applicable to the British. Heery and Adler argue that, historically, union movements have been more prone to invest their resources in organising activities in areas, or periods, typified by governmental policies of "union exclusion": lacking internal access to systems of influence, excluded unions develop organising strategies as a counter to governmentally sanctified and codified powers.¹⁹⁶ While the British Movement did enjoy a period of prolonged "insider status" in the Post-War Era,¹⁹⁷ Britain never experienced the fully-fledged systems of social partnership as found in the Netherlands or elsewhere in Continental Europe: therefore it is not surprising that, compared with its Continental peers, the rejuvenating British Movement was a relatively early adopter of, and experimenter in, rejuvenatory organising approaches.¹⁹⁸ Conversely, the Netherlands lags behind with such developments. So, while I found from the Farmworkers' Union and the wider British Movement, when seeking to attract previously excluded groups of precarity-prone workers, should not be overly concerned with developing organising approaches as a first priority, as organising cultures, while clearly needed, were slowly being produced as a result of changes in union orientations and the resultant growths of perceived legitimacy, I would prescribe such actions as being of a more immediate, pressing concerns for the Dutch: further complacently would be dangerous here.

Again, I am not denying that, as it stands, numerous overlapping groups of non-standard and precarity-prone workers are better protected in the Dutch CME than they are in the British LME, but one can certainly accuse the Dutch Movement of not being dynamic enough in responding to the wider economic restructurings that have occurred in recent decades, and being too centralised in its continuing actions. *When* the Dutch Movement has realised that it needs to act beyond the confines of peak

¹⁹³ Visser, *Patterns and Variations in European Industrial Relations*, pg. 49.

¹⁹⁴ SER, *The Power of Consultancy*, pg. 19.

¹⁹⁵ Maarten van Klaveren and Wim Sprenger, "Union Organising in the Netherlands. A combination of Organising and Servicing Strategies". In: Gregor Gall (ed.), *Future of Union Organizing. Building for Tomorrow*, Basingstoke: Palgrave Macmillan, 2009, pg. 77.

¹⁹⁶ Heery and Adler, *Organizing the Unorganized*, pg. 60.

¹⁹⁷ Grant, *Pressure Groups, Politics and Democracy in Britain*.

¹⁹⁸ Indeed, the British growth was heavily influenced by the strategies of unions in the USA, which have never enjoyed the relative central and stable positions that British unions came to hold in the Post-War Era. Cf. Krings, *Organised Labour and Migration in the 'Global Age'*; Cf. Ruth Milkman, *Organizing Immigrants: The Challenge for Unions in Contemporary California*, New York: Cornell University Press, 2000.

negotiating arenas, the Movement has mostly sought to increase its strengths on individual shop floors, allowing for gross deviations from industrial standards, and therefore an atomisation of the workforce, in the process. While a decentralisation is needed, the Farmworkers' Union's successes, in an environment not too dissimilar from the Dutch industrial landscape, tell us that great benefits could be made from seeking to partially move Dutch unionism beyond these workplace based arena, and into the wider community. Such a relocation into the realm of reciprocal community unionism could help foster organising cultures within previously excluded groups, with workers being assured that the Movement's interests were in alignment with their own, which would in turn increase Dutch unionisms power resources in its traditional operating arenas: a move into non-workplace arenas should not necessitate an abandonment of the Movement's traditional terrain.

Suggesting that the Dutch Movement should behave in the manners described above is not simple an exercise in wishful thinking. Earlier I alluded to the fact that the Dutch Movement has contained an undeniable, albeit non-hegemonic, inclusive orientation towards precarity-prone workers in recent years.¹⁹⁹ To give examples of this tendency: in the late 1990s the FNV enacted a series of special measures, designed to improve the status of immigrant unionists within the body's internal structure. This policy lead to an increased, though still not proportional, representation of such workers in positions of responsibility within the union.²⁰⁰ Elsewhere, emergent "islands of organising" have started to surface in the Dutch "sea of union services".²⁰¹ To expand: explicitly influenced by models developed in the UK and elsewhere, non-standard contractors have been identified as specific target groups by several unions in the last decade,²⁰² with unions such as the FNV experimenting in cyber unionism and other techniques in an attempt to reach these often difficult to reach groups.²⁰³ While many of these outreach programmes have placed an overt emphasis on the array of services imparted to workers by way of their membership to a union,²⁰⁴ the FNV has recently increased its number of professional organisers, and visited its counterparts in the British and US movements seeking advice as to how to foster reciprocal community unionism in the cleaning sector.²⁰⁵ Other green buds, indicating the development of organising cultures, include the FNV's contemporary actions regarding seasonal agricultural workers of mostly migrant backgrounds.²⁰⁶ Such developments have disrupted several norms long found in the Dutch industrial landscape: a 2010 cleaners' campaign organised by the FNV, having been directly influenced by Citizen UK's usage of reciprocal union relations with community-based and religious groups,²⁰⁷ organically produced the largest Dutch strike since the 1930s, which affected sanitary services in the railways and

¹⁹⁹ Cf. footnote 183 of this chapter.

²⁰⁰ Roosblad, *English Language Executive Summary of Vakbonden en immigranten in Nederland, 1960-1997*.

²⁰¹ Vandaele and Leschke, *Following the 'Organising Model' of British Unions?*, pg. 24-27. N.B just like in the UK, these following developments are not totally novel to the Dutch context, with such approaches having been common in the art and media sectors for a prolonged period. Cf. *Ibid.*, pg. 29

²⁰² Kloosterboer, *Innovative Trade Union Strategies*, pg. 16; Klaveren and Sprenger, *Union Organising in the Netherlands*, pg. 74; Jong et al., *An Institutional Perspective on the Employment Position of Temporary Workers in the Netherlands*, pg. 502.

²⁰³ Vandaele and Leschke, *Following the 'Organising Model' of British Unions?*, pg. 28.

²⁰⁴ Klaveren and Sprenger, *Union Organising in the Netherlands*, pg. 72-73

²⁰⁵ *Ibid.*

²⁰⁶ Gumbrell-McCormick, *European Trade Unions and 'Atypical' Workers*, pg. 301.

²⁰⁷ Melanie Simms, *Trade Union Strategies to Recruit New Groups of Workers—United Kingdom*, Dublin: EFILWC, 2010.

airports.²⁰⁸

These developments are encouraging: evidence from the Farmworkers' Union suggests that such a fractalisation of strategy implies the growing presence of orientational change from within the Movement, with it widening its repertoire so as to better cater to the multifaceted needs of a diverse workforce. Again, evidence from the Farmworkers' Union suggests that if this is the case, the Dutch Movement's strategic actions' efficiency could well be improved, so as to better serve itself and precarity-prone workers alike.

However, novelty brings risks, and many in the Dutch Movement are as yet unconvinced regarding the efficiency of such divergent forms of action, particularly as corporatism seems to offer such guaranteed rewards for the Movement's core constituents: one of the lead organisers for the FNV admitted to Gumbrell-McCormick in 2011 that the perceived risks of investing in the organising of previously excluded workers – seen to be liable to leave their job and/or union with little notice – were high, and resultantly it remained to be seen how much resources the unions would dedicate to such relatively high-cost strategies for members who “do not then remain in the union”.²⁰⁹

Again the lessons of the Farmworkers' Union could come in useful here. For one, the Union's relationship with gangmastery demonstrates how utility can be wrought by workers internal to a union from actions whose primary purposes are designed to be felt by workers anticipated to remain external to formal union borders.

However, a deeper lesson can likewise be drawn. Investigations through a certain lens, tinted with short-termism and discretism, would certainly view the logic of the above quoted FNV organiser to be valid: through such a lens, a shift in investments away from national, sectoral and firm level bureaucratic arenas into more intangible ones located within civil-society, and away from the direct servicing of relatively privileged and passive workers so as to encourage the organising of groups often external to the Movement, would certainly appear to represent a reduction in rewards for the self-interested and strategically enabled workers located close to the heart of the Dutch Movement. However, the Farmworkers' Union's (often negative) experiences highlight the pressing need for the Dutch Movement to holistically realign unionisms' perceptions of the Dutch economy, so that perceptive divisions and territories – those between intra- and extra-workplace actions for example – collapse unto themselves. Such a change in lenses would allow those strategists intent on pushing through the orientational rejuvenation of the Dutch Movement to gain perceived legitimacy from other strategically enabled actors, increasing the likelihood of their already unfolding actions succeeding and multiplying in the future.

So to summarise this section: the Dutch economy is heavily differentiated from the British, with the former being a CME and the latter a LME; as is the institutional position of the Dutch Movement, which is deeply embedded into the corporatist regimes of the nation. However, the Dutch can extract some valuable lessons from the British Farmworkers. The Dutch Movement does not face plain sailings ahead: its institutional position is under threat from widening power discrepancies in society, a trend not helped by the collapse in its membership figures and its failure to decentralise its internal actions so as to complement the new economic norms it has itself helped create. In this environment, the Dutch could use all the allies it can get, but unfortunately, in trying to conserve its institutional

²⁰⁸ Gumbrell-McCormick, *European Trade Unions and 'Atypical' Workers*, pg. 300.

²⁰⁹ *Ibid.*, pg. 301.

position, the Dutch Movement has subjugated the interests of precarity-prone groups of workers, damaging its perceived legitimacy and attractiveness in the process. So, for practical rather than normative purposes, the Dutch should reorientate itself towards non-standard and precarity-prone workers. The experiences of the Farmworkers' Union suggests that this could best occur in arenas found in civil society, via the forging of extra-Movement bonds. Likewise, readings of our case study reveals that the Dutch Movement should not overly worry itself if it were to propagate actions designed primarily with the interests of workers external to its borders in mind: analysis of the Farmworkers' Union hints that internal workers could end up indirectly benefiting from such campaigns in due course. A final lesson again concerns perceptive lenses: in order to sell such an orientation change to sceptical factions, within itself and other actors in society, the Dutch Movement should collapse theoretically divisions in operational domains, so as to render divisions between the workplace and wider society irrelevant in the minds of still sceptical agents.

Chapter 8: Conclusion.

In this final chapter, a brief summary of the preceding thesis is given, after which I raise a few suggestions regarding potential avenues of future research, which could help bolster this thesis' academic validity and practical usage. Finally, I give a few personal words on the topics that, until now, I have been discussing in a relatively detached manner.

1. Executive Summary.

This thesis first posited the idea that the historic operating environment of British agriculture seemed to offer a relatively stable and premonitory image of the New Economy, which has developed in wider British society as a result of post-1970s economic and political restructurings. From this observation, I proposed that trade unionism in that sector would likely have long held and utilised many of the same orientations and strategies that the wider British Trade Union Movement has recently adopted regarding precarity-prone workers; a repositioning initiated largely in reaction to the Movement's loss of institutional positioning within the restructured economy.

To test this hypothesis, I described the hegemonic tendencies of the mainstream Movement, both before and after the onset of this study's periodisation; that being, 1970. I described how, largely due to increasing political-economic prohibitions on its once preferred *modus operandi*, the mainstream Movement had partially moved away from a hegemonic privileging of the strategy of voluntary collective bargaining, so as to come to use a cocktail to differentiated strategies, all known to the Movement previously but underused. Likewise, and for self-interested reasons, the Movement had incompletely realigned its orientations, so as to better welcome and cater to precarity-prone groups of workers, oft excluded from, or actively subordinated by, the Movement before this time.

I went on to compare these tendencies with those of unionism in British agriculture. Analyses of the Farmworkers' Union actions located many continuities and many divergences from these patterns, but ultimately it was decided that my thesis' predictions were unfounded. While the Farmworkers' Union had frequently utilised strategies differentiated from the norm of voluntary collective bargaining, throughout our periodisation and indeed its operational lifespan, its orientational journey closely matched, rather than preceded, that of the wider Movement, and the partial and often ineffective actualisations of rejuvenation that have been found in the wider economy have likewise been seen in British agriculture.

In explaining this unexpected non-differentiation, I found that the agricultural economy's fortunes were a lot more intertwined with those of the wider economy than I had first allowed for. Likewise, I concluded that the Farmworkers' Union had only experienced a rejuvenation of its orientations in those operational domains that offered close to zero incentives through pre-existent regulative distribution channels: where rewards were guaranteed, no matter how slight or short-term, the Union's rejuvenation had been indefinitely arrested. Differentiating agriculture from the wider economy, it was found that employers *and* the state had been active constructors of these regulative regimes that regularly arrested the Union's rejuvenations, whereas in the wider economy the Movement had played a more determinant hand in designing its own pre-rejuvenatory structures and tendencies.

In extrapolating value from these findings, I hypothetically explored the effectiveness of a number of theoretical policy ideas variably applicable to the Farmworkers' Union and the British and Dutch movements, all with reference to the Farmworkers' Union's prior experiences,

2. Avenues of Future Enquiry.

I hope that the preceding thesis includes a close to comprehensive descriptive account of the Farmworkers' Union's strategic actions over the past four decades, and has applied a number of complementary and insightful analytical models unto this description. This is not to say, however, that I consider this project to be the final word on modern era agricultural trade unionism, and its relationship to its immediate and wider industrial environments.

An obvious point of further enquiry would be to assess the strategic actions of the Farmworkers' Union with direct reference to that *industrial shadow* of itself: that which has impinged upon its actions in virtually every arena it has been active in during the past half century. Being once among the most powerful lobby groups in the nation, and certainly still in ownership of substantial power reserves, the NFU makes for an obvious point of academic interest, and numerous theses and monographs have been dedicated to this agent as an object of study.¹ However, its relationship with its union counterpart has been lesser examined, perhaps due to the perceived irrelevance of the Farmworkers' Union. Yet detailed observations of this often taut relationship could well be of value: we have already seen how the strategic actions of this strategically enabled body have had a almost determinant influence over at least some of the perceptively independent actions of the Farmworkers' Union, in that it once helped design operational domains which steered the Union towards pre-rejuvenatory norms; with an ever greater number of British unions coming to inhabit similarly disenfranchised institutional positions within their sectors of interest – being massively out-resourced by their opposite employer organisations – and with so many modern studies of unionism focussing on how unions could better improve their strategic actions, a case study focussing on the potentially deterministic interconnections between agricultural employer and worker agency could help highlight the possible limitations of the strategic reconfigurations being designed by strategists within the Movement.

A further avenue of enquiry has likewise been foreshadowed, albeit in passing, in the body of this thesis. We have seen how, in several otherwise unconnected moments, the Farmworkers' Union accessed and utilised power resources residing within international union organisations, as it did in its campaign to secure the *de facto* prohibition of 2,4,5,T and in seeking funding for its field trials of URHSRs. Likewise, we saw how the FNV, when seeking to develop organising cultures within its own rank-and-files, enlisted the help of the British Movement. These developments are noteworthy, and can be related to my prescriptive observations made in chapter seven. For both national movements under consideration, I suggested, from my observations of the Farmworkers' Unions' experiences, that the building of stronger fraternal links – between individual unions and between each movement and wider societal actors – would be recommendable courses of action. While my prescriptive hypothesising stopped at the physical border of each nation, transnational unionism is a logical future waypoint along this road: there is no

¹ Cf. Barney, *Policy and Influence: MAFF and the NFU*, for but one example.

practical or ideological reason why practical manifestations of One Big Unionism and/or One Big Society should be curtailed by the borders of nation states; indeed, we saw how much of the literature selling the TGWU/Amicus merger foresaw this development as a future end-point of such embryonic tendencies.²

There is a relative lack of academic literature on the subject of transnational unionism in the European context, reflecting the relative lack of transnational unionisms that currently exists in actuality – with international confederations often functioning largely symbolically rather than with instrumental effect³ – but a growing number of historical studies, and more forward-looking exploratory policy studies, have started to focus on the issue.⁴ However, perhaps representing the driving forces behind transnational unionism in the few cases in which it currently occurs in practice, much of this literature has been boosterist, and has looked at interactions between peak confederations and *relative powerful* unions within transnational bodies.⁵ The aid that the Farmworkers' Union received with regards to 2,4,5,T, which helped it to secure an effective and orientationally rejuvenatory regime change in agriculture, points to an alternative kind of study. By looking at how transnational movements have historically improved, or else hindered, the efficacy of *relatively powerless* unions, and their dealing with precarity-prone workers, strategists operating in multiple new economies, often from similar positions of weakness, could locate potential avenues of effective action at the international level, for the benefit of multinational worker organisations and precarity-prone workers alike. Such an analysis could again use Heery and Hyman's descriptive models of rejuvenation, and track how the agency of transnational union organisations has affected the operationalisation of rejuvenation within participating bodies.

This point about transnationalism points to a final further avenue of study, one that is as much linked to analytical techniques as it is to the selection of subjects for study. In this thesis, I adopted a single nation case-study approach, so as to allow for deep and rich descriptive insight. However, this single country approach does contain a number of weaknesses. Namely, without the benefit of comparative data, there is currently no method to falsify the findings of this study: while I am confident that this thesis' findings are of value to historians and of use to strategists, this value and use could be improved by subsequent investigations of further unions, in multiple national economies, inhabiting similar institutional positions and facing similar institutional change. A principle perceived purpose of me writing this thesis was that it would be of use to strategists in identifying inventive but realistic avenues of future actions. This function I believe has been secured, but multi-case, transnational studies of numerous unions could enhance this further: a work which identified the repetition of precarity-producing and decreasing trends across international, and institutional, boundaries would decrease the perceived odds of what will always ultimately be the strategic gambles of union strategists, potentially helping to coax out further rejuvenations from multiple movements. Such a study could likewise, if drawing its net wide and deep enough, negate the Eurocentrism that has implicitly underwritten this thesis: the identification of sources of continuity and change between diverse national systems could upgrade the value of works such as these to the truly global

² Cf. chapter 7, footnote 63 of this thesis.

³ Cf. Alan Hyde and Mon Ressaissi, "Unions Without Borders: Recent Developments in the Theory, Practice and Law of Transnational Unionism". In: *Canadian Labour and Employment Law Journal*, 2009, 14, pp. 47-104.

⁴ *Ibid.*, pg. 49.

⁵ *Ibid.*

scale. Such suggested work would not have to be completed by a single author: analytical literature reviews, of studies such as this one and others similar, could prove of equal value to original historical research.

3. *Infertile Soils: Trade Unionism in New Economic Paradigms.*

I wrote this thesis believing that trade unionism has, can, and indeed does, act as a force for good for numerous groups of working people, in Britain and globally. While union histories could be accused of being soiled with exclusionary and subjugatory attitudes, international unionism has, for centuries, defended the interests of working persons: perhaps never has every worker of the world united and had their interests commonly catered for, but it has certainly not just been exclusive and elite aristocracies of labour who have benefited from unionism. The construction of welfare states, the overthrowing of colonial yokes, and numerous transglobal resistances to economic and social exploitation can be credited as being among the noble successes of international union movements and, more intrinsically, international unionists, who have suffered and sacrificed greatly in the name of worker welfare.

Yet such justifiably applauded victories have been won via the way of a historical concession, which has seen the protections of some brought with the degradations of others. Precarity-producing and maintaining tendencies have been structural *modi operandi* of numerous trade union movements, at least those of the European tradition, since their earliest inceptions. Not that this can be attributed to conspiratorial dealings, nor conscious decision making processes, on the part of international unionists. Just as one cannot project capitalism's exploitative practices unto the decision-making processes of individual capitalists, one cannot blame individual unionists for unionism's many forays into exploitative terrain. No, precarity-producing practices are often close-to-invisible for those actualising them, existing in the rational choices of actors with no perceptual alternative in sight.

To delve a layer deeper: this rationality is a social construct, a manifestation of the ideologies inherent to our and other societies' modes of production as projected unto and internalised by social actors acting within this mode. The 'rational choice' for unions to partake in precarity-producing practices – most obviously evident in, but not limited to, the exclusion and subjugation of at-risk workers in defence of core union constituents – cannot be taken as being a guiding principle inherent to international unionism, but as an inherent characteristic of capitalism: the imperative of the extraction of surplus value as interpreted by worker organisations. As many theorists from across the leftist spectrum – Lenin and Luxemburg to name but a few – argue, unions, or at least models hegemonic in the Western Hemisphere, are manifestations of capitalism.⁶ We have seen how early unions of the Western Hemispheric variety – borne or else maturing under capitalism and formed from the workforces of capitalism – accepted many of the same principles of divisive self-interest as which the craft societies of earlier modes of production held: however, we can expand on this point, and say these early unionists, and the craft societies, also came to accept, albeit after some definitely revolutionary experiments,⁷ the fundamental principles of their employers, or at least, on a wider scale, their

⁶ Lenin, *Collected Works: Vol 1*; Rosa Luxemburg, *Reform or Revolution*, London: Militant Publications, 1986 [1900], chapter 5.

⁷ Cf. Chapter 2, footnote 28 of this thesis.

productive system; recognising the positive benefits such a system brought, and often oblivious to the hardships it wrought for others.

Again, I would never want to besmirch the life changing, indeed live saving, victories unions have won from this position of acceptance. In Britain and across Europe, it would not be hyperbolic to claim that it was principally the unions that won the taming of Dickensian capitalist exploitation, and helped de-commodify labour through the founding and forging of expansive, penetrative welfare states, securing decreases in otherwise deadly precarity for such movements' own workers, and wider societies, alike. However, due to their ideologically capitalist orientations, the by-products and social-economic pollutants that such victories produced were often made invisible: as the unions' rising tide rose their own boats, they often failed to see those workers whose crafts were less buoyant in, and in fact were capsized by, unionisms' wake, and left to fend for themselves in the depths of the ocean of capitalist production. In Britain, from their pre-1970 niches, unionised workers had won great benefits for themselves and others, but failed to appreciate the blood and the sweat of the labour reserves that such victories were partially built on: these reserves included precarity-prone groups of economic workers within the national economy, transglobal workers within enduring systems of colonialism and neo-colonialism left unprotected and uncared for by Eurocentric worker bodies, and of course often-unpaid female workers, kept excluded from labour markets but certainly not labour, by systems of control at least in part built and maintained by union movements.

Allow me to switch from this maritime metaphor to one more befitting this thesis' chief object of study. Unionisms grew, in the Victorian era and beyond, to produce grand and shady foliage, of protection and value to innumerable workers. However, the *infertile soils* from which movements grew – the nutrient deficient peat bog that is capitalism – demanded the evolution of carnivorous species, reliant on the principle of the extraction of surplus value, so that the shade unions created for some could only be maintained through the consumption of the interests of others. These infertile soils produced occasional viciousness on the part of union movements, but one can no more blame the proactive strategic actions of unionist for this, as one can blame Venus flytraps for their insecticidal ways: both have been forced to adapt to their hostile environments in order to survive.

However, not even this stable pattern of union-complicit divisiveness could remain solid forever within capitalist societies. To change metaphor again: for varying lengths of time, often in excess of a century, workers – not every worker but many workers – *had* managed to snipe and outflank the theoretically better equipped resources of Capital in the set piece battles that were fought on, and from, these soils, so as to enjoy a considerable amount of comfort in their barracks, albeit by continuously and unthinking sacrificing the interests of precarity-prone infantrypersons – not unloved, but simply invisible to the minds of the generals of union movements' Big Battalions. Transitions into new economies have changed this. These transitions do not offer total and radical breaks from pre-1970s modes of production: they only represent a turbo charging of capitalism,⁸ where organised Capital, gouged on the degradation of transglobal environmental resources, both physical and human, has re-emerged as the unassailable dominant party in the battles raging within the industrial arenas of global capitalism. The working peoples best represented by unions lost their internal influence, and accordingly lost their

⁸ Cf. Edward Luttwak, *Turbo-Capitalism: Winners and Losers in the Global Economy*, New York: Weidenfeld and Nicolson, 1999.

decommodifications of labour – their spoils of intra-capitalist war – to new onslaughts of Capital, often working in collusion with now hostile states. In pre-1970 eras, countless workers never got a chance to forget that capitalism was a system innately built on exploitation: now, the working classes that did momentarily get this opportunity – skilled manual workers, public sector workers and other somewhat aristocratic proletariats – have been forcibly reminded of this fact, as the frontlines of industrial conflicts have been brought forward to their once fortified barracks.

A normative silver lining can be found in these forced realisations: with their fortunes in eclipse, movements could better see the misfortunes of less fortunate workers, their own complicity in the structures of controls that helped produce these misfortunes and, vitally, the fact that the misfortunes of others were of long-term harm to one's core constituents. What is more, the empirical evidence that has beggared these realisations could, and I say should, prompt another, more radical, one.

Look at the Farmworkers' Union. In the self-identified territory of agricultural unionism, organised workers never enjoyed enough power resources to *ever substantially* outflank the might of capitalists, and accordingly never properly decommodified their own labour. As it has been in agricapitalism, so it is, or will be, in 'standard' capitalism: workers can occasionally outflank capital, but the historic positioning of farmworkers is close to the 'natural' position of all capitalist workers; in ownership of the means of production, Capital will always eventually triumph in industrial arenas and, uncontrollably requiring surplus value, produce monopole and precarious industrial terrains in the long-(long-)term, as long as the capitalist *rules of the game* are stuck to. *Agricultural economies, and new economies, are, or are approaching, the true economies of capitalist production.*

What hope is there for unions in such environments? Analysis of the Farmworkers' Unions actions – those of the pre-1970s, the early years, and certainly the latter years, of our periodisation – reveals that *no combination of union orientation and strategy can negate precarity for all in our mode of production*, even when unionists with the best of intentions have attempted orientational rejuvenation. *The infertile capitalist soils of British agriculture, of the wider New Economy, indeed of any capitalist society, cannot physically nurture such theoretical techniques.* Even the Farmworkers' Union's most effective actions, such as those which won the GLA – a legislative body which represented a massive and inclusive redistribution of risks and benefits in society, to the benefit of some of the most precarity-prone workers in the industry – normalised and legitimised other aspect of precarity-producing wealth extraction, such as when high-street employment agencies found their institutional positions, and precarity-producing strategies, implicitly sanctioned by their interactions with the Movement. From this account, unionisms' abyss seems to be deepening. Again, what hope is there for unions in such environments?

In grappling with this question, on the back of this thesis's analytical investigations, I prescribed a number of strategic elixirs to help combat unionisms' ills. These prescriptions were pragmatic: I offered solutions which I believe will serve movements and precarity-prone workers well in what I define as the long-term; but even if such policy decisions were made, precarity – institutional, structural and penetrative precarity – will still exist, and will still be maintained by unionisms, still *rooted* in the capitalist mode of production. Maybe not exclusionary, maybe not subordinatory, but movements still tied to capitalism will always function as *purveyors of precarity*, participating in the distribution of benefits, but also risks, and plenty of risks at that, among capitalism's workforces.

Still though, normative solutions are possible to find, even when staring into this abyss. Trade unions of the modern hegemonic European variety may be inseparable from capitalist production techniques, but this has not always been the case. The last time British labour was commodified to the extent it is now was also the then-young labour Movement's first *revolutionary period*.⁹ Numerous groups of workers attempted to not merely subvert the yolk of capitalism, but to actively overthrow it. Soon, in much of the economy, decommodifications tamed these storms, while in British agriculture the dictates of employers and the state helped build regulative structures that pacified potentially empowered sections of the workforce through the mechanics of divisive, union-driven redistributions. But now Labour, in agriculture and the wider economy, is losing its redistributive and protective mechanisms and finding itself in direct and overt conflict with Capital again, and despite some localised union successes, Capital is undoubtedly winning. The British Movement had a radical streak in its teenage years: in this restructured terrain, perhaps we might welcome a rebellious mid-life crisis from movements; Western *unionism* in its hegemonic form is bound to the capitalist mode of capitalist production, but with *unionists* in ownership of human agency, this hegemonic form is open to further change.

From this hypothesising, we draw the final lesson of this thesis. If, season after season, farmers find their fields to be unproductive, they may instruct their workers to rotate their crop: likewise, if, year after year, unions find their regulative environments unable to yield precarity-reducing rewards for all, they may try to change their orientations and strategies. But it would be a foolish farmer to blame one's choice of crop if their soil were to fail decade after decade: new nutrients would be spread on the deficient fields, a totally new basis to the field's system of production trialed. To continue the analogy: union strategists can spend all the time in the world debating the form and function of their strategic actions, but we are perhaps reaching a point when we may realise that we need to actively, nay revolutionarily, replace British agriculture's, and the wider economy's, infertile, capitalist, soils.

⁹ Again, cf. Chapter 2, footnote 28 of this thesis.

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