Labour and Globalisation
Results and Prospects

Edited by

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Foreword

the financial support of employers in allowing employees to be seconded as full-time union officials could French unions survive? Many of the nominal trade union members in Europe or the US are actually retired although they remain active in trade union life and pay reduced dues. The age profile of trade unions means that the demands of the retired have higher priority than those of young workers.

For the left, whose politics and values in the twentieth century have been identified with the struggle of workers and their trade unions, this dramatic decline in trade union presence leaves the new governing parties of the centre-left without an effective partner. What is worse is that trade unionism is no longer a struggle with capital but a trench war against the tax-payer. The majority of trade union members in Europe and the US are public sector workers, teachers, and other employees who are paid by the taxpayer. The public sector is easier terrain for trade union recruitment. The influence of the industrial trade unions trying to survive in the capitalist sector or the unions exposed to globalisation has been reduced.

In the 1980s, the trade union model in the form of Solidarnosc in Poland or the black unions in South Africa was central to the struggle to establish democracy in East Europe or overthrow apartheid. Trade union leaders such as Lula in Brazil also helped undermine Latin American dictators. But today in Poland, South Africa and Latin America, trade unions are weak, divided, and reduced to confrontational politics instead of accepting responsibility for shaping the economy and society.

Why has this come about? Why, despite the growth of employment, are so few workers joining trade unions? The construction of the European Union has a strong social element to it. But with the new rules and regulations declared in Brussels, are union leaders seeking to make up for their own failure to organise workers by substituting a formal statist regulation regime at the Europe-wide level for the mass organisation of workers?

The new economy is not union-friendly. Trade unionism in the twentieth century was mainly a man's business. Today, women demand an equal presence in the labour market but have different priorities from male workers. Trade union leadership and militancy is controlled by white men, yet the new proletariat is largely immigrant. Where are the trade union leaders coming from the ethnic minority communities in Europe?

Twentieth-century trade unionism was ideologically divided. With the end of communism and with an increasingly secular society why do so many trade unions still reflect the rivalries of the Cold War or the historic desire of the church to control the working class? Unions have always asserted their internationalism but have great difficulty coming to terms with globalisation. Yet it is workers, with their legitimate demand for the cheapest possible food, cars and holidays, who are the driving force of globalisation. In Britain, workers are seeing companies in the car, steel, plastic and tyre industries shut down production to transfer jobs to other parts of the world. This is good news for workers outside the UK, but what, short

This book is being published at a key moment in trade union history. For the first time there are serious questions being raised about the long-term survival of trade unionism. As capital has gone global, the inability of trade unions to follow suit is now a major challenge for those who believe that democratic trade unionism represents a key building block in any decent society. Will history record trade unions as a form of social organisation that arrived with the twentieth century and faded in the twenty-first? The rhetoric of internationalism has always been part of the trade union narrative but the actual trade union form has remained profoundly national. The long and costly cul-de-sac of Sovietism and the split in international labour insisted upon by Lenin after 1920 was exacerbated by the logic of the Cold War after 1947. Yet the end of the Cold War has seen little evidence of a rebirth of trade unionism internationalism. The different trade union supra-national organisations such as the ICFTU (International Confederation of Free Trade Unions) and the international trade union secretariats or the ETUC (European Trade Union Confederation) continue to do excellent coordinating work but their national affiliates refuse to provide the money, the staff resources or the transfer of authority and power to match the demands and requirements for effective international union organisation.

For the first time since the 1960s there is talk of full employment in Europe. But if an increasing number of workers have work, why are fewer and fewer of them joining trade unions? The figures are startling. In the United States, despite more than a decade of full employment since 1990, only one in fifteen workers in the private sector belongs to a trade union. In Germany, the once-mighty DGB (Deutschegewerkschaftbund) has lost one third of its members since 1990. In Britain, Tony Blair's Labour government has passed more laws to support trade unions than any government in British history. The TUC (Trades Union Congress) has identified 26 new laws or decrees that help workers and trade unions in Britain since Blair became prime minister. Despite this, the TUC's eight million members represent a drop of 40 per cent from its membership in 1980.

The long years of socialist rule under Felipe Gonzalez did not help increase trade union membership in Spain, and Italian trade union numbers are also on the decline. In France, the figures are particularly opaque. How many French workers pay dues regularly and faithfully to a union? One million? Two million? Without

of national protectionism, can British trade unions do to keep companies operating in the UK?

As capital has gone post-national, trade unions become increasingly differentiated in national terms. Why are German trade unions so completely different from French trade unions, and why are Belgian trade unions completely different from their British equivalents, despite the growing similarity of their economies?

In the 1950s, militant trade unionists in France and Britain opposed productivity. Today, unions oppose flexibility. In Sweden and other countries where trade unions have remained mass membership organisations, unions have sought to manage rather than resist the necessary changes in forms of work organisation demanded by the market.

Unions have always focused on increases in salaries. Why have they ignored the need to allow workers to participate in ownership? Now that state ownership of industry is a thing of the past when will unions start to argue that workers should be rewarded with shares in companies – a permanent stake that will grow irrespective of salary? Instead of demanding an ever-increasing list of paper rights from Brussels, which is leading to the creation of trade unionism without trade unionists, when will union leaders break with twentieth-century models of organisation and politics and reinvent themselves as mass organisations able to attract and retain millions of workers?

In a world where poverty and inequality grow hand in hand with ever-increasing wealth, the social need for trade unionism is increasing rather than declining. But twenty-first-century trade unionism will have to be based on new forms of thought and practice if unions are again to respond to the need of the working class. How can unions in richer countries handle their relationship with workers in poor nations? The president of the United Steelworkers of America, put it well recently as he looked upon the haemorrhaging of steel jobs in North America: 'How can my guys on $30 an hour compete with Chinese steelworkers on 13 cents an hour?' For pure free-traders there is no problem. The workers of rich countries should roll over, accept their fate and retire on what benefits they have accrued. Yet instead of a levelling-down policy, a race to the bottom in terms of wages and conditions, what can labour do to increase the purchasing power and bargaining strength of workers in poorer nations? The assumption that formal political democratic rights would do the trick has not been proven. India has half a century of democracy and vibrant trade unions but poverty, illiteracy and economic despair are the lot of hundreds of millions of Indian workers, especially women.

The culture of disdain against trade unions that has become so prevalent and fashionable in the North has now infected many of the NGOs who fight on issues relating to developing countries. The strongest critique of enforceable global labour rights has not come from the multinational companies or repressive governments but from NGOs, who proclaim that a campaign against multinationals exploiting child labour is simply northern protectionism. Much the same argument was unrolled in the nineteenth century to defend slavery – freeing the slaves would mean they would lose their jobs – and the moral bankruptcy of much left

discourse on worker rights means that the twenty-first century opens with little vision of how the workers of the world will ever obtain a share of the value their labour produces, let alone construct the good society of adequate health, education, housing and other collective public goods which trade unions and socialist politicians have always existed to promote.

The chapters in this book address many of these key issues. They explore possibility and are frank about failure. The tensions between the organisational structures of trade unionism and the demands for unqualified solidarity support are explored. Can the ICFTU and the other supra-national labour organisations be in the van of social movement and progress or will their lack of resources and their need to operate at the lowest common denominator political level of holding a ring for conflicting national visions of trade unionism always mean they trail behind events? Ronnie Munck is excellently placed to discuss these issues. His pioneering work on trade unionism in Latin America – also a region where the hopes and ambitions of the 1970s and 1980s have faded in the new century – opened my eyes to a rich complexity of political differentiation in Latin American trade unions.

As David Montgomery, doyen of US labour historians and a former metalworker and union activist liked to remark, in the middle of the twentieth century there were lots of socialist workers and rather few socialist intellectuals. By the century's end it seemed to be the other way round. This book is a major intellectual contribution to the question of how, indeed whether, trade unions can survive in a post-national economy. I hope it will be read by trade union activists themselves as well as by academics and researchers. There still remains a world to win for the world of workers.

Denis MacShane
February 2001

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List of Abbreviations

AFL–CIO	American Federation of Labor–Congress of Industrial Organizations
BALPA	British Air Line Pilots' Association
CAW	Canadian Auto-Workers' Union
COSATU	Congress of South African Trade Unions
ETUC	European Trade Union Confederation
GATT	General Agreement on Tariffs and Trade
ICEM	International Federation of Chemical, Energy, Mine and General Workers' Unions
ICFTU	International Federation of Free Trade Unions
ILO	International Labour Organisation
ITF	International Transport Workers' Federation
ITO	International Trade Organisation
ITS	International Trade Secretariat
MNCs	multinational corporations
NAFTA	North American Free Trade Agreement
OATUU	Organisation of African Trade Union Unity
OECD	Organization for Economic Cooperation and Development
TNCs	transnational corporations
TUAC	Trade Union Advisory Committee to the OECD
TUC	Trades Union Congress
UNCTAD	United Nations Conference on Trade and Development
WTO	World Trade Organisation

Introduction: Globalisation and Labour Transnationalism

Ronaldo Munck

Globalisation is transforming the world in ways that we are only just beginning to understand. It is often assumed that social movements, such as that of labour, will simply be overwhelmed by these changes. Thus, in his influential three-volume study of the new globalised 'information capitalism', Manuel Castells, more or less in passing, notes that 'the labour movement seems to be historically superseded' (Castells, 1997: 360). The contributions to this volume point to this conclusion as at best premature and possibly also misguided. This introductory chapter sets the scene by critically examining and deconstructing the globalisation discourse(s). It then goes on to examine, in broad brush fashion, the responses of the labour movement to the challenges posed by globalisation (for more detail see Munck, 2002). Before turning to introducing the contributors to this volume, I examine some of the main theoretical and policy issues and controversies that have emerged in recent years around labour transnationalism in the era of globalisation.

Globalisation blues?

Rarely has a term suffered from such severe conceptual inflation as 'globalisation', which in less than a decade has come to dominate whole areas of research. Yet even as the texts proliferate (for a 'state of the art' report circa 1998 see Held et al., 1999), clarity and agreement seem even further away. For my part, I find persuasive the (presumably) slightly tongue-in-cheek but acute observation by Daniel Drache that 'The simple truth is that one-third of the globalisation narrative is over-sold; one-third we do not understand because it is a process unfolding; and one-third is radically new' (Drache, 1999: 7). If the term 'discourse' (as applied to globalisation) implies social construction, fluidity, and contested political terrain, the term '(meta)-narrative', as deployed by Drache, points towards a grand end-of-century mobilising myth, nonetheless real despite a component part (a nominal one-third sounding about right) being over-sold. My second starting point is that globalisation opens as many doors as it closes – perhaps just an article of faith at present, but one which I believe is borne out by a (re)reading of labour history and a sharper examination of current trends in labour–capital relations worldwide.

It is now much more common to stress the 'limits' of globalisation (Boyer and Drache [eds] 1995) and to seek out previous historical periods in which widespread internationalisation took place. This relativist mood is well captured in the phrase that globalisation 'ain't unprecedented; ain't new; and ain't unique' (Drache, 1999). While this may well be true, it is a perspective that may also close us off to transformations of the world system, captured, for example, in the notion of time-space compression. As Ash Amin puts it, 'the resulting interconnectedness, multiplexity and hybridisation of social life at every level – spatial and organisational' (Amin, 1997: 129) is perhaps the most distinctive feature of contemporary globalisation. The economic, political, social and cultural interpenetration and interdependence of the global level has a profound impact, of course, on the world of work and workers. It is leading to an accelerating transformation of all social relations and relations of production. It is posing grave challenges for the traditional labour movement if it remains locked in national, industrial and modernist modes of organising, thinking and acting. Conversely, it could also be a spur to a regeneration of the labour movement.

There are many perceived failures of the globalisation approach. Barry Gills provides us with a litany of these: 'its economism; its economic reductionism; its technological determinism; its political cynicism, defeatism and immobilism . . . its teleological subtext of inexorable global "logic" driven exclusively by capital accumulation and the market' (Gills, 1997: 12). Indeed, all these characteristics can be detected, especially in popular/conservative renderings of the globalisation story. Yet they might not be enough to make us simply turn our backs on globalisation as an arena for critical discerning debate. Perhaps the main thing to recognise is that there is no one globalisation strategy, unified, integrated and consistent. There are various strategies deployed by firms, nation states, international organisations and, indeed, by transnational social movements. There are globalising processes at work in the world today – at all sorts of levels and in all sorts of spheres – but there is no such thing as 'globalisation' out there and obviously recognisable. We need not accept the binary, mirror-image opposition between globalisation as panacea, dear to the heart of its liberalising popularisers, and globalisation as demonic myth of a reinvigorated twenty-first century capitalism.

I believe that we really need to radically deconstruct the globalisation narrative if we are to gain a better understanding of globalisation. No better place to start, perhaps, than the poststructuralist feminist perspective of Gibson-Graham (1996) who draws out an unusual, but ultimately convincing, analysis through comparison with the rape script. The multinational corporations are also seen to 'penetrate' developing countries and capitalist globalisation portrays itself as master narrative as it 'violates' all non-globalised spaces. The voracious appetite of globalisation presents us with an all-encompassing narrative bereft of alternatives. Yet globalisation can (or should) be seen as more fluid, penetrated as well as penetrating, as the notion of hybridity, already alluded to, points us towards. As Gibson-Graham puts it, capitalist globalisation may not be (just) 'hard, thrusting and powerful' but may show 'leakage, unboundedness and invasion' (Gibson-Graham, 1996: 138-39). In queer-

ing/querying the globalisation script we open it up to alternative scriptings, a proliferation of differences and a refusal to simply counterpose a dynamic global and a static, traditional local. The identity of globalisation simply cannot be seen as fixed.

From a perspective concerned primarily with labour the main problem with dominant globalisation discourses is that they are strangely workerless. It is only recently that some researchers have begun to reinsert workers, as social and political actors, into the globalisation script (see Herod, 1997). Workers have always shaped the spatial and social relations of capitalism, whether in a positive sense or through capital's reaction to workers' strength in a given region or sector. The politics of resistance to globalisation takes many different forms, of course, from the 'nativist', localist reaction, to the posing of alternative transnational solidarity scenarios. Labour is not just 'done to' by globalisation processes but is itself an active agent within these processes. If we go beyond a conception of workers as victims then we need to reconsider the history of the international workers' organisations, the various networks set up to counter the multinational corporations and the broader solidarity campaigns involving other sectors of civil society. Thus a more inclusive, open-ended and nuanced understanding of the processes of globalisation might be possible.

Having set the broader parameters of the globalisation debate it is time to examine its impact on workers across the world. The way the World Bank saw it in 1995 was that, whereas a decade previously over one third of the world's workers lived in countries insulated from international markets, by the time of writing less than 10 per cent 'are likely to be cut off from the economic mainstream' (World Bank, 1995: 50). The great global neo-liberal offensive since the 1980s has indeed transformed capital–labour relations. There are strong forces driving a new global integration based on free trade and a retreat of the state. Development strategies no longer rest on the nation state but on unilateral liberalisation. Although since the mid-1990s there has been something of a reaction towards this offensive, with the role of the state rediscovered even by the World Bank, it is still the dominant strand. There is thus a tendency towards the creation of a global labour market. At the very least, as the World Bank states, 'The lives of workers around the world are increasingly connected through international trade, capital flows, and migration' (World Bank, 1995: 49).

There is a long way from this interconnectedness, however, to the optimistic platitudes of the World Bank (1995), such as: 'Economic growth is good for workers' (1995: 3); 'Fears that increased international trade and investment and less state intervention will hurt employment are mainly without basis' (1995: 2); 'Despite unprecedented increases in labour supply, the world's median worker is better off today than thirty years ago' (1995: 4). Even the World Bank recognises that a scenario of growing global divergence of incomes is as likely as one of growing convergence in which the wages gap within and between countries narrows. There is, in fact, a growing body of evidence pointing towards a rapidly increasing international disparity of per capita incomes (see Rowthorn and Kozul-Wright, 1998). Furthermore, for all participants in the world economy, 'The risks are high and are exacerbated by globalisation' (World Bank, 1995: 123). Even if

protectionism may be a self-defeating project, as the World Bank says, it is hard to see how all nation states can succeed in the globalisation race by attracting capital flows through the 'right' market-friendly policies. This would appear to be as much a 'beggar-my-neighbour' policy as traditional protectionism ever was.

The fear in labour circles, among others, is that globalisation will lead to a 'race to the bottom' rather than to a levelling up of wages and conditions. For the author of the International Labour Organisation's World Employment Report, while anxiety on this score is indeed justified, 'given the current state of knowledge it remains unclear what the precise explanations are of the rising wage inequality in several developing countries' (Lee, 1996: 490). Certainly it is a moot point whether it was General Pinochet's trade liberalisation policies or his so-called labour policy that drove down Chilean wages after 1973. There have also been cases in East Asia where liberalisation, economic growth and comparatively small wage inequalities have gone hand in hand. Nor do economic forces affect institutions and markets in an unmediated fashion, abstracted from the social and political setting in which they are embedded. Indeed, uneven development of globalisation is to be expected and whether there is levelling up or down in specific regional integration exercises, for example, will depend on the balance of social and political forces involved.

We cannot simply conceive of globalisation as a one-way, inexorable path towards economic integration and a global labour market. Already, from deep within the corridors of economic power, warnings are emerging about the risks entailed by globalisation. Thus, Klaus Schwab, founder and president of the World Economic Forum at Davos, warns that present trends are 'multiplying the human and social costs of the globalisation process to a level that tests the social fabric of its democracies in an unprecedented way' (cited by Martin and Schumann, 1997: 231). Concern with the 'disruptive backlash' inherent in globalisation does at least show awareness of its limits. In a sustained and detailed argument, Ethan Kapstein writes in the influential US journal *Foreign Affairs* about the ways in which '[the] global economy is leaving millions of disaffected workers in its train' (Kapstein, 1996: 14). Kapstein recognises the ways in which global neo-liberalism rides roughshod over the social contracts established by labour, capital and the state in some countries. Its blind capitalist logic leads the agents of globalisation to ignore social and political logic. In a quite apocalyptic vein Kapstein warns the international capitalist leadership and its economic advisors that: 'Like the German elite in Weimar, they dismiss mounting worker dissatisfaction . . . and the plight of the unemployed and working poor as marginal concerns compared with the unquestioned importance of a sound currency and balanced budget' (Kapstein, 1996: 37).

Even as globalisation proceeds, it provides new opportunities for interventions by labour and other social forces. For instance, the ongoing debate around trade liberalisation with core international labour standards provides one such example. The international trade union movement has been at the centre of efforts to bring social regulation into the emerging international trade regimes. Albeit with reservations from some trade unions in developing countries that this represents a protectionist move, the labour standards issue has shown the undoubted potential for

social eruptions in the supposed calm sea of globalisation. Although not a new issue – going back as it does even further than the foundation of the International Labour Organisation in 1919 – its linking of trade and labour issues would seem to have considerable potential today. Indeed the debate has now shifted beyond whether transnational economic actors should respect the right of association and collective bargaining and the refusal of discrimination and forced labour, to how the observance of such minimal, bottom-line labour rights can be monitored and enforced.

Labour's responses

We have already established that labour has not just been a silent spectator to the onslaught of capitalist globalisation. This was signalled symbolically by the 1996 World Congress of the International Confederation of Free Trade Unions (ICFTU) recognising that globalisation is the greatest challenge currently facing labour across the globe. In the post-Cold War setting, the ICFTU was free to, but also obliged to, confront the reality of actually existing capitalism and not the communist bogey. The ICFTU not only recognised clearly that '[the] position of workers has changed as a result of the globalisation of the economy and changes in the organisation of production' but went on to declare resoundingly that 'one of the main purposes of the international trade union movement is the international solidarity of workers' (ICFTU, 1996: 2). Certainly there is a gap between the rhetoric of conference declarations and the practice of the international trade union leadership. However, campaigns such as that around the abolition of child labour, in which international trade unionism played a prominent role, point towards a recognition of the crucial importance of the new world order and a willingness to engage in more democratic ways than in the past.

Well before the ICFTU came to confront capitalist globalisation, the International Trade Secretariats (ITSs), bringing together unions in the same sectors across borders, had in practice sought to challenge the multinational corporations. While an earlier wave of organisations and resistance had not come to fruition, in part due to the end of the Cold War, the climate is now ripe to renew transnational organising. The union response to global capital is outlined rather more clearly than in the pragmatic statement of the ICFTU by the International Federation of Chemical, Energy, Mine and General Workers' Unions (ICEM). Following a review of the transformations of the world economy up to the mid-1990s – dubbed the 'globalisation of social injustice' – the ICEM argues that 'the problem for the trade union movement is how to upgrade its response to match the power structures of the late-twentieth century' (ICEM, 1996: 52). There is a clear understanding that global organisation is not the same thing as international organisation, and a salutary recognition of the pitfalls of 'trade union imperialism' which once bedevilled international trade union politics. There is a clear priority given to trade union organising (understandable given the decline in trade union membership in many countries) and a recovery of 'old' trade union principles such as 'an injury to one is an injury to all'. But what is most striking in the ICEM manifesto is the recognition that in the past the trade union interna-

tionals had been brought in as 'fire-fighters' when local action had failed, but that under globalised capitalism, '[a]ction has to be planned on an international basis right from the start. This entails a change in thinking – both within national unions and the ITSs themselves' (ICEM, 1996: 15). It is too early to evaluate this turn and the implications of the recent ITS transmogrification into Global Union Federations.

From the seemingly unlikely quarter of the Danish General Workers' Union (SID) we have recently had one of the most far-reaching union attempts to set out a new global agenda. Unusually for radical labour programmatic statements, the SID argues that '[the time] has come for the trade unions to use the positive sides of globalisation to the advantage of poor people all over the world' (SID, 1997: 5). They rightly detect a swing in the 1990s away from global neo-liberal recipes, and the glimmers of new voices calling for a new global social development. Not only is this global agenda much more attuned to the needs of the developing countries than most European Union discourses, but it also maintains a positive stance towards development and activist non-governmental organisations (NGOs), often derided by 'official' trade unions as 'unrepresentative'. That means that the SID have a far less 'productivist' bias than most trade union worldviews, recognising, for example, that the multinational corporations are today, as never before, vulnerable to consumer pressures and can be influenced from that side. The Danish union also understands that while the ICFTU and the ITSs have 'put globalisation and its implications for workers' rights on the agenda', this is not enough, and that there is a need to 'bring this debate out of the closed circles of decision-makers in these organisations' (SID, 1997: 6). So not only is this pragmatic statement much broader than any previous one in terms of the social and political alliances which it advocates for labour, but it is also part of the broad trend towards radical democracy within the 'new' social movements.

It is now widely recognised that regionalism is an integral part of, as well as a response to, globalisation (see Gamble and Payne, 1996). In the last decade or so this process has profoundly disrupted nationalist or chauvinist trade union reflexes and prejudices. Symptomatic perhaps has been the evolution of British trade unions from sceptical observers of all things European, to pragmatic engagers to escape the rigours of Thatcherism, to enthusiastic supporters of a pro-European trade union movement.

Superseded notions of 'national sovereignty' were finally discarded in favour of at least a minimal transnational level of organisation. Whether it is the 1994 EU Directive on European Works Councils or the 1995 parental leave agreement achieved through collective bargaining, trade unions in Europe are beginning to give real meaning to notions such as 'social partners' or 'social cohesion'. Andreas Breitenfellner of the Austrian Federation of Trade Unions may be forgiven a degree of hyperbole when he argues that 'Europe promises to become the chief laboratory for experiments in global unionism' (Breitenfellner, 1997: 545). A more global perspective would be more attuned to earlier advances in the so-called developing world, but it is significant to see such changes occurring in the countries where trade unionism had its origins.

The North American Free Trade Association (NAFTA), on the 'borderland' between developed and developing social systems of production, is a most rewarding case study for a critical understanding of the new labour transnationalism. The conflictual, but ultimately productive, interaction between the US, Mexican and Canadian trade unions over and within NAFTA may yet prove to be a watershed in labour repertoires in the era of globalisation. Chauvinist responses à la Ross Perot had deep resonance in US labour but in the end veteran AFL–CIO president Lane Kirkland declared that 'You can't be a trade unionist unless you are an internationalist' (cited in French et al., 1994: 1). Certainly his logic was that 'substandard conditions and poverty' elsewhere would be a threat to 'good conditions and comparatively good standards' at home. The fact remains that even President Clinton was forced to pay lip service to 'upward harmonisation' of wages and conditions, which flew in the face of the 'race to the bottom' implicit in the dominant discourse of globalisation. A community of interests between all the workers of North America will not be easy to achieve but some of the excesses of chauvinism and trade union imperialism do seem to have been overcome.

At national level too, the trade union movements are going through a period of rethinking, readjustment and political rearmament. This process is, of course, uneven, and many national trade union movements have experienced severe contraction under the neo-liberal hegemony of the 1980s. In 1995, only 14 countries had union membership of over 50 per cent (as a percentage of the non-agricultural workforce) and for half the sample, the unionised workforce was less than 20 per cent. Where compulsory union membership existed, as in Eastern Europe, union membership had declined by around half in the 1990s, but there were also dramatic declines in Israel (−75%), New Zealand (−47%), Portugal (−44%), Venezuela (−32%), France (−3%) and the UK (−25%). On the other hand, trade union membership increased in terms of absolute numbers in a number of countries, from South Africa (+127%), to Chile (+90%), the Philippines (+69%) and South Korea (+61%). These figures, however, only tell part of the story.

The International Labour Organisation (ILO) argued in 1998 that trade unions were '[b]attered, but rising to the challenges [of globalisation]' (ILO, 1998: 2). The overall decline in membership masked the fact that 'trade unions are adopting innovative strategies to rise to the challenge [of globalisation]' (ILO, 1998: 2). While many commentators still argue that workers' organisations are hangovers from the past, the ILO, with its detailed cross-national studies to support its views, argues that things are not so bleak and that trade unions are adjusting to the new realities. Certainly that may take the form of a 'new realism' which embraces human resource management and the whole ethos of managerialism. But, as the ILO finds, a new social dynamic is developing within the union movement in many countries, with 'the most active trade unions . . . looking beyond the working population and opening their doors to those who have no stable employment, or no job at all. Both in word and in deed, they are looking more and more like genuine social movements with a clear vision of how to defend the interests, however varied, of the world of those in work' (ILO, 1998: 2). I shall return in the next section to the prospects of a

new social movement unionism; the point here is to signal 'official' recognition of its possible emergence as an alternative in the era of globalisation.

Perhaps the most dramatic reassessment of past international policies has been seen in the United States, where trade union imperialism once prevailed undisturbed. Barbara Shailor, the new director of the AFL–CIO (American Federation of Labor–Congress of Industrial Organizations) International Affairs Department, now argues that '[g]lobalisation is here to stay, but the neo-liberal model of globalisation is not pre-ordained . . . Labour has no choice but to . . . demand regulation of the global capital market, and organise the global labour market' (Shailor and Kourpias, 1998: 279). In words that would astonish many workers in Latin America, for example, who had been recipients of AFL–CIO 'assistance' in the past, Shailor now declares resoundingly that '[no] worker in the world should be exploited by any multinational within the reach of a USA based union' (Shailor and Kourpias, 1998: 282). There is now a clear-sighted recognition of the devastation caused during the Cold War to US labour practices at home and abroad. Paternalism and dependency in international labour links are seen to be the 'bad deal' they were for all concerned. It is too early to tell whether the potentially powerful US labour movement will become a genuine force for labour transnationalism, but its worst practices do seem to have been left behind.

It would seem safe to conclude that labour responses to globalisation have developed unevenly across countries and in terms of the depth of rethinking involved. Increasingly, economic integration has set up a tendency towards a levelling down of wages and social conditions. The new information technologies are leading to greater flexibility and a network-based mode of organisation. Only to a limited extent have workers' organisations begun to adapt positively to the emerging new capitalist dispensation. Workplace bargaining is already clearly providing diminishing returns, but the new unionism has not yet been forged. Manuel Castells, in a more positive journalistic note on the role of trade unions in the new global economy than that provided in his book, calls for nothing less than a 'reinvention' of the labour movement if it is to be adequate to the tasks posed. For trade unions to simply carry on bargaining within enterprises being overwhelmed by globalisation and the information economy can only lead to their demise. For Castells, '[the] trade unions can only survive, and with them the defence of the right of workers, if they pose a broad social and political debate . . . at factory and neighbourhood level . . . to reinvent the labour movement to correspond with the reinvention of itself which capitalism has operated' (Castells, 1998: 3). This is, indeed, the challenge posed.

Matters arising

An influential argument has been made by Charles Tilly that, quite simply, '[g]lobalisation threatens labor's rights' (Tilly, 1995: 1). It is worth following in some detail the reasoning that led to such a truism. The bottom line for Tilly is that 'globalisation threatens established rights of labor through its undermining of state

capacity to guarantee those rights' (Tilly, 1995: 4). Citizenship, democracy and workers' rights came about, at least in Western Europe, under the aegis of the state. Today, not only the internationalisation of much economic activity but also the creation of supranational political bodies has undermined the capacity of that state to act as guarantor of any social pact. The agents of capitalism have adapted far more quickly and effectively to the new order than workers' organisations: 'Almost everywhere, organised labor is in retreat' (Tilly, 1995: 21). In the long run, not only workers' rights but the very survival of democracy is threatened by these developments. For Charles Tilly the implications in terms of labour strategies are clear: 'only collective action at an international scale has much prospect of providing gains for labor, or even of stemming labor's losses' (Tilly, 1995: 21). The seamless web apparently running through Tilly's case may not, however, be so persuasive on closer inspection.

In the first place, Tilly's argument is based on the assumption that globalisation undermines, weakens or even supersedes the nation state. Second-wave globalisation studies (e.g., Holton, 1998) have questioned that whole assumption and demonstrated the continuing (if transformed) role of the state in today's capitalism and the enduring significance of the nation as main arena of class and other social conflicts. It is, furthermore, an admittedly Eurocentric perspective which does not particularly have resonance for Third World workers, who have always had to operate in the context of colonialism, neo-colonialism and imperialism. But my main concern with Tilly's argument is that there are no mediations, no real history, no variation, in a case which goes from state-guaranteed workers' rights once upon a time, to the state now undermined by globalisation, hence workers' organisations must become international. There is a monochromatic negative view of globalisation here and a complete absence of real workers' organisations, which have always had an international dimension. There is nothing in this abstract model, other than exhortation against an apocalyptic authoritarian future, to persuade us that transnational labour activity is actually possible and realistic. If we take as a given that '[as] states decline, so do workers' rights' (Tilly, 1995: 21) then we should simply be advocating a strengthening of the state and not a reinvention of labour's repertoire.

From more activist quarters come equally simplified links between globalisation and labour responses. Thus Bradley Nash quite unselfconsciously begins his analysis of 'Problems and Prospects for a Global Labor Movement' with the sentence: 'Rapidly globalising capital obviously calls forth the need for a global labour movement' (Nash, 1990: 3). The word 'obviously' begs many questions. At best this argument poses that the 'objective conditions' for international labour solidarity exist, while it is only the 'subjective will' that is missing. If we go back to an earlier debate on 'new' labour internationalism in the late 1970s–early 1980s we can observe similar fallacies. It was then that trade union activists began to articulate the need of transnational worker links to produce a countervailing power to that of the multinational corporations. Not only were these propositions inherently economistic (simply transferring from the national to the international level 'ordinary' trade union practices), but they ignored the fundamental asymmetry between

capital and labour, given that the latter was simply not mobile to the same degree (see Haworth and Ramsay, 1984). That first round of labour transnationalism was also hampered by the inter-union rivalry typical of the Cold War period, but the sceptics were proven right in practice.

One of the few explicit attempts to theorise and set a research agenda on labour transnationalism in the current period is that by Daniel Cornfield (1997). In an introduction to a collection on labour in the Americas he argues for an extension of labour segmentation theory to the international level. Capital and labour markets are fragmented or segmented across regions and industries and even firms, so workers are not 'naturally' unified but segmented. What Cornfield puts forward is the suggestion that '[it] is the international unevenness of the capital accumulation process which effectively links geographically separate workers of the same labour segment into a single labor market, thereby, and ironically, motivating workers to standardise employment conditions and shaping the sectoral boundaries and possibilities of transnational trade and tourism' (Cornfield, 1997: 282). This is certainly a plausible argument underlying the ongoing attempts by workers employed by the same multinational corporation in different countries to forge links. Maybe it is indeed these 'labour segments' who are most prone to take transnational actions. However, the stronger case falls if we think about how workers in Volkswagen (Germany) and workers in Volkswagen (Brazil) do not share a 'single labour market' but are embedded in German and Brazilian labour markets of vastly different social, economic, political and cultural characteristics.

While globalisation does not 'call forth' or spontaneously generate transnationalist labour practices, it has created new conditions for labour organising, nowhere more so than in relation to international labour organisations such as the ICFTU, the ITSs and regional labour bodies. In recent years it has been a focus of the ICFTU in particular to have a 'social clause' inserted into the World Trade Organisation statutes. The strategy is premised on the globalisation of social policy because no nation state is insulated from the global arena. It assumes a certain porousness of the new world order and not a seamless, non-contradictory project of a mythical 'global capitalism'. Couched in pro-free trade language, the 'social clause' may yet have a significant effect on labour worldwide. It certainly is not exempt from its own contradictions between, for example, workers' organisations in the old industrialised countries and those in the so-called developing countries. Nevertheless, I believe that it is somewhat premature and dogmatic for Sam Gindin of the Canadian Auto Workers' Union (CAW) to declare that '[a]ny focus on lobbying international institutions like the International Monetary Fund or the World Bank or creating comparable alternatives will get us absolutely nowhere' (Gindin, 1995: 156).

It is common in assessing the limits of official trade union internationalism to counterpose it to 'rank-and-file' internationalism. Thus, Kim Moody, while accepting that 'official' labour internationalism may be 'in transition', deems it 'inadequate' at all levels to the changes taking place in its global economy (Moody, 1997: 247). Moody points to a range of rank-and-file transnational labour activities across the globe since the late 1970s. The Liverpool dockers' dispute of 1996–97,

with its significant international solidarity actions, is pointed to and, along with a recent history of this dispute (Lavalette and Kennedy, 1996), Moody highlights the importance of rank-and-file transnationalism compared to the indifference of the powerful International Transport Workers' Federation (ITF), the ITS that should nominally have been organising the international solidarity action for the Liverpool dockers. Likewise, Lavalette and Kennedy criticise the dockers for only nominally adopting rank-and-file transnationalism, when in fact they carried out much work through sympathetic trade union officials who are seen to have the same 'social position' as 'right wing bureaucrats' (Lavalette and Kennedy, 1996: 129).

If we examine more closely what is meant by rank-and-file transnationalism it is unclear as to whether it can, or should, be counterposed to 'official' labour international work. I do not intend to downplay the contribution of the European-based Transnational Information Exchange (TIE), but it is odd and revealing that Moody chooses it as the exemplar and main case study in this chapter on rank-and-file internationalism (Moody, 1997: 249-68). A mainly activist group, primarily dedicated to research and information, albeit with significant reverberations in pockets of the international labour movement, cannot be counterposed to the ICFTU, nor can it offer an alternative to it. Nor would it be a particular virtue to the Liverpool dockers' dispute to bypass middle-ranking union officials to concentrate on some magically pure 'rank-and-file'. Of course, 'rank-and-filism' is tied in with a longstanding socialist critique of trade union 'bureaucracy' (the classic statement is still Michels, 1962), and is seen as a good in its own right. Certainly initiatives taken by trade union leaderships (particularly at an international level) can be meaningless if they do not translate into understanding and action at all levels of the trade union movement. But an emphasis on a somewhat mythical rank-and-file which ignores, for example, the key mediating role of trade union 'middle management' smacks more of political gesture than of a serious engagement with the complex tasks of the labour movement today.

I think that one of the problems running through much analysis of labour transnationalism is a certain counterposition between 'levels' of action. Thus the *Monthly Review* 'school' has recently launched a polemic against globalisation and, at least implicitly, sought to return labour politics to the national level against a 'completely abstract internationalism' (Wood, 1997: 15). On the other hand, the advocates of transnationalism (e.g. Waterman, 1998) tend towards a hierarchy of labour activities with internationalism highest on the list. Other opponents of globalisation advocate a turn towards local politics as the only salvation. Binary oppositions (such as national/international, local/global, rank-and-file/bureaucratic) can only be poor in theory or in practice. I believe we are better off starting, with Ash Amin, from an understanding of globalisation 'in relational terms as the interdependence and intermingling of global, distant and local logics resulting in the greater hybridisation and perforation of social, economic and political life' (Amin, 1997: 133). Globalisation is part and parcel of an old capitalist story of uneven but also combined development, so labour politics must necessarily reflect this hybrid world in a politics which is multi-level and fluid.

Finally, we need to consider the prospects for an international social movement unionism first advocated in the 1980s (Munck, 1998; Waterman, 1993) and now advocated programmatically by Kim Moody in a broad overview of unions in the international economy (Moody, 1997). Somewhat simplistically we can distinguish between an 'economic' unionism (focused on wage bargaining), 'political' unionism (focused on political bargaining with the state) and a 'social' unionism which considers trade unionism as a social movement. As part of a social movement, workers are producers and consumers, they work somewhere but also live somewhere, and they will also have a social identity shaped by gender, ethnicity, age and geography. A social (or social movement) unionism is thus holistic in its approach and does not artificially separate levels or spheres of workers' existence, consciousness and action. In practice, one of the most common manifestations of social unionism has been a growing emphasis on community involvement in labour struggles, the use of consumer boycotts as well as producer strikes, and an openness to other bodies within civil society, such as women's organisations and other campaigning groups.

It is not possible to draw up a categorical balance-sheet of social movement unionism. Certainly, in Brazil and South Africa there were significant examples of this trend during the 1980s, and more recently in South Korea we have seen it re-emerging. Also, as we saw above, it is becoming, at least rhetorically, part of the repertoire of the official international trade union movement. Certainly, to ignore the concept and retreat to the old industrial relations approach and the 'new' human resource management, as one collection on globalisation and Third World trade unions (Thomas [ed.] 1991) does, would seem to be anachronistic. Kim Moody's advocacy of a worldwide social movement union currently reflects some of the new thinking but, ultimately, seems based on a very orthodox Marxist understanding of 'class politics' which its originators were precisely criticising. On the other hand, with Peter Waterman, for example, social unionism seems to reflect a wish list of all that would be progressive, radical and transformatory if only the trade union movement were something else. It may well again be a case of uneven and combined development because trade unions are, indeed, part of capitalist society, reflecting wage relations as they are, even if they occasionally soar to social movement status in moments of crisis or social and political transformations. Social unionism will certainly have some role to play in the new century, even if it may not turn out to be a panacea.

Contributions

The contributions to this volume are varied in tone, coverage and 'line' but I believe that the whole adds up to more than the sum of the parts. Part I, dedicated to the global dimensions of labour's activity, starts with an ambitious agenda-setting exercise by Richard Hyman. Written originally for an Internet-based debate hosted by the ILO, this chapter surveys all the main issues facing workers across the globe. Increased 'flexibility' for labour is seen to go hand-in-hand with diminished security for

workers and their families. The challenge for the trade unions is also, however, a 'moral' one, to regain their role as fighters for justice. Rebecca Gumbrell-McCormick in Chapter 2 takes up the history of the concrete agent who might fulfil that role, namely the ICFTU. Providing a much-needed historical perspective, Gumbrell-McCormick helps ground current debates, which are often unaware of both the possibilities and the limitations of the ICFTU interventions in relation to establishing social control over globalisation.

Having set the agenda for international trade unionism and dissected its possible vehicle, the ICFTU, we move in Chapter 3 by Robert O'Brien to a consideration of one of the key issues facing labour worldwide, namely the international labour standards debate. Relating back to the practically forgotten concept of imperialism, O'Brien shows how the North–South divide has major implications for how international trade unionism faces up to the challenges of globalisation. We are offered a vision that is more complex than simply advocacy of equity but which offers opportunity for new strategies of resistance. In Chapter 4, Eric Lee carries out a sober but ultimately optimistic analysis of the prospects for globally networked trade unions. Based on his experience as a pioneering labour website organiser, Lee shows how recent developments such as web rings, banner exchanges and news wire services may potentially revolutionise international labour communications. While the Liverpool dockers in their 1995–96 dispute might have preferred to have the official backing of the TGWU (Transport and General Workers' Union) we cannot underestimate the importance of their (at least in part) electronically generated international activity.

Part II deals with various spatial dimensions of labour's confrontation with what has become known as globalisation. Jane Wills, in Chapter 5, discusses the 're-scaling' of trade union organisation from a European perspective. It would seem that capital and labour are often not playing on the same field. Yet European unification does at least seem to offer the possibility that they are playing the same game. The European Works Councils are carefully dissected to examine their potential and pitfalls in terms of a possible new Europe-wide labour internationalism. Across the Atlantic, workers are also being brought together in the North American Free Trade Association (NAFTA). In Chapter 6, John French provides a lively activist-oriented account of some of the debates generated within the US, Mexican and Canadian trade unions around NAFTA and its implications for workers. No easy path to a transnational strategy is put forward and full account is given of the nationalist 'reflexes' of different groups of workers.

In the history of international labour solidarity few cases have been as important and dramatic as the labour-based anti-apartheid movement in South Africa. In Chapter 7 Roger Southall and Andries Bezuidenhout carry out a meticulous reconstruction of this story. Particular attention is paid to the politics of the various trade union internationals and how South Africa's emerging independent unions related to these organisations. The current dilemmas faced by South Africa's trade unions in the era of neo-liberal globalisation are also confronted. In Chapter 8, James Goodman examines the nature of cross-national social movement unionism in

Australia (and beyond) in relation to the energetic campaign against the mining transnational Rio Tinto. This campaign shows both the severe constraints and the real possibilities which campaigning groups face when challenging the large trans-national corporations. The lessons of this chapter, as of those above, obviously go beyond the geographical regions where they originated.

Finally, in Part III various authors tackle some of the key social dimensions of labour's global repertoire of action. Linda Shaw, in Chapter 9, starts from the exemplary history of Women Working Worldwide in taking up the issue of 'codes of conduct' and pioneering a labour strategy 'beyond unions'. In this insider's account we see how, since the mid-1980s, international labour issues have been increasingly taken up by activist issue-oriented groups outside (but also inside) the trade unions. Another crucial campaign which broadened the struggle over labour issues was in relation to child labour, an issue taken up by Michael Lavalette and Steve Cunningham in Chapter 10, where they outline the extent to which child labour has become a major social issue at the turn of the century. Lavalette and Cunningham analyse the significance of child labour and the campaigns based on the three major interpretations of the trade unions, NGOs focused on the issue, and the new global 'anti-capitalist' alliance respectively. We find that certain trades or professions seem to lend themselves more easily to transnational action. Chapter 11 by Jane Kennedy and Michael Lavalette takes up recent struggles by dockers in Liverpool, in particular following the lockout by employers in 1995. Contrasting interpretations of the dockers' struggles – 'dinosaurs' of the labour movement going down to another glorious defeat or harbingers of the new labour internationalism – are detailed in a tightly packed and well-informed narrative of events. Chapter 12, by Paul Blyton, Miguel Martínez Lucio, John McGurk and Peter Turnbull, addresses emerging trade union strategies within the international civil aviation industry. What this chapter shows among other things is that global-isation is not just an unfolding of capitalist logic but is mediated socially through the activities of labour and trade unions, among others. Based on a study commis-sioned by the International Transport Workers' Union, this chapter is a fitting strategy-oriented finale to the volume as a whole.

In different ways, from different angles and taking up different positions, all the above chapters can be seen as contributions to the development of a labour-based challenge to the ravages of globalisation. They are all grounded in different spatial and social realities and thus help take us beyond declamatory statements of 'what is to be done'. They are, on the whole, neither optimistic nor pessimistic but do seek out possibilities as well as establishing limits to labour transnationalism in the era of globalisation. At the beginning of the twenty-first century, unlike the early 1990s, we can more confidently envisage a world 'beyond competition'. In estab-lishing a democratic and social control over globalisation, labour, as a social move-ment, has a crucial role to play economically, politically and culturally. It may well be that one of the oldest of the social movements will re-emerge as a 'new' social movement in the decade and century now opening up.

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6. Australia and Beyond: Targeting Rio Tinto

James Goodman

Corporate globalism creates new imperatives for labour and other movements. The strengthening of transnational sources of corporate power, hand in glove with strengthened inter-state regulations to promote corporate interests, intensifies rates of accumulation across all sectors. Corporations have exploited the relative mobility of capital to put progressive governments and nationally organised labour movements onto the defensive. The emergence of new 'exit options', as more than one third of private capital goes transnational, greatly enhances corporate power (ILO, 1997; UNCTAD, 1993). There is an intensified search for 'greenfield' sites of accumulation, especially in the mining industry (Otto, 1998), threatening non-commodified practices on the far peripheries of capitalist accumulation, and undermining the very survival of peoples. Corporations have very successfully exercised their structural power 'as a weapon in the domestic space of class conflict': national class compromises in the 'global North' have been overwhelmed by the new drive for 'global competitiveness', pitting workers against workers in the 'global market' for capital (Moran, 1998: 68; Gill and Law, 1989). At the same time, increased rates of exploitation and a global diffusion of industrialism have accelerated the rate of exhaustion of societies and environments, leading to crises of reproduction.

Reflecting these pressures there has been a growing debate about the need for labour movements to reground themselves as cross-national social movements (ILO, 1997: 228; Moody, 1997; Munck, 2000; Waterman, 1998, 1999). The mobility gap that so disempowers labour movements can only be bridged by concerted resistance across sites of domination. This means bridging very different logics of struggle in the common cause of contesting global accumulation. Struggles against exploitation, often vested in labour movements, need to be intertwined with struggles against exhaustion and also with struggles for survival. There is also a need to shift across national borders, and in this respect, labour and other movements can become consciously transnational, matching the mobility and reach of the agents of corporate globalism.

There is an urgent need to move away from an industrial focus for the labour movement, where labour is forced onto the defensive, caught in the constraints of 'historic compromises' that no longer deliver. The alternatives require the formation of new alliances for the labour movement in other social movement sectors,

and the construction of stronger cross-national linkages, to mirror the scope of transnational capital. As Kim Moody argues, 'Social movement unionism, by whatever name, can be the democratic vision and practice . . . [and can] reach out across the many lines capitalism draws between people' (Moody, 1997: 292). This can entail a return to the internationalist social and ideological roots of the labour movement: as Waterman points out, labour movements were in many cases initially established as 'internationals' rather than as national movements.[1] It can also involve a process of reimagining the process of emancipation, as Hyman notes: 'Effective union action requires material resources and strategic intelligence, but success has typically depended on the capacity to mobilise identification and support by inspiring hearts and minds. In other words, unions have needed to colonise, and to reshape civil society' (Hyman, 1999: 108). Workplace struggles cannot be dissociated from the communities and environments in which they are embedded and labour movements cannot rely on nationally focused systems of class compromise (Standing, 1997). There is a need to reinvigorate labour internationalism as a global transformative agenda, guided by the new global commons of survival and sustainability. This explicitly normative agenda has the potential to reach beyond the industrial context to capture the required 'moral credibility' (Gill and Law, 1989: 495). As Stevis and Boswell argue:

> Articulating transnational interests requires a political discourse that will appeal to a critical mass of workers, labour activists and activists from other issue areas . . . A key step is to promulgate a shared global agenda . . . Unions will benefit from strategic coordination with other progressive movements and social groups, such as human rights, women's and environmental organisations, retirees and churches. (Stevis and Boswell, 1997: 96)

This chapter debates these issues from an Australian perspective, focusing on a campaign to challenge the world's largest transnational mining corporation, Rio Tinto. This unprecedented international campaign is coordinated by the Australian-based mineworkers' union, the Construction, Forestry, Mining and Energy Union (CFMEU), on behalf of the Brussels-based International Federation of Chemical, Energy, Mine and General Workers' Unions (ICEM). Launched in South Africa in 1996, the campaign has been seen as the first global trade union campaign to focus on a transnational corporation. From its inception, the campaign coalition reached beyond trade unions to draw in environmental campaigns, indigenous peoples' organisations and human rights groups, in a concerted effort to target and highlight the abuses of Rio Tinto. It could, then, be seen as offering a model for cross-national social movement unionism.

There are strong 'local' reasons for the CFMEU to take on such a central role

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[1] Waterman, 1998. Despite recent moves to revitalise cross-national labour movements, the strength of early internationalism is still unprecedented. One example, quoted by Waterman, is the £30,000 that was collected in Australia for 20,000 striking dockers in London in 1889, more than a pound each for the strikers, equivalent to several days' pay (solidarity was reciprocated on a similar scale a year later, during an Australian docks strike).

in the campaign: Rio Tinto has been engaged in union-busting operations in Australia, from 1996 actively encouraged by the neo-liberal Howard government. In 1995 the company had been forced to abandon its first attempt at de-unionisation, after the Industrial Relations Commission ruled that it had been discriminating against unionists at Weipa in Queensland by offering inducements for workers to move to non-union individual contracts. The tactic then shifted to obstructing union representation by refusing to sign collective agreements, unilaterally imposing changed working conditions, using courts against increasingly frustrated unionists, and finally simply laying off active union members. This pattern has emerged at Rio Tinto's operations across Australia, but is most evident at Rio Tinto operations in the Hunter Valley in New South Wales, a union stronghold that, against all company assertions, is among the most 'productive' in Australia.[2] Here, as elsewhere, the company has failed to intimidate significant numbers of workers into leaving the union. Furthermore, the union has repeatedly won cases at the Industrial Relations Commission. But, under new legislation, the Commission is increasingly ineffectual, to the extent that the original 1995 anti-discrimination ruling in the Weipa case has been repeatedly and persistently flouted.

In this context there is a clear need for the union to step beyond increasingly constrained workplace struggles, to outflank both the national government and the transnational corporation. There are not only sound motives, there are also opportunities, as Rio Tinto has for many years been targeted by a wide range of social movements. Rio Tinto's global attack on the labour movement is paralleled by world-wide attacks on living environments, on cultural and social survival and on development rights. Human rights organisations, indigenous peoples' organisations and environmental movements have all been active in challenging Rio Tinto's corporate practices. As the national secretary of the CFMEU stated in 1998:

> Whilst an ability to recruit and organise is central to the effectiveness of any trade union, it is no longer sufficient to ensure reasonable bargaining power in dealing with multinational corporations and, by extension, the competitive pressures they bring to bear . . . So the CFMEU has 'gone global' against Rio Tinto's attacks on workers' rights. In one sense it has been hard because it involves campaigning and communicating in ways we are not used to. In another sense it has been easy as we have discovered that Rio Tinto faces opposition from scores of trade unions, environment groups and human rights and aid organisations internationally. (Maitland, 1998)

There may be motive and opportunity, but is there the political will? Does the campaign against Rio Tinto offer a foundation for long-lasting transformation, as

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[2] The company offered unionists their entitlements if they signed individual contracts. When that failed, non-union collective agreements were offered, while the company threatened to cut redundancy payments if the workforce failed to sign up. Again this was rejected, and management shifted to the end game, making workers redundant on the basis of 'performance' criteria such as 'attitude towards the company'. As a result, in 2000, the CFMEU took up over 230 unfair dismissal cases (CFMEU, Summary of disputes at Rio Tinto Australian operations, March 2000, Sydney).

opposed to a short-lived tactical manoeuvre? If Rio Tinto abandons its anti-union stance in Australia, or an Australian government proceeded to defend union rights, would the 'social movement unionism' and the cross-national linkages be downgraded? Alliance-building needs to have an instrumental component – there have to be clear benefits for the union, and ultimately for the union membership. But if the hoped-for strategic leverage of cross-national social movement unionism is to be realised, the realignment cannot be simply a tactical one. To some extent the logic of alliance-building forces a degree of reorientation – dialogue, of itself, generates change. Whether this automatically creates the required political culture is much less certain.

These issues are discussed in the following section from a broad perspective, drawing on the work of Kees Van Der Pijl. Contrasts are drawn between the logic of resisting exploitation, that of challenging exhaustion, and that of asserting survival. Each dimension of resistance is seen as a product of a particular mode of accumulation. While capitalist industrialism centres on the exploitation of workers, more intensive forms of late capitalism also exhaust the 'substratum' of society. Both the logic of exploitation and that of exhaustion contrast with a third form of accumulation, 'original' accumulation, which threatens the survival of whole societies. Corporate globalism intensifies all three of these, posing the question of how struggles can be brought together. This question is explored in the third section through a brief analysis of the ICEM's Rio Tinto campaign. Here, the emphasis is on the degree to which the campaign solidifies the trade union challenge to heightened exploitation with environmentalist challenges to exhaustion and indigenous peoples' campaigns for survival. In the concluding section an attempt is made at assessing the outcomes and prospects of the campaign, returning to the broader problematic of contesting corporate globalism.

Exploitation, exhaustion, survival

Industrial unionism is often founded on productivist assumptions – that production can and should be maintained, and where possible expanded. Environmental risk may be acknowledged, but rarely as a constraint on expanded production: in the case of the CFMEU, for instance, the honourable exception is uranium mining, which is categorically opposed. This should come as no surprise: with 'industrial' accumulation it is the process of imposing the disciplines of capital over labour that is resisted, with resistance primarily expressed in struggles over the distribution of the economic surplus, manifested in industrial militancy and state welfarism. Conflicts are channelled into trade union 'cadres' and into a process of 'corporatisation', of striking class compromises, mainly through the state (Van Der Pijl, 1998). In the process, labour movements become implicit partners with corporations in negotiating disciplinary trade-offs, in collective bargaining contexts, or perhaps with state authorities in tripartite structures.

Reflecting this logic of resistance, and the distributional deals that result, labour movements have become primarily national rather than cross-national entities.

Their story is very much the story of domestication. With the formation of nationally focused social democratic parties labour solidarity lapsed into forms of institutionalised internationalism, centred on international structures. Waterman argues that this reflects a fatal flaw in the Marxian assumption that capital would create a relatively homogeneous proletariat, with 'world historical' rather than local or national consciousness. In practice, as Meiksins-Wood argues, 'capitalism tends to fragment class struggle and to domesticate it' – a multiplicity of localisms and nationalisms have been maintained, constructed, and constantly reproduced (Meiksins-Wood, 1998: 10). Waterman argues that this requires the 'abandonment of any assumption that [proletarian] internationalism is structurally determined and/or exemplary' (Waterman, 1998: 33). Arguments about revolutionary agency, for instance whether industrialised proletariats or imperialised peasantries should shoulder the burden of social transformation, thus need to be redefined as arguments about how to build solidarity.

This series of assumptions and problems dramatically contrasts with the logic of exhaustion-centred struggles. Here, under the more intensive modes of accumulation that have become associated with late capitalism, the discipline of capital begins to exhaust the social and environmental 'substratum' on which accumulation depends. With the strengthened discipline of capital beyond the workplace, everyday lives become more commodified and the effort of work is intensified, for instance to incorporate leisure time. In the process, the wider substratum of 'reproduction', whether delivered through the 'household' or through the state, is threatened. As Van Der Pijl argues, 'the atomisation inherent in commodification in this way is no longer compensated by socialisation, and the state itself is losing credence as a source of social regeneration' (Van Der Pijl, 1998: 47). These pressures dovetail with the advancing exhaustion of the biosphere, as the discipline of capital intrudes further into the natural world, rendering it unsustainable. In this respect, capital begins to destroy the very foundations of its existence – access to use value is disrupted, social reproduction is undermined, and the state's role in promoting social consensus is severely shaken. As the substratum of livelihood is whittled away, a range of conflicts centred on 'exhaustion' begin to emerge. These are struggles over the means of reproduction, whether planetary, cultural or social, and are defined against productivism: they respond to a fundamental crisis in capitalist accumulation and often assert ecocentric rather than ethnocentric values as the necessary starting point for an alternative.

These forms of resistance are also, unavoidably, defined against the national container. They are often driven by global crises and necessarily assert universal norms. Here, identification with global concerns and action, on the basis of a global environmental consciousness, contrasts with the more limited international solidarity of the labour movement, as expressed in the confederal structures of the international trade union movement. This comes close to the 'global solidarity' advocated by Waterman, who describes it as distinct both from internationalism and from more universalistic forms of cosmopolitanism. This 'democratic and humanistic linkage' is diverse in its orientation and founded more on interaction

and dialogue across movements than on vertically arranged hierarchies of representation (Waterman, 1998). It is, by necessity, less institutionalised and less predictable, but with this comes much democratic appeal, even inspiration, and much tactical leverage.

Both these modes of accumulation and resistance contrast with a third model, 'original' accumulation. Here the logic of accumulation breaks apart pre-existing social structures, in an often violent process of establishing the priority of commodity exchange over non-commodified practice. In this case it is the 'discipline' of capital over use values that is resisted: as Van Der Pijl argues, the 'very fact of being disinherited from one's more or less independent means of subsistence and the destruction of the entire life-world with which they are entwined, with its natural or traditional time-scales and rhythms, drives people to resistance' (Van Der Pijl, 1998:38). The law of capital is thus confronted by ancestral law. The alternative order that is asserted is an ancestral order, and whether this is pre-existing, prior to 'contact', or is ongoing, it bears continuing rights to sovereignty and self-determination.

The resulting logic of resistance contrasts dramatically with a trade unionist's aspiration to social redistribution or an environmentalist's desire for sustainable reproduction. Yet, like them, struggles for survival are also struggles against capitalist accumulation, as production for subsistence rather than exchange is asserted against the logic of commodification. In the current era, with crises of reproduction in the capitalist heartlands invigorating the search for 'greenfield' accumulation, this mode of resistance is most clearly expressed in intensified indigenous claims for sovereignty over ancestral lands. These are centred on a variety of forms of confrontational localism (in effect, local demands for the right to refuse corporate intrusions) and, for some, these are seen as primary sources of contestation under 'postmodern' corporate globalism.

Rejection of a stageist interpretation of resistance to capitalist development entails recognition that all of these three modes of accumulation can exist concurrently. The solidarity required under corporate globalism necessarily entails a rejection not only of national chauvinism, but also of developmental chauvinism. On this understanding, for instance, Waterman argues for a cross-national learning process, between labour and other movements, to develop a global solidarity that rejects stageist notions of developmentalism or vanguardism. If this is accepted, then the challenge is to analyse how the different logics of resistance can be brought together to mount a sustained assault on capitalist accumulation.

There is clearly a potential for tension between various types of movements, not least between workplace-centred and survival-centred approaches, with one locked into a productivist logic, and the other defined against it. The three forms of resistance diverge in their prescriptions – where the first promotes redistribution of the spoils of capitalism, the second promotes transformation of the structures of capitalist reproduction, while the third promotes the right to exist autonomously from capitalism. Despite these divergences, a common class dynamic may offer underlying foundations for strategy and action. As economic

power becomes increasingly concentrated in the global corporation, struggles for redistribution, struggles for the means of reproduction, and struggles for survival may flow into the same mould. Transnational corporations impose higher rates of exploitation, increased rates of exhaustion and multiple threats to survival, and, as such, enmesh these in their day-to-day practices. The corporate institution crystallises the several facets of domination and, as a result, can be vulnerable to an attack that consciously binds together the forms of resistance. A common thread, the consciousness of 'a united oppressing force', may enable forms of collective action that range across the three types of movement and across spatial scales (Waterman, 1998: 52).

This raises the crucial question of how the three modes of resistance can be correlated or concerted. The ICEM-led Rio Tinto campaign offers a particularly useful insight into these possibilities. Global mining corporations combine the three forms of accumulation – industrial, intensive and original – and in this way embody the logic of global capitalism. In the 1990s mining companies gained 'unprecedented access to a larger proportion of the earth's surface than ever before . . . shaped by a world market place where countries must compete for private sector investment' (Otto, 1998: 85). They exploit the sharp divisions in global income levels, drive a 'race to the bottom' in environmental standards, and displace local indigenous cultures. To some extent the campaign has linked these challenges as the company has seen trade unionists, part of a productivist movement for redistribution, work with environmentalists, whose primary concern is to sustain reproductive capacity, and indigenous peoples, whose main objective is to halt the advance of capitalist incursions into ancestral terrain. The following discusses the extent to which the ICEM–Rio Tinto campaign has been balanced across these movements.

The Rio Tinto campaign

Rio Tinto has traditionally sought to maintain a low profile. In *River of Tears: The Rise of the Rio Tinto–Zinc Mining Corporation*, written in 1972, Richard West outlined how the company had kept itself out of the limelight, aware that it was highly vulnerable to public scrutiny. The company was named after the Rio Tinto region of Spain where, from 1873, it operated a large-scale copper mine. From its earliest days the company was beset with accusations of malpractice, and produced its first promotional text in 1904: *Rio Tinto Mine: Its History and Romance*. The company prospered under Franco, and funds from the mine's partial sale in 1954 were used to create a mining conglomerate that shadowed the British empire. In the post-war era of anti-colonial nationalism Rio Tinto focused on the British settler colonies such as Northern Rhodesia, South Africa, Canada and Australia: it 'preferred to work in countries with white, stable, conservative governments' (West, 1972: 23). The company grew by acquisition and merger, in Australia creating a majority-owned Conzinc Rio Tinto Australia (CRA) in 1962, which was to become fully owned in 1995.

By the mid-1990s Rio Tinto had 200 subsidiaries in 40 countries.[3] Its success hinged on diversification but also, as Roger Moody notes, on a 'worldwide political infrastructure' (Moody, 1996: 47). In an increasingly oligopolised industry, there is clear evidence of collusion with its main 'rival' mining corporation, Anglo-American, in manipulating markets and exerting political influence.[4] A key strategy has been to embed operations in national contexts in order to render regulation unnecessary; the company 'defended itself against economic nationalism by offering shares to the host country' (West, 1972: 23). The company had a 'huge influence . . . on Australian economic life', with the conservative prime minister, Robert Menzies, retaining an office in the Melbourne CRA building (West, 1972: 85). The role that Rio Tinto has played in the Australian mining industry – both through the CRA and now more directly – helps to explain why the Australia-based CFMEU has been such a key player in the ICEM global campaign mounted against the company.

In 1995, at the ICEM's founding conference, it was declared that 'the struggle against RTZ-CRA is of fundamental importance to international miners' trade unions'.[5] The conference resolved to create a 'coordinated plan of action' among ICEM affiliates to target the company. The ICEM is an International Trade Secretariat (ITS), drawing together national trade unions from the mining, chemical and energy sectors. Unlike nationally centred federations and international confederations of trade unions, ITSs such as the ICEM provide a sectoral base that can be focused on an industry association or on a corporation, and thus are particularly well suited to the emerging systems of transnational corporate power (Thorpe, 1999; Moody, 1997; Diller, 1999; Miyoshi, 1995). Nationally based federations can be played off against each other by transnational companies threatening relocation. Cross-national ITSs have the potential to respond to this by mounting cross-national campaigns, linking together nationally based affiliates. As Vic Thorpe, an ICEM official, argues, 'Since the power increasingly rests with the companies rather than the governments, it is primarily with the companies that the trade unions have to establish a negotiating relationship' (Thorpe, 1999: 227). Several ITSs were involved in strategising for company councils in the 1960s and 1970s; these approaches were revived in the early 1990s, especially in the context of regional agreements, such as the European Works Councils under the European

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[3] In 1989 Anglo-American was the largest global mining company; since then, Rio Tinto has grown, through mergers and takeovers, to take its place. In 1997 the company had assets of US$13 billion, a turnover of US$9.2 billion and profits of US$1.2 billion. It operated 60 mines in 40 countries. Since its merger with the Australian Mining Corporation (CRA) in 1996 (previously Rio Tinto had a 49 per cent stake in CRA), Rio Tinto has been listed as a public company in both the UK and Australia, although its headquarters remain in London (UNCTAD, 1994).

[4] In 1994 the UN Conference on Trade and Development (UNCTAD) highlighted the growing concentration of ownership in the global minerals industry, describing the sector as oligopolised by the 1970s. In 1989 three companies controlled 47 per cent of nickel production, 35 per cent of gold, 38 per cent of bauxite, 32 per cent of copper and iron ore; of these, nickel, iron ore and copper had become significantly more concentrated since 1975 (UNCTAD, 1994).

[5] 1995 launch conference of ICEM.

Union, and the North American Agreement on Labour Co-operation under the North American Free Trade Agreement. The recent initiatives by ITSs are typically less top-down and less centred on organised labour than their antecedents; as a result they have the potential to gain greater leverage (Stevis and Boswell, 1997).

The ICEM–Rio Tinto campaign was launched in Brussels in October 1996 at a meeting between senior ICEM and CFMEU officials and the Norwegian miners' union. The Norwegian union was then in dispute with Rio Tinto, and had drawn inspiration from the successful CFMEU dispute at Weipa, Australia, earlier that year.[6] Later in 1996 the ICEM formally established an ICEM–Rio Tinto network. From the start the objective was to pressurise the company not only to respect trade union rights, but also to adhere to minimum social standards, health and safety and environmental standards and to respect the rights of local communities. The network would be focused on information-gathering, and on the promotion and monitoring of standards, and would become a tool for organising solidarity campaigns.[7]

The ICEM was aiming to politicise Rio Tinto, defining it as a global pariah. The campaign timetable aimed to attack the company through its Annual General Meetings, targeting its investors, following a relatively established and increasingly popular model of corporate campaigning by environmental and indigenous groups. In Rio Tinto's case the model had been in place since at least 1981, when Aboriginal landowners from Weipa came to the London AGM to demand compensation for the loss of their lands (Moody, 1996). The objective of these campaigns was generally to undermine reputational capital in the corporation's 'home' territory, and thereby undermine investor confidence and exploit the volatility of investment flows, to force changes in corporate practice.

Vulnerability to investor perceptions has become a key issue for large transnational corporations. Many are forced to respond to issues of environmental justice, labour and human rights, indigenous sovereignty and self-determination, issues that in an earlier era could simply be defined as the responsibility of 'host' governments (Cowell et al., 1999; Clark and Clark, 1999; Diller, 1999). Confidence in mining operations cannot be sustained without some consent for operations from local peoples, as well as from national governments, and at least the passive acquiescence of NGOs and wider public opinion in the countries where shareholders are based (Labonne, 1999; Azinger, 1998). If corporations fail to secure and maintain these preconditions, corporate legitimacy, the informal 'licence to operate', is threatened. Their operations become increasingly uncertain, the expectation of future surplus is undermined and the leverage of opposition NGOs is greatly enhanced.

In February 1998 a meeting of ICEM affiliates participating in the campaign was convened in Johannesburg, South Africa, with 40 delegates from 15 unions. At the meeting the president of the South African National Union of Mineworkers

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[6] Media release, 'Unions set up global network on RTZ–CRA', October 1996, ICEM, Brussels.

[7] Letter to affiliates, 'ICEM creation of an ICEM RTZ–CRA network', Brussels, 3 December 1996.

underlined the significance of the campaign structures as a 'new departure for international trade union action'. The CFMEU national secretary added a further dimension, stressing the necessity for 'a broad and long-lasting alliance with human rights groups, environmental organisations, indigenous peoples and churches. If based on mutual respect such an alliance could only increase the pressure on the company'; such organisations had been campaigning against Rio Tinto for many years and had 'the knowledge and resources which we need'; they would, in turn, benefit from the 'solidarity of organised labour'.[8]

This position was reflected in the meeting's final resolutions. The first of these established the trade union network, the second dealt with the creation of a public information database on Rio Tinto, and the third adopted 'a concerted strategy to ensure that Rio Tinto respects basic human and trade union rights'. As part of this, an action programme would be implemented, 'with community groups, environmentalists, churches and other organisations which recognise the damaging impact of Rio Tinto's operations'. The meeting ended with discussions with President Mandela, who condemned 'in the strongest terms any . . . multinational company that does not allow collective bargaining'.[9]

In 1998 campaigners mounted a cyber-campaign against Rio Tinto on the model of other ICEM campaigns; this was aimed at demonstrating the transnational scope of protests against the company, and centred on the theme of 'Nowhere to Hide'. Protestors were encouraged to visit the ICEM website and send an email to the company, as well as signing up to on-line petitions. Campaigners also produced a film, *Naked into the Jungle: Rio Tinto, Workers and Communities*, an account of the company's abuses of corporate power, which was launched in March 1998. The film centred on the company's anti-union policies in Australia, but also ranged across other human rights and environmental issues. At the same time, the ICEM assembled a report on Rio Tinto, to be aimed at shareholders, which also became the foundation for the cyber-campaign. This was not simply to be a trade union document, with shareholders and web-visitors presented with the labour perspective on Rio Tinto's global operations. Rather, it was to be a broad-based analysis, which embedded labour concerns in a series of wider challenges to the company. Campaigners deliberately sought to prevent the company from characterising their intervention as that of a self-interested labour confederation. To succeed in this, the intervention had to be more broadly based and had to appeal to shareholder concerns about the viability of their investment in Rio Tinto.

The ICEM, and especially coordinators of the campaign based in Sydney, deliberately set out to collect information from the existing networks of mining

[8] 1998 meeting – Maitland Statement.

[9] Media release, 'Report of ICEM Rio Tinto Network Meeting', Johannesburg, February 1998, ICEM, Brussels. Rio Tinto later claimed that President Mandela had retracted this statement, and took the trouble of writing to participating organisatións such as the Mineral Policy Institute, copying a letter from Mandela stating that he had been commenting on labour relations in general rather than voicing an opinion on the issue of union membership in Australia. Letter from Rio Tinto to the president of the MPI, 21 May 1998.

advocacy NGOs as well as from ICEM trade union affiliates. Large sections of the report were commissioned from organisations such as 'Peoples Against RTZ and its Subsidiaries' (Partizans), a long-time critic of Rio Tinto, and MineWatch, both based in the UK; also involved were the US-based Project Underground and Australia-based Mineral Policy Institute (MPI), the Philippine Mining Communities Development Centre, Down to Earth in Indonesia, Community Aid Abroad in Australia, and the World Development Movement, Friends of the Earth and Amnesty International in the UK.[10]

Many of these groups had been campaigning on Rio Tinto-related issues for many years. Partizans, in particular, was created in 1978 when North Queensland Aborigines contacted London-based activists to put pressure on the company to compensate for dispossession of their lands at Weipa (Moody, 1996). It had organised many actions focused on the London AGM, mounting a disinvestment campaign with the support of the Greater London Council in the early 1980s. More recently, several of the mining advocacy groups, and others, had been involved in a 1997 protest at the London Rio Tinto AGM, focusing on a range of environmental and human rights abuses. MPI and Partizans became key participants in the ICEM report, mainly because they were already committed to producing a joint report on Rio Tinto. This was to be an update of the 1991 Partizans report on Rio Tinto, *Plunder!*, widely recognised as a key text for campaigners on mining issues (Moody, 1991). Work undertaken for this report was used for the ICEM report, particularly its detailed sections on specific mines, and much of the material on human rights and environmental rights. This helps to account for the form the report finally took.

In the report the ICEM integrated labour concerns with the concerns of environmental and human rights campaigners, defining these as threats to the company's financial viability, rather than simply threats to its moral credibility. Corporate abuses had to become risks for the company – risks that could translate into financial uncertainty, for instance in the form of compensation claims, enforceable in either the UK or Australia. Campaigners sought to avoid generating a knee-jerk reaction from the shareholders against a trade union class perspective. A report that attacked the company for accumulating capital at the expense of its workers could not be expected to find much resonance among shareholders. Instead, the ICEM sought to construct a partnership with investors, in a joint endeavour of holding the corporation to account. Communities whose livelihoods had been undermined by Rio Tinto operations, peoples who had been forced off their lands, or subdued by local security forces acting for Rio Tinto, workers who were being denied the right to join a trade union, or who were enduring substandard working conditions, were all defined as 'stakeholders' of the company. The company depended on all stakeholders for its success, and this translated into a series of duties that the company owed to all of them. Shareholders had a financial stake and, by virtue of that, were entitled to expect Rio Tinto to be

[10] Contact details for all of these were listed at the end of the 1998 report.

accountable and behave responsibly towards them. Likewise, company operations had a direct impact on other stakeholders, and these also had a justified expectation that the company be accountable for its impacts.

The report, 'Rio Tinto: The Tainted Titan', was presented to shareholders in 1998. It was subtitled 'The Stakeholders' Report' and was structured to mirror the company's annual report, in A4 format with glossy paper, numerous tables and photographs and a well-designed layout. Shareholders were discouraged from recognising it as a campaign report; in a foreword they were invited to see themselves as playing a central role in pressuring Rio Tinto to become a more responsible 'corporate citizen'. The foreword states:

> This report is part of an appeal to shareholders, investor corporations and any other body which may have influence on Rio Tinto to make the company act on its obligations as a corporate citizen. Rio Tinto must fulfil not only its fiduciary duty, but also its wider duty to all those stakeholders who have contributed and continue to contribute to the survival and success of the company. (ICEM, 1998: 1)

This is not the language of class struggle, in which the labour movement takes centre stage; rather it is a language of rights and duties, in which there are diverse and equally legitimate claims that the company is required to address. Not least among these is its duty to its financial stakeholders – the shareholders. These were foregrounded in the report, in the first of its three chapters, with 'operational and financial analysis' of the company's 1997 performance. This stressed financial uncertainty, operational and management problems, and exposure to environmental and legal risks, and raised concerns about executive salaries, contrasting these with minimal contributions to communities affected by Rio Tinto operations.

All of these issues were framed as issues for investors, and provided a lead into the second chapter focused on human rights, and the third on environmental health and safety. Indigenous peoples' rights were addressed in the same chapter as workers' rights, combining cases of indigenous peoples' opposition to Rio Tinto operations in Australia, the Philippines and Indonesia with campaigns against de-unionisation at existing mines in Australia, Indonesia, Namibia and Norway. The common theme was the abuse of human rights and the impact of this on corporate profile:

> International human rights are poorly protected by national laws and in most countries where Rio Tinto operates, the risk of exposure or liability for these breaches cannot be expressed in financial terms of criminal sanctions. However, as the company's international reputation suffers, so do its future opportunities for growth and profit. (ICEM, 1998: 20)

A similar framing of workers' issues occurs in the third chapter, where questions of health and safety are addressed hand-in-hand with issues of environmental degradation, community health and socio-cultural displacement. Here there were case studies from Freeport, a mine part-owned by Rio Tinto in Indonesia; the Rossing mine in Namibia; Kelian, again an Indonesian mine; Lihir in Papua New Guinea;

Capper Pass in the UK; and planned operations in Madagascar. In all cases the interaction between working conditions and impacts on local livelihoods and environments was highlighted. It was argued that the company could be held legally liable under UK law for abuses in its offshore operations (following cases brought by former employees at the Rossing uranium mine), and hence that many of these issues were likely to rebound on the company in years to come.

The ICEM report was thus an attempt at concerted alliance-building. The company attempted to pre-empt the ICEM critique with a set of commitments outlined in a sixteen-page pamphlet, 'The Way We Work: Our Statement of Business Practice', published in March 1998 (Rio Tinto, 1998a). The ICEM report directly addressed this statement, stating that 'it would be an abuse of trust of those who have praised . . . [it] were it proven to be a cynical marketing exercise' (ICEM, 1998: 5). Returning the ball into the company's court, the ICEM gave Rio Tinto a year to 'prove that it is a willing and constructive corporate citizen'.

The 1998 statement was not Rio Tinto's first attempt at improving its public image; these efforts, as noted, began in the 1900s. In the 1990s the company was involved in a plethora of foundations and community development projects, invariably directed at peoples affected by Rio Tinto operations, or at indigenous and environmental NGOs that might otherwise be critical of the company.[11] The 1998 statement was probably the most comprehensive to date, addressing issues such as political involvements, human rights and health, safety and the environment; and in effect constituted a quasi-code of conduct.

Such mechanisms for self-regulation have become the norm for relatively exposed transnational corporations (UNCTAD, 1995; Diller, 1999). Reflecting this political dynamic, the codes have no built-in legal implications and are invariably designed to outflank demands for more thorough-going national and international regulation, for instance through the United Nations. As such they typically lack any concept of binding duty and any distinction between lawful and unlawful actions and are 'little more than public relations exercises' (Muchlinski, 1997). Nonetheless such codes can have political effects, especially as the gap widens between corporate claims and corporate practice. This is certainly the case with Rio Tinto. The company statement is a piece of empty rhetoric, but it does offer avenues for sharpened politicisation of corporate practices.

In interesting ways the Rio Tinto statement shares the ICEM report's emphasis on linking corporate responsibility and profitability:

> In order to deliver superior returns to our shareholders over many years, we take a long term and responsible approach . . . We believe that our competitiveness and future success depend not only on our employees and the quality and diversity of our assets but also on our record as good neighbours and partners around the world. (Rio Tinto, 1998a: 1)

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[11] One of the more transparent examples was the A$1.2 million the company donated to the World Wildlife Fund in January 2000 for a frog conservation programme. This was condemned by ICEM campaigners as a blatant attempt at window-dressing. Press release, 'WWF and Rio Tinto partner for frogs', 4 January 2000, WWF, Sydney.

The similarity ends there, as the statement focuses on establishing and promoting a good 'record', not on changing corporate practices. The commitments embodied in the statement are very limited, primarily announcements of corporate intention rather than practice. Phrases such as 'aims to ensure', 'strives to understand', 'aims to develop' are widespread. There is much commitment to frameworks of 'partnership', 'trust', 'integrity and fairness', 'full consultation', 'mutual respect', and 'practical common effort'. There is no commitment to existing international standards, beyond the Human Rights Declaration, and even this is heavily hedged.[12] Likewise, there is no commitment to independent verification or monitoring beyond existing forms of 'corporate governance', including the presence of 'non-executive directors who bring independent judgement and wide knowledge and experience' to the company (Rio Tinto, 1998a: 3).

The Rio Tinto statement implicitly acknowledged the ICEM campaign; this was made explicit later in 1998 with the publication of Rio Tinto's direct rebuttal of the ICEM report, 'Rio Tinto The Facts: "Tainted Titan" or Responsible Company?' (1998b). This was produced in Australia and sent out to shareholders to debunk ICEM claims. 'The Facts' covered 'Aboriginal Relations in Australia', 'Policy on Union Representation' and 'Human Rights'. On human rights the company stated that it was 'pleased to be associated with Amnesty International's efforts to mark the fiftieth anniversary of the [Human Rights] Declaration this year'. Sponsorships aside, the language was remarkably defensive, stating that company policies were based on 'mutual respect, active partnership and long term commitment', and adding that 'our operations are expected to look for opportunities to support positive efforts to promote a broader understanding of the values of human rights, particularly where those efforts assist our local communities' (Rio Tinto, 1998b: 15). There was a strong emphasis on 'community partnerships', foundations and development projects that the company had established. In the Freeport case a glowing tribute from the International Committee of the Red Cross is quoted, in Kelian involvement with the World Health Organisation and relief NGOs is emphasised, in Lihir ongoing consultation and compensation is outlined, and in Rossing the support of SWAPO (the South West African People's Organisation) and, later, the Namibian government is claimed. In the Philippine case the company outlines how its sensitivity to (by implication misguided and manipulated) local opinion led it to abandon proposals to mine in the country.

In general, there is a strong emphasis on partnership and compromise in relation to issues of human rights and environmental and community impacts. In contrast, however, 'The Facts' is unequivocal in attacking labour unions, and in particular the CFMEU, for preventing the company from achieving higher productivity in its Australia-based operations. The section on Australian coal defends the company's policy of introducing individual contracts in its Australia-based operations,

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[12] The ICFTU produced a detailed critique of the statement, stressing the failure to mention most of the relevant international standards, including OECD and ILO agreements on the conduct of multinational enterprises, on labour standards, indigenous rights and health and safety standards; ICFTU, Brussels, April 1998.

quoting extensively from the Australian government's Industry Commission Report on productivity in the coal industry. At the same time, the company restates its 'policy on union representation', under the human rights section of the report, claiming that it respects an employee's 'right to choose whether or not they wish to be represented collectively' (Rio Tinto, 1998b: 15).

The main objective of 'The Facts' was to separate 'industrial' concerns from wider social, cultural and environmental issues. Thus there was much effort put into answering the criticisms levelled against the company by indigenous peoples, environmentalists, human rights organisations and others, emphasising structures of negotiation and consultation. These are, of course, mechanisms of legitimation and co-optation, now common practice for mining companies seeking consent for their operations. The company characterises the ICEM report as an attempt at misleading shareholders, in which these wider concerns are cynically manipulated by the CFMEU in pursuit of its narrow industrial interests. This position is made clear in a covering letter addressed to shareholders from the Rio Tinto chairman, stating that the ICEM report

> is part of a campaign against Rio Tinto being orchestrated by ICEM and an Australian trade union, the CFMEU. The latter is attempting to internationalise their dispute at the Hunter Valley No.1 mine in New South Wales since they are failing to achieve their objective directly in Australia. The ICEM document includes unsubstantiated allegations and misrepresentations; many dredged up from the past. I very much regret the attempt to mislead you in this way . . . We believe that is it important that people are not misled by sweeping and inaccurate propaganda . . . (Rio Tinto, 1998b: 3)

The exaggerated language employed by the chairman, surprising in a formal letter to institutional and individual shareholders, underlines the effectiveness of the ICEM strategy. The company was seeking to persuade its shareholders that the ICEM campaign was an industrial campaign, driven by the selfish interests of relatively privileged trade unionists in Australia. It was attempting to divide campaigners, confining them to their separate national and issue-based arenas. The ICEM's concerted challenge, targeted at shareholders, had to be disaggregated, and the best way of doing this was to accuse the CFMEU of manipulating non-labour and non-Australian issues purely for tactical gain.

Following the company's response, trade unionists stepped up the pressure. The CFMEU defended itself against company accusations, arguing that the 1998 report was not primarily concerned with trade union issues; in June 1998 the general secretary of the CFMEU replied to accusations from Rio Tinto's managing director, stating that only seven pages of the report related to the issue of unionism in Australia, and, furthermore that 'in undertaking our own campaign to stop union-busting . . . we have been surprised to find that there are so many groups and communities around the world who have long-standing grievances against the company'.[13] The campaign had revealed the full range of potential challenges to

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[13] Letters page, *Australian Financial Review*, 15 June 1998.

the company, and the ICEM was now in a position to capitalise on the relationships that had been established, to further strengthen its position.

In February 1999 a second meeting was convened for trade union participants, this time in London and with involvement from British and European parliamentarians.[14] The result was a second report, 'Rio Tinto: Behind the Façade', which sought to debunk the company's claims to have become a good 'corporate citizen' (ICEM, 1999). This smaller report focused on a number of key cases to reiterate the campaign position. It was launched by the CFMEU and the Minerals Policy Institute, the Sydney-based mining advocacy group, to coincide with the May 1999 Rio Tinto AGM. In 1999 campaigners also set about deepening the shareholder focus. This resulted in the launch of a shareholder campaign, the 'Coalition of Rio Tinto Shareholders', in March 2000. This was led by a former Australian federal cabinet minister, Susan Ryan (soon to become president of the Australian Institute of Superannuation Trustees), and was backed by Northern union federations, notably the US-based AFL–CIO, the British TUC and the Australian CTU, as well as the ICEM and the CFMEU. The initiative followed a model developed by many non-labour NGOs, and also by some trade unions, for example the anti-sweatshop shareholders campaign mounted by US garment unions in the 1990s.

The shareholder coalition promoted two resolutions for the May 2000 Rio Tinto AGMs. The first exploited shareholder concerns at 'corporate governance' in Rio Tinto, and specifically required the company to appoint an independent deputy chair who could act as advocate for shareholder interests. The second resolution required the company to comply with international human rights standards in the workplace as expressed in ILO conventions, and exploited shareholder concern at the company's failures in risk management. The overall package was described as 'restor[ing] shareholder value at Rio Tinto'.[15] Some major investors, such as the British-based Co-operative Bank and several industry superannuation fund holders, signalled support for both resolutions, while investment advisers, such as the Australian Shareholders' Association and Independent Shareholder Services, backed only the first.

At the 2000 Rio Tinto AGM the first resolution attracted 20.3 per cent of Rio Tinto shares voted, while the second attracted 17.3 per cent. The national secretary of the CFMEU explained the success of this strategy, stating: 'Trade unions have demonstrated that they can work with shareholders for the mutual benefit of both in moving a big company to improved board and workplace practice'.[16] The two resolutions had offered a quid pro quo, offering shareholders increased influence in exchange for some commitments on minimum labour standards. Generally, AGM resolutions on social issues receive no more than 15 per cent of shares voted, and

[14] Notably Richard Howitt, who had initiated the European Parliament's call for a binding EU code of conduct for EU-based companies operating in non-OECD states.

[15] Coalition of Rio Tinto Shareholders, letter to 200 Australian shareholders of Rio Tinto, May 2000, Sydney.

[16] CFMEU briefing notes, 'The international shareholder campaign within Rio Tinto', May 2000, CFMEU, Sydney.

normally well below 10 per cent, so this was an impressive, perhaps unprecedented result. It was certainly the first significant cross-continental shareholder action conducted by trade unions targeted at a major transnational corporation. Such resolutions, even if attracting only modest support, 'can assist proponents in discussions with management since [they] demonstrate a measure of shareholder support for the spirit of the resolution (Diller, 1999: 121). In the Rio Tinto case, the company began to display some limited flexibility in its dispute with the CFMEU, with its chief executive now talking the language of peace and reconciliation.[17]

By 2000, then, the focus of the campaign had shifted from an emphasis on coalition-building with non-labour critics of Rio Tinto, to a primarily shareholder focus. Here the strategy was focused on exploiting shareholder concerns, generated in part by the 1998 and 1999 campaign reports, to win the argument for minimum labour standards. The wider environmental, human rights and indigenous rights agenda was still pursued; for instance, the CFMEU and the MPI funded a visit to the 2000 AGM by Muhammed Ramli from communities affected by the Rio Tinto Kelian mine, in Kalimantan, Indonesia.[18] Nonetheless it was the shareholder campaign that took centre stage. CFMEU campaigners were concerned that the company had simply been responding with a PR boost, and some community funding. It was hoped that the shareholder campaign would force the board of directors to justify their position directly, preventing them from brushing off the campaign.

This shift was combined with a direct appeal to Rio Tinto. In 1999 the ICEM had offered to help to facilitate a solution to the CFMEU–Rio Tinto dispute; this was preceded by pressure from the International Confederation of Free Trade Unions (ICFTU) for Rio Tinto to accept the ICEM as a 'social partner' in 'negotiating standards covering the most important areas of your social responsibilities'.[19] In 2000 the ICEM declared itself willing to negotiate a code of labour practice with Rio Tinto. This involved, in February 2000, an offer of 'co-operation with Rio Tinto in return for [a] global agreement on labour rights', explicitly stating that, in exchange for the right to collective bargaining, the ICEM would be willing to 'work co-operatively with the company and ensure it is an efficient and competitive producer of minerals and minerals products'.[20]

Here the ICEM was signalling a willingness to become a partner with Rio Tinto in promoting corporate competitiveness. There are clear tensions between this proposed partnership approach and the conviction that, as the national secretary

[17] CFMEU media release, 'Stunning shareholder support for union's resolutions at Rio Tinto AGM', May 2000, CFMEU, Sydney.

[18] An Indonesian landowner from Rio Tinto's Kelian mine attended the 1999 AGM, but was hosted by the MPI rather than by the ICEM campaign out of concern that the Kelian issue could steal the limelight from the shareholder campaign. Press release, 'Rio Tinto's shame file: Indonesian landowner's discontent represented at Rio Tinto AGM', Mineral Policy Institute, Sydney, 23 May 2000.

[19] The ICFTU was responding to the company's 'The Way We Work' statement, and added 'Working with the ICEM is the best way to ensure that the right words are put on paper and that they are put into practice'. Letter from the ICFTU general secretary to the chair of Rio Tinto, 14 April 1998.

[20] This comes from the title of a CFMEU media release, 'International unions offer co-operation with Rio Tinto in return for global agreement on labour rights', February 2000, CFMEU, Canberra.

of the CFMEU put it in 1998, '[we] must get together to reduce the threat of cut-throat competition that leaves all workers worse off' (Maitland, 1998). Kim Moody highlights precisely this problem in his discussion of the potential role of International Trade Secretariats:

> If union leaders, who accept more and more of the TNC's 'competitiveness' agenda and are locked into various 'joint' schemes with top management, play a major and even growing role in an ITS, it is hard to imagine the performance of that federation improving as the challenges of globalisation continue to grow more difficult. (Moody, 1997: 236)

There is clearly a need to establish what Thorpe calls a 'negotiating relationship' with the corporation, but this directly raises the question of what sort of relationship it should be (Thorpe, 1999: 227). If it is a relationship between a highly resourced corporation and a relatively poorly staffed, Northern-based and Northern-led ITS, relatively distanced from rank-and-file union members, then the relationship is likely to be relatively accommodating (Moody, 1997).

In this case, the offer of accommodation reflected tactical considerations rather than a fundamental shift. In the first instance the ICEM, and through it the CFMEU, was acting out a concern to find some solution for striking and redundant workers in Australia. Despite the accommodating rhetoric, the ICEM insisted that it would remain involved in the campaign, even if collective bargaining was introduced. If, as was likely, the company rejected the offer, the union would be cast in a positive light, so adding fuel to the shareholder campaign. More broadly, while the offer appeared to overturn the ICEM's earlier commitment to working with non-labour social movements, it expressed an inevitable difference in immediate priorities, rather than an irreconcilable clash. The ICEM had never seen the campaign as a unified coalition, but rather as a loose network, in which common ground could be developed while maintaining separate priorities. This position was shared by other NGOs, notably the Minerals Policy Institute (MPI), which was anxious not to lose its commitment to addressing environmental and indigenous concerns through its involvement in the Rio Tinto campaign.

Indeed, throughout the campaign there was – and still is – a strong emphasis on the involvement of non-labour NGOs. Although key campaign meetings, in 1996, 1998 and 2000, were never held jointly with non-labour movement organisations, they were involved in the campaign. In Sydney the CFMEU established a network of these groups, including environmental, indigenous, human rights and development rights organisations, to coordinate responses. During the campaign there were exchanges and seminars between regional representatives of unions. As noted, the two campaign reports were compiled with the direct assistance of mining advocacy groups, and in fact would have been very different reports without them. Furthermore, the CFMEU was very committed to ensuring that the campaign gave a voice to all 'stakeholders' in Rio Tinto operations. When in 1998 Rio Tinto offered behind-closed-doors consultations with the ICEM, the national secretary of the CFMEU countered by insisting that Rio Tinto establish 'round-

table discussions with stakeholders' in an 'open meeting'. These forums, which could see groups actively engaging in monitoring the corporation, could enable the company to become 'more responsive to stakeholder concerns' (Maitland, 1998). This position had been put to the company chair at the 1998 Melbourne AGM in May and had received a flat refusal, tempered by a very revealing statement that the company would, however, agree to behind-closed-doors meetings with individual stakeholders, clearly attempting to sow division among the various groups.

Significantly, it was the CFMEU – rather than the ICEM – that was the key factor in constructing these wider alliances. It was the CFMEU national president who constantly stressed the need for such alliances, and it was the CFMEU that appointed a full-time campaign officer, in early 1998, who had experience in working across environmental, anti-nuclear and trade union issues. In early February 1998 (before the ICEM meeting in South Africa) a number of London-based mining advocacy groups met with the CFMEU and it was made very clear that the Australian union was a key sponsor of the campaign and would insist that non-trade union groups were closely involved. The CFMEU position was non-negotiable, and ensured that the non-labour movement campaigners became active participants at this relatively early stage.

While labour organisations were concerned to prioritise the interests of their members, so were non-labour NGOs. Perhaps some underestimated the significance and potential of the ICEM campaign; perhaps others were concerned about their existing partnerships with corporations, or about alienating a relatively conservative or middle-class support base. This latter point was certainly true of Amnesty International, which was associated with the campaign in its early stages, but after being challenged by Rio Tinto quickly distanced itself. This was made clear to participating NGOs in May 1998 when Rio Tinto copied a letter to them from Amnesty International Australia in which its director stated:

> We regret that Amnesty International may have been used as a supporter of the campaign . . . we have . . . asked that our name not be used on any further campaign materials or public statements that imply Amnesty International supports a campaign against Rio Tinto . . . we look forward to a productive and useful discussion with Rio Tinto on possible ways we can further the protections of international human rights principles.[21]

There is also an issues of priorities. Where NGOs have worked with trade unions to campaign for codes of conduct, for instance in the Apparel Industry Partnership in the US, there have been disagreements about whether certain labour rights – specifically the requirement for a living wage – should be taken up. Only a small proportion of shareholder resolutions mounted by corporate campaigns address labour issues (50 out of 650 in the US in 1996 for instance; Diller, 1999: 117). In these cases, there was much more concern with issues of forced labour, child labour,

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[21] Letter from the director of Amnesty International Australia to the managing director of Rio Tinto Australia, 23 April 1998.

and health and safety than with freedom of association or rights to collective bargaining. There are also problems of accountability and coherence in the negotiation process – in contrast with trade unionists NGO representatives may be relatively free from public scrutiny.

In general terms, the danger is that coolness towards the campaign coming from some mainstream NGOs, combined with the trade union's anxiousness to be seen to deliver for its members, could drive the campaign back into an industrial relations framework, and from there, into nationally separated bargaining contexts. This would deprive the campaign of its main sources of leverage. As a CFMEU coordinator noted, the company was concerned when it was presented with a transnational trade union alliance; this quickly intensified when it became clear that the alliance was making common cause with the company's many other environmentalist and indigenous critics. As the campaign broadened it became progressively harder for the company to characterise its critics as self-interested ideologues. Campaigners began to gain some influence over shareholder opinion as the fear of environmental risk and of risk incurred by human rights violations, as well as by the company's abuse of health and safety and labour rights, drew a significant proportion of shareholders away from the company position. The cross-national social movement strategy was already reaping some rewards; as an experiment, it was working, and needed to be strengthened.

Conclusions

The current globalising waves of corporate and state restructuring are generating popular responses: just as classical imperialism was challenged and superseded by anti-colonialism, so corporate globalism may be facing transnational challenges. A key challenge comes from campaigns focused on the exercise of corporate power. Here, trade unions and their International Trade Secretariats, in alliance with other social movement organisations, clearly have a major role to play in contesting corporations. In 1997 Moody noted that no ITS had at that stage attempted to 'coordinate strike action across borders', adding 'nor is that likely to happen until bigger changes in the national leadership and membership's consciousness occur' (Moody, 1997: 237). It could be argued that in the Rio Tinto campaign, the ICEM has realised at least at some of the potential of cross-national social movement unionism, albeit stopping short of coordinated strike action – as yet. If it is accepted that the strategy has gained some significant leverage over Rio Tinto, to what extent should this been seen as an isolated example?

Corporate campaigns are focused on individual sectors and often on an individual company – but they have implications well beyond these immediate targets. The pressure of campaigns, and the inadequate corporate responses, can legitimate existing regulatory agreements – for instance ILO agreements – and can offer justification for more interventionist approaches from other international agencies. Examples from 1999–2000 include the United Nations' 'Global Compact' on the implementation of business obligations, the review by the Organization for

Economic Cooperation and Development (OECD) of its code for multinational enterprises, and the European Parliament's promotion of a code of conduct for EU companies operating outside the OECD. By focusing on the immediate urgent needs of workers, communities and activists, corporate campaigns engage with the everyday logic of corporate globalisation, and at the same time necessarily raise the question of how to regulate corporate power.

A key issue here is how to deal with corporate responses. Strategic scepticism is perhaps most important. Roger Moody, a long-time activist from Partizans, has argued for campaigns targeting transnational corporations that can strike a balance between 'naive over-optimism about corporate willingness to change' and 'profound pessimism that any re-direction is possible' (Moody, 1996: 51). Such a balance requires constant watchfulness and solidarity, avoiding a focus on individual corporate abuses and retaining a critique of the overarching structures, both of the corporation and of the institutions through which it exercises influence. Politicising corporate power requires a long view of the process of reclaiming the levers of power across all realms of social life. A focus on short-term gains in one location or sector can become a Pyrrhic victory, as the corporate agenda is simply shifted elsewhere.

In 2000 this point was clearly demonstrated as the world's nine largest mining companies, including Rio Tinto, began working on a 'Global Mining Initiative'. The initiative was coordinated through the World Business Council on Sustainable Development, with the objective being to establish a 'sustainable' future for global mining. The intervention finessed and extended the already established model of corporate agenda-setting on climate change issues, first applied in 1992 (Levy and Egan, 1998). The initiative was explicitly geared at influencing the agenda of the 2002 'Rio plus Ten' meeting of the UN Conference on Environment and Development (UNCED), and was aimed at recruiting a wide range of NGOs – including the labour movement – to the corporate agenda (Global Mining Initiative, 2000; UN Economic and Social Council, 2000). Reflecting the long years of careful watchfulness, many mining advocacy groups, such as the MPI and Partizans, refused to join the corporate bandwagon. Instead, they began organising their own 'initiative', to put over their interpretation of the facts, and their prescriptions for the future. The labour movement has a central role to play in developing this alternative agenda, and the Rio Tinto campaign now provides a central foundation from which to do this.

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