WE CREATE SPOTS FROM WHICH WE SHINE TO OTHERS:
ORGANIZING AS A BRIDGING PRACTICE BETWEEN DISTINCT MEANINGS OF ASSOCIATION

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Introduction

Unions are members-based associations, distinct from other organizations such as workers centers and human rights organizations and social movements. Their mission is primarily class-based, based on pulling together workers’ voice. They engage in ongoing representation, rather than episodic action to correct managerial action. Drawing on the list that was established by Beatrice and Sydney Webb, back in the 19th century, their fundamental mission ranges from affecting organizational practices at the shop-floor level to voicing the working class interests at the political level.¹

Despite the basic DNA that is assumed to be common for all trade unions, there are also vast differences in what unions are, what unions do, and most notably in how they strategically advance their mission. This much has been established in comparative studies of trade unions, looking at their internal structures, position in the industrial relations system (IRS), bargaining levels, bargaining practices and outcomes.²

Union density, usually measured as the share of workers in the active workforce who are members in trade unions, is often used as a measure of trade unions’ strength.³ The importance of density resonates with the emphasis on the membership basis of trade unions. However, membership rates in themselves are misleading. Compare for example – the United States and France, both with similar (single digit) membership shares, with the former having slim coverage of collective agreements, and the latter a coverage of approximately 98%.⁴

Membership and coverage indicate different ideas about what unions are, what they do and their strategic toolbox.⁵ At an even deeper level, they demonstrate two distinct notion of the freedom of association: a grassroots evolution of collective action and a top-down delegation of regulatory power to social partners. Membership rates assess the grassroots’ power. Coverage rates are insulated to varying degrees from membership rate. Coverage is determined by law and reflects the power the state bestows on, or delegates to the trade unions.

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¹ Beatrice and Sydney Webb,
² Comparative studies of union structures
³ Union density
⁴ Data obtained from
⁵ Membership v coverage rates

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Membership and coverage rates are often time matched by institutional practices. On the one hand, the North American model matches relatively low levels of membership and coverage. On the other hand, countries that encourage membership by entrusting the trade unions with the performance of social functions (e.g., unemployment insurance), known as the “Ghent System”, match high levels of membership with high rate of coverage. The former model requires an emphasis on organizing because without membership unions lack any power. The latter model takes membership for granted because the state takes active measures to encourage membership; moreover it usually separates membership rates from coverage.

This article focuses on an ever-growing number of countries that I designate as hybrid regimes, where membership and coverage rates are gradually diverging. In these countries coverage rates no longer enjoy the legitimacy of high membership rates. Most hybrid systems experience a gradually growing gap between membership and coverage rates. The hybrid nature of these systems indicates that coverage, detached from membership, remains a viable option. At the same time, membership is becoming a more important determinant of trade unions’ power and role in society. Problematizing the gap, there is a growing legitimacy crisis in the continuation of social partnership without members. At the same time, an emphasis on organizing members may be in tension with the logic of association in regimes with broad coverage.

Section 1 describes two distinct notions of association, leading to a presentation of the intrinsic tension in hybrid systems. Section 2 presents the growing importance accorded to recruitment of members in Hybrid Systems, by looking into new practices of organizing in several hybrid systems. The findings are based on extensive interviews that were conducted with organizers in Austria, Germany, Israel and the Netherlands, as well as on literature referring to various hybrid systems.

I argue that hybrid systems can be both a source of an inevitable tension or of an expansive toolbox. Which of these two outcomes materialize depends much on the trade unions’ strategies – to what extent can they develop new recruitment and organizing strategies that bridge shop-floor representation with association as a form of social partnership.

1. Organizing in hybrid systems: theory

   a. The two logics of workers- side freedom of association

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6 On hybrid countries

7 France is an exception because the gap between the two measures was always the most extreme.
Claus Offe demonstrated two distinct logics of association, one of capital and the other of labor. The former is a natural and important part of the market, and the second is deemed to be political and sometimes presented by critics of labor market institutions as obtrusive to market processes.

However, Labor side’s association is not uniform. The freedom of association carries a different meaning in the context of what I will designate as social bargaining (including state-wide pacts, sector and occupational based bargaining) that extends the limits of a single employer, as opposed to enterprise bargaining within the domain of a single employer. Their modus operandi is different. At the risk of an over stylized comparison, consider the following differences.

Social bargaining is based on the power of trade unions that have a historical and political standing, but not necessarily a legal status of a representative union. Bargaining is conducted with employers’ associations, sometimes with the involvement of the state. The trade unions interact with the political sphere directly and are viewed as “social partners” to the regulation and coordination of the labor market and other aspects of the welfare state. By contrast, enterprise bargaining is based on the power trade unions accumulate at the shopfloor. More commonly, the trade union itself operates in multiple establishments, but in some instances (Japan being the most typical example), the trade union can be part of the corporate order (“company union”). The trade union’s impact on the political order is indirect, based on political endorsement of favored parties, but to a much lesser extent on formalized participation in policy making.

The differences in the political situation and role of the trade unions, coupled with the level of bargaining, has various implications. With regard to inequality, social bargaining is associated with lower levels of inequality, as can be seen in table 2. By contrast, enterprise bargaining is associated with higher levels of union wage premiums that differentiate between organized/covered workers and those who are employed in non-organized establishments. Social bargaining endorses and is endorsed by political parties on the left side of the political spectrum, although their policies may seek to advance workers in the primary labor market, sometimes at the price of disregard to workers in the secondary labor market.

Unlike the political nature of social bargaining, enterprise bargaining has a stronger effect on the identity of workers, constituting their interests. It is a system that resonates better with forms of direct democracy, although not necessarily as robust, particularly in large enterprises and bargaining units. The trade union must be more attentive to the local workers’ concerns. Moreover, the

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8 Claus Offe, The Two Logics of Collective Action
9 Social bargaining and equality
10 Data on the union wage premium
11 Relationship to the left, and Rueda on split labor markets. Also refer to Thelen 2014
12 The effects of trade unions on identity
trade unions’ objective is to improve working conditions (wages, protection from dismissals, and regulation of everyday working life) of the workers in the particular enterprise. Social bargaining is often removed from the workers’ daily experiences. They are less active in the negotiations process. The interests the union advances are those of class, broadly defined, and may even compromise local (enterprise) interests. Membership in the trade union is not too strongly linked to personal identity. In Weberian terms, social forms of association and bargaining are more strongly associated with class, while enterprise-based association and bargaining have a stronger sense of status.\(^\text{13}\)

Even in the stylized contrast, it would be wrong to contrast social bargaining as being solely interested in macro-economic matters, and enterprise bargaining as being focused solely on the self-interest of the workers in the single enterprise. Social bargaining can extend representation to the single workplace by delegating shop stewards or interacting with statutory institutions in the workplace, most notably – works councils. Trade unions that bargain exclusively at the workplace can affect the working conditions of other workers requires either cross-unit solidarity measures (e.g., solidarity strikes, or collective contributions to strike funds), pattern bargaining,\(^\text{14}\) and coordinated efforts of the trade union to advance common interests of similarly situated companies.\(^\text{15}\) Public sector unions that represent workers in distinct bargaining units versus public employers have further means for standardizing working conditions for public sector employees.

Although not dichotomous, the dynamics of social and enterprise bargaining are different. Social bargaining accommodates social pacts, sector-wide (typically in the private sector) and occupational agreements (more typically in the public sector). Bargaining is conducted at peak levels, by professional trade union officials, and can be facilitated or even actively negotiated with state officials. Enterprise bargaining varies between core establishments with a large number of workers to small units, with a greater variance that reflects the group’s bargaining power. Such power may depend on the employer’s position in the market, the importance of the establishment for the trade union as a whole (‘showcase’ bargaining), the media’s attention and the like.

‘Individual’ employers are more actively engaged in enterprise bargaining. The higher union wage premiums that are associated with enterprise bargaining create a strong incentive for employers to oppose organizing drives and subsequently the trade unions’ demands. In social bargaining, where coverage is secured by the state, the effects of bargaining for any single employer are attenuated and therefore opposition is less volatile.

To summarize, the stylized comparison of what trade unions do suggests the following:

\(^{13}\) Max Weber, Class, Status and Party

\(^{14}\) On pattern bargaining

\(^{15}\) Estreicher – “political” representation by turning to government for tariff protections against dumping on an industry.
# Table 1: Two Models of Association and Industrial Relations

<table>
<thead>
<tr>
<th></th>
<th>Social Bargaining</th>
<th>Enterprise Bargaining</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Trade Unions</strong></td>
<td>Members-based organizations that voice the interests of workers</td>
<td>Enterprise bargaining units or below (particular bargaining units, occupations)</td>
</tr>
<tr>
<td><strong>Bargaining Level</strong></td>
<td>State-wide, including sector and occupational bargaining</td>
<td>Establishment level or below (particular bargaining units, occupations)</td>
</tr>
<tr>
<td><strong>Coverage</strong></td>
<td>Extensive bargaining domain and <em>erga omnes</em> (beyond the domain) application</td>
<td>Confined to the bargaining unit at the establishment</td>
</tr>
<tr>
<td><strong>Bargaining Partners</strong></td>
<td>State, employers' associations</td>
<td>Single employers</td>
</tr>
<tr>
<td><strong>Employers' Position</strong></td>
<td>Constrained resistance; working conditions are outside the competition</td>
<td>Augmented resistance, associated with heightened differentiation between organized and non-organized competitors</td>
</tr>
<tr>
<td><strong>Bargaining Objective</strong></td>
<td>Comprehensive governance of the labor market in lieu of and as a supplement of regulation. Coordination within and across sectors.</td>
<td>Shop-floor co-management to varying degrees</td>
</tr>
<tr>
<td><strong>Democracy</strong></td>
<td>Democracy at the political level is enhanced by social partnership that supplements representative democratic institutions (Parliament)</td>
<td>Active democracy at the workplace, as a distinct venue of democratic politics, regardless of its effects on the quality of the state's democratic institutions.</td>
</tr>
<tr>
<td><strong>Importance of Membership</strong></td>
<td>Derivative of power accorded by the state</td>
<td>Threshold requirement and the source of organizational power</td>
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A stylized comparison is intended to display that under generic terms such as the freedom of association, social dialogue and voice rest very different institutional forms. Countries do not fall neatly within one model or the other. However, as can be observed in Table 2, there are clusters that indicate where real models of industrial relations resonate better with one of the two forms. In the centralized cluster, the Scandinavian countries approximate social bargaining, while in the
decentralized cluster, North America is the approximation of enterprise bargaining. Table 2 sorts the countries on the basis of their Genie index for the working population, and indicates the relationship between decentralization and inequality. Greater equality is generally associated with the model in which high coverage and membership prevail. Greater inequality is associated with low rates of coverage and membership. I do not make a claim, on the basis of the descriptive data in Table 2, with regard to causality, although causal relationship was identified in the literature.16

Table 2 Trade union membership, coverage, and level of social inequality in OECD countries
[D=density – membership in trade unions (share of the working population); C= coverage of collective agreements (share of the working population); G= gap between coverage and membership; IE = inequality measured by Genie index; CL= cluster (Centralized, Decentralized, Hybrid)]
On the backdrop of the two stylized models it is possible to highlight the challenge facing hybrid systems. These are systems in which a significant discrepancy appears between membership and coverage data (hereon: the c/m gap). In most hybrid systems, a comparison of the c/m gap between the year 2000 and 2013 indicates the gap is growing. A comparison that stretches back the time horizon even further would portray an even greater growth of the gap. Most hybrid systems started out with a greater weight on social bargaining. Membership was either based on the “Ghent system” that is characteristic to social bargaining systems and then removed (Israel), or was the outcome of social norms regarding the central social position of the trade unions, which gradually eroded (Germany).

Over time, political and legal forced kept the level of coverage relatively high, but workers no longer joined as members. The reasons are varied but common to most hybrid systems: globalization and volatile global competition; new technology displacing workers from traditional unionized industries to new industries; move to services and leisure economy where the industrial structure makes organizing more difficult; diversification of the workforce; growing individualism that undermine the collective objective of the trade unions; new forms of employment and fragmentation of the employment relationship.

Ghent-system states provide a state-sponsored benefit to membership, therefore creating a service model of unionism that is actively forged and supported by the state. In other countries, the state’s endorsement of collective agreements as a form of social bargaining developed when trade unions were deemed as social actors who are backed and supported by the workers. Endorsement of collective agreements and broad coverage, whether by forced membership of employers in employers associations (Austria), extension decrees (Netherlands) or social-economic norms (Germany) is based on ‘sticky institutions’ that are not easily removed. But the growing c/m gap challenges institutional stability for several reasons: trade unions are losing their main source of funding; they also lose their legitimacy by the working people, and they lose their legitimacy as social partners. While the funding problem is measurable and is rather acute for most trade unions, the problems of legitimacy are more difficult to pin down.

The loss of legitimacy from the working people is identified in a sense of alienation voiced by workers towards the unions. As one informant explained to me – “they are viewed as the big fat men with the moustache who run our lives”, an image that almost resonates with that accorded to capitalists such as the American Robber Barons. The more the union acts as a social partner to government, engaged in state wide bargaining, the more it is removed from the workers, and perceived as part of the state’s bureaucracy and not as an independent entity.

17 The major problem is that members’ attrition is not matched by new members; more than members who decide to actively opt out.

18 On sticky institutions – see Paul Pierson
The loss of legitimacy from the state is identified in proposals to cease the practice of extension orders, removal of trade unions from key reforms in the labor market, or challenging the compulsory coverage – within and outside the bargaining domain – of collective agreements. All of these practices, which are based on the historical power of trade unions, are being questioned and reassessed as trade unions lose their support from the working class. This can be the cause of public interest politics (unions no longer bring sufficient electorate power and therefore do not merit the state’s support), or moral arguments (unions no longer voice the interest of the majority and therefore state-sponsored enforcement of collective agreements risks a disproportionate infringement on employers’ rights, most notably the right to property; but also objections to the trade unions’ power to control distribution among the workers themselves). While a major theme in decentralized systems is the problem of a representation gap, whereby workers who want to organize are not able to do so, hybrid systems are encountering a legitimacy gap whereby coverage exceeds the legitimacy from the workers they bargain for.

In the midst of crisis, with a growing c/m gap, there are two conflicting hypotheses that can be made with regard to the future of trade unions in hybrid systems. The optimistic view is that hybrid systems provide a greater opportunity for trade unions’ revitalization. Unlike systems in which trade unions rely solely on organizing at the enterprise, with all the difficulties involved, trade unions in hybrid systems have multiple avenues for action. They can engage in tri-partite bargaining at the state level, invest efforts in sector bargaining for hard-to-organize workers, such as temp workers or cleaning, care and security workers who are often employed through fluid sub-contracting arrangements. They can increase membership in brownfield sites, drawing on co-optation of intra-firm institutions such as works councils, as well as on systems of apprenticeship. In addition to strategies that resonate better with social bargaining they can also introduce new organizing practices at the enterprise level, or develop strategies that are mastered in liberal regimes such as ad-hoc coalitions with other social movements such as feminist, green NGOs and local community organizations. The optimistic scenario views the lack of uniform structure for bargaining as an opportunity.

At the same time, there is a pessimistic scenario, according to which hybrid regimes confront the mismatch between the two logics of workers’ association. A repertoire of options can be a vice if some strategies undermine others. The main concern is that acting at the social level (state, sector and occupation) can further deter the workers’ identification with the union as their preferred method of voice. Conversely, transplanting shop-floor level organizing according to the North American model can impose a sense of conflict that is foreign to the social tradition of the hybrid systems. To the extent that this may strengthen the workers’ identification with the trade unions, but at the expense of the unions’ social position, it can be expected that a greater level of inequality will materialize, membership rates will be kept at the lower levels, and a higher level of animosity will be develop between the trade unions and employers.
In the following section I look into the role of organizing, mainly in four hybrid systems – Austria, Germany, Israel and the Netherlands, and with some references to other countries facing the hybridization challenge – such as Switzerland and France. Studying the four countries, I claim that there is a standing conflict between social bargaining and the recruitment of new workers by means of organizing. Consequently, these countries risk a slope leading into the North American model. However, the findings do not unequivocally endorse the pessimistic scenario. There are attempts to identify new ways to bridge social and enterprise, gaining the increased identity of workers with a renewed vision of trade unions while maintaining the benefits of social bargaining.

2. Organizing in hybrid systems: practice

This Part summarizes the study’s findings, which are based to some extent on the existing literature, and to a greater degree on extensive and intensive interviews that were conducted in the summer of 2014. I am deeply familiar with the Israeli IRS, and I have been indirectly involved in various organizing drives and have met on numerous occasions (conferences, workshops, and training courses) active members of the General Histadrut, the General Histadrut’s youth branch, and Power to the Workers. By contrast, the comparative aspect required a deeper understanding of the countries I chose to study, over and above what academic texts and websites can provide. To that end, I conducted extensive interviews in Germany, Austria and Netherlands between July and October, 2014. Many of them were with various agents of trade unions that are known as innovators in this field, and less commonly with unions that are just starting to consider their organizing and recruitment strategies. The union informants belong to the IG Metall, Ver.di, NGG and IGCBE (Germany), FNV Bondgenoten and FNV Abvakabo (Netherlands), ÖGB (Federation), PRO-GE and PGA-DJP (Austria). In addition, interviews were conducted with partners for organizing in the Austrian Chamber of Labor, with consultants (ORKA in Germany, and a former member of Change to Win — Europe), academics in all countries, and journalists.

The focus of the interviews was to understand the considerations and concerns of trade unions that are innovating in recruitment and organizing. The interviews are limited to the trade unions’ perspective, although they made it possible to surface tensions within the trade unions themselves. They do not address the views of employers, the state, and the workers themselves (members and nonmembers alike). They are further limited by the fact that they rely on the subjective consciousness of the respondents. Factual matters were oftentimes confirmed by formal (newspapers) and informal (blogs) journalistic accounts. Data on the number of workers who were recruited as members most often would not be divulged, other than public numbers of aggregate levels of membership.¹⁹

¹⁹ Some respondents revealed some data on the condition that I not report it. Generally, data that was presented cannot be confirmed. On the problem of drawing on trade unions’ reports for verifying membership rates, see Visser.
The aim of a qualitative study of this kind is twofold. First, it is intended to document processes that are currently taking place, as well as dilemmas that do not reach the academic literature. The second objective is to elicit the personal views of those who are engaged in organizing, ranging from understanding personal motivations to reflections on their activity. Interviews usually lasted two hours, but given the personal involvement of the informants, some were extended up to five hours. Some interviews required the participation of a translator, and all of them were transcribed to be used for screening and classifying content. The interviews were semi-structured, with some differences in emphases and content between the countries, reflecting institutional differences between their IRSs.

Comparative work requires a focus, and is particularly difficult to conduct in the field of collective labor law. In a separate article I emphasized the comparative aspect between the four systems, identifying that the common challenge of increasing membership is matched by practices that have much in common but at the same time depend on significant institutional differences. In the following pages I would like to do the reverse and conflate these differences, drawing on examples from the four countries to identify several recurring themes associated with the challenge of hybridization. The following sections demonstrate five claims that I believe capture the challenge to trade unions in hybrid systems. This challenge appears to varying extent and with some adaptations to institutional particularities in all four countries.

1: The hybrid systems continue with social bargaining to different extents and in different forms. They did not convert into decentralized liberal models of association.

2: Raising membership levels where collective agreements, or other collective institutions, prevail is particularly difficult. Consequently, the greater, denser and deeper the coverage of collective institutions is, the more difficult it is to recruit new members to the trade union.

3: Increasing membership levels in new (‘greenfield’) sites, where no collective institutions prevail requires organizing techniques, which unions in hybrid systems often do not hold. The paradox of developing new organizing techniques is that consultants from countries with low membership and coverage rates aided to develop an organizing culture in hybrid countries with a tradition of social partnership.

4: there are debates whether new Organizing techniques are suitable for hybrid systems, and whether they can be developed without compromising the gains of social partnership.

5: There are innovative attempts to bridge the two forms of association and types of bargaining. These can serve as the beginning of "best

20 Kahn Freund.. Finkin& Mundlak ..
21 Mundlak, Organizing in hybrid systems
practice" forms, although their replication across sectors and between countries is not obvious.

2.1 The continuing practice of social bargaining:

Hybrid regimes preserve components of social bargaining in different forms. Austria, with its secured coverage due to compulsory affiliation of employers to the Employers Chamber, has the strongest path of continuity. The main challenge is therefore to maintain the unions’ power to increase labor’s gains, particularly in the weaker sectors. However, this does not undermine the dominant, and almost, sole role of social bargaining. The Netherlands similarly relies on continuous use of extension decrees that ensures broad coverage. Again, this is the main driver for broad coverage. In both countries there were challenges to the legitimacy of the legal and political strength accorded to social bargaining. However, doubts regarding the institutional design that ensures full coverage were ultimately met with a stronger constitutional guarantee to the corporatist structure, and arguments against the use of extension decrees in the Netherlands were never materialized into a serious political threat. In the Netherlands unions voiced some concern about the future of social bargaining pointing at some weak spots along the way, such as the removal of the trade unions from a pensions reform in 2003, and the strategic involvement of the smaller employers-friendly unions, which weakens the unions’ power.

In all four countries there are also examples of statewide political reforms or social pacts that rely on cooperation between labor and capital at the highest levels and the state. In Germany, for example, the unions present the success of job-preservation arrangements at the time of global economic crisis (2008), equal pay for temp workers (2010-2012), and most recently – their support of the minimum wage legislation.

Journalist (DE): successful political campaigns may be detached from the workers themselves. For example the equal pay for temp workers campaign around 2010-2012 can be viewed a moment of constituting the union’s renewal, but the campaign did not involve the temp workers themselves and relied on the union’s strength in its industrial core. For the temp workers it would have been very difficult. They would not go on strike. Instead, the core was expected to act in solidarity with the temp workers. That was old unionism at its best. Top-down.

In Israel, the trade union and the employers associations were actively involved at the time of a political crisis around the Budget Act of 2009, which resulted in a semi-formal tri-partite agreement that stabilized both labor-capital relations and fragile coalition in Parliament. Moreover, several statewide agreements were concluded in the last decade, a few of which are with high impact, notably – mandatory pension rights to all workers in the country.

In Germany and Israel social bargaining is complicated by the weakening role of sector-level bargaining. In both countries it is possible to negotiate at different levels. In Israel, sector bargaining is confined mostly to services (cleaning,
security, hotels and hospitality, construction and agriculture), and in most industries sector-wide agreements remain from the 1970s, but with relatively little impact on actual practice. Public Sector bargaining remains coordinated but with an ever-growing list of occupational exemptions with regard to groups that bargain separately. In Germany, employers prefer to bargain at the enterprise level, rather than at the sector level. This is achieved in two complementary ways: first, employers leave (or don't join to begin with) employers' association, or join the employers' association in a special status that excludes them from coverage of agreements. Second, since the bargaining level is itself a matter of bargaining, employers resist coordinated bargaining and insist on limiting the negotiations to the single enterprise.

In new organizing drives in Israel it is taken for granted that organizing is towards an enterprise agreement. This associates organizing efforts with a decentralized system of negotiations that exists side by side with nation-wide and sector-wide agreements in specific enclaves and on limited number of topics. Instances of organizing at the enterprise level in companies that are bound by a sectoral agreement exist, but they are rare.

The hybrid countries therefore sustain, to a different extent and in different forms, both the traditional structures of social bargaining and social partnership. From the unions’ perspective, centralization is considered on the range of necessity (Austria), desirable (Netherlands, Germany), and an important component of the general strategy (Israel).

2.2. Organizing under the umbrella of social partnership

The next sections describe the development of organizing practices in the four countries. At the outset it is important to point out the tension between the idea of recruitment and organizing and the institutions of social bargaining. In a sense, paradoxically, the stronger are the institutions of social bargaining, whether in the country as a whole (Austria and Netherlands) or in particular sectors (Germany and Israel), the more difficult it is to organize.

In some instances social bargaining is complemented by high levels of membership (some agreements in the auto industry in Germany), but often the institutions associated with social bargaining are isolated from membership rates – compulsory affiliation of employers (Austria), extension decrees (Netherlands) and sector-wide agreements (Germany and Israel). Employers associations in Germany are often times interested in learning about the rate of membership in the sector, as a proxy to the trade union’s power. In Israel the situation is even more acute, as social bargaining is sometimes conducted with the explicit understanding that the workers in the sector are rarely organized. Sometimes this is done because it is assumed that the sectors are hard to organize (security, cleaning), and sometimes it is done because the bargaining partners prefer to "bargain over the workers' heads", eliminating workers' active involvement and activism on purpose.\(^\text{22}\)

\(^{22}\) For example, the law on Class action suits prohibits filing a work-related class action suit when the employers is covered by a collective agreement; The law on Temporary Work Agencies
Organizing workers and recruiting new members to the trade union when a collective agreement exists, raises the question of why should workers join the union (and pay membership fees). Informants reported several problems that cut across the institutional differences in the four countries. First, unlike the Ghent system countries that provide a state sponsored incentive to join the union (e.g., unemployment insurance), it is difficult to reward members when a sector-side collective agreement exists. Members-only benefits in collective agreements are sometimes permitted to a very limited extent, and mostly discouraged. Individual benefits, unrelated to the collective agreement, the staple of the service-union model, are becoming less attractive. Markets for insurance plans or discount in retail stores, are currently more competitive as digital media makes comparisons possible and market forces create attractive options without the need for membership in a large union. Austria indicates the extreme form of this problem. Because workers have enterprise-based representation by a works council and a mandatory membership in the Labor Chamber, which offers inter-alia legal representation in labor disputes, there is little the trade union can offer as an individual benefit.

Second, when social bargaining secures the working conditions of workers in the sector, they are often ignorant of the trade union's benefit. They don't know what's the difference between statutory rights and collective negotiated rights. Where trade unions have a small footprint in the establishment that is covered by a sector-wide agreement, workers don't view the trade union as an address for filing grievances. The collective functioning of the union is far and removed from the workers. When collective bargaining is complemented by other institutions, such as works councils, the differentiation between the trade union and enterprise-based forms of representation is not clear to the workers.

GPA-djp, Officer: we conducted an internal survey where we asked workers if they know what is the source of the 14th salary – law, Kammer, Trade unions or works councils. Only a third realized it was the outcome of a collective agreement.

Thirdly, to the extent that the trade union can't offer individual benefits to offset what are essentially rational free-riding choices made by the workers, what remains is the attempt to talk about solidarity. Such arguments are most difficult when social bargaining is purposefully removed from workers' activism. But when the trade union does need workers to demonstrate support, arguments about solidarity are difficult to translate into membership. Social bargaining is removed from the sense of active participation and often alienated from the workers' daily experience.

2.3. The new organizing movement – transplanting decentralized systems into the template of social partnership

permits to derogate from the principle of equality between the temp workers and the “regular” works, if there is a branch-level agreement for temp work agencies (and indeed one exists for private sector placements since 2004).
Moving from the social to the decentralized component of hybrid regimes, recruitment and organizing of new members is a dominant characteristic. As demonstrated in the previous section, when the social component is strong, organizing new members is more difficult. Organizing by nature is centered at the workplace. There are no examples of general organizing in a sector, as opposed to concentrated efforts to organize in several firms in the same sector (see section 2.5, infra). The reasons are twofold: first, from an institutional perspective – the application of sector wide agreements is contingent on the affiliation of employers to the employers association, and not on the workers’ membership in the trade union. *Erga Omnes* practices, such as extension decrees, are similarly detached from membership. Second, organizing workers involves the creation of a community of interests. A “sector” is too broad and diffuse for community building. As noted, attempts to organize under the umbrella of collective agreements requires either to offer individual services or to attempt persuasion on the basis of the relatively abstract idea of solidarity and the public good. Transcending the separation between the loci of organizing and social bargaining remains to be a challenge, particularly as the notion of workplace is becoming irrelevant to a growing group of workers among the precariat.

The current generation of organizing efforts is different from more traditional methods of recruitment, which are still practiced. The latter include general advertising, provision of services that are given on the condition of membership (such as legal representation), efforts to recruit youth at entry level and apprenticeship status, social pressure in establishments where the union is strong, or active encouragement by works council members in places where the works council is dominated by the trade union. By contrast, “organizing” has become a term that designates a different method of membership recruitment. While there are variations between countries, between unions and even within unions, the general idea is that organizing involves the attempt of encouraging, empowering or leading grassroots association of workers at their workplace for the purpose of ultimately achieving a collective agreement, or at least other forms of formal collective representation.

Organizing attempts were launched in the different countries in different times. As a general pattern, the weaker social partnership is, the earlier are the attempts to organize as a way of filling for the decline in the strength of social bargaining. In Israel, where the disruption of the corporatist system was the most abrupt, the first attempts started with the removal of the Ghent system, *circa* 1995, but consistently failed and then gradually dissolved. In 2008 a second wave of organizing started, following the introduction of a small trade union whose mission was to promote democratic association, different from the social unionism of the past, with an emphasis of aiding workers to coalesce and negotiate enterprise-level agreements. Although it is a small union, its impact on the more established union, particularly the dominant trade union – the General Histadrut, was enormous. Within a short time all trade unions hopped on the bandwagon and started organizing with a much higher level of success. The source of inspiration for this wave of organizing was the practice of civil society in Israel (social rights NGOS, work centers and the like), and the desire to form an active and democratic system of interests representation.
In Germany, and then in the Netherlands, Organizing started between the late 1990s (German) to 2004 (Netherlands). Unlike Israel, civil society was not the role model for this development, and instead the two regimes looked at the United States (and to an extent – the UK and Australia) as a model. The SEIU’s success in organizing, and Ken Loach’s film “Bread and Roses”, were often mentioned as the compulsory texts for the origin of continental Europe organizing. In Germany initial efforts were reported in the mid 1990s. A few years later, a few leaders and innovators, some within the trade union movement and some outside it, started to develop the idea of Organizing in Germany. ORKA, a unique consultancy firm was established, working together with the trade unions on developing organizing campaigns. In 2004-5, approximately at the same time a large organizing drive of security workers in Hamburg takes place (with the aid of the American SEIU), a large conference advanced the idea of organizing to the professional labor community. Only a few years later the two larger trade unions – IG Metall and Verdi institutionalized organizing as an integral part of the unions’ methods, albeit in different ways that reflect differences in their organizational structures. Other unions only recently started to investigate the organizing option.

In the Netherlands, with a stronger foundation of social partnership, the interest in organizing was delayed for a few years, and appears around the time of the Hamburg security workers campaign. FNV Bondgenoten launched a campaign to organize cleaning workers, and was later aided by the European branch of Change to Win (CTW). CTW brought together representatives from large trade union around the world, to identify ways for trade unions’ revitalization. The organization has been influential in several organizing campaigns in the Netherlands by way of consultation, and networking within and outside the country.

Austria, with its strongest infrastructure of social partnership is the latest bloomer in the dialogue about organizing. Only after the 2006 collapse of the union dominated bank, did the dialogue on revitalization started to include debates on the virtues of organizing. Less systematic than in the other three countries here, attempts at organizing are budding by means of cooperation between innovators in the Labor Chamber and the major trade union Federation (both blue and white collar) and with the theoretical backing of academia. The external influence of American organizing specialists is more removed, and filtered through innovations in Germany. The German based OKRA and personal ties of Austrian unions with German organizers serve as the vehicle of transplantation. It is interesting to note that while debates in Germany ask whether it is appropriate to transplant American organizing practices into Germany, the Austrian informants described the debate as asking whether it is appropriate to transplant German organizing practices into Austria.

The strength of social partnership is not only a determinant of timing for commencing with organizing practices, it also affects their strategies. Emphasis on organizing towards enterprise bargaining is more possible in Israel and Germany than in Austria where sector level bargaining remains the only feasible
option. Co-optation of works councils is a more relevant strategy in Germany than in Netherlands and Austria where the independence of works councils from the trade union is greater. A problem of inter-union rivalry in organizing drives is more acute in Israel and the Netherlands, albeit in different forms. I elaborated on these institutional differences in a sister article.\textsuperscript{23} I would like to emphasize here the commonalities that distinguish organizing practices from social bargaining.

In its various forms, organizing is characterized by the trade union’s active engagement of workers at the establishment level. There are many “moving parts” to the praxis of organizing that are not the outcome of between-country differences, suggesting it is very diverse.

- In some instances it is initiated by the trade union after careful consideration of where organizing is likely to be more effective, and other times it is in response to the workers’ initiative.
- Asking workers to join to the union is done for a purpose: sometimes a clear purpose such as a threshold requirement of membership to render the union ‘representative’ in Israel. Other times the purpose is formulated in the process. For example, identifying with the workers a list of problems they have at the workplace and deciding together which will receive attention. Ultimately, the goal is to reach a collective agreement, with varied pan-ultimate goals such as the establishment of a works council.
- The union approaches workers, sometimes openly but often times secretly, at least at the initial stages. Subsequently, industrial action and strikes can be part of the process. The organizing process deploys a combination of bargaining, legal and media strategies. It addresses three crowds simultaneously – the workers themselves, the employer and the general public.
- Employers’ resistance is a reverse relationship to the level of social partnership. Hence it is strongest in Israel and the weakest (but existent) in Austria. The more organizing has to offer the workers, the more the employer is threatened by the organizing drive.

Despite these differences, organizing drives are characterized by concerns of empowerment and the building of an organic community. Organizing techniques therefore draw on active participation: diffusing information (three sided – between the workers; from the workers to the union, employers and public; and from the employer to the workers), deliberations, affecting interests (rather than merely aggregating them), creating commitment to joint action, and encouraging solidarity in the thick sense – lending mutual support at time of organizing and beyond (requiring more than merely institutional solidarity in the sense of a strike fund and the like).

\textit{< extract pieces from the case studies the informants described >}

While organizing campaigns have similar emphases the differences between countries, between sectors, work-sites and trade union policies, suggest that

\textsuperscript{23}Mundlak (2016)
transplanting the idea of organizing should be at the level of general goals and means, and not in the day-to-day technical practices of organizing. What emerges from the interviews is a tension between the need to routinize organizing drive so as to enable many trade union agents (officers, works councils members, informal leaders) to take part and deploy organizing methods, and the recognition that each and every organizing campaign is unique and requires careful consideration. There is a Hawthorne effect in leading organizing campaign, where the union succeeds in capturing the public’s otherwise dispersed attention. But as organizing becomes more routinized, seeking external support is more difficult. This tradeoff is crucial when assessing the success of organizing and poses yet another paradox. The more organizing spreads it can have a dual effect – raising attention to the possibility of organizing, but also running into blocking effects of routinization.

Organizing practices are demanding in terms of costs for the union, time requirements and commitment of the organizers, and most of all – of the time and sometimes the risk the workers are expected to bear. Organizing drives in hybrid countries face a dual challenge – the one that is characteristic to decentralized systems, namely – employers opposition, and at the same time, workers apathy, rational free-riding, and estrangement from idea of organic solidarity at work. The problem is accentuated because the remedy to the one problem may cancel the effects of the remedy to the other. What is the message that best works in organizing workers – active engagement, talk about solidarity and empowerment, or the guarantee that "We (the union) will improve your working conditions"? Some of the ’professional’ organizers insist on the solidarity approach, while others prefer a more pragmatic approach that traces what the workers want most.

IG Metall (officer): There are debates within the union about whether there should be investment in new members. New recruits are considered very expensive members.

FNV Bondgenoten (Officer): when the workers ask "what is in it for me" we can explain that they get legal insurance that is cheaper and better than what they would get in the free market. Unions can also help with things like career planning and advice. And then there is the collective argument – you will be able to have in put into the union’s policy at times of negotiations. We also talk about role in the ‘Polder Model’. Collective claims are much more important, but some prefer the promise of individual gains that can sometimes bring more members and keep them over time. Solidarity claims don’t keep the workers as members over time, after negotiations. We are not very successful with these kinds of messages.

The basic paradox persists as we seek to assess the outcomes of the new organizing drives. When processing the numbers, it seems that organizing carries limited membership gains. Several campaigns succeeded in recruiting a large number of workers. FNV Bondgenoten report such gains in the security sector in
the Netherlands; some large establishments in Israel (with approximately 2000 employees per organization marking the largest organizing drives, but with membership rates ranging from 33%-50% of the total workforce in the enterprise). More common are responses that mention organizing of several hundred workers as a result of years-long campaign. Sometimes the gain of new membership in the enterprise is just enough to even out membership losses. In terms of macro-data, unverified data reported by some of the large unions, such as the IG Metall and ver.di, suggests a halt in the decline of membership rates. In Israel, a survey that was conducted in 2012, a few years after organizing campaigns started found that the decline in membership continued despite organizing success. Much, but not all, of the loss in membership was due to the aging of members.

The following section will discuss the significance of ‘numbers politics’. However, as a conclusion of this section it is possible to suggest the persistent paradox of organizing and its potential for undermining forms of social partnership. At the extremes, Israeli organizers succeeded in the shadow of declining partnership, while in Austria the strength of social corporatist institutions muddle the success of organizing attempts. The reason I designate this as a paradox is that more success in organizing, gradually tilts the industrial relations system towards the decentralized model, with greater inequality (due to the absence of macro-social coordination), lower levels of coverage (due to the shift to the establishment level), and ultimately – lower levels of membership. Conversely, a stronger sense of social partnership is correlated with lower inequality and higher rates of coverage, but with little recourse to correcting the legitimacy gap (due to the alienation between the workers and their union).

2.4. the conflict between traditional social partnership and aspirations for renewed social bargaining and the new forms of organizing

The evidence accumulates and demonstrates that there is a persistent problem, which re-appears throughout the informants’ reports on new organizing methods in hybrid systems. The growing legitimacy gap between coverage rates and membership rates requires the recruitment of new members. However, the stronger social partnership remains, the more difficult it is to organize and bridge the two faces of association. Organizing gets better results when there are clear objectives and a significant lack of workers’ voice. However, organizing brings conflict, local activism, employers’ resistance and a growing inequality among the workers. It would seem that the conclusion should simply be “organizing: you can’t do without it but you can’t do with it either”.

Unlike the stylized framing of the conflict that appears here, in practice it would be better to treat the problem as a matter of ongoing tensions, rather than a dichotomous choice. In this section I would like to demonstrate the appearances of the tension, and in the following section – to identify methods that were attempted to bridge the two forms of association.
The tension is very much alive in the debates within and between trade unions. Given that the study is based on interviews with organizing staff in trade unions and the trade unions’ friends and colleagues, I assume that the tensions that surfaced in the interviews are merely a diminutive form of the problem. Interviews with employers and states would reflect on an even greater objection to the growing practice of organizing.

The debates within the labor camp can be split into two major concerns: (a) cost/benefit concerns, and (b) the potential for undermining social partnership.

With regard to the former, trade unions are acutely aware of the need to raise their membership. To the extent that the concern is about the disappearing sources of income, then organizing may not bring enough new paying members. Moreover, when the monetary benefits are weighed against the costs of organizing, the economic calculation seems even more worrying. The costs of organizing are weighed against alternatives, such as recruitment in brownfield sites where there is a collective agreement in place, or strategies that are associated with service unionism.

An acute version of the dilemma can be observed in Israel, where the major trade union emphasized for years sector-wide agreements. These agreements include the requirement to pay agency fees by the workers who are covered. Although the agency fees are smaller than membership dues, the difference (usually around 0.2%) is offset by the fact that sector agreements do not require the trade union to demonstrate significant membership rates and can therefore be concluded by reaching an agreement with the employers “over the head” of the workers. There were episodes where such agreements were strongly tainted as sweetheart agreements to the disadvantage of the workers. Moreover, the law makes any attempt to challenge such agreements very difficult, showing a strong preference to the superiority of the collectively negotiated norm over individual and group challenges to collective agreements. In this, the law aided the trade unions in securing a system that is autonomous from the actual preferences of workers, the staple of the enterprise-bargaining model. The option of bargaining over the workers heads is one strategy that threaten the ongoing legitimacy of social bargaining.

The institutional infrastructure in other countries makes the dilemma more of an intra-organizational manner. There are “camps” within trade unions, whereby some who endorse organizing as necessary, while others view it as an extraordinary effort with limited outcomes. Those who endorse organizing resist the cost/benefit calculation. There are several distinct, yet related, claims they make.

Journalist (DE) [47]: Organizing should not be seen a way of gaining new members. There are more efficient ways to get new members because organizing is very costly. It is about activism.

The informants present a range of views: organizing is intended to change the image of unions and the results, in terms of membership, will appear years later;
organizing seeks to bring in active members, whose organizational commitment and power will eventually bring more members; organizing is not about increasing membership at all and it would be wrong to measure its success in terms of new members gained. While the former views suggest that membership will increase over time, the latter view gives up on the goal of increasing membership altogether. Closing the legitimacy gap should therefore not rely on increasing any kind of membership. The focus instead should be on a renewed image of what unions do and their role in society. However, I did not receive a response that succeeded to articulate a programmatic explanation on the sustainability of trade unions without membership.

A different kind of objection to organizing within labor’s camp is that organizing workers at the enterprise level, drawing on American organizing strategies, weakens the benefits of the centralized system and its foundations of partnership. While the first argument claimed that organizing might not deliver the goods (increase membership), the second claim suggests it may be too influential.

Ver.di (organizer): In the early 2000s there was an objection to the development of American strategies, deeming them foreign to German ethos of industrial relations. Some officials in the union still hate us because we are viewed as troublemakers.

IGBCE: The approach to which we object is one that the union makes a big conflict, make people believe that they are in a fight and that they need to choose the union to be on their side. ... We prefer a quieter approach, try not to inflate the conflict, keep it small, and keep the process sustainable over time. So we look for "social partnership". Some treat as almost as a "yellow union" but we prefer talking and avoiding conflict if possible. ... There is a split within the union. The older members say that the IG Metall is making too much noise. On the other hand, the younger group actually views the IG Metall as a model to follow.

Austria – Metal, Chemical, Agricultural Food industries, officer: I don’t think Austrian unions should focus on the enterprise basis. That is the role of works councils. If we do enterprise-based work we lose our pressure at the branch and national levels. This will lead to decentralization of collective agreements.

The debate over the desirable level of conflict is perhaps one of the more animating forces within the trade unions. It is sometimes presented as old-style/new-style (and a generational) conflict. Other times it is a matter of different departments and officials within the trade union. Some unions are concerned that organizing at the shop floor can increase the legitimacy accorded to the union by the workers, at the expense of the legitimacy accorded to the union by the employers. Hence, where sector-bargaining and social partnership are strong the trade unions are worried about the losses they may incur, even if membership rates improve. Where the option of social bargaining becomes remote, there is less for the trade union to lose. However, the feasibility of social
bargaining is not an exogenous factor, but one that can be dissuaded by the growth of conflict-ridden organizing.

2.5. "We create spots from which we shine to others" – bridging the two forms of association

Is it possible to bridge the two forms of association and bargaining, or are they intrinsically in tension one with the other? The evidence demonstrates that much of the debate among those who discuss the strategies of revitalization in hybrid regimes is either framed in a compromising manner or in an "either/or" format. The former is characterized by statements such "we try pragmatically whatever works" or "a bit of this and a bit of that". My impression is that such statements often seek to conceal the underlying conflict. The latter response is presented as a matter of deep ideological controversy that must be settled. In between eclectic pragmatism and ideological crusades, there are instances of institutional innovation that try to bridge the two faces of association, without choosing one over the other or merely settling for whatever comes by. I will demonstrate four strategies, one from each of the countries studied, although some of them are applicable to more than one.

*In Germany* – the Pforzheim mechanism was developed in the metal industry in 2004 to allow agreements at the establishment level that derogate from the sector agreement.\(^{24}\) According to the agreement, if the company argues undue economic hardship it must open its books to experts and suggest alternative ideas. Some viewed the agreement as the end of coordinated bargaining. But in instances where a process of enterprise agreements are negotiated, the IG Metall tried to use the process to strengthen their connection with the workers, and increase the union’s legitimacy. This is particularly important if the workers are concerned that the trade union is acting in the name of some social good that is removed from their immediate interests.

**IG Metall (officer):** We try to involve the workers in the process. This is new for us and only developed in the last few years. Workers may experience a decline in rights, but if people are involved they understand the union is trying to save their work. People need to understand what is happening. There is a tension between being attractive to the employer and to the workers. But workers are realistic, particularly when the employer threatens to relocate. To obtain such agreement from the workers we need a strong membership. You can only do this in companies where the trade union is strong.

*Netherlands*: To integrate the activism associated with organizing at the company level with negotiations for the sector as a whole, which are taking place in a removed arena, a semi-formal arrangement of representation was established. The objective is to voice the concerns of the workers, ensure that they are heard, and to engage the workers in the negotiations that take place "over their head".

\(^{24}\) Hans-Jürgen Urban
FNV Bondgenoten (officer and organizer): one of the goals of the campaign in the cleaning sector is that the workers will feel that the collective agreement is their collective agreement; that the agreement is that of the people. For example, with regard to payment during illness days. The cleaning sector was one of the main sectors that workers didn’t get illness pay in the first two days.

You mobilize them, you meet them in the organizing committee, and from there you send a message to others. Some of the issues in the local agreements are moved to the level of the sector collective agreement. While the agreement is at the sector level, we try to keep negotiations close to the people. The local leaders know how negotiations take place. The negotiators have to bring information to the leadership of the cleaning groups. We established a Parliament of workers who are elected by the workers. The ‘parliament’ includes people from local organizing committees. A “government” is chosen from the parliament, and then there is a president-elect who is involved in the negotiations themselves.

FNV Abvakabo (organizer): we asked to have nurses sit in the negotiation team (for the state-wide agreement). There were objections. But we built a group of nurses with which we consult (klunk boards). When we have an agreement we always go back to the members and ask their opinion. Sometimes there is a heated discussion. I think we that if we can explain and justify why we chose one option over another than our members will understand. .. But there are always radicals in the field. Sometimes I have to go to my supervisors and report their concerns, other times I have to engage in difficult conversations.

Austria: The challenge facing the Austrian unions is the most difficult because of the comprehensive coverage of collective agreements, and the aid given to workers by the Labor Chamber. To increase the commitment of the workers to the trade unions, they are trying to develop points of contact between the workers and the union. They negotiate benefits for which the workers need the union to claim. Moreover, they are considering methods to create a mutual support network that is partially under the union’s control, but also removed from it.

Metal, Textile and Food Trades Union (Officer, advisor): What we try, for example, with regard to agency work, where membership rates are low, is to establish a grassroots movement for agency workers. The grassroots organization would be a form of an NGO – we encourage a form of self-organization... this way we create a network of people who are associated with the union, and they can decide later whether they want to join the union or not. So this is a long-term strategy and not a targeted campaign to making people become members.

We also negotiate for benefits that even if they are granted to everyone, will give the union a chance to meet the workers. For example – we negotiated a fund at the end of employment for agency workers (approx.
200 Euros)– giving the union an opportunity to meet the worker at this important junction.\textsuperscript{25} This has been in place for the last 9 months (2014).

Israel: while in Israel there is a persistent separation between enterprise bargaining for some sectors and coordinated bargaining for others, the new organizing movement is focused on private sector establishment, mostly outside the coverage of sector-wide bargaining. However, there are currently attempts to consider the coordination of agreements signed in the same sector.

The youth branch of the General Histadrut: we realize the weakness of bargaining in separate establishments, particularly those that employ youth. We started focusing on the fast food chains, with the hope that a few successful organizing drives will give use leverage to attempt sector-wide bargaining. We are currently struggling with McDonalds, the largest employer in the sector, with a strong anti-union stand. If we succeed in McDonalds and several other large employers, we may succeed in moving from grassroots organizing to sector-wide bargaining.

The attempt to converge sector wide bargaining with grassroots organizing resonates well with one of the statements conveyed by a German organizer:

Ver.di (organizer): There is an expectation that flagship organizing will change the image of the unions. This will make a change in the future. \textbf{We create spots from which we shine to others.}

The examples therefore demonstrate two complementary direction of bridging the gap: inserting concerns with identity, activism and democracy into structures of social partnership, and seeking to “connect the spots” of local activism into renewed forms of social bargaining.

3. \textbf{CONCLUSION}

FNV Bondgenoten, Metal sector (officer): There are practical attempts to de-legitimize the unions. It’s not just about the numbers, but also about the diversity of union membership – turning to all the populations. It is important for us to have greater representation. It is a matter of asking ourselves how legitimate we are?

The findings on recruitment and organizing practices in the four hybrid regimes allow us to revisit the two hypotheses that were set in the first section. The first, designated as optimistic, suggested that hybrid systems present a diverse toolbox for trade unions’ revitalization. The second, designated as pessimistic, suggested an intrinsic tension in the meeting of the two logics of association.

The findings were repeatedly described as a sort of paradox. The stronger the idea and practice of social partnership and social bargaining, the more difficult it is to increase membership. However, the declining membership rates cast a

\textsuperscript{25} (\url{http://www.eurofound.europa.eu/eiro/2012/10/articles/at1210021i.htm})
shadow over the legitimacy of social partnership over time. By contrast, where social partnership is weakening, there is more leeway for innovative organizing methods. As local organizing improves it brings the advantages, sometimes in terms of numbers, and more often in terms of a true identification of members with the trade union (not obvious for systems with a tradition of social bargaining). At the same time, such processes are susceptible to the effects of decentralized bargaining, with even lower rates of membership, higher levels of inequality, and increasing dualism in the labor market.

The assumption that it is possible to transplant organizing practices from the Unites States without losing the virtues of social bargaining should be questioned. At the same time, the assumption that social partnership is sustainable despite the absence of membership is questionable. Admittedly, France has a long tradition of proving that collective bargaining *sin* members is a feasible option, although it is not clear whether this is not merely an instance of French exceptionalism; and one that is under pressure in France as well.

While initial attempts of organizing, with their vision of replicating "Bread and Roses" activism were met with resistance both inside the trade unions and among the workers, there is a growing interest in identifying ways to bridge the forms of association. It seems to me that the ‘solution’ to the legitimacy gap cannot be found in hyper-transplantation of decentralized systems, but also not in resistance to organizing at the local level. Complex solutions that bridge the social and the enterprise levels are needed to re-legitimize the system. As was demonstrated, the problem is that such solutions are difficult to routinize and replicate. They suffer from a dissociative identity disorder of labor’s two forms of association. Yet they are also the fountain of creativity and innovation.