

THE ACCORD: CORPORATISM VISITS AUSTRALIA

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The various Accords negotiated between the ALP and ACTU were associated with an increasing decentralisation of Australian industrial relations as Australia sought to overcome a series of domestic and international economic problems. The trajectory of the Accord is consistent with the corporatist writings of Panitch. The Accord process involved the ACTU in adopting an increasing pro-business rhetoric, which produced a negative reaction of rank and file members and a subsequent weakening of unionism.

INTRODUCTION

The Australian Labor Party (ALP) was in power at the Commonwealth level for thirteen years from March 1983 to March 1996. An important feature of its period of office was a series of agreements, or Accords, which it negotiated with the Australian Council of Trade Unions (ACTU). In conjunction with other arms of economic policy successive Labor governments used their 'special' relationship with the ACTU to negotiate deals concerning wages, the labour market and industrial relations regulation in responding to various problems of the Australian economy.

The Accord, or Accords (there were eight in all) have been seen as constituting an Australian experiment with (neo-) corporatism. Panitch (1977, p.66) has defined corporatism as 'a political structure within advanced capitalism which integrates organized socioeconomic producer groups through a system of representation and cooperative mutual interaction at the leadership level and of mobilization and social control at the mass level'. Panitch adopts what might be called a 'pessimistic' or Michelian (Michels, 1959) view of corporatism. That is the leadership of the union movement finds that gaining access to the corridors of power involves them trading-off concessions for members and the adoption of an increasing pro-business rhetoric, which, in turn, produces a negative reaction, if not alienation, of rank and file members.

This paper is concerned with testing whether or not the Accord is consistent with Panitch's insights on corporatism. It will begin with a brief presentation of Panitch's views on corporatism. The next section will examine Australian industrial relations during the Accord

years in testing the usefulness of Panitch's writings. A conclusion will draw together the major themes of the paper.

PANITCH'S LIFE CYCLE THEORY OF CORPORATISM

In the second half of the 1970s and continuing into the 1980s Panitch published a series of works on corporatism (Panitch 1976, 1977, 1980, 1981, 1986).¹ These writings were mainly based on post World War II developments in Western Europe, with particular emphasis on the British experience. While his account of such developments examines a range of thematic and conceptual issues he did not develop a formal theory of corporatism as such. This section will tease out such a theory from his writings. In undertaking this task it will be useful to offer some additions or extensions to his work. The elements of Panitch's life cycle theory of corporatism are as follows:

1. The rationale or need for corporatism;
2. Conditions for the establishment of corporatism;
3. Incorporation of union leaders;
4. The *real* role of union leadership in corporatism;
5. Reactions by the rank and file;
6. Instability of corporatism; and
7. Neo-liberal responses.

Corporatist structures develop in response to problems associated with the management of the macroeconomy. In the 1950s and 1960s corporatism was advocated as a means to ensure full employment, a goal to which most Western societies/governments were committed, consistent with price stability and external, or international, balance. In the 1970s and 1980s corporatism was championed on the basis of its ability to cure stagflation, or as Panitch (1981, p.36) says, 'even more difficult, on the grounds that it would prevent the situation from getting worse'. The 'frontispiece of corporatist developments' (Panitch, 1977, p.74) is abating the demands, or reducing the levels of concessions provided to unions and/or workers.²

Panitch sees social democracy and a centralised union movement as the major pre-conditions for the establishment of corporatism. Social democracy refers to Labor type parties and reformist, rather than radical, union movements-organisations, if you like, which are

1 For a critique of Panitch see Booth (1982).

2 The words after the comma are my addition, not Panitch's.

concerned with civilising capitalism. Panitch (1980, p.173) maintains that for corporatism to operate there should be 'a linkage between the state and functional groups...in public policy making', and 'an element of state control over the groups whereby their autonomy is limited and they are employed as agencies of mobilization or administration for state policy', Panitch tends to equate the 'state' with 'government'. By using the term more generically to include industrial tribunals his insights can be more easily applied to the Australian case. The importance of centralisation is that it makes it easier for the leaders of union federations to involve, commit or deliver the union movement in corporatist arrangements. Panitch (1977, p.82) adds 'It is mainly those union leaderships which are highly insulated from membership pressures at the plant level which can maintain participation in corporatist arrangements for any considerable period of time'.

Union leaders are enticed into a corporatist embrace by social democratic governments providing them with access to decision making processes. Panitch (1977, p.78) argues that

'the establishment of a wage norm inevitably involves the unions in discussions of what fiscal, monetary, and even private and public investment policies are consistent with the norm. With a social democratic party in office, the pursuit of union influence on decision-making and of state control over profits and prices and the distribution of income becomes a tempting inducement to union co-operation in wage restraint'.

What is interesting to note here is the absence of a similar degree of incorporation of employer/business/capital interests. There are two reasons for this. First, such interests are less cohesive than those of unions and there is less of a need or reason to incorporate them into corporatist structures. Second, and more importantly, the state acts as an agent on behalf of the collective needs of employers/business/capital. Panitch (1980, p.175) maintains that 'the state's role...is independently determined by its need to promote economic growth within the context of facilitating capital accumulation'.

Having accepted the corporatist bait union leaders find 'there is generally a marked imbalance between [their] representational ineffectiveness in terms of policy output...and their effective legitimization of state policy' (Panitch, 1980, p.175). According to Panitch the real function of union leaders under corporatism is to accommodate themselves to policies presented by government, and to proselytise said policies to their constituents. On the basis of the British adventure with corporatism Panitch (1977, p.80) concluded that 'government policies were repeatedly formed either without first securing the advice of unions, or after having explicitly rejected their advice. It was not their advice, but their acquiescence and

approval which were studiously courted, usually after policy decisions were reached'. In speaking more generally Panitch (1977, p.81) has said corporatism is dependent on 'participants speaking the same language as management...Indeed one of corporatism's main functions appears to be a matter of diffusing this language among the union leadership, who have often been willing apprentices'.

The acceptance by union leaders of the need for wage restraint and the granting of other concessions produces a negative reaction from rank and file members. Writing in the glow of corporatism's golden age Panitch (1977, p.82) observed that 'union leaders eventually come under heavy pressure from their membership to withdraw from the incomes policy structure and abstain from cooperative behaviour in broader economic planning structures'. To the extent that union federations are able to insulate themselves from rank and file pressures (see above) such negative reactions may take on an alternative form. It might be instructive to apply an exit-voice model to unionism. Members (and potential members) who feel that unions, and/or their leaders, do not provide them with a voice for their wage and workplace grievances will decide to exit (or not join) unions. With this second scenario there would be a turning away of workers from unions, as reflected in union density rates.

Because of tensions between union federations and the rank and file corporatist structures are inherently unstable. Panitch (1977, p.82) notes that during periods of full employment rank and file members will make use of unofficial strikes to secure wage increases over and above agreed norms. In such situations there will be 'attempt[s] to require and back by state sanctions union discipline over the rank and file' (Panitch, 1980, p.175). It may be possible to identify a second type of corporatist instability. Such a situation could involve a long-term social democratic government grappling with seemingly intractable economic problems. Pressure would be placed by employer/business/capital interests and the social democratic government on union leaders to provide additional concessions, both substantive and procedural, to enhance prospects for economic recovery. Under this scenario there would be continual rejigging and renegotiation of corporatist arrangements.

In a 1986 publication Panitch observed a marked change in the attitude of employers/business/capital to corporatism. In earlier periods, characterised more or less by full employment, they tended to 'stand aloof' (Bell, 1992, p.196) from such pressures. With the advent of stagflation in the 1970s and 1980s there has been 'a sharp new "employer offensive" against the increased costs' of corporatist arrangements (Panitch, 1986, p.48). Panitch's earlier writings (1976, p.246; 1981, p.42) hinted at attempts to destroy unions and/or attacks on freedom of association. In the more internationally competitive environment of recent years corporatist structures and unions have found themselves coming under increasing attack. In an

ultimate irony for unions, who have involved themselves in corporatist arrangements - arrangements which have been used to tame and rob them of their vitality - find that their very destruction is now demanded in the never-ending quest for economic salvation.

TESTING THE THEORY³

Table One provides information on the performance of the Australian economy for the period 1982-83 to 1995-96. The Misery, or Okun, index adds unemployment and inflation levels; while the Alternative index adds the unemployment rate to the current account deficit as a percentage of gross domestic product. The Table shows that during the Accord years the economy has been subject to continuing strain. Improvements in the Misery index, which are mainly due to declining inflation in the 1990s, have been counterbalanced by increases in the Alternative index resulting from continuing or worsening international economic problems.

The original Accord, or Accord Mark I, was negotiated prior to the March 1983 federal election. Consistent with Panitch it was heralded as providing the best prospect for solving the problems of a stagflationary economy (see Table One) and reducing levels of industrial conflict. Subsequent Accords were developed to alleviate international economic problems, improve the ability of Australian firms to compete on international markets and reduce persistent and high levels of unemployment.

A social democratic government in the form of the ALP and a reformist union movement under the leadership of the ACTU, to whom the overwhelming majority of unions (and unionists) are affiliated, is consistent with Panitch's pre-conditions for the establishment of corporatism. The two organisations saw their primary function as providing ways and means to overcome the problems of Australian capitalism. Moreover, the ACTU could use its access to the Labor government, and various ministers, to reward affiliates with 'small favours' in securing their endorsement of the 'big picture' goals of various incarnations of the Accord. Or alternatively, the ALP could impress on the ACTU - and through the ACTU on affiliates - how important it was to follow the dictates of various Accords because of the unpalatable alternatives which would follow from the election of the Liberal and National parties coalition.

Equally, if not more, important for the establishment of corporatism was the existence and attitude of the (then) Australian Conciliation and Arbitration Commission. Given the traditional protection afforded to the Commission under Section 51, paragraph XXXV of the Australian Constitution - the Commonwealth government lacking a direct industrial relations power in the

³ Many of the issues discussed in this section have been examined in greater detail in Dabscheck (1989, 1995).

Table 1
Levels of Economic Performance in Australia: 1982-83 to 1995-96

Year	Unemployment Rate	Price Inflation	Current Account Deficit as % of Gross Domestic Product	Misery Index	Alternative Index
1982-83	8.9	11.5	3.9	20.4	12.8
1983-84	9.5	7.9	3.9	17.4	13.4
1984-85	8.5	5.8	5.0	14.3	13.5
1985-86	7.9	8.4	6.1	16.3	14.0
1986-87	8.3	9.3	4.7	17.6	13.0
1987-88	7.8	7.3	3.8	15.1	11.6
1988-89	6.6	7.3	5.4	13.9	12.0
1989-90	6.2	8.0	6.0	14.2	12.2
1990-91	8.4	5.3	4.3	13.7	12.7
1991-92	10.4	1.9	3.2	12.3	13.6
1992-93	10.9	1.0	3.7	12.9	14.6
1993-94	10.5	1.8	3.9	12.3	14.4
1994-95	8.9	3.2	6.1	12.1	15.0
1995-96	8.8	3.1	4.2	11.9	13.0

Source : Department of the Treasury, *Economic Round Up*, AGPS, Canberra, various issues; Australian Bureau of Statistics, *Monthly Summary of Statistics, Australia*, Cat. No. 1304. 0.

private sector and being 'forced' to delegate such powers to an industrial tribunal - the wages side of the Accord could not have been implemented without endorsement by the Commission. A reading of decisions of the Commission in the second half of the 1970s and early 1980s reveals that it believed a policy of industrial relations regulation based on wage indexation provided the best means to overcome Australia's various economic and industrial relations problems. The major skill of the ALP and ACTU in constructing the Accord Mark I around wage indexation was it enabled them, particularly the ALP, to gain political kudos for a wages policy that the Commission was desirous of (re) introducing⁴ - a power bestowed on it by the Constitution.

High Court decisions at the time of the Accord Mark I opened up the 'corporations' and 'external affairs' powers of the Constitution, which provided the Commonwealth government with the ability to directly legislate on industrial relations matters in the private sector. In the early 1990s such powers were utilised to downgrade, or bypass, the (now) Australian Industrial Relations Commission who cautioned against introducing enterprise bargaining, which the

4 The Commission had earlier operated a system of wage indexation in the period 1975 to 1981.

Accord partners (and others) embraced as a solution to the perennial problems of the Australian economy.

The Accord Mark I committed an incoming Labor government to a comprehensive incomes policy and a wide range of social, welfare and related policies. Consistent with Panitch the prospect of having access to government ministers and decision making processes proved too powerful a bait to resist for the leadership of the union movement. Despite the Accord's championing of a comprehensive incomes policy, the Labor party never gave any serious thought to interfering with non-wage incomes. To the extent that there were complaints from the union world about falls in real wages, the inequity of controls on wages but not other incomes, or increases in profits, the salaries of business executives, professional groups, politicians, judges and senior public servants a leading government spokesperson would 'play a game of pretend'. Statements and reassuring speeches would be made, with the appearance of steely purpose, about the need to develop new policies and take appropriate corrective action. The only major example of where the ALP initiated action, in response to ACTU pressures, was to reduce the extent of salary increases for members of the Australian Industrial Relations Commission, following ACTU disquiet concerning some of its decisions. Moreover, notwithstanding industry policies (restructuring programs) pursued in such areas as steel, motor vehicles, heavy engineering and textiles, clothing and footwear (Ewer, Higgins and Stevens, 1987; Capling and Galligan, 1992; Bell, 1993) the ALP never saw itself in the business of controlling or directing investment flows. Such policies would antagonise the business community, upon whom economic growth and recovery were seen to be so dependent.

Subsequent agreements negotiated between the Accord partners involved wage-tax trade-offs (in addition to other matters). Such deals had two side effects which are worthy of note. First, the tax cuts agreed to flowed to unionist and non-unionist alike (including non-wage income earners who initially received the 'lion's share' of such cuts), thereby creating a substantial free-rider problem. Second, tax cuts placed pressure on governments to reduce services and/or cut back the size of the public sector and the employment of public servants. Such workers have higher rates of unionisation than private sector employees. In 1986, for example, the rates of unionisation for public and private sector employees were 71 and 38 per cent respectively (ABS, Cat. No. 6325.0), and by 1995 56 and 25 per cent (ABS, Product No. 6310.0.40.001).

On Bastille Day 1994 former prominent federal ALP minister John Dawkins, who had retired in the previous February, delivered a speech to The Centre For Corporate Affairs where he reminisced on the nature of the relationship between business and government during the ALP's period of office. In the speech he said

- following the 1983 election, a pro-business agenda was taken up by the Government and pursued with vigour;
- this was done in the context of reforms necessary to strengthen the national economy rather than acknowledging the origins of the policies, some of which came from business organisation; and
- that in a few years after the 1983 election the ACTU was converted to the central elements of this pro-business agenda and through its enhanced central power was to engage the entire union movement in support' (Dawkins, 1994, p.8).

He also said that while it was important to have the business community 'as part of the cheer squad, it was useful for other reasons' for it not to be 'identified as author of the policies and sometimes to appear as a critic of the government's performance...In other words it suited the government to have [business] endorsement...when it needed it, but to be able to create some distance on other occasions' (Dawkins, 1994, pp.4-5). In words which could have been penned by Panitch he said 'unions in many cases were so firmly part of the reform team that occasional dissidents were overwhelmed by the majority who, if not total converts, were at least acquiescent fellow travellers' (Dawkins, 1994, p.7).

The Accord Mark I, as were all of the Accords, was committed to enhancing economic growth. The major concession it offered to unions/workers was wage indexation. Edwards (1996, p.176) points out the ALP and ACTU 'without drawing attention to it' delayed the processing of its implementation in 1983. In fact the Accord years can be best viewed as being characterised as one in which the ALP employed a strategy of promise, promise, delay, delay. In 1986 in the midst of worsening external economic balance, and following Treasurer Paul Keating's famous 'banana republic' statement, it was reported that 'senior ACTU officials had been privately arguing the need for a major overhaul in thinking about methods of wage fixing and union attitudes to wages in the new and harsher environment brought on, in part, by the floating of the currency' (AFR, 29 May 1986). In 1987 the ACTU and Department of Trade, whose minister at the time was John Dawkins, issued a joint publication entitled *Australia Reconstructed*. Amongst other things it advocated the need to enhance productivity and efficiency, the development of a wage norm based on productivity in the export sector, and countenanced fines for and limits on the right to strike. In the latter part of the 1980s, the ACTU with its support for the two-tier system, award restructuring and the structural efficiency principle continually stressed the need for productivity enhancement. Consistent with Panitch the lexicon they used seemed barely distinguishable from that of employers and the business

community.

In interviews with the *Australian Financial Review* on 6 and 7 September 1990 ACTU Secretary Bill Kelty said 'The first thing [that needs to be done] is to get the economy right...I think it must be recognised that a country has to change to adapt to the market and it is no use pretending, whether it is unions, employers or business, that the rest of [the] world is going to let us do precisely what we want to do'. In the context of discussing plans to rationalise the union movement by a program of union amalgamation he said 'If there's a great critic of union reform in this country, it's me. I am probably the greatest critic of our inability to change' (AFR, 6 Sept 1990; 7 Sept 1990).

Kelty was the most vehement critic of the Australian Industrial Relations Commission's enterprise bargaining decision in April 1991 (AIRC, NWC, April 1991). The Commission wanted the parties to consider various issues raised in its decision, including problems of workers with limited bargaining power, such as women, in a future national wage case before agreeing to introduce a system, or systems, of enterprise bargaining. Kelty referred to the decision as a 'rotten egg', 'vomit', wickedly unfair' and compared Commission President Barry Madden to Fidel Castro (Australian, 20 April 1991; AFR, 24 April 1991). The ACTU 'dragged the chain' in the first safety net increase following the 1993 federal election, per an undertaking given to the ALP (Edwards, 1996, p.472); a policy adhered to despite opposition from affiliates. A major part of the ACTU's program of union rationalisation was to reduce the number of unions in each industry or enterprise by designating the status of unions as 'principal', 'significant', or 'other'. Such reorganisation not only served to distract unions and scarce resources away from external relationships but also provided the ACTU with a means to control the affairs of affiliates.

There is hardly any evidence of rank and file workers making use of unofficial strikes and campaigning for wage and other concessions outside norms established by various Accords. Pressure has not been placed on union leaders by the rank and file to withdraw from Accord/corporatist arrangements as envisaged by Panitch. Other than for some criticisms by left-wing unions in the lead-up to the Accord Mark V, disaffiliation from the ACTU by the Transport Workers Union, criticisms from various unions concerning the program of union rationalisation, and from the New South Wales Labor Council concerning this strategy and the adoption of enterprise bargaining, one of the more interesting features of the Accord years is the extent to which the ACTU was able to maintain hegemony over its affiliates⁵.

5 In the mid 1980s the Builders Labourers Federation was deregistered over alleged 'corruption' charges, with deregistration 'sanctioned' by the ACTU. At the end of the decade the ACTU watched from the sidelines as the ALP crushed the non-affiliated Australian Federation of Air Pilots in a dispute over its claim for a 30 per cent wage increase.

Rather, the behaviour of the rank and file is consistent with the application of an exit-voice model to unionism (see above). A 1989 survey conducted by Australian National Opinion Polls reported that 'Many union members fear that the union hierarchy, particularly the ACTU leadership, has lost touch with the ordinary concerns of ordinary workers' (SMH, 1 April 1989). A survey conducted by the New South Wales Labor Council in early 1996, following Labor's defeat in the March federal election, found that 57 per cent of the workforce believed unions had not effectively looked after their interests (Labor Council of NSW, 1996, p.2).

During the Accord years there has been a substantial fall in the level of unionisation, per two measures devised by the Australian Bureau of Statistics. Information provided by unions indicates that between 1982 and 1995 the percentage of the workforce unionised declined from 57 to 40 per cent, total, and 35 per cent financial, members (ABS, Cat. No. 6323.0 ; Product No. 6323.0.40.001). Data based on a survey of employees shows that for the same period the decline was from 49 to 32.7 per cent (ABS, Cat. No. 6325.0 ; Product No. 6310.0.40.001).

Economists have argued that declines in union membership are linked to the Accord. Kenyon and Lewis (1992, p.341) have stated 'It is clear that many workers perceive the benefits of union membership to be lower under the Accord...Union membership has made little difference to the wage increases received by many workers and the support given to the Accord by the union leadership has no doubt been perceived as being actually against the interests of [unionists]'. They also said 'Wage claims are often the stimulus for recruitment of union members...reduced disputation and reduced wages have somewhat blunted the enthusiasm of traditional militants'. Moreover, they surmise that employer resistance may have been enhanced 'given the perception of a more compliant union movement'. Bodman (1976) also argues that the Accord has had a negative impact on union membership levels. He found that cuts in real wages under the Accord, particularly after the two-tiered system of the Accord Mark III in 1987, and union amalgamation have impacted negatively on union membership levels.

Continuing domestic and international economic problems (see Table 1), coupled with pressure from employers/business/capital (Dabscheck 1989, 1995; Bell 1992; Sheldon and Thornthwaite 1993; Mathews 1994; O'Brien 1994; Thornthwaite and Sheldon 1996) have been the major source of change, or instability, in the Accord, rather than tensions between union leaders and rank and file members. The Accord Mark I enshrined a centralised industrial relations system based on wage indexation. International economic problems in 1985 resulted in the abandonment of the indexation assumptions contained in the Accord, while preserving centralisation. The September 1986 Work Practices Summit, chaired by Labor government ministers with representatives from the ACTU, Confederation of Australian Industry and

Business Council of Australia (BCA) endorsed a move to more flexible, productive and efficient ways of working, with such objectives being 'most effectively carried out at the plant and enterprise level' (Australian, 25 September 1986). The Accords III, IV and V were designed to help wean the parties away from centralisation to a more decentralised, work place based system. The Accord Mark VI was an attempt to introduce a decentralised system in the form of enterprise bargaining. The Accords VII and VIII continued the enterprise bargaining push, with the qualification of providing safety net increases for workers with limited bargaining power subject to the achievement of employment growth targets. Following the international economic crisis of the mid 1980s the Accord became increasingly pro-business in its objectives.

Consistent with Panitch employers and other groups became increasingly strident in their criticisms of regulation and industrial tribunals, centralisation, the Accord and unions. In the mid 1980s the H. R. Nicholls Society vigorously pursued a deregulatory program. The Federal Coalition developed a series of industrial relations policies championing individualism and attacking collective organisations such as unions (Dabscheck, 1993). In 1989 the BCA issued a report which claimed that the major impediment to Australia's competitive position was union structures, with the creation of non-union workplaces as the ultimate goal of its proposals (BCA, 1989, pp.13 + 94-6). In the late 1980s and continuing into the 1990s non-Labor governments at both the state and commonwealth level introduced legislation to downgrade the role of industrial tribunals, encourage non-union collective, or enterprise, bargaining - as did the ALP at the federal level - or individual bargaining and have reduced powers available to and/or placed constraints on the operation of unions.

CONCLUSION

The thirteen year period of office of the ALP between 1983 and 1996 was characterised by a series of Accords it negotiated with the union movement under the leadership of the ACTU. This Australian experiment with corporatism fits in neatly, with some modifications, to the life cycle theory contained in the writings of Panitch. All of the Accords were hailed as providing solutions to the never ending problems of the Australian economy. The ALP used its special relationship with the ACTU to secure the union movement's pursuit of a pro employer/business/capital agenda. On this point the Australian case fits Panitch on corporatism like a glove. Successive Accords involved the ACTU turning its back on centralisation and wage certainty for a market based approach in the form of enterprise bargaining under the watchwords of flexibility, efficiency, competition and productivity. Such deals resulted in a disaffection of unionists, and potential members, and a marked decline in the

percentage of the workforce unionised. The final years of the Accord were associated with more or less virulent attacks on regulatory bodies/industrial tribunals and on unions. In actively campaigning for programs of economic salvation the ACTU has served to undermine the role of unions and their ability to defend and protect the rights and interests of workers.

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