The 1998 waterfront dispute has had a number of consequences, not least being the demonstration of inter-union solidarity. It was a dispute that saw not just a union and an employer (and a government) challenging each other, but a dispute involving the union movement. The community assembly at Melbourne’s East Swanson dock became the gathering place for unionists across the spectrum. It was not just the Maritime Union of Australia (MUA) challenging Patrick’s, Reith and co, but the union movement, responding to the attack on one of its own, most dramatically seen on the night of 18 April. The solidarity expressed — visually, aurally [the chant of ‘MUA — here to stay’] — spoke of the collective, the unity on which the union movement is founded.

The ‘ties that bind’ were in obvious evidence — and in Victoria, the state’s peak union body, the Trades Hall Council (THC) played a significant mobilising role in assisting the MUA. It was the voices of Leigh Hubbard, THC Secretary, and Martin Kingham, THC President, which were heard down at the wharf, day in day out. This glimpse of the THC highlights the role of the THC — the role it plays in the union movement. It focuses our attention on the unifying role that inter-union bodies can play — their industrial, political and, most clearly in this instance, mobilising role.

These bodies can, quite clearly, be sites of expressed solidarity. Some accounts of these bodies, however, use very different terms. For example, Mark Leier (1995) in his book exploring labour bureaucracy through an analysis of the Vancouver Trades and Labour Council describes his analysis as that of a ‘splitter’. He draws on Lizabeth Cohen (from J.H. Hexter, 1975, who in turn used the terms coined by a colleague, Duncan Kagan) who contrasted historians as either ‘splitters’ or ‘lumpers’. Where splitters explored divisions in the working class, lumpers explored unifying factors and similarities. While Leier observed that, “My own preference, by temperament and experience, is to examine the divisions in the working class [and that what] was noticeable [about working class culture] and needed examination were the forces that kept workers from uniting (1995, p. 9)”. Cohen stated that: “I am interested in diversity in behaviour and attitudes, but I set about identifying it by constructing comparisons of groups I perceive to be homogenous and distinctive” (1991, p. 598) — or, as can be said, ‘the ties that bind’. This is not to say that the two are mutually exclusive. Cohen argues, and Leier agrees, that “lumping must come first for splitting to have value” (Cohen, 1991, p. 598; Leier, 1995, p. 9). Cannon says every historian must be both splitter and lumper; what he calls the synthesiser and the demolition man [sic], “those who construct patterns and theories and those who destroy them” (Cannon, 1980, p. 3).

This is a ‘lumper’s’ story of the THC, which includes an exploration of both tendencies towards lumping and splitting within the THC and between the THC and its affiliates over the period 1948-1974. In the THC we have an inter-union body, an institution which reflects lumping, indeed its very raison d’être being the expression of lumping. Any analysis of this body must also, though, make sense of the clear and obvious instances of splitting, as occurred in 1948-51 and more dramatically in 1967-73, where the mass suspensions were actually referred to as ‘the split’ in the THC. These experiences mean that splitting cannot be ignored, and that these cleavages and their causes must be understood.

Nevertheless, in these cases, the forces for lumping prevailed. The splits, while traumatic, were not permanent and the THC remained a force for mobilising solidarity in the union movement. The maritime dispute reminds us of this force of unity.

To unpick both the forces for lumping and the splitting in the THC, the relations between the THC and affiliates will be examined through analysis of the THC itself and four affiliates. Here the role of the THC from the perspective of unions can be explored and different patterns of interaction can be seen. We can see the relations between particular union officials and the THC leadership. This approach does attempt to mediate against reification of the THC, and to enable some sense of agency. The impact of changes of leadership on the nature of the THC can be seen, for example, in the mid 1960s after the death of long-time Secretary Stout. The forces behind splitting and lumping require an explicit analysis in terms of power relations as well as the intersection of factionalism and ideology. Much splitting and lumping draws on ideology as an explanation, justification or rationalisation or guiding principle, whilst factionalism provides impetus for both splitting and lumping: factions in themselves provide a forum for expressions of lumping, but factional differences and conflict promote the potential for splitting.

This paper canvasses some of the key themes in the literature on inter-union bodies, and begins an exploration of power drawing on Hyman’s construction of ‘power over’ and ‘power for’. This will be used to explore the power relations within the THC and between the THC and its affiliates, with examples drawn from the 1950s and 1960s.

Turning briefly to the literature on inter-union bodies, a number of patterns can be discerned. One is the lack of both empirical and theoretical studies, a pattern found both in the Australian and overseas literature. A second is the emphasis in the theoretical works on the notion and nature of authority. In the Australian literature this study of authority has primarily taken the form of analysis of the national peak union body, the Australian Council of Trade Unions (ACTU) with relatively little attention given to inter-union bodies at other levels (see Martin, 1962; Dabship, 1977; Griffin, 1994; exceptions include Markey, 1994, and Ellem and Shields, 1996).

In many ways, the theoretical vacuum in the Australian literature surrounding inter-union bodies should not be surprising, as it replicates the general lack of union theory and the still under-explored area of union strategy (see Gardner, 1989). The influence of Howard’s ‘dependency thesis’ has almost been a dead hand on the development of union theory in Australia (Howard, 1977; see Gahan, 1996, for an assessment of the validity of the dependency thesis). The elevation of arbitration as the ‘explanatory factor certainly constrains analysis of bodies not primarily fixated by this form of dispute resolution (such as the THC and unions operating in the wages board system of Victoria, for instance).

In the overseas empirical studies of inter-union bodies, the focus is more on relations between inter-union bodies, that is, national bodies over inter-union bodies at state, province or city level. Commonly the story is one of subordination of lower level inter-union bodies by national peak bodies. These patterns of authority are furthermore complicated by ideological tussles, pointing out the added layers of power relations that must be
explored, not just within, but between inter-union bodies (see Stevens, 1997 and Clinton, 1977 on the British Trades Union Congress and trades councils and Taft, 1957 on the American Federation of Labor and Congress of Industrial Organisations and state affiliates).

Another clear pattern is the elevation of the political role over the industrial role of inter-union bodies, a significant theme found in both the Australian and overseas literature (see Taft, 1968 and Wallis, 1965 in the US; O’Connor, 1989 in Ireland; Petzall, 1979 and Markey, 1994 in Australia). While there have been some exceptions to this (see Saville, 1967; Musson, 1990; Gollan, 1955), the dominant argument suggests peak bodies either do or should elevate the ‘political’. Moreover, many of the authors argue that this is a necessary ‘subordination’ of the industrial to political activities. Industrial concerns are seen to be more the appropriate responsibility or territory of individual unions, rather than the peak-inter-union bodies.

Politics and political lobbying are regarded as the province of the inter-union bodies, with them being variously described as “the political arm of the workers in the state” or “agencies promoting the political interests of labor” (Taft, 1968, p. 3 and p. 248). In addition, such roles could be regarded as naturally occurring. Markey not only argues that they were “fundamental to the [NSW] Labour Council’s rationale from the outset”, but that “by their very nature [peak union councils] also tend to assume significant political roles from the start” (Markey, 1994, p. 131 and p. 36, emphasis added).

Furthermore, this elevation of political over industrial is promised on a particular form of politics: was it lobbying over legislative reforms, as suggested by Taft, party political activities (after the formation of labour parties in the UK and Australia), or broader political and social issues? The emphasis on the political, and separation of the industrial, was consistent with promotion of labourism, whereas adherents of socialism sought to maintain the connection between the political and the industrial (see Stevens, 1997 and Markey, 1994). The consequence was that not all political activities were deemed appropriate (evident both in the literature and in practice), with parliamentary politics being elevated above what would be defined as political from a revolutionary socialist perspective. In the late 1940s, the Australian Railway Union (ARU) Victorian branch’s Communist Secretary J.J. Brown referred to the ‘cap in hand’ [political lobbying] approach of the THC, compared to direct action as distinguishing between the two. This could be contrasted with Markey’s assertion that with labourism in NSW relying on the relationship between the Labor Council and the Australian Labor Party (ALP): “The Council’s industrial role has generally been subordinated to the political needs of the ALP, in order to maintain ... broader advantages” (Markey, 1994, p. 518). Reaping the ‘fruits of office’ meant the subordination of industrial activities was made for pragmatic reasons and tangible results. The extent to which this could be maintained relied on the ability of the NSW Labor Council to point to the benefits and in part also depended on an ALP able to deliver to its union counterparts. If the success of labourism and hence the dominance of the political was reliant on the ability of the ALP from holding office created a markedly different political landscape (a majority ALP government first being gained in 1952, lasting only till 1955, and then again out of office till 1982). This is encapsulated in the view of Vic Stout, THC Secretary from 1938 to 1964 who, at the time of the 1955 ALP split, argued that the party “is expected to serve them” (2.11.55); furthermore he asserted that the ALP was a party “... operating for a party purpose to serve the organised workers. We mean to see it will be such a party. It should have no other purpose” (c24.10.55).

Of late we’ve had quite an amount of politics on our industrial gruel. We are essentially industrial. Because we are industrial we can’t escape the flavour of politics that are intruded in our lives (by those seeking to influence us) (Stout, 3KZ broadcast, 6.12.55).

Stout was hardly a radical, but for him, the cleansing of the party deemed necessary in the split was a decision made “without regard to the loss of government” (c24.10.55). Clearly for Stout, the party was there to serve the unions. In short, state specificities need to be taken into account.

In the industrial relations literature, the attempts to explain why peak bodies function as they do are also less than fully satisfying. The key concern here is ‘authority’. The authority debate requires examination as it does, at the very least, focus attention on the relationship between a peak body and its affiliates but this analysis rests primarily on that of the ACTU. We are then faced with explanations of national inter-union peak bodies, which may or may not be appropriately applied at, or extended to other levels in the union movement.

Martin (1962) compares the ACTU with the British Trade Union Congress (TUC). For him, the ‘ultimate test’ of internal authority lies in the degree to which the affiliate autonomy was restricted by the functions of the inter-union body “in ways that [affiliates] regard as important” (1962, p. 14). Affecting union strategy and tactics, the encroachment on “the procedural as well as the substantive raison d’etre of its affiliated unions, and therefore on the most vital aspects of their autonomy” was argued to clearly differentiate the degree of authority of the ACTU compared to the TUC, particularly that exercised over industrial matters (p. 15).

Dabscheck (1977) has taken issue with Martin’s analysis, particularly the notion of the ‘ultimate test’, questioning the relevance of a test which, he argues, was rarely invoked. The internal authority of the ACTU, Dabscheck asserts, was conferred by the arbitration system, supporting his contention that the role of a peak body “can only be understood in the context of the industrial relations system of which it happens to be a member” (p. 389). He, however, moves away from using the term ‘authority’, introducing firstly ‘leadership’ and secondly ‘reliance’ as alternative concepts to, or proxies for authority. Use of ‘reliance’ appears influenced by Howard’s dependency thesis (1977), with the dominance of the arbitral system providing the basis for ACTU authority over affiliates. The relationship with the arbitration system produced what Dabscheck calls ‘calculative’ or ‘instrumental’ unions, with this instrumentality extending to the relations with the peak body: when the union ‘needs’ or ‘relies on’ the ACTU, the peak body has a greater role or importance (p. 400). This would dissipate when levels of reliance recede.

The consequence of Dabscheck’s analysis is that external factors assume a dominance whereby the relationship between affiliates and an inter-union body are constructed primarily by the external environment. Consequently, agency of both affiliates and the inter-union body appears nullified, the inter-union body is cast in a dependent role and both the peak body and affiliates are treated as homogeneous entities neglecting, at the least, the impact of internal union dynamics. In the context of the THC, contestation of authority, or Dabscheck’s ‘reliance’, was a common feature of Disputes Committee meetings, which reflected affiliate
strategy and thus attitudes towards the exercise of THC authority. The factional interplay found within the THC, within and between the leadership group and key affiliates, can be argued, affected the degree to which affiliates would allow themselves to be 'reliant' on the THC. Greater attention needs to be given to both the internal context of the shaping of power and authority, and the complexity of relationships found within the peak body.

With the negation of agency, the inter-union body becomes curiously constrained in terms of its power relations with affiliates with little said about the capacity of the peak body to 'construct' the needs of an affiliate or to make affiliates more or less 'reliant'. With the willingness of unions to bring disputes to the THC Disputes Committee when their officials were, on other matters, in conflict with the THC leadership demonstrates the THC had a capacity to construct amongst affiliates a notion of reciprocal benefit and inter-dependence. This was tangible given that disputes commonly involved other affiliates, and a negotiated, agreed strategy was usually necessary. Restoring a sense of agency and independent action of the peak body is important in understanding the capacity of the peak body to influence the relationship with affiliates, which indeed is the context of much of the conflict experienced.

Griffin (1994) explores the (still limited) literature on authority and again is most interested in explaining the growth of the internal authority of the ACTU. Just as Martin examined the authority of the ACTU by arguing the significance of a particular time period (the 1950s). Griffin does so as well, drawing his evidence from the early 1980s to early 1990s, the time period now referred to as the Accord years. This enables the drawing of a convincing picture of the ACTU's expanding authority, evident through a number of factors (inclusiveness, changing structure and reduced factionalism, leadership and policy development as internal factors with the external factors of economic/political environment and the role of the state) in that time period. Its usefulness as a model for other inter-union bodies is limited both because of the opacity of the actual exercise of authority by the ACTU (see page p. 87, 88, 100) but also the historical specificity of the analysis, recognised in at least in passing by Griffin:

So long as the consensus view remains that a strong peak council helps affiliates to maximise their chances of achieving their goals significant authority will reside with the ACTU. Changed perceptions on the part of the affiliates, perhaps caused by external factors ... could clearly result in a lesser role, and hence reduced authority for the ACTU (p. 100).

These comments reinforce Martin's earlier observation of authority resting on the willingness of the affiliates to cede and abide by such levels of authority, as well as being reminiscent of Dabrowski's dependency or reliance concept. In and of itself, then, the peak body has limited authority (though this does seem to contradict Griffin's earlier depiction of the ACTU's authority). Just as it can be said that unions rely on their members for their power so too, it is clear, do inter-union bodies. Another set of questions then arise: what power does the peak body have to maintain levels of authority, how is that consensus view maintained and how does the power of the peak body mediate against external, as well as internal, factors which could erode its formal authority? By shifting beyond the focus on authority to include broader considerations of bases of power, a more complex picture of the relations between the peak body and affiliates could be constructed.

Arguably power, not authority, is the more useful concept for advancing our understanding. Despite this, the absence of discussion of the concept of power in the industrial relations literature has been frequently noted, most recently by Kelly (1998, p. 9). While the discussion of authority in the inter-union body literature at least partly fills this gap, applying an understanding of power which enables a disaggregation of power will extend the analysis. Hyman (1975) provides one of the more explicit considerations of power in the broader industrial relations literature. Hyman's discussion of power in unions leads him to distinguish between 'power over' and 'power for'. Initially, he characterises 'power over' as arising in relationships of conflict, citing the employment relationship where the power held by either is at the expense of the other. 'Power for' is regarded as 'as a resource used in the service of collective power' (p. 26). Trade unions act to enable workers to develop 'power for' so as to exert 'power over' employers (p. 27). Hyman characterises trade unions as "an agency and a medium of power", and in this context it is recognised that unions themselves involve processes of internal, as well as external, control. As well as unions exerting external 'power over', they themselves need to exert internal 'power over' members so as to seek and increase to achieve their collective interests, 'power for' (p. 65). Given the lack of autonomy and power in the workers' employment relationship, 'power over' is regarded as "the prerequisite of concerted action" (p. 68). But, as Hyman adds, members also have the capacity, through internal democratic processes, to exert 'power over' their union officials, with electoral mechanisms being the most evident (pp. 73-4).

Hyman's notion of 'power over' and 'power for' can be applied to the study of peak bodies and their affiliates, enabling an examination of the pressures for division and those for unity, and how these may be manifested: how lumping is protected and advanced and tensions for splitting reconciled and mediated. While Hyman applied his notion of 'power for' / 'power over' to individual unions, it is a particularly useful concept to use to explore the dynamics within an inter-union body. 'Power over' becomes the means through which authority will be examined, but it also enables the complexity of power relationships to be examined more closely. The duality encompassed by the tension between the two aspects of power reinforces the complexity of power relations to be found in practice, as well as accommodation and contestation between these two reflecting the pressures for lumping and splitting.

Hyman, from a workplace perspective, spoke of 'power over' in terms of job control:

A union can wield effective job control only if, and to the extent that, it can mobilise disciplined collective action on the part of its members. Such collective discipline is in turn dependent on members' willingness to subordinate, where necessary, their own immediate wishes or interests to common rules and collective decisions (Hyman, 1975, p. 65).

Can this be extrapolated to the inter-union level? Is greater capacity to secure job control what unions seek from affiliation with an inter-union body? Certainly disputes with employers and the state could be understood to be contests over job control and in as far as inter-union bodies co-ordinated action, then 'power for' would be based on job control. But Hyman also drew attention to the lack of 'genuine autonomy' of individual employees; this is manifestly not the case when we are looking at affiliates. They do have autonomy and can, and do, wage the battle over job control without the intercession of an inter-union body. Clearly greater strength may be derived but they are not dependent on the inter-union body to achieve their objectives. Although this necessarily changes the power relationship between the inter-union body's leadership and the affiliates from the one experienced between unions and their members, nevertheless, it can be argued that affiliates derive a greater capacity to secure job control when there is inter-union support and assistance: in negotiations, in strike support and financial assistance, with prevention of strike breakers.
The complexity of the exercise of power over must recognise the hierarchies of those relations. The THC seeks to exert 'power over' affiliates so as to exert 'power for' those affiliates. To do so, it also requires affiliates to exert 'power over' members so as to exert 'power for' those affiliates and their members. This has led the THC not only to discipline union affiliates through suspension and, more rarely, disaffiliation, but to expect affiliates to discipline members. That affiliates had to take responsibility for members' actions was made patent clear, time and again. Pursuit of 'power for' could not be compromised by those unwilling or unable to submit to 'power over'. This also meant that the Disputes Committee's capacity to exert 'power over' relied, in part, on unions themselves exercising power over members, so that collective 'power for' could be realised.

Although instances of punitive action were few; more common was verbal chastising, a rhetoric of castigation. Some examples made this plain. For instance, after repeated disregard of Disputes Committee decisions, the Motor Transport Union was told, in no uncertain terms, that "it was not a matter of what the Motor Transport Union members lose or gain it was a question of giving effect to the decision of the Disputes Committee (THC Executive mins 24.3, 31.3, 17.11, 7.12.60). Evidently the Motor Transport Union should have been more assiduous in ensuring members' compliance: they failed to exercise sufficient power over their members. In another case, unions whose members repudiated a Disputes Committee decision, were bluntly told that "this is an intolerable position and cannot be allowed to pass without expecting the unions to see that their members loyally obey the [Disputes Committee] decision" (Gas & Fuel dispute, THC circular to unions, 18.10.63, emphasis added). Occasions arose though when rhetoric was deemed insufficient by the THC leadership. Thus disciplinary action was taken against the Clerks' Union for not only failing to ensure that members respected a Disputes Committee decision, but for not taking disciplinary action against non-compliant members. The THC's 'power over' hand stretched far in this case, the union being told that "this [THC] Executive expects it to take severe disciplinary action against the members ... and that this Executive would require much stronger action than a severe reprimand could provide" (letter from THC to FCU, 16.11.62, emphasis added). The Executive motion to suspend the union was a strongly worded one: the actions of the FCU members described as "a despicable act of anti-unionism calculated to sabotage industrial action designed to advance and protect the welfare and interests of their fellow workers". More significantly, the union was to understand that the rules of that Union became subordinate to those of the Council that are appropriate to affiliation and that the Clerks' Union, as an affiliated Organisation must comply with decisions of the Council and its appropriate committees (THC Executive mins, 2.5.63, emphasis added).

So it was the Clerks Union that transgressed the acceptable and so invoked the THC's discipline in the mid 1950s and early 60s: where the imposition of the THC's 'power over' appeared to affront their view of union autonomy. Splitting tendencies aside (for they should not be minimised), the 'power for' underpinned by a commitment to lumping saw, in the late 1950s and early 60s, the ARU and THC working closely together in both advancing power for in the rail industry, but also in the eyes of the ARU on broader movement issues as well. After claiming that a dispute was "not being led by the ARU. It is led by the THC Disputes Committee", ARU Secretary Brown asserted that "the railway service grant dispute is a genuine fight by the official Trade Union Movement to force an improvement in wages" (ARU Gazette, April 1960, p. 2). In 1961 he declared, "Special attention must be paid to the work of the MTHC. Good general working class activity is now a feature of the struggle for better wages and conditions" (Secretary's report to the ARU Annual Conference, 1959, p. 8; 1961, p. 7), while in 1963, the view was that "the good progressive policy which it has pursued on all questions ... has put the [THC] in a leading position in the workers' struggles" (Secretary's report to 1963 Annual Conference, pp. 8-9).

Finally it should be mentioned that state peak bodies are also involved in a power relationship with national peak bodies. As a state branch of the ACTU, the THC could also experience the ACTU exerting 'power over' it, as well as over the same affiliates at a federal level. This federal/state divide also affects the ability of the THC to exert 'power over' their affiliates. With state branches also subject to the exercise of 'power over' by their federal bodies, the authority of the THC to exercise 'power over' a particular affiliate may be contested and constrained. In its relationship with the ALP, the THC too has sought to exert power over the political wing of the labour movement, so 'power for' the industrial wing can be maximised. This means that when looking at the political dimension, it is not just the exercise of 'power over' affiliates to ensure 'power for' the ALP is protected.

The potential for conflict, and argument regarding how 'power over' should be exercised, therefore is always present, thus creating the potential for splitting. The rationale for exerting 'power over', so that 'power for' can be achieved, means however that there can be agreement or consent (whether complete or partial, grudging or wholehearted). In general, the object of exerting 'power over' to enable 'power for' elevates the push for lumping. Under some circumstances, however, debate about the balance between how much 'power over' is necessary to pursue 'power for' creates splits. A multi-dimensional notion of power is required in order to unravel and explore the inter-relationships found within inter-union bodies: between the leadership and affiliates, between affiliates, within the leadership group, between the inter-union body and bodies with which itself is affiliated such as a national peak body, relationships with political parties.

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