

Creating an Active Society and Counter-Movement: the YR@W campaign

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Abstract

By waging their campaign on behalf of ‘working families’ rather than ‘workers’ per se (Muir 2008), the ACTU (Australian Council of Trade Unions) in the YR@W (Your Rights at Work) campaign deliberately sought to transcend sectional class interests and instead project the YR@W campaign as defending a general interest, namely the effect of the Howard government’s Work Choices on Australian society. The aim of this paper is to debate whether the YR@W (Your Rights at Work) Campaign thus illustrates Polanyi’s concept of the ‘active society’ and counter movement (Burawoy 2003).

Keywords: Polanyi, YR@W, active society

Introduction

Michael Burawoy suggests that Polanyi’s concept of an ‘active society’ is ‘always understood in its contradictory tension with the market’ (2003: 198). Framed by his notion of the counter-movement which Silver defines as (2003: 20) as, “..the backlash resistances to the spread of a global self-regulating market, particularly by working classes that are being unmade by global economic transformations as well as by those workers who had benefited from established social compacts that are being abandoned from above”; Polanyi’s active society is a society-for-itself, that has a reality of its own and acts on its own behalf by staging counter-movements to defend itself against the tendencies of the market to commodify (or reduce to exchange value) three fictitious commodities, labour, land and money.

The key aspect of interest to us here is how this occurs, that is, how does active society emerge and how does the counter-movement get ‘made’? In this paper we seek to illustrate how the YR@W (Your Rights at Work) campaign conducted by the ACTU (Australian Council of Trade Unions) reflects Polanyi’s framework; that is, an ‘active society’ that emerged in reaction against the market’s attempt to commodify labour. The paper begins with a brief discussion of Polanyi’s concept of the ‘active society’ and ‘counter-movements’ before seeking to illustrate this framework using the YR@W campaign.

An Active Society

In holding to the view that it is the market that triggers ‘active society’ Polanyi argued that it is *society* not class that is the ‘transcendental historical category’ (Burawoy 2003: 229). Thus, it is general societal interests that sponsor a counter-movement, not sectional class interests. In fact Polanyi argues that it is because general rather than sectional interests form the fulcrum of the counter-movement, that the counter-movement succeeds! As Burawoy states (2003: 229), for Polanyi, “...when classes struggle for their own sectional interests they are going to be ineffectual, but when they struggle to defend or expand society, then they are likely to be much more successful.”

While we are confident that in addition to reflecting Polanyi’s trajectory of how an active society emerges, we are also confident that the campaign matches this additional conceptualization of Polanyi’s; that is, a counter-movement that drew on a general societal interest rather than a sectional (class-based) interest. This is because while facilitated by a trade union organisation that formally represented working class interests, the ACTU YR@W campaign focused on the effect of the current

Government's legislation on 'working families' not just workers; in other words, the broader society rather than the working class itself.

However, while matching Polanyi's theory framework, in presenting this case we also unpack the 'problem with Polanyi'. As Munck (2004) and others (Burawoy 2003; Silver 2003; Birchfield 1999) argue, Polanyi's conceptualization leaves vacant the conceptualization of power that has us wondering how a counter-movement is made. As Munck states: "Counter-movements cannot be seen as spontaneous, practically automatic responses; they are constructed" (2004: 257). While acknowledging that Polanyi was writing at a certain historical moment, Burawoy (2003) and more recently, Webster et al (2008) argue that to address this space what is needed in Polanyi's framework is a theory of social movements or as Webster et al write, "...an understanding of the structural conditions, political opportunities and repertoires that movements draw on, and how resources are mobilized when social movements engage in contentious politics' (Webster et al 2008: 8).

We would argue that the YR@W campaign provides some insights into this dynamic: that is, how a counter-movement framed by Webster et al's conceptualization of social movement theory can be 'made'. We would additionally argue that the YR@W campaign also illustrates how this trajectory may occur on the basis of a general societal interest rather than class alone, that is Polanyi's concept of the active society. The significance of YR@W on the outcome of the 2007 election (Spies-Butcher and Wilson: 2008) would seem to bear some testimony to the success of this strategy.

YR@W: a reaction to the 'unfettered' market

Undoubtedly, the impetus for YR@W lay in the context facing Australian unions that had been developing from 1996 onwards. Even before he was elected as Prime

Minister, Howard had made it clear that de-collectivising the regulation of work would be an essential component of his government's agenda (van Barneveld and Nassif 2003). That Howard's 'reforms' were aimed at the union movement quickly became apparent with the changes wrought under the first wave of legislation, the *Workplace Relations Act, 1996* (WRA 1996). Amongst significant restrictions on union right of entry, individual-level, non-union ratified Australian Workplace Agreements (AWA) were introduced as a bargaining outcome under this, thus marginalising union influence in the employment relationship of most Australian workers. While recognizing other factors including the effects of industry restructuring during the 1980s, Peetz (1998) nonetheless claims that restrictions imposed by the WRA, 1996 contributed significantly to the decline of unions post-1996 where whilst membership was 31% of Australian workers in 1996, by 2006, overall membership had depleted to 22% of full time workers (ABS 2006).

Nonetheless, Howard's 1996 ambitions were stymied by lack of control over the Australian Parliament's Senate or house of review. Upon attaining this control as a result of the 2004 election, the government subsequently introduced *Work Choices*, which as Cooper (2008: 2) notes, was 'profoundly anti-union' whilst simultaneously being 'pro-employer'. In addition to individual contractual arrangements already allowed for under the WRA 1996, Work Choices allowed individual contracting (and individual bargaining) to override union bargaining (and collective bargaining). The ability of unions to take industrial action during the period of an award or agreement was restricted while employers were able to apply for a suspension of bargaining to allow for a cooling-off period. While outlawing pattern bargaining, Work Choices did not require employers to bargain in good faith; in fact employer access to protected

lock-outs was almost unlimited while it not only became costly for unions to take legal industrial action, but both unions and their members were exposed to significant fines and damages if found to be breaching these regulations.

However, the Howard government's anti-union sentiment was most clearly demonstrated in the establishment of the Australian Building and Construction Commission. Not only did the legislation framing the Commission's operation outlaw industrial action, it also carried significant fines and penal sanctions if unions and members were found to be in breach of the legislation. These breaches included refusal to answer Commission questions about activities, attending meetings or refusing to produce required documentary evidence.

YR@W emerged from this 'unfettered chaos'. In reference to Polanyi, Muir (2008: 7-8) confirms its genesis as a 'reaction' to the 'market's' attempt to commodify labour when she writes:

In Sydney's Sussex Street on Monday 11 October 2004...John Roberston (Secretary of Unions NSW) pulled the staff together and outlined his plan for a major campaign across New South Wales against the industrial relations changes the Coalition would attempt to impose..Robertson and his fellow union leaders such as Janet Giles at SA Unions and Greg Combet and Sharan Burrow at the ACTU were determined not to let the Government gain the momentum or frame the debate.

Managed by a campaign committee which included the then ACTU Secretary Greg Combet and current President Sharan Burrow (*Australian Financial Review*, 25 June 2005), aspects of the campaign further illustrate Polanyi's conception of an 'active society'. Firstly, YR@W was solely funded by ACTU affiliated unions who initially applied a \$3.50 special levy on their members (with several unions contributing additional funds); and, when it was decided to create a \$20 million fund pool to implement further rounds of campaigning (*The Age*, 26 August 2005), imposed an

additional \$5.50 levy on union members during 2005 and 2006. Secondly, the use of web-based campaigning techniques such as posting ads on YouTube, MySpace, operating discussion forums on a stand-alone website, sending personalized emails to supporters and broadcasting on the Sky Channel, not only extended the reach of the campaign, but also made the union movement almost 'trendy' (Muir 2008: 51), given these techniques were more commonly associated with contemporary communication and marketing strategies, rather than a trade union movement representing 'workers' interests.

While noteworthy, it was the paid television advertising strategy of the campaign that best illustrates the ACTU tactic of conducting the campaign on the basis of a general societal interest, rather than sectional working class interests alone. As Lambert et al (2005) observe the advertising strategy deliberately sought to tap into the minds of the unconverted (or rather the 78% of Australian workers who weren't union members), by avoiding reference to unions and instead building messages around the threat to fundamental socio-political values of equality, justice and even liberty posed by Howard's Work Choices. For instance, the television advertisements drew on scenarios of a white collar permanent worker with 15 years of service in an unspecified company confronted with a non-negotiable demand to shift to a casual individual contract; a mother with two young children was asked to work an additional shift at late notice and was then threatened with dismissal if she refused to comply; a 'footy dad' complaining of his employer's demand that he work weekends and evenings without penalty rates and cash in annual leave entitlements as conditions of a new contract; a plea from a 'working mother' dismissed by her employer for seeking to preserve existing working hours that would allow her to continue picking

up her children from a local school; and finally a young worker (and her father) complaining of the loss of penalty and overtime rates of pay under a new individual contract. The ‘end’ point of these advertisements was however that these workers turned to the union for advice and assistance thus planting firmly in viewers’ minds that it was the ‘union’ who was going to ‘save’ them from the effects of these laws and ‘bad’ employers.

Results from public opinion polls taken several weeks after the launch of the first round of television and radio advertisements and the first direct mobilization day confirmed the campaign’s effectiveness, reporting a marked fall in support for the government and increased public concern and opposition to the government’s Work Choices legislation (*Australian Financial Review*, 6 July 2005). Arguably however, it was the additional prong of the YR@W campaign – the community campaign strategy – that moved the notion beyond image-only and made the stirrings of an ‘active society’ into a reality.

The Community Campaign

The YR@W community campaign was formalized as part of the ACTU strategy at the beginning of 2007. In targeting 25 marginal seats, the ACTU resourced each campaign with a Community Campaign Co-ordinator whose mandate was to work with unions and community groups to ‘shift enough votes in these seats to defeat sitting government members’ (The community campaign <http://www.qcu.asn.au/391.html>, accessed 13th May 2008). In reality however, the Community Campaign had been in operation since 2004 when the Union Solidarity Network was formed. Dominating in Victoria, Union Solidarity groups also formed in South Australia and Western Australia (Caspersz 2007). However, while founded by

trade union members, the intention from the start was to form local groups in association with community interests:

Union Solidarity aims to build a mass based united front campaign on the ground to defeat repressive IR laws. Union Solidarity is a wide network of affiliated community and welfare organisations and unions with the single aim of building a broad people's movement to beat attacks on workers, unions and communities. (<http://www.unionsolidarity.org/actions/labels/Community%20Assemblies.html>, accessed 13th May 2008).

Thus, the Footscray Victorian group for instance was called The Western Suburbs Community & Unions Coalition describing itself as a “broad based, grass roots organisation of local workers, unionists, community members and groups” (2005). This strategy of meshing union with the community was a critical tactic in generating support, as it enabled members of Union Solidarity to avoid indictment for their action under the WorkChoices legislation.

In realising their mandate as “...organising resistance where we live, in order to give one extra voice to those disenfranchised through welfare-to-work legislation and importantly, to assist workers at the point of production whose rights are threatened” (Kerin 2006), Union Solidarity groups convened ‘community assemblies’ in support of union action. One example was the community assembly by the Western Suburbs Community & Unions Coalition (WSCUC) in support of striking Colrain workers who were taking protected industrial action against management’s attempts to introduce AWAs (http://www.unionsolidarity.org/western/archives/2005_11_01_archive.htm, accessed 13 December 2005). In reviewing the website, other Union Solidarity assemblies were staged to stop the forcible transfer of workers at the an Australia Post mail delivery centre, dismissals at an engineering shop, a strike in support of retrenchments at Toyota and the decision by Boeing to sack workers after

they walked off the job (<http://www.unionsolidarity.org/actions/labels/Community%20Assemblies.html>, accessed 13 May, 2008).

However, while important, it is the spectrum of activities in which Union Solidarity groups engaged that illustrate Burawoy's concept of 'creating an active society'. The WSCUC group illustrates this. Dating back to October 2005 the 'call' was made for 'urgent help' by the WSCUC to staff information stalls, leaflet hand outs at local shopping centres, attend rallies and support mass days of protest against "the government's draconian agenda to attack working people, unions and community" (notice from Western Suburbs Unions & Community Coalition, 13th October 2005, http://www.unionsolidarity.org/western/archives/2006_06_01_archive.htm, accessed 13 May, 2008).

By June 2006, the activities of this group had expanded to include letter boxing homes and leaflet distribution to local community organisations and groups, workplaces, local councils and at railway stations as well as shopping centres. Members were encouraged to travel to mass rallies together and future activities included expanding the group membership to include migrant groups and other local community groups (Update, Western Suburbs Community and Union Coalition, Saturday June 10, 2006, http://www.unionsolidarity.org/western/archives/2006_06_01_archive.htm, accessed 13 May, 2008).

By November 2007, the group listed their activities as including information stalls at shopping centres, festivals, schools and community events about the government's legislation, organizing petitions and documenting information about the impact of the legislation on local people (Western Suburbs Community and Unions Coalition, Thursday November 1, 2007, <http://www.unionsolidarity.org/western/2006/11/western-suburbs-community-and-unions.htm>, accessed 13th May, 2008). In summary,

reviewing these activities illustrates the growth and development of the group in terms of their activities, 'reach' to non-union community members and presumably awareness raising.

While considered successful (Workplace Express, 28 March 2007), their already demonstrated potential in creating an active society meant that Union Solidarity groups provided a critical launch pad for the ACTU to mobilize its broader community campaign in the lead up to the 2007 election. Groups were equipped with posters, leaflets, t-shirts, banners and other material not to campaign in support of the then Labor Opposition Party, but rather against the government. Using slogans such as 'Working Families – stand up for your rights at work', targeting specific interest groups such as retirees, young people and women and 'publishing' virtual Community Newsletters, Union Solidarity created an impression not only of a broad base but also *active* support for its mandate. For instance, in the October/November 2007 edition of the Bowman Community Newsletter, it was reported that almost 900 people attended the Bowman YR@W Family Fun Day, "with locals enjoying the chance to get together with other families in the Redlands concerned about your rights at work." In the same edition there was a report about volunteers attending a Redlands Chamber of Commerce public election forum at which political candidates for the area were asked a range of questions about policies, including industrial relations. The concluding article was again headlined " Want to help get rid of Howard and his anti IR laws? You can make a difference!...by volunteering a couple of hours of your time to help hand out information on election day" (Bowman Community Newsletter, [October/November 2007, qld bowmanyrat_oct_nov_brochure.pdf](#), accessed 4th July, 2008).

The significance of the Community Campaign in contributing to the ALP success at the 2007 election has been highlighted in analyses of the 2007 election result. Inserting a 'working families' variable into their model, Spies-Butcher & Wilson (2008) found a significant, consistent, and strong relationship to the size of the anti-Howard swing. Seats that were populated by middle-income families with kids (the 'working families' demographic) were significantly more likely to swing to Labor. In addition, their modeling confirmed a significant and sizeable effect from the YR@W marginal seat campaigns (operating under the aegis of the Community Campaign) indicating an additional swing of between 1.3–2 per cent in seats with ACTU-led YR@W organisers and campaigns. Importantly, this effect was independent of the strong and significant swing recorded in seats with higher numbers of working families. From their research they conclude that seats targeted by the ACTU produced significantly larger swings, and their campaign appears to have added to Labor's margin of victory.

Furthermore, exit poll analysis of the 2007 election showed that for those who voted for the Rudd Labor Party, 73 per cent felt that industrial relations (and *Work Choices*) was very important (Watson and Browne 2008). Finally, the Australian Election Study, 1987-2007 showed that for the 2007 election, the most important election issue for electors was industrial relations, increasing from a level of just above 4 per cent in the 2004 election to 16 per cent in the 2007 election. This correlates with the additional finding about preferred party policy on industrial relations with the ALP percentage rating increasing from 27 per cent in 2004 to 52 per cent in 2007, whilst Coalition ratings declined from 37 per cent in 2004 to 32 per cent in 2007 (McAllister and Clark 2008).

Conclusion

It is suggested that Polanyi's concepts of an active society and counter-movement are germane to those interested in the project of trade union revitalization. It is argued that the ACTU YR@W campaign provides one illustration of 'how to' realize this dynamic. Rising from the ashes of a sustained neo-liberal assault on unions that had reached a crescendo under the period of the Howard-led government (1996-2007); Australian unions under their peak body the ACTU planned and executed a counter-movement to remove the incumbent Howard government by creating an active society through the YR@W campaign. The conclusion from this analysis is that without an active society, a counter-movement will struggle; but with an active society the possibilities to sustain a counter-movement – even in the long term - increase. In suggesting this, we do however note the debate that exists in critical theory about the relationship between society and class. Room precludes discussing this further here. Undoubtedly however, for the ACTU, they will need to make 'room' and sustain this active society during the term of the Rudd-led ALP government, to re-assert unions as relevant agents in Australian society.

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