

A Novel Calculus? Institutional Change, Globalization and Industrial Conflict in Europe

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A Novel Calculus? Institutional Change, Globalization and Industrial Conflict in Europe

ABSTRACT ■ Collective industrial conflict in Europe has declined dramatically since the 1970s. This decline is the result of significant changes in institutional factors, influencing the calculations of employees and their organizations when considering strike action. Declining union density and changes in market protection seem major influences, while institutional and legal changes are important explanations of persistent major inter-country variance. This indicates a novel industrial conflict calculus for employees, which entails a more restricted use, but not the withering away of the strike.

KEYWORDS: collective action ■ globalization ■ industrial conflict ■ institutionalism ■ strikes ■ trade unions

Introduction

In the 1970s, European employers and employees every year lost on average almost 420 working days for every 1000 employees through industrial conflict. In the 1980s this figure declined to 200, in the 1990s to 56 and today seems to have stabilized at a level of just over 50 days lost, little more than an eighth of the level in the strike-prone 1970s (Table 1). In absolute figures, the number of working days lost (WDL) due to industrial conflict has fallen from over 48 million in the 1970s to just 7.2 million days today.

Part of the immediate explanation would seem to be the absence of very large, prolonged and often politically motivated strikes, such as the British miners' strike in 1984–85 and the large strikes in Italy and Spain in the 1970s and 1980s. But the underlying trend for shorter and minor strikes also seems to show a decline: in Denmark, for instance, disregarding large conflicts in the period from 1970 to 2003, the level of WDL has dropped from around 70 per 1000 employees per year to 40 (Scheuer, 2004: 6).

While researchers in the 1970s and early 1980s wrote about the 'resurgence of class conflict' (Crouch and Pizzorno, 1978) or 'strikes ...

TABLE 1. Average WDL per Year in 15 European Countries by Decade, 1970–2003

Period	Dependent employment (000)	WDL (000)	Simple average	Weighted average
1970–79	115,342	48,280	351	419
1980–89	129,807	25,947	175	200
1990–99	147,640	8,278	70	56
2000–03	142,511	7,257	44	51

Note: Simple average is average of averages of countries (disregarding country size). Weighted average is calculated on aggregate numbers, as shown in the table.

Countries are those with available data for almost the whole period: Austria, Belgium, Denmark, Finland, France, Germany (Western Germany until 1993), Ireland, Italy, Netherlands, Norway, Portugal, Spain, Sweden, Switzerland and the United Kingdom.

Data for Greece are incomplete, and for the countries of Central and Eastern Europe do not go back further than 1990.¹ The data have been drawn from the *Statistical Yearbook* of the International Labour Organization (ILO).²

Source: ILO.

and class conflict in capitalist societies' (Korpi and Shalev, 1979), sometimes seemingly priding themselves on high strike levels on their own home turf, such language seems to have evaporated. These days, when authors do turn to the subject, titles come more in versions of 'peace in Europe?' (Edwards and Hyman, 1994; cf. Shalev, 1992), 'heroic defeats' (Golden, 1997) and 'the worst record in Europe?' (Rigby and Marco Aledo, 2001).

So have strikes really withered away? Are workers so content with wages and conditions that strikes are no longer a reasonable option? Has the working class simply disappeared as a political force, and the strike with it, as some of the gloomiest pessimists will have it (for example Crouch, 2004: 53–7)?³ Not quite.

First, newspapers still report spectacular strikes by workers faced with companies outsourcing production lines to low-pay (or maybe just lower-pay) countries. Whether protesting against EU regulations allowing imports of cheaper commodities from inside or outside the EU, against moving production lines to developing countries, against the privatization of public enterprises and utilities, or against the closing of factories following other restructuring measures by management, the strike still seems to be one valid form of expression and protest for employees (and not only for blue-collar workers).

Second, even if pay formation in many European countries has become decentralized, making national bargaining less frequent, it still typically takes the form of some kind of local collective bargaining, and these bargaining processes still contain an impetus or a motivation for local short-term strike activity, whether official or unofficial. Changes have

taken place, but industrial conflict is definitely still a fact of life of European employment relations. Why is this?

The Strike and the Right to Strike

In a classic formulation, the strike is ‘a temporary stoppage of work by a group of employees in order to express a grievance or enforce a demand’ (Hyman, 1972: 17). All parts of the definition have significance:

- The strike is *temporary*: whatever the outcome, employees intend to return to the same work, and the employer normally expects the same. (Though a stoppage may become permanent if the strikers are laid off or the company goes bankrupt.)
- The strike is a special type of *collective* action: if one individual stops work as a protest, this is not considered a strike.
- It is a *complete* work stoppage, and therefore different from other types of action such as working to rule or banning overtime.
- It is also important that we are talking about *employees*, since collective action by other groups in society (for instance road blockades by French wine growers protesting at cheap Italian or Spanish wine imports, or class boycotts by students) are only referred to as strikes by analogy.
- Finally, the strike is not impulsive, but rather a kind of *rational action* used to achieve something (to force through a demand, resist the demand of the opponent or express a protest). Calculations may be mostly on the part of strike or union leaders, while, for strikes, social-normative or other non-rational motives may be at play: some union leaders prefer fighting and losing to not fighting at all (Elster, 1989; Golden, 1997; Kelly, 1998; Oskarsson, 2005).

Organized employees and their unions often emphasize that the right to free collective bargaining implies the right to strike. This right has certainly not always been recognized. One might say that, in general, dictators do not like strikes: it is well known that it was just as illegal to strike in Franco’s Spain as it was in the former Soviet Union, even though the ideological justifications differed. Democratic politicians do not generally like them either, but they do not tend to outlaw them. In many cases, they do the opposite, guaranteeing the right to strike. This may be connected with the obvious role of strikes and popular revolts in protesting against unfair political rule and demanding democratic governance (as in Poland, South Africa and Zimbabwe in recent decades; see Novitz, 2003: 61).

Thus, it is most certainly not only unions and their members who ascribe great significance to the right to strike (Novitz, 2003: 49–73). In virtually every democratic state this right is recognized as fundamental, even though this recognition has rather varying shapes and forms: in

some countries the right is explicitly and specifically laid down in law, sometimes in the Constitution (as for instance in France, Italy, Spain and Sweden), while in other countries the right to strike emerges implicitly from legal practice of the courts and the legislators. For instance in Denmark, where the right to strike is not embedded in law, the general view has been that what is not directly illegal is allowed.⁴ In the UK, where there is also no formal right to strike, the situation is somewhat different, since the common law underwrites the sanctity of the individual contract, which is breached by collective action in the form of a strike. Strikes are therefore not legal except where the law specifically prescribes an 'immunity' from the sanction of the courts (and this immunity has been substantially reduced in the past quarter century).

Neither in Denmark nor the UK has the lack of legislation to safeguard the right to strike prevented employees from striking. On the contrary, over long periods of time these countries had high levels of strikes, and it is therefore tempting to say that the difference between direct and indirect rights to strike does not hold much significance. On the other hand, the fact that in Germany, political strikes intended to influence government or parliament are illegal would appear in part to explain why strike rates are substantially and persistently lower than in France, Italy and Spain (see later analysis). And in the UK, changes in legislation in the 1980s do seem to have had an impact on industrial conflict (Elgar and Simpson, 1993).⁵

Strikes are not without costs (Crouch, 1982), for both parties to the conflict and often for third parties too (a company's subcontractors and customers, patients, clients or pupils, even university students, and also the families of the strikers and society in general). Some of these generalized costs are among the reasons why legislators do restrict the use of industrial conflict (Novitz, 2003: 75–88). Companies lose earnings and possibly market share, employees lose their wages and unions lose the money they spend on supporting the striking workers. Often the strike is used as a threat which it is hoped will not be activated, certainly by some groups of employees; however, deciding whether or not to strike is never easy. Partly there are economic costs, as mentioned above; partly there are social or human costs in the form of deterioration of the relationship between striking employees and the managements, which might cause long-term damage to the working environment.

As noted in the introduction, substantial change has taken place in strike patterns, and in this article I shall attempt to diagnose some of the changes involved and some of their implications. I undertake a macro-comparative analysis of strikes in Europe between 1970 and 2003, attempting to answer the following questions:

- What are the incidence and prevalence of strikes in Europe and how radically are they declining?

- Are national strike patterns converging or diverging?
- How can we explain the decline in strike activity and the new patterns of industrial conflict?
- Is there a novel calculus emerging in industrial conflict, and what is its implication for the future of strikes?

Methodology: Choice of Indicator

Fifteen European countries have been selected for comparative analyses, and in the Figures that follow they have been grouped as follows:

Scandinavia: Denmark, Finland, Norway, Sweden

British Isles: Ireland, United Kingdom

North-West Continental: Belgium, France, the Netherlands

Southern Continental: Italy, Portugal, Spain

Central Continental: Austria, Germany, Switzerland

The reason for this selection is that all these countries have good statistics for all or most of the time period covered (1970 and onwards); however, very small countries such as Iceland and Luxembourg have been excluded. For Greece, data in the main do not exist, and for the countries in central and eastern Europe, only some have strike data in the International Labour Organization (ILO) database and these data do not go back further than 1990.⁶ The data have been drawn from the *Statistical Yearbook* of the ILO.⁷

In interpreting these comparisons it is important to be aware that national definitions of a stoppage of work vary significantly, as do criteria for inclusion in the official statistics (the lower limit for duration, numbers involved and/or WDL before a strike is counted) (EIRO, 2003; Jackson, 1987; Monger, 2004; Stokke, 1999: 27; Stokke and Thörnqvist, 2001: 250–2; Walsh, 1983). In this article no attempt has been made to compensate for these variations, since experience in so doing shows that it does not make much difference when the focus is on WDL. In fact, the ILO statistics are the generally acknowledged resource for this information, despite these limitations. They cover the absolute number of stoppages in each country, the number of workers involved, the number of WDL as a result of industrial disputes and in most cases also the total number of employees.

The three strike measures are used in various ways in the comparative strike literature, depending on the particular theoretical interest of the authors. Thus, several contributions look at how the number of strikes is influenced, for example, by union organization (Clegg, 1976; Edwards and Hyman, 1994; Mikkelsen, 1992; Morris, 2003). In this article, however, the main focus is on how much industrial conflict ‘disturbs’ and

intervenes in production itself,⁸ and, therefore, the third measure, WDL, is used throughout (except in Table 2). This seems to be the preferred indicator for most observers today (see the uses in Edwards and Hyman, 1994: 252; Monger, 2004; Stokke and Thörnqvist, 2001: 248).

The reasons for this choice are that the number of disputes is typically small, and not indicative of societal impact, because they vary so much in size. While researchers have taken many different approaches to analyzing the forms and shapes of strikes, it seems to this author that many of the patterns found are spurious, and may be a function of variance in the statistical reporting by the individual countries. Therefore, WDL is assumed to be less affected by statistical measurement problems than the other two measures, since differences in the reporting principles and practices of the countries influence the 'number of strikes' measure much more than that of WDL.

Industrial Conflict in Europe since 1970

What is the overall picture? Table 2 shows the proportion of employees involved in industrial conflict, stated as annual averages for each decade since 1970 (data for the present decade ending in 2003). This shows a marked decline in most European countries since the 1970s, when industrial conflict in most of the region reached a peak (see Crouch and Pizzorno, 1978; and for Italy, Franzosi, 1995: 4–5). On average, 97 employees out of every 1000 (or almost 1 out of 10) took part in an industrial conflict in the 1970s, while today, this figure is reduced to 27 of every 1000 (or one 1 of 37). This is true for the Scandinavian countries, for Ireland and the UK, and also for some of the southern European countries, especially Italy and Spain. The latter two countries had almost twice the incidence of industrial conflict (both in terms of workers involved and of WDL) as in northern Europe, so the decline is particularly dramatic. It is also clear that in most countries in the centre of (western) Europe the number of strikers is very low.

While there has been a substantial overall decline in strike participation, the pattern cross-nationally is not all that different today from that in the 1970s: countries with most strikers then are in the main still at the top of the league table. However, the variance has become significantly smaller than in the 1970s. Whatever the causes may be, one cannot fail to conclude that European industrial relations, as far as industrial conflict is concerned, are moving significantly towards convergence, with patterns of strike participation less differentiated than previously. Variations across EU15, with the continuing exceptions of Italy and Spain (and probably also Greece, for which adequate data do not exist), are today relatively small. But they are still there, as will be discussed in the following sections.

TABLE 2. Annual Average Strike Participation per 1000 Employees by Decade, 1970–2003

Country	1970–1979	1980–1989	1990–1999	2000–2003
DK	41.4	39.5	39.6	26.3
FI	174.5	136.0	38.3	28.2
NO	4.0	13.6	10.2	11.4
SE	4.9	28.4	7.4	5.4
IE	34.2	37.3	11.9	12.3
UK	70.6	47.7	8.5	14.1
AT	na	4.2	4.9	2.7
DE	na	na	4.3	3.7
CH	0.3	0.2	0.8	3.7
FR	90.2	6.5	0.8	0.6
BE	23.3	7.8	3.4	2.8
NL	5.1	3.8	4.7	3.0
PT	na	17.7	17.8	8.6
IT	491.4	318.9	91.3	112.9
ES	221.0	271.3	173.3	162.8
Average	96.8	66.6	27.8	26.6

Note: na = not available.

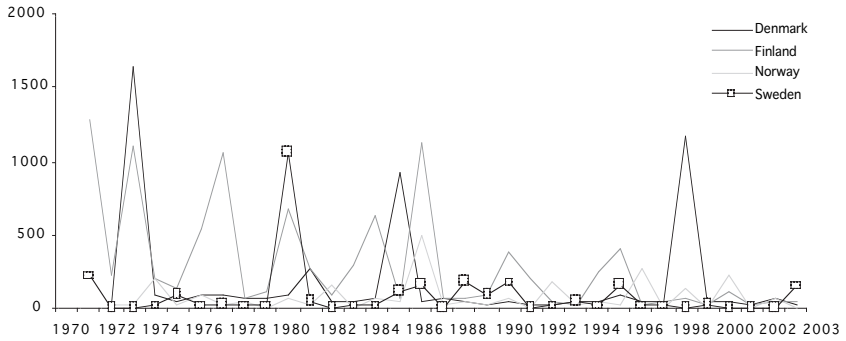
Source: ILO.

The five graphs in Figure 1 show WDL per country over the period from 1970 to 2003, as far as data are available.⁹ In graph 1A for Scandinavia one sees that Finland had until 1986 a substantial number of years with a high number of WDL: over 1000 in 1971, 1973, 1976 and again in 1986. After 1986 only twice has the score approached 500 WDL. In Denmark, the peaks are in 1973, 1985 and (perhaps against the general trend) 1998. The Danish levels are lower than in Finland, but higher than in both Norway and Sweden. However, both Norway and (especially) Sweden experienced a small increase in the 1980s. More recently, with the exception of Denmark in 1998, all four countries have been approaching approximately the same low level. If Norway and Sweden had more stable industrial relations in the 1970s than Denmark and especially Finland, this difference has been completely levelled after the year 2000.

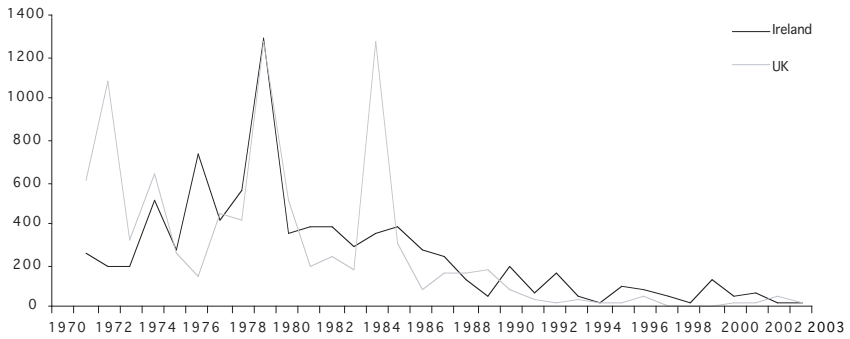
The trend for the British Isles (Ireland and the UK, see graph 1B) is almost identical, and in reality very close to Finnish experience. Turbulent industrial relations in the 1970s became more ‘peaceful’ in the 1980s, and in the 1990s conflict levels became as low as in the central European countries, a trend which has continued in the 2000s. For the UK, the figure shows the big labour disputes, partly in the 1970s up to the point in 1979 when the Labour government was replaced by a series of Conservative governments, the downward trend becoming interrupted of course

FIGURE 1. WDL per 1000 Employees per Year

A: Scandinavia



B: British Isles



C: North-West Continental Europe

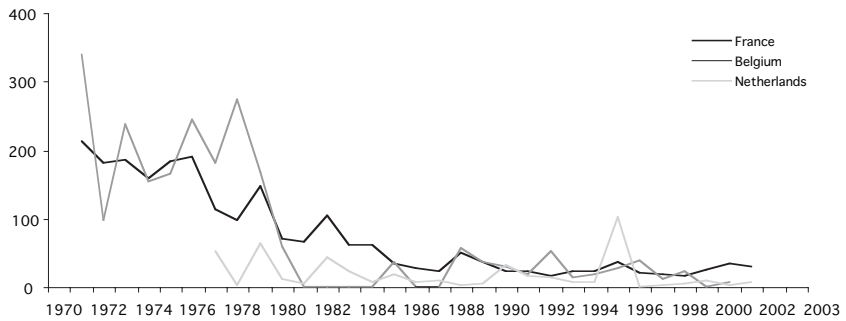
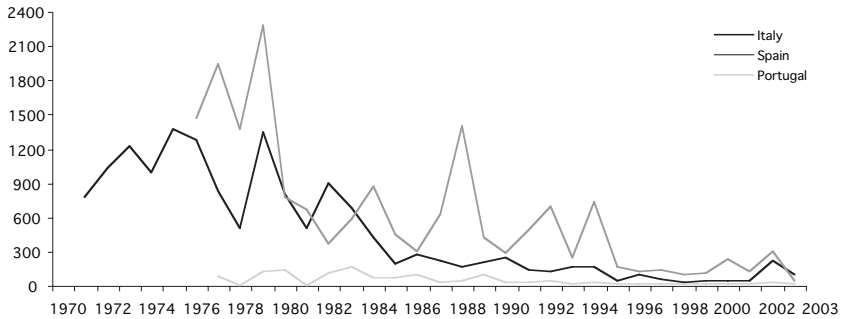
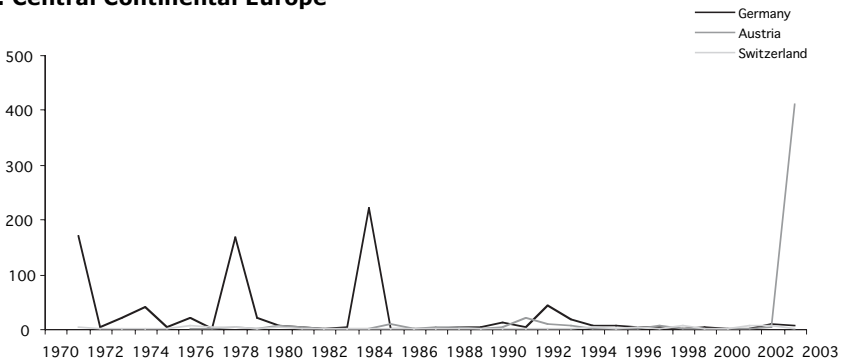


FIGURE 1. Continued

D: Southern Continental Europe**E: Central Continental Europe**

Source: ILO.

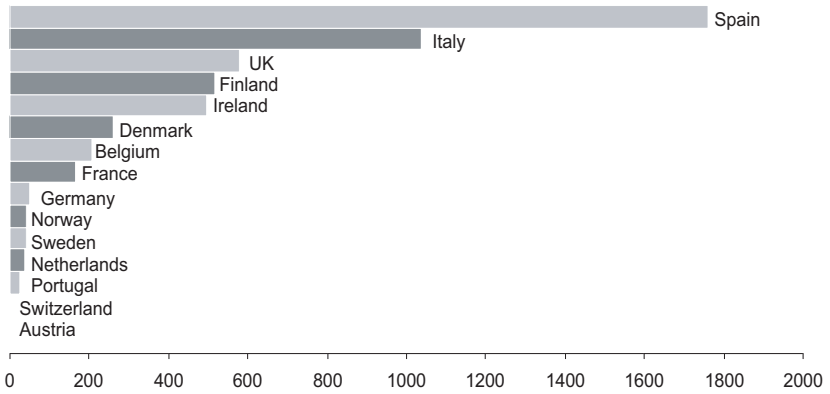
in 1984–5 by the miners' strike. The return of Labour to government has not broken this trend. The UK seems, however surprisingly, almost to have attained industrial 'peace in our time'.

In north-western continental Europe (graph 1C) a similar trend can be seen, in both France and Belgium. The Netherlands has a lower level. The graph does show a rather different structure for industrial conflict, since the peaks are certainly not as high as in Scandinavia or the British Isles, and the period since 1982 seems very peaceful and even, excepting one 'blip' in the Netherlands in 1995. Furthermore, there are indications of an increasing trend in France in the most recent years, something which places France marginally higher on the aggregate scale than the other countries shown here, and also higher than the UK (see also Figure 2D).

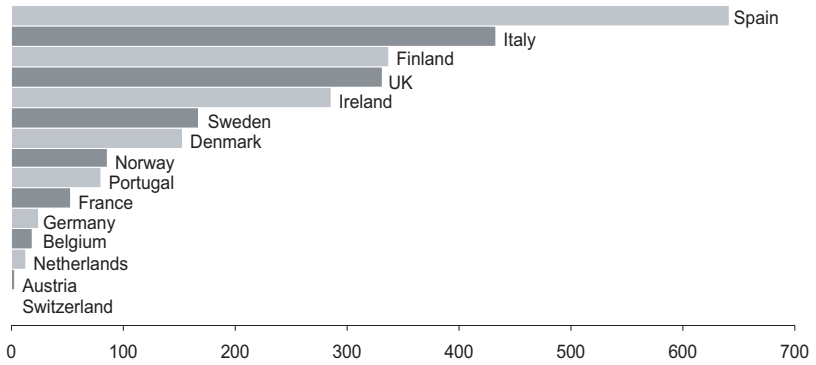
As for southern continental Europe (graph 1D), it can be seen that Spain and Italy had an extremely high level in the 1970s, as mentioned earlier, but in this case there has been a very sharp drop, even though

FIGURE 2. Average WDL per Year per 1000 Employees, by Decade, 1970–2003

A: 1970–79



B: 1980–1989



C: 1990–1999

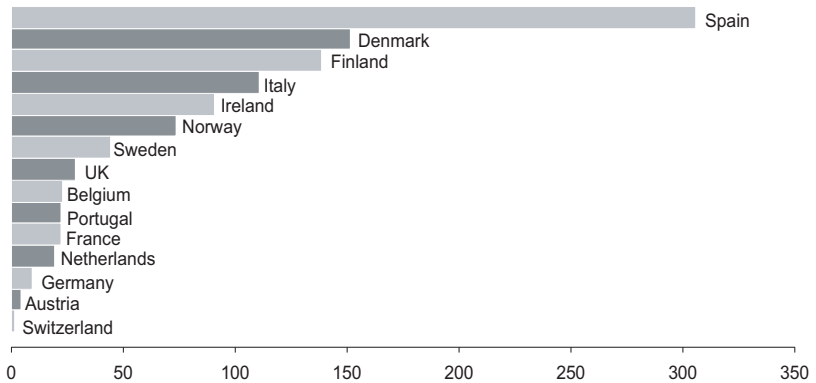
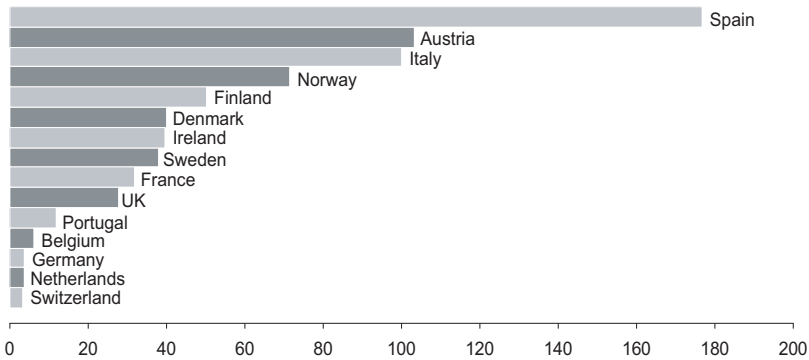


FIGURE 2. Continued

D: 2000–2003

Source: ILO.

Spain has maintained a level of industrial conflict that almost corresponds to Belgium and France in the 1970s. Portugal on the other hand has quite peaceful industrial relations. What is apparent, especially for Spain, is a pattern of ‘waves’ and very big disputes: The first ones appear in the wake of democratization after the death of Franco, but again in 1988 and in the beginning of the 1990s significant highpoints occur, with over 600 WDL (for a discussion, see Rigby and Marco Aledo, 2001). The Italian pattern has quite different origins and explanations, probably partly connected to the state’s role as a major employer (see Franzosi, 1995).

Finally, we have central continental Europe: Germany, Switzerland and Austria (graph 1E). The level for these three countries is extremely low, and it has been that way throughout the post-war era. This may be a surprise to some, since sometimes major industrial conflict erupts and receives substantial media coverage, as in the case of the Opel workers in Germany protesting in October 2004 against the outsourcing of jobs. The numbers, however, show that leaving aside these occasional major disputes, German industrial relations and those of Austria (until 2002) and Switzerland, too, are hardly ever marked by industrial conflict. Even here, certain years clearly appear as highpoints. In Germany, these occurred in 1971, 1978 and 1984. The latter was the year of big labour battles caused by the demand for the implementation of the 35-hour week. As we know, the trade union movement was at least partly victorious in these battles. Today these accomplishments are being rolled back in Germany, but that is a different story. Austria did, however, break its peaceful record completely in 2003: a number of very large conflicts erupted, in the main political strikes against the government’s planned pension reforms. The Austrian Trade Union Confederation, the ÖGB, organized a number of very large protest strikes (similar to those

common in France), the most far-reaching since the Second World War. Added to this, there were major strike outbreaks in the railways and Austrian Airlines, resulting in an aggregate loss of 1.3 million working days, or 400 WDL per 1000 employees.¹⁰

Across western Europe as a whole, there is a clear picture of convergence and a general decline in industrial conflict. In the 1970s, countries like Italy, Spain, Ireland, the UK and Finland had a very high level, while Denmark, Belgium and France were in the middle group; today the level is much more similar and overall much lower. Convergence is the predominant trend, and the days of high numbers of WDL are over. This does not imply that major conflicts have disappeared, though.

A different way of viewing this development — a way that focuses especially on the differences between the European countries — is to look at rankings. If there is a general downward trend in strike activity, it is interesting to see whether this trend influences all countries in equal measure, or if some countries change place over the decades. Thus, in the 1970s (Figure 2A) Spain and Italy were positioned at the top, with the UK, Finland and Ireland at a high medium level, Denmark, Belgium and France in the middle, and Austria, Switzerland, Portugal, the Netherlands, Sweden, Norway and Germany all at the very low end. Does this pattern persist? To some extent it does.

In the 1980s (Figure 2B) the league table is still headed by the same five countries (Spain, Italy, Finland, the UK and Ireland), while in the middle, countries like Sweden and Norway have moved somewhat up the scale from their very low levels in the 1970s. Maybe the ‘resurgence of class conflict’ came a bit later here? Otherwise, the overall ranking has not changed much. (Note that the vertical axis on each graph 2A to 2D is scaled differently, to accommodate the continuing overall decline in WDL.)

In the 1990s (Figure 2C), Spain was still the most strike-prone country, but some large conflicts in Denmark and Finland moved these two countries to second and third place. In Denmark, just one official conflict (almost a general strike) resulted in a total of 1178 WDL per 1000 employees, the highest number for any European country since 1990. The UK, France and Portugal, on the other hand, had become much more peaceful. Also, Norway moved up the scale, not because of increased Norwegian strike activity, but because strike levels dropped faster in most other countries.

Finally, in the 2000s (Figure 2D, averaging only the four years for which data are available) — with the lowest general level for WDL — we again find Spain, Italy and Finland among the top five, but now Norway is among the ‘top’ countries, as a result of a very large conflict in 2000. Also, a novelty, Austria has taken the second place that was occupied by Denmark in the 1990s. At the very bottom, the least strike-ridden

countries are (in ascending order): Switzerland, the Netherlands, Germany, Belgium and Portugal.

A general conclusion on the patterns of cross-national variation would be that while some countries persist in their position in the league table, at the high (Spain, Italy and Finland) or the low end (Germany, Switzerland, the Netherlands and to some extent Portugal), others do change places and significantly so. Denmark is for most of this period in the middle, but was high-ranking in the 1990s; the UK used to be one of the most strike-ridden, but since the 1990s is now in the middle or just below; while Norway seems to have moved relatively in the opposite direction. Austria is a complete surprise.

The Overall Decline

Finally, this article discusses two aspects of the patterns detected: first, potential explanatory factors behind the decline in strikes; and second, some possible considerations concerning the still prevalent country differences. Some of the explanations suggested in the literature are as follows:

- *Declining union density*: The most evident explanation is the general weakening of trade union organization in Europe, first and foremost reflected in the decline in density. This decline is described in many sources (Ebbinghaus and Visser, 2000; Visser, 1994; for the USA, see, for example Kaufman, 2004: 53), but it cannot really be the only explanatory factor. For even in countries with relatively stable union densities, strike levels have dropped significantly.
- *Declining collective bargaining coverage*: Coverage has declined in some countries: in Germany in the period just from 1995 to 2001 from 83 to 71 percent in the west and from 73 to 56 percent in the east; and in the UK in the period from 1984 to 1998 from 66 to 42 percent, quite significant rates of decline.¹¹ But in most other countries, as Traxler (1994) has shown, there has been no general decline in bargaining coverage. Countries with extension clauses which are widely used (such as Austria and France) maintain very high coverage rates, and most countries with a less legalistic approach to bargaining coverage (as in Scandinavia) have not experienced this kind of decline.
- *Globalization with less state intervention in support of national employment*: The strengthening of the EU internal market, in combination with the gradually increasing liberalization of global trade through the WTO, entails less state protection of national companies and industries and less state financial intervention to protect employment. In consequence, striking for state support for ailing producers

(such as shipyards) has much less appeal to workers today than in the past. At the same time, globalized competition means that some employees may face losing their work to developing countries, should they strike too extensively. That globalization plays a role in undermining the strength of the labour movement and blunting the strike weapon is probably true in a general sense.

- *Sectoral and occupational changes*: It has long been argued that the change from manufacturing to the service economy, and the associated trend in employment from manual worker to salaried employee, adversely affects solidarity and militancy. In fact the causal relationship is ambiguous. Increased public employment may have increased the tendency to strike (because of high centralization on the part of the employer, and a high degree of employment security); conversely, increases in the private service sector and the 'knowledge economy' may pull in the opposite direction. The growing prevalence of privatization may thus have contributed to a downward trend in strikes, but this can only have been a major factor in the recent period.
- *Individualization*: This more general sociological factor may also contribute, although it is of course difficult to say why today's employees should have become much more individualistic, and when such a change took place. However, a change in the balance of risks and opportunities may make strikes a less attractive option for individualistically oriented employees, with a higher estimate of the sacrifices involved and a lower expectation of gains.

The 'Many Cases of Europe'

Why do strike patterns differ in Europe, and why do these differences seem to persist? Explanations for the persistently high strike levels in Spain and Italy have been proposed by Franzosi (1995) and Rigby and Marco Aledo (2001). While these authors point to several important causal factors, the most important appears to be the fact that striking plays an almost integral role in sectoral bargaining. In other countries, such as the UK and in Scandinavia, pay bargaining including unofficial strikes typically takes place at workplace level; this means that when employees do strike, it is only in a minority of companies and thus the toll in WDL is much smaller. Another factor seems to be political strikes, which have all but disappeared in northern Europe, but which are still a fact of life in Mediterranean countries. It is tempting also to mention the very high employment security for workers in Spain and Italy (a legacy of corporatism), which makes it rather less risky for workers to go on strike, and also results in conflict over attempts to introduce more labour market flexibility.

At the other end of the spectrum are the countries with very low levels of WDL, both in absolute and relative terms: Germany, Austria (until 2002), Switzerland, the Netherlands, Belgium and to some extent also Portugal. These are countries where there is no tradition of large political strikes and where sectoral bargaining generally takes place with strikes only few and far between. There are exceptions: Germany in particular does have intermittent sectoral disputes, resulting in individual years with a larger number of WDL, but even then the size of such disputes rarely results in levels approaching the peaks recorded in southern Europe or in Scandinavia. It is interesting that the most recent English-language introduction to German industrial relations makes only a few passing references to the issue of industrial conflict (Müller-Jentsch and Weitbrecht, 2003). One part of the explanation for the extraordinary labour peace in Germany (and some other countries in this group) might be the strong works council system, which gives employees much more say in the everyday business of their companies, and thus makes striking 'against oneself' appear pointless.

Finally, we have the countries in the 'middle range', where the level of WDL is significant, but not overwhelming. These include France, Ireland, the UK and all four Scandinavian countries. Here, strikes are still common either in the recurring processes of local workplace pay bargaining, or as a political means of protest (or both). However, resort to strikes in either case is episodic and infrequent, contrary to the pattern in Spain and Italy. Trade unions and employers' associations therefore constantly monitor any conflicts in order to contain the eruptions that do occur, something which in France is left to the politicians.

It is worth noting that in these countries, despite very different institutional arrangements in industrial relations, levels of industrial conflict in terms of WDL are today almost indistinguishable. France has a constitutional right to strike, the Scandinavian countries have an embargo on strikes and lock-outs while a collective agreement is in force, while the UK has neither of these. Apparently, institutional differences are not a major influence on the occurrence of industrial conflict. This is surprising, since many observers argue that the legislative framework strongly influences the level and pattern of strikes. In the USA, for example, public-sector strike bans have been shown to have significant damping effects (Hebdon and Stern, 2003). Yet in Europe, if the workers wish to strike, the specific national institutional rules are apparently of little significance. This however can hardly be the truth.

One might argue that high levels of striking, as in the 1970s, are unhealthy and self-defeating in the globalized economy which we have today. As with the individual right to quit a job, we consider collective action a basic democratic right and would consider it an infringement of individual and democratic rights if politically this were removed. On the

other hand, when the individual employee quits (without another job at hand), he or she always runs a risk and doing so repeatedly can be self-defeating. So the right to strike is there and is important, but extensive use is a symptom of defects in the industrial relations system.

That is why it is fundamentally wrong to say, for example, that a Scandinavian country such as Denmark has especially peaceful industrial relations, as it is sometimes claimed by defenders of 'the Danish model' (Due et al., 1994). As Stokke has emphasized (1999: 28–30), industrial conflict in the Scandinavian countries displays a level quite close to most other European countries.

Conclusion: The Novel Calculus of Industrial Conflict

But what do the generally falling trends in industrial conflict mean? Will it wither away in a not too distant future? Are strikes an extremely outdated way of fighting? Will there be 'peace in our time'? Or will companies also in the future have to balance on the risk of conflict, when the collective agreements are to be renewed, or when the local wage negotiations take place? Will the right to strike have to be exercised once in a while if we are not to forget about it completely? Can situations still occur, where the strike as a form of action still today and in the future will be an effective and legitimate expression of the collective interest or collective protest of a specific group?

One might believe in 'peace in our time'. The strike figures are now extremely small. The average European strike level in the 2000s is 53 WDL annually for every 1000 employees (who each work approximately 225 days a year); the loss of workdays due to strikes in other words makes up just under 0.02 percent of all possible workdays or less than two per ten thousand!

On the other hand, it is also easy to see from the data given that the level of conflict in most countries seems to have declined sharply from the 1970s to the 1990s, but from then on has not fallen much further. One might interpret this trend in industrial conflict in Europe as stabilization at a far lower level than in the past, particularly in the most strike-prone countries. The continued occurrence of spectacular strikes, for example in connection with workplace closures or outsourcing, is something that will prevent dispute levels from falling towards zero. Such actions bring the attention of the public to processes that hit the employees, who have few other ways of gaining the attention of the media.

We discussed earlier some explanations for the secular decline in strike activity since the 1970s. We must also ask for explanations for the substantial national differences which remain evident, even if cross-national differences have reduced considerably over time. While it is

impossible to propose detailed causal explanations here, some hypotheses can be suggested, based both on the literature and upon the recent changes in industrial conflict patterns. They are summarized in Table 3.

- *Unemployment levels* play a substantial role in the economic literature, for example in the Ashenfelter and Johnson model (1969).¹² Judging from the patterns, it is quite clear, however, that neither the decline in industrial conflict nor the cross-national variation could be explained by unemployment. While industrial conflict fell in concert with increasing unemployment in the 1970s, the recovery of employment in the 1980s and onwards was not accompanied by increasing strike activity, neither generally nor in those countries benefiting most from labour market improvement.
- *Union density and bargaining coverage* may have had a slight effect on industrial conflict levels: both have been declining, especially density, and this trend has not been reversed. As for the variation, however, it is certainly difficult to discern a connection between any of these two factors and industrial conflict: Both France and Germany have high bargaining coverage, but their levels of industrial conflict vary substantially.
- *Labour law and changes in the legal framework* have received considerable attention in the literature (Elgar and Simpson, 1993; Hebdon and Stern, 1998, 2003). Clearly, different national systems' labour law can be expected to influence the variation in patterns and levels of conflict between European countries, though as noted previously this effect is far from straightforward.
- *Globalization and the reduction in national employment protection*, as discussed earlier, may be important in explaining the overall decline in industrial conflict levels. However, there is no evidence that differential exposure to international economic forces can help explain cross-national variations in WDL.
- *Embeddedness* or history: national traditions of either high or low conflict may become established over time and shape the behaviour of the industrial relations actors. Within countries, one may likewise observe such learned patterns in particular companies or industries. This does seem to be an important factor, shaping expectations of what is legitimate and effective.

Institutional factors may be judged to play a substantial role: legal-regulative institutions affect the dynamics of industrial conflict, while normative or cultural-cognitive institutions play a role in explaining national variation (see Scott, 2001: 52). In sum, strikes are often based on and have to be understood as rational calculations, embedded in an institutional system, which to a large extent affects the actual calculation: not necessarily economic, however, for calculations may be value-based

TABLE 3. Hypothetical Effects of Institutional Factors in Explaining Strike Trends and Cross-national Variations

	Decline	Variation
Unemployment	0	0
Union density	(+)	0
CB coverage	(+)	0
Labour law (changes in)	(+)	+
Changes in market protection	+	0
Embeddedness	+	+

Note: Effects are denoted as 0 = no effect; (+) = slight effect; + = clear effect.

(Crouch, 1982; Hyman, 1972; Hyman and Brough, 1975). Industrial conflict may result from frustrations over large negative enforced conditions, for example mass lay-offs in the case of declining markets, often as a futile, yet comprehensible cry for help. Not all participants in industrial conflict will agree on the calculation, but on these occasions the majority normally rules, since collective action otherwise becomes virtually impossible.

Calling participants' deliberations and reflections on strike action 'rational calculations' may appear overdone: according to some estimates, a strike lasting more than four days will virtually always represent a negative cost-benefit calculus (Metcalf et al., 1983: 185-91). Protests against mass lay-offs may be an exception: workers are reacting, because they feel that the attention of the public needs to become directed toward the phenomenon. Another explanation might be that the union representatives — confronted with a sizeable setback, for example major job losses — may decide that the least-worst option is to fight and lose rather than not fight at all.¹³

Consideration of rational calculation makes it possible to expect that there will be decreased strike activity as markets become globalized and outsourcing of jobs is made much easier. Workplaces are simply much less protected by national borders than they were in the 1970s. It also becomes fair to expect European nations to move towards convergence, with their strike patterns becoming more similar.

As a fundamental civic right the right to strike is still significant, but the actual occurrence of strikes can definitely not be seen as a simple expression of either the strength or the weakness of the labour movement, as Korpi and Shalev (1979) have cogently explained. They must, however, be seen as an expression of the embedding of the actors in nationally specific negotiation relations, and their more or less rational deliberations and reflections within these.

Strikes may presumably always be seen as the beginning of a process,

not the end. By conducting a strike, a collective of employees can set a new agenda or put new issues on the existing agenda, often in the context of establishing (or improving) a collective agreement. That way strikes have often been used. However, one cannot in every case strike one's way to victory. The victories are won at the negotiating table, where the strike threat may be a useful card to play. This card instantly loses much of its value, however, when it is actually played. Negotiation victories usually involve concessions by both sides. The reciprocity of the negotiation process becomes far more difficult in the context of strikes or lock-outs, when feelings are riding high, and the parties may have difficulties acting and deliberating rationally. If the strike may still be seen as a countervailing power resource for employees faced with the superior power resources of employers, the waning of industrial conflict is indeed lamentable. But if it is a function of employees finding other ways and means to express their demands, a decrease in industrial conflict may be less regrettable. Nevertheless, the strike is still a significant civic right, but more as an emergency resource than as an 'everyday right'.

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NOTES

- 1 For a discussion of industrial conflict in eastern Europe, see Kubicek, 2004: 34–7 and Welz and Kauppinen, 2005.
- 2 These data are now available via <http://www.ilo.org>, more specifically the statistics are at <http://laborsta.ilo.org/>. Data for employment in Germany are not available from ILO, but have been taken from OECD: <http://www1.oecd.org/scripts/cde/members/lfsdataauthenticate.asp>. A more detailed appraisal of sources and data is found in Scheuer, 2005: 36–9, available in pdf format from the author or at <http://diggy.ruc.dk:8080/bitstream/1800/1160/1/Nr.+1.pdf>.
- 3 In a recent book, Crouch, once the co-editor with Pizzorno of 'The Resurgence . . .', has neither strikes nor industrial conflict in his index. Nevertheless, he does mention the 'disastrously organized coal-mining strike' (2004: 56).
- 4 Moreover the deal struck between unions and employers, in the 'September Compromise' of 1899 (and maintained in every subsequent version of the central agreement between the two main confederations) establishes a 'peace obligation' when a collective agreement is in force. This has been judged to imply that when there is no collective agreement (or when an agreement has expired), the peace clause has also expired or is non-existent, and thus that employees have the right to strike (Due et al., 1994; Scheuer, 1998; Stokke, 2002).

- 5 Public-sector strike bans in the USA have also been shown to have some effect (see Hebdon and Stern, 1998, 2003).
- 6 For a discussion of industrial conflict in eastern Europe, see Kubicek (2004: 34–7) and Welz and Kauppinen (2005).
- 7 These data are now available via <http://www.ilo.org>; more specifically the statistics are at <http://laborsta.ilo.org/>. Data for employment in Germany are not available from ILO, but have been taken from the OECD: <http://www1.oecd.org/scripts/cde/members/lfsdataauthenticate.asp>. A more detailed appraisal of sources and data is found in Scheuer (2005: 36–9), available in pdf format from the author or at <http://diggy.ruc.dk:8080/bitstream/1800/1160/1/Nr.+1.pdf>.
- 8 ‘Production’ is here taken to be any kind of production, both of material goods and of immaterial services, whether in the private or the public sector.
- 9 Note that the scale on the vertical axis in the Figures 1A to 1E is not the same: the strike level measured as the number of WDL in e.g. France is less than a third of e.g. the British Isles.
- 10 See <http://www.eiro.eurofound.ie/2004/01/feature/at0401203f.html>.
- 11 In the UK private sector from 48 to 25 percent. For Germany, see Müller-Jentsch and Weitbrecht (2003: 195); for the UK, see Millward et al. (2000: 96).
- 12 For a discussion of this model’s merits in the Italian case, see Franzosi (1995: 30–55).
- 13 Elster (1989). For yet another explanation, union rescue, see Golden (1997).

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