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Volume 78, numéro 2, 2023

URI : <https://id.erudit.org/iderudit/1109485ar>

DOI : <https://doi.org/10.7202/1109485ar>

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Éditeur(s)

Département des relations industrielles de l'Université Laval

ISSN

0034-379X (imprimé)

1703-8138 (numérique)

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Citer ce compte rendu

Coutu, M. (2023). Compte rendu de [Ruth Dukes, Wolfgang Streeck, *Democracy at Work. Contract, Status and Post-Industrial Justice*, Cambridge, Polity Press, 2023, 182p.] *Relations industrielles / Industrial Relations*, 78(2).
<https://doi.org/10.7202/1109485ar>

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Democracy at Work, which is intended as a work in the *sociology of labour law*, bears witness to the fruitfulness of a scientific encounter between two eminent specialists, one, Ruth Dukes, professor of labour law in Glasgow, the other, Wolfgang Streeck, director emeritus at the Max-Planck-Institute in Cologne. The purpose of this encounter is of the outmost importance: to reflect on the future of democracy at work and of industrial citizenship, after more than forty years of neoliberal regulation deployed, to varying degrees, on a global scale.

The book is written in a concise and clear manner and intended to be accessible to a wide audience. From the outset, the authors focus on the clear value added for *political economy* of a careful consideration of *labour law* (p. x). First, distinguishing labour law from contract law highlights the latter's manifest inability to consider the fundamental inequality between the parties (employee and employer) to the labour contract. Secondly, linking political economy and labour law illustrates the eminently political nature of the latter, its aspiration to democratize capitalist societies in the sense of a certain equality. From the outset, Dukes and Streeck stress the *ideal-type nature* of the concepts used (p. 5). This is particularly true of the notions of *contract* and *status* which structure the whole discussion of industrial democracy throughout the book.

The notion of 'industrial citizenship', conceived interchangeable with the concept of democracy at work, is also constructed as an ideal type. It concerns, on the one hand, the employee as a bearer of rights at work, and on the other hand, the recognition of the spheres of industry and the economy as issues of democratic governance (p.8). Finally, a last ideal type underpins the presentation: this is the 'labour constitution', a notion developed by Ruth Dukes based on the work of Max Weber and especially Hugo Sinzheimer (p.15). The notion appears particularly flexible, as it can be applied to a plurality of analytical units, from a specific workplace to a sector of activity or to an entire state.

The book consists of four chapters. The first chapter presents the ideas of two major authors: Philip Selznick, a sociologist of organizations, business and law, and H. Sinzheimer, a labour lawyer and legal sociologist. Selznick published *Law, Society, and Industrial Justice* in 1969: in this landmark book, he studies the progress of industrial justice in the United States, *i.e.* of an internal order of the organization (the large corporation) that gradually relies on the rule of law (p.25). The result was a form of corporate governance based on a 'constitutional' foundation, upon an orientation of action with *reference to values*, those of justice, equity, and the fight against arbitrariness (p. 28).

This conception of the firm as a private government ensuring, under pressure from the unions, a certain degree of industrial citizenship was, however, as Dukes and Streeck point out, an overly optimistic reading, belied by historical developments. At the time, large firms were vast autonomous organizations, controlled by the managers and not by a multiplicity of shareholders, focusing on long-term growth and not on short-term over profit. However, this period of managerial corporation came to an end at the turn of the 1980s, with what the authors call the *neo-liberal counter-revolution*, whose emblematic assertion, due to Milton Friedman, is that the only social responsibility of the company is to maximize the assets of its shareholders (p. 34).

The second part of this first chapter is devoted to Sinzheimer, the founder of labour law in its collective dimension in Germany. Sinzheimer had a decisive influence on labour law in the Weimar era (1918-1933), both constitutionally and legislatively. The chapter closes with a comparison of the partly convergent ideas of Selznick and Sinzheimer, while noting the (eventual) failure of the institutional experiments in labour law propelled in Germany by the November Revolution of 1918 and in the United States by the *New Deal* of 1933-39 (in particular, via the *Wagner Act*).

The second chapter of the book deals with post-war labour relations in the industrialized market economies: Dukes and Streeck first discuss the rise of industrial citizenship in terms of an interaction between *contract* and *status*. Status comes into play as a limitation of the over

unilateral power of employers when viewed in terms of a purely contractual relationship. The authors refer in this respect to the classic conception of T.H. Marshall ('Citizenship and Social Class', 1949). The post-war period results in a (relative) democratization of the capitalist economy, in some cases even granting co-determination rights within the framework of European 'neo-corporatist' models. The reality of labour relations is changing dramatically with the neo-liberal turn that accompanies *economic globalization*. The search for labour flexibility favours the use of short-term employment contracts, free of most of the obligations previously associated with employee status.

The third chapter of the book examines some employment situations that are 'archetypal' for the authors, in the sense that these cases are exemplary. Moreover, they bear witness to the current phase of *fissurization of firms*, as described, among others, by David Weil. The following is the subject of successive developments: platform work, such as Uber and others, in which the company acts as an intermediary between the 'contractor' and the user; employees working in Amazon's warehouses, who are also frequently considered as self-employed; and other workers in the services sector, when (abusively) looked upon as autonomous employees. Finally, the academic world, marked in many cases by a strong growth in precarious employment, even among university teachers.

The final chapter of the book considers what a full reconstruction of industrial citizenship would mean, asking whether a 'countermovement' in the sense of Karl Polanyi is possible after decades of neoliberalism. The authors stress the importance of grassroots movements based on 'occupational communities' (the expression is borrowed from S.M. Lipset), which are still present even in the shifting sectors of the precariat (*e.g.* in the service industry): such occupational communities constitute networks of solidarity and at least contain the seeds of various aspirations for equity at work. On the other hand, the authors rightly insist on the indispensable role of unions, collective bargaining, and the right to strike for those hoping for a renewal of industrial citizenship and democracy at work. Finally, a renewed constitution of labour simultaneously calls for the democratization of the economy (for example, regarding ownership and control of the banking system): its central precondition - a reflection on which the authors conclude their book - resides in a renewal of labour law, regaining the broad reformist spirit of its origins (p. 139).

Let us make a few remarks here, essentially to contribute to the discussion that this very important work will surely generate. These remarks relate to the interaction of status and contract, to the plurality of law from a sociological point of view, and to the idea of a new constitution of labour.

Contract and status. These are very general categories, encompassing a wide range of phenomenon, so the opposition between contract and status *can only be relative*. Used as they are, these categories, in our view, are in themselves quite unlikely to deeply nurture the debate on citizenship and democracy at work. From our perspective, the discussion needs to be made more complex by using sub-types, for example Weber's distinction between *status contracts* and *purposive contracts* which can also be found in the work of Selznick. And we ought to consider, from a methodological point of view, the distinction between the *normative* and the *sociological* understanding of the concept of law, a distinction that Hugo Sinzheimer also rightly insisted on (see below).

The plurality of law. Dukes and Streeck do not explicitly claim adherence to legal pluralism, and their distinction between 'incipient law' (a term borrowed from Selznick) and 'formal law' seems to assign some primacy to state law. There is no emphasis on the fundamental opposition that Sinzheimer draws, under the influence of Eugen Ehrlich and Otto v. Gierke, between *social law* and *state law*. This results in a certain vagueness about the *sociological notion of 'law'*, as the book often distinguishes between social norms and legal norms, or between informal rules and formal law, etc., (*cf.* pp. 11, 37, 40, 107, 138) without the nature of the distinction, in our eyes at least, being very clear.

A new labour constitution? The authors make a strong case for a renewed labour constitution, while setting out the rules, standards, and principles on which it should be based. We fully agree with these proposals. However, it should be noted that the objective possibilities for the emergence of such a renewed constitution are hardly discussed: the authors quickly jump from empirical analysis to normative choices. It would have been appropriate to analyze, even if only briefly, what empirical dynamics are likely to lead to this undoubtedly ambitious objective: for example, do we see the conditions for a trade union renewal and, if so, in which sectors, in which countries? Furthermore, the legal foundations for a re-emergence of collective labour law are barely outlined: does international labour law play an essential role in this respect? Is there a need to ensure an effective constitutional foundation for collective labour law? If so, on what basis and through what mechanisms?

Many questions therefore remain unanswered. Assuredly, the authors did not aim to answer all these questions in advance, since their solution depends largely on a broad, yet uncertain, mobilization of socio-economic, political, and legal resources by the collective actors of labour relations. Let us agree, however, that *Democracy at Work* represents an essential first step in this direction, capable of giving rise to urgent reflection on the matter. Consequently, this fundamental book must be most warmly welcomed.