
BOOK REVIEW

Roy J. Adams, ***Labour Left Out: Canada's Failure to Protect and Promote Collective Bargaining as a Human Right***. Ottawa: Canadian Centre for Policy Alternatives, 2006, 152pp. \$14.95 paper.

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In his latest book, industrial relations scholar Roy Adams addresses the morally troubling disjuncture between the Canadian government's formal recognition of an "international human rights consensus" that includes labour rights, (namely the rights to organize, bargain, and strike), and a reality in which those rights have been allowed "to languish" (11). Adams argues that, while the human rights of other historically oppressed groups, like women, people of colour and gays and lesbians, have advanced, "labour in Canada has been left out of this human rights revolution" (11). Declines in both union density and collective bargaining coverage rates, especially dramatic in the private sector, are symptoms of this failure, as are the routine restrictions placed on public sector workers' rights to bargain and strike. These declines have occurred despite important union efforts at organizing as well as significant documented support amongst the Canadian workforce for some form of collective representation vis-à-vis their employers.

Adams' diagnosis of this "representation gap" is threefold. First, employers have both failed to accept the norms of "social partnership" between labour and capital typical in Europe, and view unionization as "an overt mark of poor management", making "union-free status" a "legitimate enterprise goal" (23). Second, despite their acceptance of international covenants which commit them to do so, Canadian governments have indulged employers in their belief in a "natural right to oppose certification" (25) by failing to actively promote the spread of collective representation and therefore greater workplace democracy (26, 35). Third, the Canadian labour relations system, which links collective bargaining and the right to strike to the certification of an exclusive bargaining agent in the form of a union, produces a set of obstacles to more widespread worker representation. Many workers are deterred by the inherent risk of such an adversarial process. The lack of effective alternatives (like non-union employee associations, joint labour-management committees, or Works Councils) results in a bipolar choice between formal unionization and no employee representation mechanism at all. Adams recognizes that Canadian

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unions are invested in formal certification processes for good reasons, namely the financial security provided by a legally-supported dues check-off, "government-backed mandatory bargaining" and, most important, the "protected right to strike", which is the source of worker independence from management and the capacity to back up voice with effective power (28-29). However, while these arrangements may support the short-term institutional interests of established unions, they don't effectively extend workers' access to representation or, more broadly, industrial democracy.

Adams proposes primarily legislative solutions. Governments should develop public information campaigns to educate workers about their rights to representation, and, through moral suasion backed up by the threat of "intrusive legislation" (38), convince employers to voluntarily accept and engage with employee representatives. However, changes to labour law are ultimately required which support both certified and uncertified forms of representation, and which also extend the protected right to strike or to binding alternative dispute resolution to non-union organizations. According to Adams, the labour movement needs to mobilize around such ideas, to conduct campaigns that frame labour rights as human rights, and to provide workers with "union-like" representation even when certification drives fail. Unions would have to put aside their more narrow institutional interests and fears of "company unions" in favour of spreading industrial democracy. Since non-union forms of representation are often stepping stones to full certification, and much closer to union status than complete disorganization, a more flexible attitude to forms of employee voice could also be a source of union renewal.

Adams positions his analysis within the institutionalist industrial relations perspective espoused in the last century by John Commons and the Webbs, who emphasized unions' role in providing workers with a voice in the workplace, ending managerial unilateralism and striking a balance between employers and workers' interests. For Adams, as for these predecessors, industrial democracy preserves human dignity by preventing workers from being treated as commodities, mere means to the employers' ends. Ultimately, Adams assumes that employers' and workers' interests are not fundamentally incompatible. Social partnership within capitalism is not only possible but also desirable, a commitment which characterizes the contemporary social democratic approach to the capital-labour relationship.

In that sense, while there are useful criticisms about the limitations of certification-based unionism, Adams' analysis shares the blind spots of the institutionalist perspective. Neither employers' capitalist nature nor the interests which flow from that are mentioned as an explanation for their anti-unionism. Instead, at issue is their failure to recognize their "good-citizenship duty to embrace collective representation" (51). Neoliberalism as an ideology or public policy approach is never mentioned, nor is the impact of global

institutions like the World Trade Organization, nor the active role that national states have played in constructing a global economy in which pro-labour legislation has become increasingly precarious, even in Europe. More deeply, the relationship of the state to capitalism in general is not addressed; instead, the government's failure to promote collective bargaining rights is a failure of political will – that can be altered voluntarily – rather than a reflection of the social and political power possessed by certain class forces and expressed through state (in)action. There seems to be no recognition that employers' or state interests might actually be *served* by restricting labour rights. This lack of political-economic context results in an overestimation the power of legislative change to restore balance to the labour-management relationship, and an under-specification of the herculean political mobilization required to win such reforms. This of course begs the fundamental question of whether such a balance can be achieved within capitalist economies, and whether collective bargaining is really a sufficient means for dealing with the dehumanizing effects of commodification on workers. Therefore, while Adams helpfully challenges assumptions about the effectiveness of the Canadian labour relations framework, his solutions do not address the power of capital over workers' lives, whether unionized or not.