Contextualizing Voice and Stakeholders: Researching Employment Relations, Immigration and Trade Unions

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Abstract This article aims to outline some of the ways in which issues of migration and employment relations have been studied in the European context, cross referencing recent interventions in the USA. The argument is a discussion of some of the different dimensions of migration and the way debates within Industrial Relations have been shaped. More specifically, the article will look at the way trade unions have made the ethical turn towards questions of migration and equality. The article will observe the way these issues have been academically framed and the manner in which the 'problem' of migration is conceptualized. It will attempt to provide a framework for discussing the way we have been analysing these issues and the ethical dimensions of these discussions. The relevance of the article is that institutionally responding to migration is not solely a question of adjusting employment relations or Industrial Relations institutions to various 'new' constituencies. The article will show that the topic raises issues as to how we actually understand what the study of employment and especially Industrial Relations are. The article also argues that there is a growing need for researchers to be aware of ethical issues when studying in the area of migration, and to be sensitive to competing voices and methodologies in this

area. In particular we need approaches that are multidimensional and that emphasize the history and context of change in social constituencies, the new mechanisms of representation within communities, the role of the political in terms of discourses and resources, and the broad play and spaces of regulation and social policy.

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Introduction

The question of equality and diversity in work- and employment-related issues has become a central feature of academic and practitioner debates. In this area the level of research activity has accelerated. Business schools and HRM departments have developed a range of teaching and research activities in the area of equality and diversity aimed at understanding their significance and what they mean for established institutions and organizations. The question of race and immigration is increasingly addressed in such establishments because of the manner in which new developments and new patterns of immigration have evolved since the 1990s. The researching of these new developments has brought the study of Industrial and Labour Relations to a new engagement with questions of equality, race and social exclusion/inclusion. In itself this appears to constitute an ethical turn, a Copernican shift from a denial of race and equality issues to a greater engagement with the manner in which work, and rights at work, are understood and integrated into the mainstream of research. Yet we need to be cautious and even critical—although in a positive sense—with regards to this turn in terms of its purpose and content. The manner in which it

has taken place does not in itself mean that we are rethinking our initial scheme of interests and research practices. Neither does it mean we are becoming conscious of our own role as academics within the process, and the way the 'subject' of the research is addressed.

This article aims to provide an overview of some of the challenges that exist when attempting to study and understand the impact of new forms of immigration in the context of industrial and labour relations. The current interest in the study of migration, race and ethnicity within Industrial Relations is highly welcome given the previous tendencies to consider this a secondary or even irrelevant feature of Industrial Relations—especially in the European context. The ambivalence of trade unions towards immigrants cannot be ignored as a contributing factor in limiting the study of immigration. However, increasing concerns with regards to immigration—paralleled by the relative weakening of the position of trade unions in Europe and North America—means that the study of this topic is becoming increasingly important and 'mainstreamed'. The article will therefore focus, in the first instance, on how the study of immigration and racism has recently been discussed within a variety of texts. It suggests that this positive turn in the agenda of Industrial Relations has been, in the main, driven by a concern over the condition of organized labour, with the issues of immigration being a basis for trade union renewal. The problem is that issues of trade union–immigrant relations have been discussed, in most cases, on the basis of a static understanding of both sides of this equation. Yet, the two sides of this relation are more complex: they even consist of competing visions of how their inter-relation should develop and whether the relationship is significant.

Having outlined the debates within Industrial Relations on trade unions and immigration, the article then turns attention to the specific challenges that have emerged when we begin to compare the way trade union-immigrant relations have evolved in different national contexts. The article will argue that this comparative dimension allows us to explain the way different sets of relationships and strategic links may emerge within the Industrial Relations of immigration. Union responses to immigration and racism can only be understood if we begin to map the regulatory traditions and politics of trade unions within particular national contexts and socio-economic contexts: in effect we need to understand the nature of regulation and the emergent ethical agenda within Human Resource Management (HRM) regarding voice and participation, especially in relation to the concept of the 'stakeholder'. The article notes that much of the debate on immigration and Industrial Relations has ignored the need to conceptualize the way national systems of Industrial Relations evolve and how these influence the policies of trade union renewal. Given this, the article introduces a series of significant texts on the

subject of immigration and Industrial Relations which have been—in our view—ignored within some of the mainstream debates. This is an irony given that Industrial Relations and the discussion of trade union renewal has been increasingly sensitive to *the* comparative question in terms of strategy, structure and methodology. The need to focus on how the question of migration is regulated, understood and structured gives rise to a need to be sensitive to what it is we mean by trade unionism and by immigration in specific, spatially bounded contexts. The work of Penninx and Roosblad, Wrench and Meardi is particularly highlighted in the relevant parts of the article as a basis for *broadening* our understanding of how systems of regulation, trade union politics and immigrant representation develop.

Finally, the article will end with a discussion that calls for a need to locate the phenomena of immigration and trade union renewal not just within an anti-racist or anti-xenophobic ethical or research framework—something which appears to be happening—but also within an appreciation of how Industrial Relations activities vary and change. This raises a need to appreciate the competing ways regulation is structured and developed. There are gaps in Industrial Relations systems exposed by social change and this in turn requires a multi-dimensional and more open approach to the way we see Industrial Relations changing. We therefore heed the warning that Fine (2006) has presented of not just looking at established relationships and how they adjust, but of being sensitive to new relationships and politics within the spaces of Industrial Relations. The methodological consequences of this are clear: we need broader 'maps' and broader methods based on an ethical understanding of the role of voice—flippant and broad references to the role of stakeholders and the need for voice is in itself not enough. In particular we need approaches that are multidimensional: that emphasize the social context (the history and context of change in social constituencies), the formal institutional context (the new mechanisms of representation within communities), the political context (the role of the political in terms of discourses and resources), and the regulatory and welfare context (the broad play and spaces of regulation and social policy). By doing this we can broaden and contextualize the concept of the 'stakeholder' which is central to the new ethics of diversity and HRM debates but which has become static and 'take-for-granted' in recent literatures.

Relations and Responses Within the Study of Immigration and Trade Unions: The Steady Realization of the Limitations of Traditional Forms of Representation

Both within the UK and the USA research on issues of immigration and Industrial Relations has developed at a

rapid pace during the last decade or so. There are various reasons for this. First, new waves of migration and new forms of immigration began to raise levels of interest in regard to questions of social inclusion and social exclusion. This new wave has emerged in part because of the changing nature of capital and the way it began to globalize and organize production across various borders in a more concerted manner. It has also emerged, in part, because of the failures of capital to develop the economic and social infrastructure of developing countries. What is more, labour market shortages in developing countries, and the rapid demand for specific jobs with a low level of labour supply, have created a basis for new forms of immigration. Secondly, the debate has been spurred on by institutional factors and not just social and economic structural factors. The declining levels of trade union membership within both the UK and USA, where this debate has been developed more extensively, along with problems of coverage in terms of trade union roles within various parts of the economy, means that the issue of renewal began to take on a central dynamic within the Industrial Relations discipline (Frege and Kelly 2003). In political terms trade unions were confronted by new groups of workers, which were in many aspects outside the remit and influence of the labour movement. Within these new groups, immigrants had substantial presence. Many of these new groups of immigrants were therefore finding gaps in their voice and representation, even in contexts where migration (external and internal) was an established feature of the national contexts. Thirdly, there were also new forms of xenophobia emerging around Eastern Europeans and Muslims in the case of the United Kingdom and in quite socially oriented welfare states such as Denmark (Wrench 2004). This brought forth a new dimension to the anti-racist strategies that trade unions had—with variable degrees of success and commitment—developed in the UK and the USA.

This has required the rethinking of research and activity in relation to immigration. To date, research on such immigrant communities within the context of Industrial Relations has been fixated—one could reasonably argue—with the issue of *organizing* immigrants within trade unions (Milkman 2000, 2006). The question became one of how trade unions develop strategies capable of sustaining immigrant participation in the labour movement? In the case of Milkman's broad study, the issue was the way in which resources and leadership were engaging with communities and local struggles for trade union and worker rights. The combination of leadership and mobilization—of strategic knowledge, local networks and grassroots action—is fundamental according to Milkman. On their own, these two dimensions of trade union action can lead to failure and de-moralization. Milkman's approach suggests that the ways in which union democracy, questions of leadership

and local structures combine in such strategies must be seen as a paramount feature of any discussion. However, existing research suggests this is rarely the case (Martinez Lucio and Perrett 2009). The question should not be solely one of how unions service or represent immigrants and their needs as part of the workforce, but how questions such as union representation, the establishment of good working conditions and the development of equality strategies are organized and led. The US debate has therefore been concerned with the organizational logic of such developments and challenges (see Bronfenbrenner et al. 1998). The relation between unions and immigrants reflect the broader concern about how trade union renewal is torn between two models: it is either hierarchically service driven or based on local mutual aid approaches to organizing and union roles (Bacharach et al. 2001). The need to build immigrants and their experience *into* the process of renewal is therefore a vital component of discussion. The debate dovetails strongly with the organizing debate in both the USA and the UK—and the leitmotif of that debate concerning the extent of democratic participation within it and the role of those being organized (see Simms 2003, 2007) and the traditions of unions themselves in terms of structure and politics (Nissen and Grenier 2001).

In the United Kingdom, the debate has focused historically on particular episodes of conflict and the ability or willingness of trade unions to support such developments (see Holgate 2005; Wills 2004; Martinez Lucio and Perrett 2009). It has also focused on the steady evolution of equality strategies (see Wrench 1996; Davies et al. 2006). The debates on immigration and trade unions were therefore, initially, concerned with institutional *readjustment*. That is to say the focus was on whether institutions of regulation and representation such as trade unions could adjust to the needs and demands of immigrants—and whether immigrants could adjust to the organizational and political culture of the labour movement. That the two had been intertwined for some time—as in the case of the Indian Workers Association in the UK during the 1970s or the role of Black Worker Sections in unions since the 1980s for example—did not appear to enter the discussion because of the relatively ahistorical nature of this debate in its early stages during the 1990s. In part, this can be explained in terms of the relative absence of interest in such literature within Industrial Relations historically—and in the lack of interest in history itself. In many respects, the debate was still grappling with the problem of realizing the qualitative crisis of Industrial Relations and not just its quantitative one. In other words, the practices of Industrial Relations in terms of conflict, modes of representation and negotiation, and forms of organization were themselves a focus of concern, rather than who were represented in conflicts or negotiations. Furthermore, many of the developments in

terms of Industrial Relations research have been more concerned with measuring change and effectiveness in relation to established Industrial Relations institutions such as collective bargaining, union membership, and formal systems of representation (Heery 2005). The increasing use of quantitative research methods in the study of Industrial Relations means that the observation of *what* is happening to the trade union is prioritized over the purpose, identity and meaning of trade unionism in a context of a changing workforce. This development has meant that questions of union purpose and politics are relegated within a more clinical and sterile view of power within Industrial Relations—with power being equated with membership and resources and not alliances and strategies. Yet, to an extent, a steady realization has emerged that the question of race and immigration requires a qualitative turn and critical reappraisal of how research is to be done and why.

The New Concern with Voice, Representation and the Concept of the Stakeholder Within the Diverse Labour Force and Trade Union Strategies

Steadily, we have seen an increasingly nuanced approach, or at least a concern, with issues such as equality and immigration. There are various researchers who have argued that the study of Industrial Relations, trade union and immigration-related questions requires an open and broader approach to the subject matter. This has begun to emerge in relation to questions of identity and experience, forms of organization and social representation, and the 'support' that established bodies provide.

First, there is concern to understand the multiple identities of black and minority ethnic groups, and immigrants, in terms of gender, for example. The study of Healy et al. (2004) has focused on the way gender and racially motivated exploitation configures the character of politics and activism within black female workers in the public sector in the United Kingdom, for example. This links with the increasing interest in intersectionality, which focuses on the way different types of inequality combine within different constituencies and give rise to a variable set of needs and politics (Verloo 2006). In terms of how we view migrants and minorities this has significant effects. Meardi (2007) has argued that the case of Polish workers in the United Kingdom is curious in the way in which they network, maintain links with home countries, have more complex social identities and relate to the transnational context. Hence, we need to be wary of how we locate and understand 'interest' and 'need' within immigrant communities. Gray (2008) has argued that not only do we have to be sensitive to the more complex identities and developments within migrant communities, we also have to be

aware of our position as researchers and how we frame concerns and issues within our research programmes. For example, she argues that the way emigration is understood in Ireland as a national issue of concern can form the basis of an emerging debate about the way questions and concerns are framed and connected. This links with the broader discussions on methodological approaches when studying minority, excluded or oppressed groups, and can be more specifically linked to issues of power and hierarchy and sensitivity in feminist research (Oakley 1981). Oakley argued that research relationships should be non-hierarchical and reciprocal to avoid exploitation and manipulation of research participants. However, the methodological implications of researching in the area of migration and race have been examined by Gunaratnam (2003), who argues that feminist methods can actually exclude the experiences of people from 'minority' groups. Nonetheless, feminist accounts are relevant because of the interest in searching for missing subjects and activities, not focusing on the formal and visible, and questioning modes of academic and political action (Lorber 1975; Olesen 1994). This reasoning is echoed in aspects of research in terms of race, where caution is necessary as to how we proceed in making assumptions and studying racial minorities (Bourne and Sivanandan 1980). There is a need to take account of the interrelations between 'race', gender and class and to recognize the ways in which social differences can construct and reproduce inequalities at every stage of the research process.

Secondly, in collective terms, we see that immigrant groups may organize in a variety of ways—and not solely through traditional forms of trade unionism. Fine (2006) is concerned with cataloguing the phenomena of worker centres in the USA. These are centres that provide a range of services, social and cultural spaces, and support for marginalized communities. Trade unions are but one part of the narrative of struggles for rights within these communities. There are a series of characteristics that Fine draws out from these centres and which form an interesting tapestry of 'new actors' and spaces of employment relations. These centres are based on hybrid organization, service provision, advocacy, organizing, place-based rather than work-site based, strong ethnic and racial identification, leadership development and internal democracy, popular education, thinking globally, a broad agenda, coalition building and small and involved memberships. These characteristics provide us with an interesting challenge. Many groups through these networks and centres are filling a major representation gap in the USA. Trade unions are not the sole player given the role of various social and religious organizations. The community union debate (see Tattersall 2006; Wills 2004) which has evolved in recent years is an attempt to see how unions can actually approach

migrant communities, amongst others, with a view to providing broader and socially based forms of representation. Hence, both in social and institutional terms, we are seeing a major rethink of how we understand the community and migrant dynamic within Industrial Relations. This requires a more open research approach which is socially and spatially broader, and not solely focused on the established systems and actors of representation such as trade unions.

Thirdly, these debates have been paralleled by a view that trade unions themselves as an established and, one could say, traditional form of representation are variable in the way they understand and respond to immigrant communities. Davies et al. (2006) have argued that there are a myriad of ways in which trade unions respond to the questions of racism and migration: bargaining systems and equality issues, black activists on leading union committees, the role of ethnic monitoring, anti-racist education and training, the broader learning agenda, and campaigns against racism. These varied initiatives point to the complex way trade union responses emerge. Although how they relate to each other is an issue (Martinez Lucio and Perrett 2009). Wrench (2000, 2004) makes the point that how such strategies are underpinned is an important factor. Their historical trajectory may vary between countries. He argues, through drawing on MacEwan (1995 as quoted in Wrench 2004), that there can be distinct approaches based on equal treatment, the level-playing field approach, the equal opportunities approach and the equal outcome approach. Hence, we need to realize that union responses vary by focusing on different aspects of immigrant needs, developing different services, and become underpinned by various value systems. Within these, the politics of equality in relation to employer strategies must also be considered as an influencing factor (Wrench et al. 1999). What is emerging is a nuanced debate based on the way we conceptualize trade unions and their actions on the one hand and immigrant communities on the other—and that way the immigration brings new forms of voice and representation. There is a steady realization that we need to rethink not just how unions and immigrants combine and relate (or not) but how they are constructed and in what spaces, both socially and politically.

This turn dovetails with an increasing interest in the ethics of research and practice in HRM and IR. Greenwood (2002) has argued that in relation to the study of HRM stakeholder theory—the need to understand the dynamics of representation and voice—has been less prevalent given the obsession with management strategy and technique, which is normally underpinned by a hierarchical approach and emphasis on management authority. This has been less the case within Industrial Relations because of the interest with voice mechanisms and representation, albeit this has

normally been focused on formal mechanisms and established bureaucracies. This has been challenged in recent years by the view that Industrial Relations are increasingly populated by a broader set of actors (Frege and Kelly 2003). However, the role of stakeholder theory is ambivalent, as Greenwood (2002) shows. It is torn between a view that on the one hand sees stakeholders as passive bodies and as agents who can only contribute through the support of management, whilst on the other hand there is the view that the stakeholder is less about individuals being a means to an end, or an asset, which requires the company's investment and care, but which views the stakeholder as an agent that participate(s) in the future direction of the firm in which they have a stake (ibid: p. 268). Increasingly, the ethical debate engages in one form or another with the primacy of voice. Yet this necessitates, as we outlined above, a broader view of stakeholders in terms of identity and experience, forms of organization and social representation, and the nature of the 'support' established bodies provide and how. It is for this reason the study of Sen (1973) can also assist us by forcing us to view the needs of individuals and the necessary preconditions for their development as active and engaged citizens through a more dynamic view of capabilities that include life-being and health right through to emotions, reason and affiliation. These needs give rise to a broader view of voice and of the stakeholder. In effect, we must assimilate the broader view of interests and of actors—of stakeholders—which emerge within employment systems when discussing equality and diversity (Kirton and Greene 2010). There is a need to see effective stakeholders as not just the end of ethical debates of HRM but as a means and as part of the play of difference (ibid.).

The Emerging Comparative Paradigm: The Relevance of Comparing Contexts for the Rethinking of Representation, Stakeholders and Voice in Relation to Trade Unions and Immigrant Communities

One way in which the debate on immigration and unions has emerged is through the study of voice, representation and change in an international and comparative context. This is a dimension of the discussion which may serve to open and sensitize our approach to voice and the complexity of stakeholder relations—a vital precondition for establishing a way of understanding the reality of the relations between social constituencies and organizations in relation to equality. Comparative Industrial Relations has evolved a rigorous academic debate in the past two decades or so, allowing us to properly comprehend different systems and approaches (Hyman and Ferner 1994). It has also allowed us to understand how employment

relations and institutions vary across contexts (Locke and Thelen 1995). The notion that concepts such as flexibility, pay and working time are mediated and constructed in various ways according to national systems of regulation and traditions of struggle and meaning has been of benefit to the study of Industrial Relations and its continuing relevance and it opens the way we approach these concepts. Increasingly, not only are we concerned with the typologizing of Industrial Relations and economic systems (Coates 2000)—for example, by looking at levels of coordination, different state roles, competing understandings and activities regarding social and worker welfare, and the position and authority of the employer—but we are also seeing a concern with the way varieties of trade union structures and strategies emerge historically. In terms of the study of immigration it can allow us to appreciate the way issues and responses evolve—and the way the politics of immigration is constructed (Wrench 2004). Hence, comparative research is a vital step for understanding the way immigrant communities and their experiences can be understood. In terms of trade unions, we can begin to see how unions vary, and why, in relation to the questions of immigration. We can also identify nuances in the way identity; organization and support are established in different contexts.

Frege and Kelly (2004) attempt to map the way we can appreciate the different strategies that evolve in relation to questions such as union renewal—within which the issue of representing new constituencies of labour and citizens is key. They argue that we need to proceed with an appreciation of the different dimensions of trade unionism. Starting with social and economic change as an external trigger—albeit not the one which is constructed in a reductionist manner—they see union structure being influenced by this contextual factor. This is an important thematic beginning for their model which adapts much of the work from social movement debates (see Kelly 1998). Trade union structure and the way its politics are organized are vital starting points that are often ignored in many contemporary debates. The role of Industrial Relations institutions along with the state and employers play a further role in shaping this structure in terms of its environment. These factors impact on the way trade unions *frame* issues and give rise to particular organizational identities whether inclusive or exclusive. Institutional choices are mediated by these traditions and structures, but there will be ways of seeing and understanding problems that frame options and choices. We cannot read how unions will understand and respond to questions of immigration, for example, from any clear structural analysis of the employment relationship or its context: union renewal is contested, open and in many cases problematic. We must appreciate structure, context, institutions and identity and

framing processes to have a more grounded debate on union renewal and responses in relation to migration: Frege and Kelly provide us with a map for explaining the dimensions of union response and renewal.

This need to appreciate organizational structure, economic context, the role of the state, and the impact of framing strategies is therefore increasingly recognized as important within the study of Industrial Relations. It parallels the increasing interest in how such factors contribute to varieties of capitalism and its regulation. With regards to the study of immigration, Penninx and Roosblad (2000, pp. 12–16) have developed a similar approach. Differences in terms of trade union responses to immigration tend to vary because of a range of factors. They point to four in particular. First, there is the position of trade unions within society in terms of power and politics. This is important for understanding the extent to which unions can influence the policy responses and social support for immigrants. Secondly, there are contextual factors in historical terms and these are primarily national and localized in orientation. These can shape the character and orientation of the union movement on such issues as immigration. Economic and labour market factors in particular can influence the interests of unions and whether they are defensive or open in their approach to immigrants. These factors involve socio-economic characteristics and labour market ones. Thirdly, there are societal factors in terms of religion, class, social movements, and others which configure union identities.[1] Finally, there are the characteristics of immigrants themselves and how they are accepted by and/or accept trade unions. The approach does not aim to be completely explanatory but aims to provide a framework for understanding the way the Industrial Relations of immigration can vary. We cannot make assumptions about the link between worker representation and inclusion in terms of trade unions; instead, we need to be sensitive to the social, political and strategic factors. Penninx and Roosblad stress the importance of national contextual and historical factors for explaining differences in union strategies towards migrant workers. Through their model those authors set out the nature of responses of trade unions to migration in relation to how they have overcome three dilemmas: first, should unions cooperate with employers and authorities in the employment of foreign workers or should they resist; secondly, should trade unions include migrant workers fully in their ranks or exclude them as a

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[1] Hyman (2001) has developed an Industrial Relations oriented version of this in terms of social-, class- and market-related identities within trade unions which would help us understand the way unions see, respond to and configure immigrant-related issues. Yet Penninx and Roosblad advise us not to read too much into any forms of categories as there may not be any clear link between any one factor and the character of union activity.

special category; and thirdly, should unions advocate and implement special measures for these immigrants or should they insist on general equal treatment for all workers. From this, we begin to see that there is a history to the responses of trade unions in relation to immigration and racism which must be appreciated in terms of their diversity and complexity and which is the outcome of a range of structural and strategic contextual factors.

Institutional and organizational structure, including that of the state, may tell us quite a bit but there are also framing processes which, whilst in part determined by the issues of structure can develop a degree of autonomy in terms of how problems are understood and reacted to. This is Wrench's (2004) key point and concern regarding the tendency to read too much from notions of union strength and the suggestion that systems of regulation and their degree of co-ordination, power and intervention will in turn tell us much about how a union responds to immigration. That is to say we cannot make the assumption that in a place like Denmark, for example, with its strong Industrial Relations regulation in terms of trade unions and social inclusion, the politics of social inclusion will be straightforward because attitudes to immigration appear ambivalent and problematic to say the least.[2] In the case of the United Kingdom, the level of weakness in membership and employment regulation would suggest trade unions paying less attention to social inclusion and rights, but this is not necessarily the case, according to Wrench: a narrative and concern with equality has emerged in the past few decades within union strategies. Policies and orientation are complex and diverse—they may be ambivalent as they are in many cases—but the increasingly centrality of equality and anti-racism is a curious factor of the British labour movement even if the regulatory context is not one of the strongest within the OECD. The impact of political discourse and social struggles can configure the orientations of union actors, and we need to be alert to critical incidences and moments when trade union strategies and views begin to shift. The role of framing process appears to be the one we need to pay attention to—and the way union struggles have developed over time needs to be understood in termsnot only of both structural contexts *but also* of critical moments of reflection.

Why are such approaches important in the study of Industrial Relations, trade unions and immigration? The first and obvious one is that they allow us to rethink the simple links and relations—and imagined—in much of the more extant trade union-immigration debate. They allow us to understand how the issues are constructed in particular contexts and how the politics of these issues are increasingly important. It is not a simple question of representation and broadening established social rights—and the role of unions—as if this was a simple case of institutional 'approximation' (e.g. unions adopting immigrant concerns) as there are different ways in which representation develops and varies. Secondly, the interventions by Penninx, Roosblad, Wrench and by many scholars[3]—in this case— opens our understanding of the contexts and show how the national frame of analysis must be subjected to scrutiny thorough conceptualization of its origins and specificities. Thirdly, there is an irony given the nature of the topic at hand. What is at stake is not institutional realignment— some zero sum view of social inclusion as either existing or not—but the nature of Industrial Relations and how it develops in relation to the meaning of rights in a selective and political manner. The comparative turn is the second (partial) Copernican shift in the study of immigration and Industrial Relations that complements the first turn towards equality and diversity and the steady repositioning of migration and race/ethnicity issues within the study and practice of Industrial Relations.

Voice Within the Study of Immigration and Industrial Relations: Towards a More Dynamic and Contextualized View of Trade Union-Immigrant Dynamics
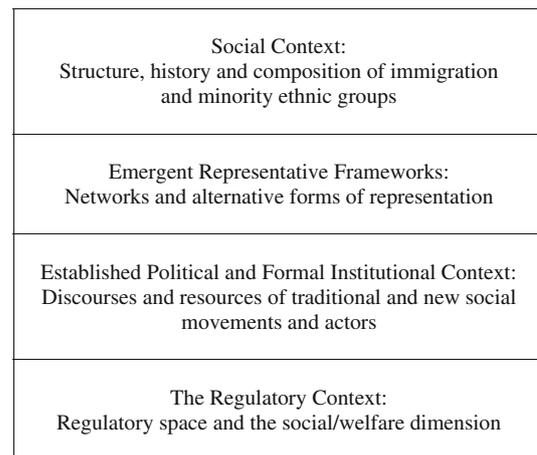
The article suggests that the study of the relationship between trade unions and immigrants has begun—by design or by default—to uncover not only the problems of how we understand the discipline of Industrial Relations but also the predicament of racism and exclusion as an issue of representation as well as rights. What appears to emerge is a steady concern with the way we understand the purpose and structures of trade unionism—and how they are developed. An ethical turn in terms of stakeholder approaches and questions of voice needs to account for the complex way these evolve and the complexity of relations between different stakeholders—and the comparative literature serves this purpose by sensitizing us to issues of context. The singularity of voice, the nature of social inclusion and union strategies, and their social and political

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[2] Wrench (1996, 1999) draws attention to the question of employers and their roles in relation to immigration. These are part of the dilemmas facing trade unions as employers in many cases resist the equality agenda—and this frames the trade union response as it provides extra obstacles to overcome. Part of the problem appears to be that many studies on trade union responses fail to locate debates in terms of employer responses and their impact, although there are exemptions (Mackenzie and Forde 2008/2009).

[3] A brief citation exercise with the help of various dedicated search engines suggests that although highly respected this study is not actually quoted systematically within relevant Industrial Relations debates.

remit is increasingly questioned. In effect, the *modern* hierarchical model of Industrial Relations and employment processes begins to be steadily unpicked in this debate in a way that is similar to debates concerning gender regimes (Walby 2004). The lack of interface with the insights gained from the gender and Industrial Relations debate is a curious gap in this current wave of research on immigration. Healy et al. (2004) do link these debates because of their focus on black women but they are relatively isolated. The gender-related debate implied a very serious critique of the historical packaging of Industrial Relations given its exclusion of women in key parts of the economy yet the immigrant debate until recently seems less concerned with this—perhaps because trade unions themselves are victims of the new employer and employment order but it is more likely to be that the point of emphasis in the debate is seen from the point of the view of the concern with and the question of trade union renewal.

In effect, we have to review the fixation with the level and nature of social- and employment-related 'service delivery' by trade unions, on whether unions represent immigrants or not, and how unions are viewed themselves within immigrant communities. What is implied in many established 'latter wave' studies is that the way Industrial Relations are renewed requires a critique of the system of Industrial Relations itself. The questions of representation in political, social and ideological terms must itself be a subject of study within this arena of research: no longer is union strength or formal representation in itself enough. In many respects, the problem may be unions and their historical construction and, in particular, the way voice is constructed in Industrial Relations and for what 'purpose'. The notion of Industrial Relations strength is no longer a simple question. So whilst we need to begin to appreciate the complexity of trade unions and immigrant communities, as well as locate these within national regulatory dynamics and systems of ideology, we also need to add a further concern with the structure and purpose of representation. We therefore take four levels of study in the contemporary debate and subject these to a closer evaluation in terms of their orientation as a way of drawing a more dynamic approach to the study of these questions (Fig. 1).

First, at the social level, we need to draw out how immigration is structured and composed in any one context and at any one time. The changing nature of immigration means that it brings to the fore, as Meardi (2007) points out, a greater challenge to the more settled and fixed structures of union representation. Trade unions work mainly within national boundaries and this has implications for how to represent migrant workers, especially those living and working in different countries within the EU. There has been some recognition of this by trade unions in

| Social Context: |
| Structure, history and composition of immigration and minority ethnic groups |
| Emergent Representative Frameworks: Networks and alternative forms of representation |
| Established Political and Formal Institutional Context: Discourses and resources of traditional and new social movements and actors |
| The Regulatory Context: Regulatory space and the social/welfare dimension |

Fig. 1 The levels of voice and stakeholder relations in relation to social groupings and formal organizations

construction, with the setting up of the European Migrant Workers Union in Germany, which has links with Polish trade unions. However, the complex and shifting nature of migration, especially where employers engage in strategies of substituting migrant workers from different nationalities, poses significant challenges to trade unions and their capacity to represent these workers. Hence, how we study this requires a realization that our focus of research is not *fixed* in terms of issues, themes and spaces. Sensitivity to the history of immigration, alongside the history of the union movement, is now establishing itself steadily as a feature of current debates. What is more, sensitivity to the changing economic context of immigration is important in terms of how the new age of capitalism is more *disorganized* and dualist than previous *organized* patterns (see Lash and Urry 1987). The impact on welfare regimes established in the post 1945 period in large parts of the European Union, for example, and traditional models of social inclusion are being greatly undermined by such a de-centering of the state along with the fragmentation and transformation of worker constituencies. Appreciating this is important before establishing the practice and process of research. In effect, we must ask ourselves what determines and defines immigrant needs, identity, and activity within different economic and social contexts.

The second challenge, at the organizational level, is that the structure of voice as in the study of Fine and Wills—for example—means that we have to study the way networks and 'community' oriented organizations have to be included. New forms of organization and intervention emerge that may be on the margin of trade unions (Heery and Frege 2006 or see British Journal of Industrial Relations special edition on *New Actors in Industrial Relations*, 2006). What is more, how they engage with Industrial Relations issues such as training,

employment and social support is an important question (Perrett and Martinez Lucio 2009). In some cases, immigrant networks even address collective pay issues in specific sectors (Wills 2004). These developments—which some would argue are not as new as we would imagine—give rise to a greater sensitivity in terms of mapping and locating actors, spaces and processes around the 'edges' of Industrial Relations. If one also considers the new forms of communication that have been steadily used in relation to immigrant communities (as in most communities)—the Internet—then the challenge of democratizing methodology is an increasing imperative. The question is what should be the organizational point of reference in such research? It is not just a case of seeing it in terms of another series of stakeholders (see Greenwood 2002; Wrench et al. 1999) but of different forms and dynamics within representation.

The third challenge is studying the *political*. This is probably the greatest challenge of the union-immigration issue by virtue of the fact that the political is normally viewed as concerning formal relations between trade unions and political parties or as the relation between class and trade unions—and in this case unions and immigrant communities in formal institutional terms. First, the question is how the union represents worker interests, constructs them and subsequently influences external political agents to respond to them, be it through strategies of conflict or negotiation. The situation may be changing and the political dimension of unions is becoming broader because of the question of equality (Penninx and Roosblad 2000), even with the different meanings associated with this term (Wrench 2000). Hence the political discourses of the unions and trade unionists (the two are not necessarily the same) is a vital starting point for a discussion. Yet the political is also about exclusion, silences, misrepresentations and generalizations—it is about how voice is constructed and by whom. Secondly, this necessitates an understanding of resources as a central feature of the political and the importance of dimensions of resources such as monetary resources for collective organization, temporal resources in terms of time and human resources for organizing social groups and movements, and knowledge resources in terms of orientation and effectiveness of representation and voice. How one captures this in one's research through mapping strategies and discourses should be more central as a concern. Hence, there is a need to explain and appreciate the political in terms of immigrant-union relations and to map political discourses and resources—the discursive and extra-discursive (Jessop 1982).

Finally, we need to map regulation in a new and more novel way (MacKenzie and Martinez Lucio 2005). One cannot just measure the role of the state in any quantitative manner and read off from it the possibility for social inclusion strategies, whether existing or not—especially as the state is composed of various complex levels and institutions along with competing legitimating projects (Jessop 2002). One cannot solely measure the quantitative components of the welfare state and then try to evaluate the reality or potential of equality and pro-immigrant policies. The issue of social inclusion is not based, solely, on the need to develop social inclusion strategies and to legitimate them. The *type* of social inclusion strategies that are developed by specific actors and with what support and evaluation strategies is equally important. Social inclusion covers a range of themes—education, labour market access, social support, political voice and others. The question of co-ordination and development is central, especially as sustainability is a major problem in the development of social inclusion strategies. This is a problem within any national or regional context. Given the panorama of the European Union this is steadily becoming a problem for creating a coherent system of regulation and welfare, which is also effective in dealing with racism and the social exclusion of migrants. Social inclusion is at the heart of the EU's rhetoric, albeit not to be confused with the EU's reality, as are notions of governance and partnership between different social actors such as trade unions and community based groups. Strategies such as lifelong learning and new forms of vocational training are seen to forge a positive platform for the work of institutions in dealing with social exclusions (Stuart 2007). Given these strategies and approaches then the work of peak institutions in the EU is not the one based solely on lobbying for social rights and funds, but increasingly it is also the one of dealing with new forms of social co-ordination and policy. The term 'governance' has been developed to explain the ways in which policies are implemented through a more dispersed and 'shared' approach (Kooiman 2003). This means that partnership between various bodies—public, private and civil society based—is a feature of new social inclusion strategies. This includes non-government organizations and employers as well, often ignored in much of the Industrial Relations literature on the topics discussed, especially the latter. This panoply of players means that the political dimension of social inclusion is important: the broad networks of bodies that are delivering services such as lifelong learning are increasingly complex. The European dimension is therefore raising a new range of institutional challenges. How do these vary across countries? Is there any co-ordination? Is there cross-border institutional learning? Alternatively, is it a patchwork of social strategies with sustainability problems and a lack of coordinating structures and visions? The question is relevant as we see that

part of the problem is that social inclusion, or social strategies, vary and can be different and even in competition with each other.[4]

Discussion: Broadening and Locating Our Understanding of the Stakeholder

For many, the study the dynamics of equality and representation—especially in terms of migration—requires us to use qualitative techniques, new forms of biographical methods, multi-level analysis, and a greater sensitivity to the purpose and rationale of organizational and social strategies. However, the boundaries and identities of Industrial Relations have to be more central to our research focus as well (see MacKenzie and Martinez Lucio 2005). We need to start thinking in terms of constituencies, boundaries and regulation in more open and flexible ways. We need to understand the question of competing voices and the broader dynamics of Industrial Relations, and understand the politics of stakeholders and not just emphasize a limited view of the importance of stakeholders. The article argues that one cannot easily categorize systems because problems are framed in various ways—the impact of regulatory paths of dependency is valid only up to a certain point. Regulatory systems and levels of engagement are not always in sync with the flows and needs of immigration—there is often a failure to construct social inclusion across systems and practices. The methodological challenges are considerable in terms of how immigration, representation and levels of regulation actually interface. Approaching these across different levels of analysis which are subtle and multi-layered—open to different actors and views—should be a vital part of a new ethically informed strategy.

Industrial Relations and HRM scholars, therefore, need to be aware of the comparative turn in the study of trade unions and immigration because of the contribution this is making in challenging the insular nature of how we view systems of regulation and their national contexts. This means building on the insights of research and analysis on trade unions through an engagement with social theories of mobilization and comparative work on union renewal more generally, as these have begun to raise issues of structure, strategy and framing processes. There is now a tendency to try and map the different dimensions of Industrial Relations processes generally and in relation to immigration issues which, hopefully, will play a more integral part in the discussion on trade unions and immigration, moving it towards a more sensitive understanding of regulation.

The move to an awareness of diversity and equality issues brings new challenges to the way we research and the way we write within the academy. It is for this reason that we need to sustain a stronger commitment to what Greenwood (2002) calls a stakeholder view of ethics in HRM and IR based on realizing the multiplicity of voices and views. It is not solely a case of making traditional organizations and institutions who deal with regulation sensitive to these debates—and evaluating whether they are not—but of broadening our views of the academic and political spaces around them. In this respect, the research has to remap the political and institutional *surface* of equality politics. Yet it has to do this with approaches that stretch our understanding of immigration, as Meardi (2007) reminds us, re-landscapes our view of representation and relevant organizational processes, and locates them in the different regulatory and economic traditions that make up capitalism and its alternatives. We have to emphasize the history and context of change in social constituencies, the new mechanisms of representation and change within communities, the role of the political in terms of discourses and resources, and the broad play and spaces of regulation and social policy. As Gray (2008) argues, this also provides us with a challenge of looking into our own assumptions and identity. The ethical implications are therefore broader than the standard discussions on inclusion/exclusion or equality/diversity in terms of 'stakeholder' views. Questions related to immigration and equality challenge the way we work as academics and study. Without realizing this we are left with research questions and projects—and political agendas—concerned with *fitting* people to established (and even declining) institutions and not re-imagining these relations and institutions, and our own role in them.

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[4] Once more the gender debate has tackled these issues—albeit less so within the Industrial Relations arena. Tomlinson (2007) points to how different institutions mediate the question of work, and part time work especially, within the European Union in relation to women. She draws on Walby's study (2004) which points to the different initiatives that exist and the varied institutions that intervene. The way these link together and address issues of exclusion coherently is itself a challenge. The purpose of various welfare and social services, and how are they constructed, links to the question of intersectionality and the way regulation appears to mirror social diversity and overlaps—consequently creating problems such as complexity and complimentarity.

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