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Industrial relations, the New Right and the praxis of mismanagement

Political and
industrial
mismanagement

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Abstract

Purpose – The purpose of the article is to outline the insights provided by Alan Fox in *Man Mismanagement* in relation to the rise of the New Right political economy and the spread of unitarist managerialism. The article assesses the contemporary work and employment relations implications of mismanagement arising from a “second wave” of the New Right ideology from 2010 in the UK.

Design/methodology/approach – Responding to the Special Issue on Alan Fox, the article focuses on Alan Fox’s book *Man Mismanagement*, considering industrial relations developments arising between the 1st (1974b) and 2nd (1985) editions relating to the political rise of the New Right. It reviews various literature that illustrates the contemporary IR relevance of the book and Fox’s insights.

Findings – The New Right’s ideology has further fragmented work, disjointed labour rights and undermined collective industrial relations institutions, and macho mismanagement praxis is even more commonplace, compared to when Fox wrote *Man Mismanagement*. The stripping away of the institutional architecture of IR renders the renewal of pluralist praxis, like collective bargaining and other forms of joint regulation of work, a formidable task.

Originality/value – The value of the article relates to the identification of dramatic historical industrial relations events and change in the UK in Alan Fox’s book *Man Mismanagement*, most notably relating to the rise to power of the Thatcherite New Right in 1979. Originality is evidenced by the authors’ drawing on Fox’s ideas and assessing the implications of the “second wave” of the New Right in the contemporary industrial relations (IR) context of the 2020s under the conceptual themes of fragmented work, disjointed labour rights and undermined collectivism.

Keywords Fox, Industrial relations, Mismanagement, New right, Pluralism, Praxis, Unitarism

Paper type Research paper

Introduction

Alan Fox published two editions of *Man Mismanagement** (in 1974b and 1985). In the 1974b edition, Fox (147–148) noted the distinction between the industrial and political arenas in the UK context:

The distinction between industrial and political issues is a key feature of Britain’s industrial relations system, and constitutes another of the joint understandings which comprise the pluralist philosophy informing relationships between the organised forces of employers, trade unions and the party-political structure.

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One of the principal changes in Fox's analysis between the first and second editions (1974b and 1985) is his focus on the rise of New Right ideology in the second edition. At the time the first edition was published in 1974, the Labour Party had gained power (led by Harold Wilson), after the miners' strike of 1974 precipitated the fall of the Conservative government, led by Edward Heath. In 1975, Heath, from the "One Nation" wing of the Conservative Party, was replaced by Margaret Thatcher from an emerging and harder New Right-wing conservatism. Thatcher won power in 1979 at a time of serious industrial strife (e.g. the so-called Winter of Discontent). In 1974, Fox noted the industrial context was characterized by "a standard model of collective bargaining" that was, he argued, "grounded firmly on the explicit or implicit acceptance of both negotiating parties of the pluralistic conception of the organisation" (Fox, 1974b, pp. 131–2). In less than a decade, by the time the second edition was published in 1985, the industrial relations (IR) and political landscape had changed dramatically, with institutional pluralism and trade unions under attack politically from the New Right. Indeed, the back cover of the second edition states:

Since *Man Mismanagement** was first published in 1974, Britain's industrial relations climate has altered considerably. Ten years ago the unions were approaching the peak of their post-war powers. Since then the fracturing of the Labour Party and the policies of the Thatcher administration have had a dramatic impact on industrial relations.

Furthermore, in the preface to the 1985 second edition, Fox comments:

The major differences wrought in this second edition are therefore twofold. The nature and reasons for the changes of the past ten years are explored, along with the political background that has changed so significantly in ways which cannot help but continue to affect industrial relations.

Accordingly, to reflect the orientation towards focusing on the rise of the New Right in British politics and IR, Fox made significant changes to the content of the second edition. The major differences in content between the 1974b and 1985 editions of *Man Mismanagement* can be summarized as follows. Chapters 5 (Consent and participation in decision-making), 7 (Participation and the *status quo*) and 8 (Participation, bargaining and the wider society) were rewritten. For example, chapter 7 contains new sections, including ones on Thatcher governments, Labour politics and the politicization of industrial relations. Chapter 8 contains new sections including industrial relations and the New Right, and "macho" management and shop-floor realism. Other chapters retained their basic structure but were also revised and updated to account for changes in political economy. Nonetheless, the analytical approach outlined in the first edition (mismanagement) remained intact but was extended to incorporate a dramatically changed political economy context. The analytical approach, in both editions, was to analyse the managerial problem of control and associated strategies for securing employee compliance (through unitarist coercive power, for instance) or, more ambitiously, seeking consent and moral involvement (through pluralist participation in decision-making, including collective bargaining, joint consultation, job discretion and enrichment).

Our interpretation of the concept of mismanagement is that it has two inter-relating meanings and arenas: industrial and political. Managerial mismanagement in the industrial arena concerns long-standing historical tendencies in the UK "master and servant" context towards managerial coercion to impose worker compliance, rather than the pluralist high-trust work relations which Fox perceived as "good" management. Mismanagement in the political arena, in our interpretation, refers to, for example, political strategies by New Right ideologists to reify permissive market forces and extend managerial prerogative – evidenced by our three overlapping themes of *fragmentation of work*, *disjointed labour rights* and *undermining collectivism* (see in the following text). The industrial and political arenas are intertwined, notably because the political strategies by the New Right set the rules of the

game at macro level, which equip managers with greater freedom to unilaterally impose their prerogative at workplace level, and extend the frontier of control in their favour, often through intensifying coercive power and eschewing collectivism. This analysis underpins the rest of the article.

Approach and Methods

Our approach is a reflective analytical piece rather than an empirical paper or a meta-analysis or systematic review. The three themes we identify emerge from three distinct but related areas. First, we undertook a close re-reading of Fox's works (1974a, b, 1979, 1985). Second, we draw on works of other scholars in the field since the 1990s (e.g. Ackers *et al.*, 1996; Bogg, 2016; Jessop, 2019; MacKenzie and Martínez Lucio, 2014; Rubery, 2015; Thompson, 2013). Third, we bring together findings from our own research in this area. For example, previous research on "power and actor agency", "union-management partnership" and "platform-based employment" have all identified issues surrounding the *fragmentation of work* in terms of growing job insecurity, widespread use of temporary contracts and agency workers and diminished trust (Dobbins and Dundon, 2017; Inversi *et al.*, 2017; Dundon *et al.*, 2020). Fox had discussed how the nature of work had undergone change that engendered a degree of job insecurity, and that the actions of managers would often send signals to workers of an employers' true intent and motivation: often signalling that managers are less trusting than they might otherwise state in formal policy (e.g. Fox, 1974a). *Disjointed labour rights* can be discerned as recurring in some of Fox's analysis, especially the macro-level processes underpinning right-wing political objectives which weaken meso-level participation, by altering the "status quo" for joint regulation (Fox, 1985, pp. 157–159). Research on participatory regulations across liberal market regimes has raised concerns about affected rights for workers to access voice (Dobbins *et al.*, 2017). The third theme, *undermining collectivism*, draws on regulatory space debates affecting participation (Dundon *et al.*, 2014) which has served to undermine trade unionism (Donaghey *et al.*, 2012), while advancing an agenda for individual worker voice (Dundon *et al.*, 2015), at times resulting in managerial silencing of employee participation (Hickland *et al.*, 2020). Fox's work has been pivotal in exploring how a growing consciousness about collective weakness results in subjected workers accepting (or at least tolerating) the idea that managers exercise greater (coercive) power (Fox, 1985, p. 52).

Using the threefold schema of *fragmented work*, *disjointed rights* and *undermined collectivism*, we extend Fox's analysis primarily from the second edition of *Man Mismanagement*, published in 1985 during the height of Thatcherism, and its concerted application of a neoliberal political project (what we call the "first wave" of the New Right). This "first wave" constituted a new industrial relations era of harder macho mismanagement, epitomized at the time by the 1984/85 miners' strike, the banning of trade union membership at the Government Communication Headquarters (GCHQ), unprecedented waves of privatization and an intentional undermining of the institutions of pluralist collectivism. Successive New Right governments under Thatcher introduced, on average, a major piece of statutory legislation every two years designed to weaken collectivism and trade unions (Ackers *et al.*, 1996). The aftershocks of this era of New Right neoliberalism are felt today in the policy choices around fragmented work (e.g. such as casual or zero-hours contracts, gig economy), employment rights (e.g. favouring an individualized agenda) and government regulation weakening the capacity for trade unions to take strike action (e.g. minimum service laws to further prevent strike action by workers).

We outline some of Fox's insights in 1985 and draw parallels with the contemporary context in the 2020s. Our observation is that in the UK, and potentially in other liberal economic regimes, the political economy continues apace to *fragment*, *disjoint* and *undermine* pluralist industrial relations praxis, even more deeply than Fox appeared to envisage. The

three themes – *fragmentation, disjointed, undermining* – comprise a lens to compare praxis around work and IR. The New Right assault may well have been temporarily and partially interrupted by the New Labour interlude of 1997–2010, although even here many neoliberal IR legacies remained intact: for example, Tony Blair’s now (in)famous quote of “fairness not favours” for trade unions which, as praxis, ensured that Thatcher’s anti-union laws remained on the statute books. Nor did New Labour bring any privatized enterprises back into public ownership or reverse marketization. Indeed, future (post-2024) Labour Party alignment with any serious reinvigorated collectivism for trade unions or extended pluralist principles around employment rights and workforce participation appears, at best, stunted under current leader Sir Keir Starmer; or, at worst, accepting elements of the New Right agenda.

The 1980s: the New Right “fragmenting, disjointing and undermining” IR

In this section, we select some illustrative quotes from Fox in 1985 that draw out the practical insights regarding the *fragmenting* of work, the *disjointed* nature of employment rights and a conscious *undermining* of labour collectivism. These are all new (or significantly changed) quotes that do not feature in the 1974b edition. Fox’s summation of the tone of “new” Conservatism during the Thatcher years signals subsequent *fragmentations* to the world of work:

Both the rhetoric and the policies of the ‘new’ Conservatism, as represented by the Thatcher administrations, dealt damaging blows at the ‘progressive’ egalitarian vision. Redistribution of income towards the better-off; overt hostility towards trade unionism and its leaders; transfer of public enterprises to the private profit-making arena; elevation of the market as the supreme harmonizing mechanism; a disparaging stance towards society’s losers; all these constitute an unabashed assertion of values which have always been close to Conservative hearts but which previous Conservative governments have often considered it judicious to restrain (1985, p. 25).

As part of our reflective approach and method, on a personal note, both authors lived in Liverpool during the period on which Fox commented in his second edition, experiencing the damaging impacts of Thatcherism: mass unemployment in their working-class communities; the Toxteth riots of 1981; privatization of jobs in British Telecom and British Gas (among others); large-scale migration from the city on what was locally known as “Tebbit’s Express” [1]. Within quite a short space of time, working life for many people in the UK, and especially regions like Merseyside, seemed to become harsher and more adversarial.

Fox’s work illustrates how the consequences from the rise of New Right conservatism created a new politicized context of work *fragmentation*. In many organizations, a distinctive and intensified “macho” unitarist management style emerged, with employers more likely to seek to enhance managerial prerogative and control through coercive compliance, rather than through social consent or pluralism.

Many employers and managers, especially, have long deplored conceptions of the enterprise which acknowledge the legitimacy within it of organized interest groups that see their interests as divergent from those of top management and engage in conflict with management and sometimes with each other. Such conceptions, they feel, are bound to strengthen the legitimacy and public acceptance of the trade unions, thereby strengthening their collectivist challenge to managerial authority and threatening profits, economic progress, and the freedom of the individual worker. Better by far, in their opinion, to propagate a conception of the enterprise in which management is the only legitimate source of authority, control and leadership. Thus would be encouraged a picture of the enterprise as a unified team pulling together for the common good. This approach, (is) referred to in the literature as the ‘unitary’ frame of reference (1985, p. 31).

In the 1974b edition, Fox portrayed the unitary frame of reference as “divergence” from his “standard model of collective bargaining” (pp. 134-137). Evidently, however, by the 1985

edition, unitarism was in the ascendancy, and collective bargaining in retreat. Alongside the fragmenting effect of the imposed macho unitary frame of management, is an accompanying political project which “*disjointed employment rights*” across the economy more broadly. For example, Fox noted of the Conservative labour law reforms of the early 1980s:

A sequence of legislation followed which sought . . . to pursue a step-by-step movement towards weakening the power, influence, and status of organized labour. This included attempts to strengthen the degree of individualism in the labour market, to weaken the closed shop, and to tighten control of picketing and ‘secondary’ tactics (1985, p. 196).

Closely related to the disjointing effects noted earlier is a conscious political strategy of the New Right project to actively “*undermine*” the labour movement and weaken collective forms of labour solidarity as a tenet of neoliberalism. To some extent, Thatcher’s reforms to strengthen “individualism in the labour market” did, nevertheless, retain the preexisting floor of individual legal rights enacted by previous Conservative and Labour governments, such as the Contracts of Employment Act (1963) and the Redundancy Payments Act (1965). In addition, part of the Donovan Commission (1968) recommendations led to the Conservative government under Edward Heath passing the Industrial Relations Act (1971), which paved the way for the introduction of individual unfair dismissal protection in February 1972.

While a degree of individualism was evident, the weakening of labour and unions by the Thatcherite New Right involved a renewed multi-pronged strategy: a “spatialisation” tactic which moved (or threatened to move) production and employment to different locations (Wallace and Brady, 2010); the drip-drip effect of incremental anti-union legislation; business models favouring small enterprises and/or new management techniques such as flexibilization (Parker and Slaughter, 1988), which made it more difficult for unions to mobilize part-time and casual workers; and increasingly minimal transposition, if not hostile resistance, to European employment rights (Dobbins *et al.*, 2017). Importantly, as Fox recognized, much of the rationale for the New Rights’ argument for economic efficiency and marketization had a distinctive ideological distaste for pluralist industrial relations, both from Thatcher in the UK and Reagan in the US at the time (Howell, 2021; MacKenzie and Martínez Lucio, 2014). Fox (1985, p. 31) remarked:

With the return of mass unemployment and the weakening of shopfloor power have come renewed distaste in some quarters for the pluralists’ insistence on the structural antagonisms and conflicts inherent in the work organization.

2020s: the longevity of the New Right (mismanagement) legacy

Fox’s insights from the 1985 edition remain relevant in the 2020s. Of note is the continued scorn and belittling of people less fortunate in society by the upper echelons of political decision-making. Since 2010, a succession of New Right governments have been in power in the UK (with five prime ministers: Cameron [2]-May-Johnson-Truss-Sunak). Referring to the 1980s New Right ascendancy, Fox (1985, p. 196) remarked:

Not since the Coalition government of 1919–22, which included such spokesmen as Lloyd–George, Churchill, Birkenhead, and Eric Geddes, had there been such open hostility by prominent figures of the administration toward the leaders of organized labour, such open contempt for the values of the welfare state, and such implied disparagement of society’s casualties and losers.

The New Right of the 2020s is even more illustrative of class division in British society: the era of “Bullingdon Club Britain”, with the likes of Cameron, Osborne, Johnson, Truss and Sunak inflicting “the ransacking of a nation” (Bright, 2023, pp. 22–23):

This is the point; the central premise of Bullingdon Club Britain. Namely, that our institutions of power continue to be populated by individuals who are drawn from privilege, who have perpetuated a politics of destructive elitism. Just as Oxford was a playground for Johnson and his contemporaries in the 1980s – their enjoyment derived from the vandalism of both people and property – the ruling elite (including but not confined to Bullingdon alumni) are now ransacking Britain.

A decade of grinding austerity and stagnant wages has been accompanied by the enrichment of political and corporate elites. In this way, the political, social and economic establishment in Britain is effectively acting as a private club for the privileged, dedicated to its own gluttony at the direct expense of ordinary people.

Indeed, corporate (and political) greed, combined with state mismanagement of the economy and essential services, and a growing perception that “nothing works”, is an acute and destructive feature of the tenure of the second wave of the New Right in the UK since 2010 (Calafati *et al.*, 2023; Dunn, 2023).

The coalition government (2010–2015) imposed austerity on the country, while the years since the Brexit referendum vote (in 2016) have been particularly chaotic. Many politicians from the more moderate “One Nation”-wing of the Conservative Party have left government and/or been purged as the New Right has moved further towards far-right English nationalist populism (Oborne, 2023). The 2010 onwards period may symbolize a “second wave” of the New Right, although there is major continuity of praxis with the 1980s “first wave”. Both periods have reconfigured the structures of contemporary market/extractive finance capitalism and pursuit of shareholder value, extending the conditions for work fragmentation, disjoining worker rights, while further undermining the power of organized labour.

At the time of writing, anti-strike legislation in the form of the Strikes (Minimum Service Levels) Act 2023 (Katsaroumpas, 2023) is but one continuation of Fox’s insights about the rise of the New Right weakening collectivism and pluralism. If anything, unitarism is much more insidious and widely embedded as the dominant orthodoxy, aided by the mainstream media. Facilitated by power imbalances, many employers impose change on workers as an assumed *fait accompli*, without meaningful consultation, assuming the narratives of efficiency, flexibility or market responsiveness are in and of themselves a justification for imposed changes, often using the auspices of state institutions to legitimate employer decisions and eschew any notion of collectivism. As Howell (2021, p. 740) observes, the New Right have deployed state power to “intervene in employment relations, to transform the institutions that regulate them, and to do so in ways that weaken labor while expanding the power of employers”. Arguably, mismanagement of industrial relations is itself a highly politicized act.

At the national (political/economy) level, the period since 2010 has been characterized by neoliberalism, financialization, austerity, inequality and Brexit (since 2016). Jessop (2019) critiques the consolidation of authoritarian neoliberalism and austerity under a finance-dominated accumulation regime. This is an extractive regime of “rentier capitalism”, causing widespread economic and social damage, work fragmentation and inequality (Standing, 2021). Consequently, many people in the UK experience a low-road flexible labour market model based on reduced (minimum) wages, casualized employment contracts and job insecurity, contributing to a productivity problem (Rubery, 2015).

At organizational level, meanwhile, many employers do not seek or even feel they need employee consent, preferring to secure basic compliance and employee engagement through coercive control, perceiving that competing on reducing labour costs and intensifying work pressure ensures maximum efficiency. This has resulted in increased immiseration for many workers through disjointed labour market structures, outsourcing of jobs and a reliance on temporary staff on lower wages. Macho mismanagement remains commonplace, exemplified

not only by P&O Ferries sacking 786 workers and replacing them with cheap foreign agency labour, but the outright disregard management showed towards the legal rights for workers to be consulted under UK statute (Dobbins, 2022a). Capital frequently shows its disdain for even the most basic of employment rights – including practices that appear to embrace employee information and voice rights, but in reality often engender the silencing of workers' concerns (Hickland *et al.*, 2020).

However, and as Fox and others remind us (Edwards and Hodder, 2022), structured antagonism remains an enduring facet of the employment relationship. Indeed, lit by the tinderbox of a cost-of-living crisis, strikes and conflict have surfaced in many essential services like health, public transport, education and civil service. There has been limited evidence of compromise or accommodation from the government as employer. While some employers may balk at the brutality of the New Right or the actions of the likes of P&O, even managers with pluralist inclinations and preferring to invest in staff and treat them humanely have become more constrained when faced with the politics of shareholder supremacy and short-term profit maximization (Thompson, 2013).

The waves of New Right ideology and power draw distinctions to the three themes of *fragmentation*, *disjointed rights* and *undermining collective pluralism*: *fragmented* work includes insecure contracts, gig jobs and so forth; *disjointed* employment rights refer to avoiding or minimizing legal protections, while emphasizing individual over collective employment rights; and *undermining* collective IR pluralism can be observed across societal institutions, including the media and anti-strike and protest laws which weaken opportunities to resist.

Fragmented work

Rubery (2015) identifies fragmentation as one of the most notable trends in work and employment over the past 50 years. Fragmentation relates to increases in the likes of offshoring, outsourcing, sub-contracting, bogus self-employment and the general employer search for labour flexibility (core and periphery labour) and cost-cutting in an era of financialization. Labour, and the costs associated with it, has been increasingly externalized and thereby fragmented, resulting in more insecure, informal and precarious employment patterns for many, including zero-hours contracts (Clark and Colling, 2018; Felstead *et al.*, 2020; Smith and McBride, 2023).

Providing a contemporary example of unilateral mismanagement, Clark and Colling (2018) examine the informalization of employment in the hand car wash industry. Employers make a strategic choice to engage precarious and vulnerable labour, usually migrants, extracting competitive advantage through a low-cost, low productivity business and HR model based on labour exploitation, intensification and long hours – associated with the tendency towards informalization. Likewise, Smith and McBride (2023) examine the lived experiences of workers necessarily engaged in multiple employments in low-paid sectors, many of whom have 2, 3, 4, 5 and even 7 different jobs out of necessity due to low pay, unpredictable working hours and employment precarity. The scale of employer mismanagement from the selected contemporary illustrations shows the extent (and limits) of coercive control and mistrust elaborated by Fox. Why should a worker on zero- or low-hours contracts or someone employed by an outsourced agent trust their employer in the absence of any social reciprocity to the exchange? The result is a dual fragmentation and individualization of employment.

Fragmentation is also increasingly evident in the public sector, considerably more so than Fox would have observed. Post-2010, Conservative governments returned to public sector retrenchment, and a crisis-framed austerity programme saw cuts to public services, reduced staffing, below-inflation pay caps and further privatization and outsourcing of public services (Bach, 2016). This austerity placed a tremendous strain on public services during the

Covid-19 pandemic. Fragmentation has also created ambiguity regarding who is the ultimate employer in what can be a complex contractual supply chain with blurred boundaries (Marchington *et al.*, 2005). Weil (2019) refers to this fragmentation, using the geological term fissuring: larger organizations splitting off and outsourcing functions that were once managed internally to externally accountable subcontractors in order to cut costs by reducing wages and working conditions. From Fox's (1985, pp. 47–48) analysis, we may deduce such systematic arrangements serve to hinder mutual collaboration or sustainable cooperation in industrial relations:

Social forces and influences resulted in substantial sections of both the organized British working classes and employing classes bringing to bear upon each other a wary zero-sum stance of attitude and behaviour which bred ingrained and almost automatic relationships of mutual suspicion.

There is, in addition, an institutional dimension to fragmentation owing to a greater individualization of employment (Fleming, 2017). This is reflected in the fragmentation of collective IR institutions like collective bargaining and employer associations. For example, there has been a substantial decline in employer associations, from 514 in 1976 to 86 in 2014, and membership has dropped by 50% (Goberman *et al.*, 2019). One consequence is that it has created space for individual employers to pursue their preferred choices over employment practice. However, this has often involved varieties of “muddling through”, or what Fox (1974b, 1985) called unilateral mismanagement, rather than strategic long-term planning and developing people (Legge, 2005). “Muddling through” is also a characteristic of British economic policymaking (Weldon, 2021), evidenced, for example, by the calamity of “hard” Brexit.

The expansion of work in the gig economy, alongside new technology and patterns for algorithmic control, would have provided fruitful issues for Fox to assess had it emerged in his day. The nature of platform-based employment adds even greater complexity to the fragmentation of work and labour markets (Vallas and Schor, 2020; Wood *et al.*, 2019). Taking Fox's analysis of unilateral mismanagement, and applying it to the contemporary gig economy, issues of job insecurity arise but also mistrust in work relationships. For example, Mendonça *et al.* (2023) identify informalization in gig food delivery as a case of hyper-flexible and precarious work. They outline how individual formal couriers both supply and demand informalized subcontracted gig work to undocumented migrants, and how a platform company enables informal work practices through permissive HR practices and technology. Inversi *et al.* (2020) report on the health risks to Deliveroo riders who had to work throughout the Covid pandemic, without much protection. These issues show how platform companies are enablers of informal labour markets and how mismanagement contributes to the spread of hyper-precarious working conditions. Moreover, insecure work in the UK now extends far beyond the gig economy (Richardson, 2023).

In addition, fragmented work arrangements and disjointed labour market structures signal that mismanagement is an act in contradiction with presumed (or even articulated) notions of a positive reciprocal psychological contract between employers and employed, thereby making it less likely that management can keep promises such as guaranteeing secure jobs and hours owing to fragmented structures (Cullinane and Dundon, 2006) and disconnected capitalist relations (Thompson, 2013).

Disjointed employment rights

What might be referred to as a standard model of employment relations was traditionally seen as “voluntarist”, because of the comparatively limited direct legal regulation and intervention by the state, and the parties preferred to engage in “free” collective bargaining. Fox (1985, p. 144) explains traditional collective bargaining:

The working assumption is made that a distribution of power exists which, while not necessarily equally balanced between the two sides, at least is not so unequal as to induce either side to feel it is being coerced.

Such a traditional assumption has been fundamentally altered following the waves of New Right politics, that any distribution of industrial relations power and associated rights are transformed. Indeed, [Brown *et al.* \(2009, p. 22\)](#) note that “possibly the most remarkable feature of the period after 1979 in Britain has been the collapse of collectivism as the main way of regulating employment”. While on the one hand there is much greater recourse to the law, especially individual regulation which has typically originated from the European Union (such as working time, maternity and paternity leave, health and safety or information sharing), there has been, on the other hand, limited institutional and legal support for collective bargaining and joint regulation to deal with industrial relations matters.

Arguably, the trend towards fragmentation considered earlier is very much related to disjointed employment rights and complexity and incoherence in the overall IR regulatory framework in the UK ([Rodriguez *et al.*, 2017](#)). Following accession to the European “common market” in 1973, UK employment law has been increasingly regulated by multiple EU directives, with individual areas of employment becoming more juridified. The interests of the New Right have benefitted from disjointed labour rights. Successive Conservative governments (and many employers) have consistently signalled that they dislike employment law protections, and especially those that lend themselves towards more collective social rights. This has involved espousing the narrative of bringing back sovereignty over domestic laws and that it is better for British companies to self-regulate rather than accept so-called “red tape” imposed from Brussels. Of course, left to their own devices, managers rarely voluntarily self-regulate to protect or enhance workers interests ([Streeck, 1997](#)).

The future for progressive and protective employment rights does not look favourable for pluralist models of industrial relations. The Retained EU Law Bill 2022 (also called the “Brexit Freedom Bill”) sets out to reduce the influence of EU law in the UK ([Gentile, 2023](#)), with possible further dilution of existing employment standards for citizens. Without collective bargaining or EU legal employment rights, many UK workers could be left with little or no protection from unilateral employer exploitation. Arguably, the regulation of employment rights is now so disjointed given the scale of extended individualism and reduced union power ([Howell, 2021](#); [Johnstone and Dobbins, 2021](#)), that any contemporary resemblance to the standard (voluntary) pluralist arrangements scrutinized by Fox is less apparent.

[Fox \(1985\)](#) spent a good deal of space in the second edition considering social change and possible reform of the system in response to the New Right ascendancy, including future aspirations of the Labour Party, rank and file labour activism, trade unions, the role of employer associations, his critique on macho-manager attitudes and conditions for a “new” social partnership (among other issues). In the interim between the two waves of the New Right conservatism in power, the Labour governments between 1997 and 2010 did promote what was labelled as a Third Way to reform the labour market and industrial relations processes, and in some substantial ways ([Dundon *et al.*, 2022](#)). For example, workers’ rights were extended and statutory trade union recognition laws were introduced, along with a new statutory national minimum wage to tackle low pay. Further, mutual gains principles were promoted as a public good through partnership funds to help opposing sides of industry to collaborate with one another. These were policies which stand in stark contrast to the hostility of outright attacks on organised labour during the Thatcher years, and by the New Right today.

However, “New” Labour were arguably never strong advocates of collective bargaining and pluralist reform. Many of the extended labour rights were individualized, and the Labour government retained all of the Conservative anti-union laws, such that [Smith \(2009\)](#) argues there was an enduring neoliberalism to “New Labour”.

The complexity and disjointedness of employment rights have also contributed to problems with enforcement of and compliance by recalcitrant employers. The challenges faced by labour market enforcement agencies in the UK are exacerbated in the context of fragmented labour markets, with an expanding informal and hidden economy (Clark and Colling, 2018), and a system where the state surrenders gig-economy employment regulation to the preferences of private corporations and vested interest agencies and think tanks (Inversi *et al.*, 2022). Furthermore, Mustchin and Martinez Lucio (2020) consider the regulatory role of state enforcement bodies in the UK, suggesting their remit has become politically contentious in a climate of weakened unions and the precarious nature of the contemporary labour market.

The consequences point to a contradictory dynamic, with labour markets comprising uneven yet parallel processes of deregulation, including both direct and indirect forms of intervention by dominant groups and actors alongside hyper-marketization, but also creative modes of collaboration between state agencies. Moreover, the uneven and disjointed dynamic can be seen to be driven by constraints imposed through austerity and neoliberal policies advocated by the New Right, alongside an increasing focus on policing and (anti) immigration priorities, creating organizational tensions between various enforcement agencies and their inspectors.

Undermining pluralist collectivism

The two waves of the New Right have both been ideologically and practically intent on using the power of the state to weaken trade unions specially, and generally to undermine collectivism and industrial relations pluralism. For example, the *Trade Union Act 2016* further restricted union capacity to take industrial action, which is now only lawful after a secret ballot turnout of at least 50% (Bogg, 2016). Most recently, in 2023, the Conservative government implemented a new Strikes (Minimum Service Levels) Act, intended to ensure provision of minimum service levels in connection with trade unions engaged in strike action relating to certain key services (Katsaroumpas, 2023). The new Act gives the government powers to set “minimum service levels” for six key public services: health; fire and rescue; education; transport; decommissioning of nuclear installations and management of radioactive waste and spent fuel; and border security. It is ironic that the New Right have generally sought to minimize employment rights under the guise of market freedoms, yet such marketization involves considerable (re)regulation and the enactment of new laws to restrict collective trade union activities.

This has been accompanied by largely hostile coverage of trade unions and strikes in much of the mainstream media in the UK (often owned by billionaire press barons who reside outside the country), negatively filtering and influencing public perceptions. Such developments have also been accompanied by the virtual disappearance of specialist labour and industry correspondents in the media with in-depth understanding about the causes of conflict at work (Jones, 1986, 2011).

The undermining of pluralist collectivism can also be noted when returning to the ideas of state influence over mismanagement applied to the platform economy. A common pattern regarding gig-work is that labour is bought and sold through online technology platforms. The employment status of gig labour is often opaque – gig platforms prefer to categorize workers as independent self-employed contractors, rather than as employees or workers. However, critics observe that many gig workers are often reliant on, and controlled by, one organization, which means they should be classified as employees or workers (Wood *et al.*, 2019). Surprisingly, the British judiciary has had to step in to rectify the mismanagement effects. For example, the Court of Appeal judgement in the *Sylagyi* case concluded the so-called contractor partnership was a “sham” employment contract: the individuals were in fact (and in law) employees. A similar ruling was endorsed in the Supreme Court case of *Autoclenz*, finding that the workers had little or real no choice but to reluctantly accept unilaterally imposed terms by the employer (Bogg, 2012).

Moreover, classifying labour (workers) as independent contractors or self-employed means enterprises can bypass and undermine statutory employment protections (e.g. minimum wages, sick and holiday pay) with impunity. These issues have led to increased concerns about casualization (Gandini, 2019). Many gig-economy workers are in a precarious labour market position, similar to people on zero-hour contracts where there are no guaranteed weekly minimum hours (Koumenta and Williams, 2019; Mendonça *et al.*, 2023).

Prospects for pluralist praxis reform

Of significance for prospects for reform of pluralist praxis is that context, space and time are very different now from when Fox was writing. For example, trade union membership was at a peak in the late 1970s, with around 55% union density, along with much wider coverage and extension of collective bargaining across the economy. In contrast, union membership has declined to only 22% of the total workforce in 2022, with huge variation between public (48%) and private (12%) sector membership density. Importantly, a greater proportion of women are both in employment and trade union membership today compared with when Fox was writing largely because of their higher participation in the public sector in the 2020s relative to the 1970–80s (BIS, 2023).

Notwithstanding, Fox's work does more than shed intellectual light on growing social and economic concerns of the time, as related to work and employment relationships. Much of his analysis builds a synthesis towards opinion and policy challenge, for unions as much as others. In his 1985 second edition, he argues:

The immediate need is to bring as many people as possible to recognize that reconstruction is necessary; that the country is moving in some ugly direction; that many social decencies are in danger of being submerged; and that economic renewal cannot be satisfactorily sustained as a continuous process within the present pattern of institutions and traditions – their most divisive and embittering features now intensified by the New Conservatism . . . It has to be hoped, for example, that our masters can be brought to grasp that no constructive programme for Britain, whatever its nature, can securely go forward on a basis that excludes, snubs, and attempts legally to hog-tie the organizations that represent half its population at work (Fox, 1985, p. 217)

In previous work, we have argued for a radical pluralist frame of reference to address debates in contemporary IR, with a limited prognosis for the practical application (praxis) of pluralism (Dobbins *et al.*, 2021). Fox (1979) distinguished between pluralism as a theoretical value concept, and the extent of its practical application. Dobbins *et al.* (2021) concluded that desired (pluralist) democratic values differ from the challenges and limitations of real-world application of joint regulation and democracy at work (praxis). In this paper, we add to the distinction further, by arguing that the New Right's praxis of fragmentation, disjuncting and undermining has placed considerable restrictions on prospects for pluralist praxis reform and renewal. For example, Fox noted in 1985 that unions still represented about half the workforce, but this is less than a quarter today.

Yet, there is potential for renewal of pluralism constructed around the politics of work and the concept of good or decent work (Cruddas, 2021; Dobbins, 2022b; Warhurst and Knox, 2022). However, this would likely require election of a government sufficiently committed to strengthening progressive employment rights, supporting institutions for collective bargaining along with widening participation and democracy at work. There were signs of this in the policy recommendations informing the Labour Party manifestos of 2017 and 2019 (Ewing *et al.*, 2018). In 2022, Labour published an Employment Rights Green Paper, called "A New Deal for Working People" (including sectoral Fair Pay Agreements and banning zero hours contracts). Nonetheless, it remains to be seen whether and to what extent such ambitions would be pursued in practice as part of any Keir Starmer-led government, if elected in 2024/2025. In short, there

are formidable challenges, including how to reverse the stripping away of the institutional architecture of pluralism over the past 40 years or so (Pakes and Pitts, 2022).

Pluralist renewal is effectively banished under current populist New Right industrial relations policy with a government which appears to shift ever further rightwards, evidenced, for example, by draconian anti-trade union legislation, increasing in-work poverty, the intention to repeal EU employment rights Directives and a failure to implement most elements of the suggested Good Work Plan; also, the promised Employment Bill has not materialized (Bales *et al.*, 2018; Bogg, 2016; McKnight and Cooper, 2022). Currently, there is a vacuum arising from the lack of hard regulation at UK governance level required to establish minimum standards on good work. Local actors in devolved contexts are engaging with initiatives like real living wages campaigns and good work charters, but such endeavours are voluntarist and are premised on weak soft regulations with little no enforcement mechanisms (Dobbins, 2022b; Johnson *et al.*, 2022).

Conclusion

There were dramatic industrial relations events and change in the UK between the first (1974b) and second (1985) editions of Alan Fox's *Man Mismanagement*, most notably relating to the rise to power of the Thatcherite New Right in 1979. The issues that Fox pinpointed in the second edition in 1985 in relation to the rise of the New Right and political and employer mismanagement are prescient (among others). Of course, Fox was not a lone voice in discussing such shifts in societal and workplace IR systems. Other scholars from both radical and pluralist perspectives also debated the IR implications of the New Right during the 1980s, assessing that the new political climate provided employers with opportunities to shift the frontier of control in their favour in workplace IR, and also rooted their analysis in a broader political economy context (Batstone, 1988; Crouch, 1986; Hyman, 1989; MacInnes, 1987). Since then, the New Right's praxis of fragmentating work, disjoining labour rights and undermining collective industrial relations institutions have been extended, and macho mismanagement praxis is even more commonplace. The stripping away of the consensus-based IR architecture renders the renewal of institutional pluralist praxis, like collective bargaining and other forms of joint regulation of work, a formidable task. Employment relations in the UK and across other neoliberal regimes still contain elements of master-servant relations identified by Fox (1974a, b, 1985). Employers still paradoxically expect employee consent within a narrative of engagement and/or commitment, while simultaneously demanding unfettered managerial control. At the same time, workers are not cultural dopes and realize it is managers who expect them to obey. Under contemporary political economic contexts of industrial relations praxis, the very idea of democracy at work (unfortunately) seems utopian (Hyman, 2016) in heavily unequal class-divided societies like the UK.

The article raises implications for research, practice and society. It provides insights for further research into continuities and changes in the dynamics of industrial and employment relations. The implications of the paper also extend to society as a whole by shedding light on the effects of New Right policies and managerial practices on workers. The dominance of employer command and control highlights the need for broader societal discussions on power imbalances and workers' rights in unequal class-divided societies.

Notes

1. A phrase linked to Norman Tebbit's (Secretary of State for Employment) 1981 Conservative Party speech, arguing the unemployed ought to "get on their bike" and look for work. In Liverpool, large numbers of people would take train journeys (the express, the bike) from Liverpool to London/Brighton/Bournemouth each week to search for work.
2. 2010–2015 involved a coalition government with the minority Liberal Democrats

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*As noted by Fox on the back cover of the second edition of *Man Mismanagement*, the use of the word "man" was "in its collective sense to mean both men and women" (Fox, 1985: back cover). We use the term Mismanagement. The contrasting pictures on the front covers of the paperback editions of Fox 1974 (excludes women) and 1985 (includes women) tell a tale of change.

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