

Permanent liminality: The impact of non-standard forms of employment on workers' committees in Israel

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Abstract. *Workers' committees in Israel are adapting to the neoliberal economy, and the resulting changes in the labour market, by increasingly accepting various non-standard forms of employment. At the same time, however, they are resisting this reconfiguration of the capitalist economy, in an effort to safeguard workers' rights. Torn between the two positions, workers' committees find themselves in a state of permanent "liminality", their role reduced to merely seeking compromises and ad hoc solutions. As a result, opposition to the adverse effects of non-standard employment remains localized and fragmented, thereby consolidating such employment arrangements.*

This article describes how Israeli workers' committees have entered a state of permanent "liminality" in the new context of global neoliberal capitalism.¹ Over the past 30 years, capitalism has undergone dramatic changes. Organized capitalism has become disorganized, Fordism has been replaced with "flexibilism", and instead of state capitalism we now have global capitalism (Jessop, 1994; Lash and Urry, 1987; Sklair, 1997, 2000 and 2002). Traditionally, state capitalism was based on industrial production, regulating the optimal balance of employers' and workers' representatives through a state-backed corporatist arrangement. Under this system of exchange relations, employers would pay workers a fair wage, and in return the workers would refrain from advancing maximalist demands, despite their power in the labour market. Evidently, this balance was possible mainly in conditions of full employment and a relative dearth of potential substitute, "cheaper" workers.

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¹ Liminality, as described by Victor Turner, is a phase of transition, where little of what characterized the previous, known cultural field remains, but nothing as yet has replaced it. It is a blurred, "betwixt-and-between" state (Turner, 1969).

In taking over from state capitalism, and in keeping with its “liquid” nature, global capitalism progressively weakens the boundaries of the nation State (Bauman, 2000). The more capital and labour move freely in the global space, the more local labour is at risk. As giant corporations tend to operate outside their own nation State, resisting this global capitalism is becoming increasingly difficult for both the state and workers’ unions. With the end of the era of full employment, the global system has become increasingly competitive; industrial production has lost the relative weight it enjoyed before, to the service industry, and has been relocating to low-wage areas. Consequently, collective bargaining and the welfare state are fading away, and in this “race to the bottom” nation States actively court capital, instead of restraining it (Boyer and Drache, 1996; Sassen, 1998; Weiss, 2003). The process is further strengthened by the rise of global economic institutions, and the new concepts they have introduced to define their novel mechanisms. Politically, the change in the nature of capitalism also facilitated the decline of social democratic political parties and the rise of multi-interest parties. This social and political fragmentation resulted in the pluralization and widespread commodification of culture (Lash and Urry, 1987).

Thus, globalization impinges on the class structure within and among nation States. In buttressing a neoliberal hegemony, globalization aggravates class inequality, as has been illustrated by the undoing of earlier achievements of struggles for equality (Ram, 2004). Fierce global competition creates a turbulent business environment in which employers seek greater flexibility in the labour process, the labour market and employment relations. In the name of flexibility and efficiency, capital shapes a system of employment relations in which individual contracts replace collective bargaining, and where work is relocated to areas where labour is cheaper and less protected. The weakening of the constraints of the nation State strengthens the power of global employers vis-à-vis local workers. This restructuring has been accompanied by an increasing proportion of indirect employment, e.g. employment through private services contractors and employment agencies, the employment of immigrants and non-citizen workers, and partial and multi-tiered forms of employment. These new, precarious non-standard employment arrangements have a far-reaching impact on employment relations and social inequality, particularly in national and regional settings (Goldthorpe and McKnight, 2006). The ability to contest the spread of indirect employment is further weakened by the decline of organized labour. This is reflected in the challenge to the power of trade unions in the workplace, who are forced to redefine the groups of employees they represent, adapting their aims and tactics accordingly.

In the context of the turbulent business atmosphere brought about by globalization, and in which growing numbers of employers operate, non-standard employment arrangements have ceased to be a mere complement to standard forms of employment, and have become virtually an essential component of human resource management (Herer and Harel, 1998). The concept of non-standard employment assumes the existence of “standard” employment, where

employer and employee have direct ongoing relations, with fixed and reasonable wages, set working hours, fixed premises, and workers are protected by state law and by trade unions. Little has been written about the ambivalent nature of non-standard employment, but the spread of such employment arrangements calls for their analysis in greater detail. One important aspect of non-standard employment, for example, is the way that the shift from direct to indirect employment not only obfuscates the identity of the employer and the authority responsible for fixing working conditions, but also blurs the act of workers' representation itself (Kalleberg, Reskin and Hudson, 2000; Nadiv and Feldman, 2010; Rogers, 1995). To counter this lack, we propose to analyse non-standard employment through the prism of its impact on workers' committees and union representation in contemporary Israel.²

Non-standard employment in Israel

There has been a considerable rise in non-standard employment arrangements since the late 1970s, in large economies such as the United States of America and the United Kingdom, but also in smaller ones such as Israel, where they have spread fairly rapidly (Kalleberg, Reskin and Hudson, 2000; Nadiv and Feldman, 2010). In Israel, there are three forms of non-standard employment. The first is employment by private service contractors. The second is employment by employment agencies, which hire workers for firms. In this case, the workers' employer is the employment agency, which pays their wages after deducting a commission; in their daily work, however, the workers are accountable to their line managers in the firm. In many cases, agency workers are to all intents and purposes the firm's employees, but are never employed by the firm itself. While employment agencies were originally created to provide temporary workers, many of these workers go on to become "permanent". The third form of non-standard employment is that of the two-tier wage system for a firm's permanent workers. In Israel, "Generation B" agreements are collective agreements that apply to a firm's most recently recruited workers, who receive lower wages and fewer fringe benefits than their more senior colleagues in terms of promotions, pension contributions and dismissal compensation (Caspi, 1995; Zilloni, 1997). While "Generation B" workers are employed directly by the firm, such contracts can be classed as non-standard employment arrangements, since firms use them for the same reason that they employ workers through employment agencies and service contractors. These contracts have the same systematic effect of stratifying and differentiating between workers within the same firm.

² In Israel, workers' committees are defined as the representatives of unions (and organized labour in general) in the firm or workplace (Shirom, 1983). Workers' committee shop stewards are supposed to be elected directly by the workers, but since they lack independent and official status they are dependent on the umbrella union organization (Histadrut) when it comes to signing collective agreements with employers.

While the extent of non-standard employment in Israel is hard to gauge, the share of workers employed by service contractors is fairly high in Israel compared to other developed countries.³ In 2007, for example, the average share of employees in non-standard employment in the public sector was about 20 per cent (Tabivian-Mizrachi, 2007). Estimates for the private sector, which are harder to substantiate, are much higher. According to the Federation of Israeli Chambers of Commerce (FICC), in 2009 some 250,000 of the 2.78 million workers employed in the Israeli economy were estimated to be contract workers, half of whom worked in the public sector, mostly in cleaning, guarding and security jobs (Pensirer, 2011). This makes the situation in Israel an apt prism for examining the relational and organizational impact of non-standard employment. Of those in non-standard employment, women, the young, people of Mizrahi origin and those without qualifications tend to be over-represented (Benjamin, 2002).

The high rates of non-standard, indirect and poor-quality employment in Israel reflect the needs and interests of employers, who describe such employment arrangements as the best way of coping with the turbulent business environment, which demands organizational and employment flexibility (Galín and Carmi, 1990). This flexibility in turn requires firms to reduce their labour costs, cope with fluctuating daily demand for their products and services, locate services outside the firm, and screen workers that are being considered for more permanent employment (Abraham and Taylor, 1996; Herer and Harel, 1998; Nadiv and Feldman, 2010; Rogers, 1995).

Naturally, some groups of workers benefit from non-standard employment arrangements more than others. Professional independent contractors, for example, may give up certain benefits but consider this to be offset by their high pay and autonomy (Kalleberg, Reskin and Hudson, 2000). For other groups of workers, however, non-standard employment has a deleterious effect, in that poor-quality jobs enable employers to deny the existence of a committed employment relationship with their employees, preferring to treat labour as a commodity they purchase from an outside contractor. Moreover, non-standard employment arrangements encourage employers to renounce collective bargaining, and challenge workers' right to be represented and organized. In this way, employers evade binding legal commitments, against which workers have no effective remedy (Benjamin, 2002; Nadiv and Feldman, 2010).

In practice, with lower wages and fewer fringe benefits, non-standard employment serves employers much better than workers (Kalleberg, Reskin and Hudson, 2000; Rogers, 1995). Workers become insecure, they do not know the duration or scope of their employment, and attitudes towards them in the workplace worsen (Benjamin, 2002). If jobs are divided into "good" and "bad", then workers in non-standard employment are more likely to have the latter kind (Kalleberg, Reskin and Hudson, 2000). Consequently, different classes of workers are created arbitrarily in the same workplace. There are huge gaps in

³ In 2000, 5 per cent and 1.5 per cent, respectively (Nadiv and Feldman, 2010).

wages and fringe benefits between workers employed directly by the firm and those employed by a third party – even if they all have similar human capital (Caspi, 1995; Nadiv and Feldman, 2010).

Such widening social and economic inequality is found both locally and globally, and usually has a worse effect on workers than on employers (Kalleberg, Reskin and Hudson, 2000). Furthermore, while the deleterious effects of poor-quality employment can potentially cause social unrest, the issue is rarely on the public agenda. This lack of public debate stems from a lack of statistics and from low accountability on the part of employers. However, it is also maintained by the semblance of legitimacy provided by problematic law and weak unions (Chun, 2009; Benjamin, 2002).

Workers' representation in a neoliberal hegemony

The growth of poor-quality employment is a reflection of the expansion and sophistication of the dual labour market, the division between primary and secondary markets, and the further differentiation between strong and weak workers (Grinberg, 1991; Piore, 1971). However, while the model of the dual labour market posits that the primary and secondary labour markets are mostly confined to separate workplaces, the expansion of employment by a third party testifies to the fact that duality has penetrated the workplaces themselves, and greatly impacts the organization of workers (Benjamin, 2002).

Originally, unions aimed to represent the voice of the workers vis-à-vis the employers, and organize them for – as Durrenberger defines it – “concerted action in support of their interests to redress the power imbalance between those who provide labour and those who control the conditions of its use through their ownership or management of productive resources” (Durrenberger, 2007, p. 75). These aims have traditionally been realized through two forms of union operation – at national level and at workplace level. The leaders of national unions (or nationwide sectoral unions) perceive themselves to have a broader perspective, and to be shapers of union ideology and policy, responsible for explicating workers' wider interests, and having the capacity to realize them. At enterprise and plant level, union representatives experience the mundane economic and social realities of the workers they represent, and are known to develop more concrete approaches to the material concerns of workers and to the potential of collective action. For this reason, plant-level unions have been traditionally regarded as ambivalent entities, able to express and transform solidarity into immediate action, and at the same time be oblivious to the limitations of their power, space of action and potential backing from the wider national or umbrella organizations (*idem*, 2002 and 2007; Fantasia, 1988; Gramsci, 1920). However, since the 1970s the capacity to maintain these hierarchies has weakened, as unions progressively failed to expand union membership, bargaining powers and plant-level impact (Blanchflower and Freeman, 1992; Freeman and Medoff, 1984; Hyman, 1999; Rubinstein, 2001; Western, 1995).

The national, sectoral and plant level activity of workers' unions is further complicated by structural and operational considerations. The ambivalent structure of unions stems from their two major roles – organizing workers, and representing the interests of workers who are already organized. While these two roles sometimes coincide, they often contradict each other, as reflected in the tension between acting as a “sword of justice” on the one hand and as a “vested interest” – i.e. preserving the position of regular employees vis-à-vis non-organized workers, including by forming ad hoc “partnerships” with employers and excluding unorganized workers – on the other (Hyman, 2002). In prioritizing one group of workers over another, a union's interests may therefore end up conflicting with the workers it represents. Strong workers' unions are known to focus, in their centralized negotiations, on macroeconomic policy, while neglecting efforts to address the issues of unemployment and organization of the non-organized. Power and control struggles may lead unions to prefer to associate with certain groups of workers, or to join employers in curbing the influence of workers deemed to be too independent and militant. Other considerations such as ethnicity, and spatial proximity to economic power, can play a role in the differential behaviour of unions. Consequently, weaker groups of workers often pay the price of preferential representation (Grinberg, 2000; De Vries, 2010; Osnat, 2004; Shalev, 1996).

There have been a number of recent studies on unions' approaches to indirect or non-standard employment, which often focus on practice. An ethnographic study of employment relations at Ford, for example, showed how the organized labour force has gradually weakened and has been internally stratified. In response to the crisis in the automobile industry, the introduction by management of two- and three-tier jobs – accompanied by the offer of “buy-outs” to large numbers of workers with union jobs – led rapidly to suspicion and division in the workplace, including among union officials (Richardson, 2010). Similar bewilderment arose in the building of the Port of Ashdod in Israel, which was finally put into operation in 1965. The Histadrut had initially protected the rights of workers who had been transferred from the defunct Tel Aviv Port to the new site in Ashdod, while disregarding the local Ashdod labour force. Preference had also been given to Mizrahi Jewish workers to build the Ashdod port, although they were not guaranteed subsequent permanent work at the port (Osnat, 2004).

Another study describes the varying reactions of unions in the Republic of Korea in the face of the spread of non-standard employment arrangements, particularly for women workers. The main reactions ranged from tacit consent to such arrangements, through compromise, to fierce opposition to every step towards non-standard employment (Chun, 2009). In both the Ford and Ashdod cases, unions were shown to have given preference to particular groups of workers, and to have safeguarded the privileges of established workers rather than protect new workers. To what extent does the hegemony of neoliberalism provide an ideological justification for these practices, particularly in the context of the increasingly rapid spread of non-standard employment?

Neoliberalism posits that human well-being can best be advanced by liberating individual entrepreneurial freedoms and skills within an institutional framework characterized by strong private property rights, free markets and free trade (Stiglitz, 2002; Harvey, 2005). In this “market fundamentalism” there is no other system that can promise a well-functioning economy (Fourcade-Gourinchas and Babb, 2002). Laws of the market are thus perceived not as changeable outcomes of social activity, but rather as external and universal – almost as natural laws which one has to accommodate and according to which one has to act (Peck and Tickell, 2002). Accordingly, neoliberalism endorses transnational corporations and financial capitalism, deregulation of economic activity, privatization of public goods and services, strict fiscal and monetary policy, the narrowing of organized labour and collective bargaining and, finally, supports flexible employment arrangements (Harvey, 2005; Jessop, 2002; Maman and Rosenhek, 2009).

While the ideological roots of neoliberalism date back to the 1940s, from the 1970s onwards it has become a “commonsense of the times” (Peck and Tickell, 2002). Essentially, this hegemony means the adoption in public debate of neoliberalism’s assumptions about socioeconomic reality, its values and its discursive tenets (Harvey, 2005). Within this framework, unions are anathema and organized labour should be strongly opposed. However, as unions are at the same time part of the neoliberal hegemony, their leaders and activists seem to incorporate neoliberal ideology. Influencing as they do the masses of rank-and-file workers, and the hold of organized labour on the workforce, how do unions respond to non-standard employment?

Recent literature shows that unions are swayed by the contradictory forces governing them. The study by Victoria M. Murillo (2000) describes how union leaders, in facing the neoliberalism of the populist labour-supported parties in government in three Latin American States, engaged in several strategies, which ranged from cooperation to opposition. Ultimately, competition between unions, and their diverging opinions, weakened the workers’ organizations. From a different perspective, Andreas Bieler (2008) examined unions and the neoliberal challenge in the context of the European Union. His data show that while British unions tend to reject neoliberalism, Swedish unions are more likely to adopt its tenets and concepts. In his work on unions in Canada, David Camfield (2007) highlights four “modes of union praxis” available to public sector unions when contesting the government’s onslaught of neoliberal policies. The modes of praxis range from a narrow, materialistic and utilitarian approach (“business unionism”), to “social movement unionism”, featuring unions that are more democratic, community oriented, political and ready to collectively campaign to change society (*ibid.*). This area was further examined by Gadi Nissim (2011), who provided a broad ethnographic account of 20 workers’ committees in the private sector in Israel, arguing that, being part of the neoliberal discourse, the committees are driven to comply with some of the employers’ harmful actions. However, being part of this discourse also shapes the way workers’ committees define the causes, conditions and goals of their

struggles against employers, and the means they choose to conduct them. In the same vein, Rob Lambert (2013) described the way Australian unions accepted the process of market-driven corporate restructuring, and their political failure to critically engage the free market model and its social impacts. In describing the current revival of Australian unions as social movement unions, Lambert posits the need for a global social movement of unions to effectively counter the overwhelming power of global capitalist forces.

This article affirms these trends in the literature by highlighting, in the case of Israel, the complexity of positions adopted by members of workers' committees operating in a neoliberal hegemonic State. However, because of the historically intense transformation in Israel from the hegemony of the Labor Party (which had a major impact on the development of Israel's economy, culture and labour relations) to a new neoliberal hegemony,⁴ the Israeli case is an apt prism through which to gain greater understanding of union behaviour in a neoliberal State. In particular, this concerns the Janus-faced strategies of unions and workers' committees: i.e. to represent the voice of the rank and file, challenging employers, while simultaneously voicing the interests of the minority of "strong", "elite" workers, excluding – in partnership with the employers – weaker and less organized workers. This can be seen not only from looking at the decisions made by unions – together with the interests and the institutional context underpinning these decisions – but also from interpreting the meaning that the members of workers' committees assign to the situations they are involved in, their unspoken assumptions and their definitions of reality. Our goal is therefore to outline the basic cultural structure that influences unions' behaviour in the field.

Non-standard employment and liminality

We argue that the discourse of workers' committees in the area of non-standard employment is "liminal". Liminality, as described by Victor Turner (1969), is a phase of transition, where little of what characterized the previous, known cultural field remains, but nothing as yet has replaced it. It is a blurred, "betwixt-and-between" state, where the "liminal entities" – e.g. the young, in the ritual passage to adulthood – are passive and submissive, lacking status, class and property, and are "betwixt and between" the positions assigned and arranged by law, custom and convention. The liminal state is thus the transition phase of the rites of passage that accompany every change of place, state, social position and age (van Gennep, 1909).

These rituals have three stages – separation, transition or liminality, and reincorporation. In liminality, which was considered by Turner to be the most important element of transition, social and cultural fluidity and malleability harbour the potential for change and creativity; former social patterns are

⁴ For the transformation of Israel's industrial relations system and its manifestation in labour law, see Mundlak (2007).

temporarily set aside, and their absence provides the basis for *communitas*, a basic and pure sense of community (Turner, 1969). Moreover, as shown by recent anthropological literature, liminality can be thought of as a social, conscious and emotional condition in itself, and as such has many expressions. One example is the experience of globalized labour migration. A study of Filipino labour migrants showed how they experience temporary departure from their country as a transitional phase, in which to improve their material status and prepare themselves – in a sort of secular rite of passage – to return, accomplished, to their home and original community (Aguilar, 1999). In another example, Vietnamese labour migrants appear to belong simultaneously to their village communities and to the towns in which they work and on which their material survival is dependent. Oscillating between town and country, they inhabit two opposing cultural systems, and thus remain in a lingering state of liminality (Nguyen, Hardesty and Hong, 2011). In the case of Salvadoran and Guatemalan immigrants in the United States, their multifarious and effectively blurred legal personality – or “liminal legality” – adversely affects their family and social networks and their relationships (Menjívar, 2006).

The concept of liminality has also been extended to professional contexts, as illustrated by a study describing social workers caring for people with mental health problems, including black homeless persons, in inner city areas of the United Kingdom (Warner and Gabe, 2004). Considering social work to be a “liminal profession”, in that it operates “in between” the public and private spheres inhabited by individuals and families, the authors describe the symbolic importance of “the street” as a liminal space within which forms of “racial otherness” have become central to contemporary constructions of community care. Another study describes the new spatial and relational forms of liminality that arise in cases where carers provide assistance to post-natal women in the intimacy of their own homes (Zadoroznyj, 2009).

In organizational studies, the concept of liminality has been used to describe the search for organizational identity and the maintenance of blurred organizational culture. Both phenomena endow organizations with power and the malleable capacity to employ ideologically diverse managers and consultants, and are highly compatible with flexible employment arrangements. Czarniawska and Mazza (2003), for example, use the concept of liminality to describe the world of management consultants and their clients, considering consultation to be a liminal space where both consultants and their client organizations undergo a transition ritual. The consultants initiate the transition: they enter the organization, and become part of it, while at the same time retaining their perspective as an outsider. Their condition remains undefined, and has potential for both freedom and instability. In the final phase of the process, they leave the organization, separating from it physically and socially. At the same time, the consultant's clients – i.e. the organization's regular employees – distance themselves from their usual patterns of behaviour and experience a cultural, personal and professional transition. In a post-modern society this liminal condition is not necessarily a temporary state, but becomes “routinized”,

as explained by Czarniawska and Mazza: “As liminality becomes routinized, marginal innovations may be happening all the time, but rarely inventions or breakthroughs. The organizers of the rites of passage return to their community and their daily duties as do the novices; the contemporary organizers are constantly busy and have to make a place of their own” (ibid., p. 287).

Liminality, which can become a permanent state, is also experienced by employment agencies and workers employed in “flexible” organizations (Garsten, 1999), in the sense that organizations need to constantly change, in order to accommodate the demands of the market, and employment agencies need to work with, and adapt to, an increasingly diverse range of organizations and occupations. Furthermore, certain groups of temporary employees often turn into a permanently liminal entity, e.g. high-salaried employees with high human capital, who enjoy freedom and weak commitment to the firm on the one hand, but experience social detachment and economic and professional uncertainty on the other.

More relevant to the issue under discussion here are flexible employment arrangements, and the “legal liminality” of workers who have an employment contract with a third party but are closely affiliated with the firm and the workplace. While one would expect unions’ response to these “blurred conditions” to be one of outright rejection, their pragmatism and adaptability mean that, in practice, they tacitly accept such arrangements. We will show how this new strategic approach on the part of unions – at both industry and firm levels – replaces their former adversarial positions and tactics with indeterminate, accommodating and flexible ways of thinking and practice. A new form of workers’ representation could arguably be said to be that of “institutionalized indecision”.

Liminality in the representation of workers stems from unions’ incapacity to synthesize two conflicting ideologies. The first is social democracy – the traditional ideology that has long guided unions in capitalist democracies (Gerson, 2002; Cooper and Barlett, 1976; Gramsci, 1920); and the second is neoliberalism, or “market fundamentalism”, which is the hegemonic ideology in the age of global capitalism (Stiglitz, 2002; Fourcade-Gourinchas and Babb, 2002; Harvey, 2005; Peck and Tickell, 2002). The conflict between both ideologies in unions’ discourse reaches its peak with regard to the issue of employees’ liminal “permanent temporariness”. In this situation, union stewards adopt various cultural and practical mechanisms from both ideologies. This duality does not create a fixed, integrated system, but rather a hybrid set of mechanisms that fail to integrate into a unitary, tightly defined whole. Indecision, agility and spontaneous reactions – the defining expressions of liminality – become permanent, thus colouring the behaviour of union stewards as indecisive, lacking influence and crippling.

The process in the Israeli case is particularly interesting, because of both the long-standing legacy of collective bargaining in Israeli history (Cohen et al., 2003) and the high rates of non-standard employment in the Israeli economy (Filc, 2004; Nadiv and Feldman, 2010). The data in the Israeli case were col-

lected in the field over the period 2005–09, covering 20 workers' committees in diverse branches, including the high-tech industry, banks, hotels, manufacturing and food retail chain shops. The ethnographic data come from observing workers' committee meetings and various committee activities, and personal and collective in-depth interviews with committee stewards. The committees represent the unions at plant level and are all affiliated in some way to the largest union organization in Israel, the New Histadrut.⁵

By and large the data show that the reactions of workers' committee stewards to multi-tiered and third-party employment were split between refusal and acceptance. Indignation and outright denunciation were among the stewards' immediate reactions, with the non-standard employment forms being depicted as the “root of all evil”, “modern slavery” and an act of injustice. One committee leader went so far as to call for life imprisonment for whoever had invented them.

Another form of opposition was of a more pragmatic nature. The former chairperson of a workers' committee in a chemical plant argued that it was essential to oppose the division of workers into different “generations”, since this would spark disputes among them, which would ultimately benefit management. Furthermore, while senior workers might appear to gain from such division, in the long term they would turn into a minority, would be negatively treated by younger workers and would thus lose any advantage they had gained. This was possibly, as the committee chair argued, a lever to be used by management effectively to “get rid” of senior staff. This argument was related to another pragmatic argument against non-standard employment – that it would weaken workers' committees, since contract workers were not part of the collective agreement, which traditionally endowed workers' committees with significant powers in the workplace.

A third type of opposition to non-standard employment was more subtle and indirect: the symbolic inclusion of discriminated workers within the collective of workers represented by a workers' committee. For instance, the chairperson of the workers' committee of a giant supermarket chain included second- and third-tier workers, as well as contractor workers, when he spoke on behalf of workers at the workers' assembly. Acknowledging the stratification of workers, and at the same time recognizing the inequality among workers that different forms of employment create, is part of the committee's task of assuming responsibility for all its workers. The inherent message was to show management that there were limits to the exclusion of these workers in the workplace.

⁵ The Histadrut – the General Federation of Labour in Israel – was established in as far back as 1920. After restructuring in 1994 it was named the “New Histadrut”. Historically the Histadrut typified a national umbrella union organization, shaping and directing union operation, and persistently seeking to control – through a local union or a local labour council – the operation of workers' committees at plant level. A universal and top-down national approach to industrial relations often conflicted with the more immediate “bread and butter” approach of workers' committees (Friedman, 1972).

Campaigns against non-standard employment are sometimes very practical in nature. The workers' committee in one Israeli security plant managed to include all workers in its collective agreement, and prided itself on rescinding the plant's agreement to employ workers through employment agencies. However, it was only a partial victory: workers previously employed by employment agencies did not gain the same rights as their more senior colleagues. Similarly, in an Israeli chain of supermarkets, workers' committees strove to ensure that there was a steady rise in the number of permanent workers. "From the moment I was chosen as chair of the workers' committee, my main challenge was to ensure permanent contracts for workers, to prevent employees being "recycled" and dismissed after 30 months of employment, only to be subsequently re-employed, as a way of cutting labour costs."

In a more complex case, a chemical corporation owned two plants. The employees at the newer plant were exclusively contract workers employed by an outside company. The workers attempted to organize but failed, despite public outcry and a favourable court decision. Some years later the corporation agreed to employ the contract workers directly, and signed a collective agreement. The main goal of the workers' committee had been achieved, since the workers were no longer employed by a third party, but directly by the corporation. However, the committee's victory was, here again, only a partial one: the wages and fringe benefits given to the workers were barely any better than those of second-tier workers in the corporation's other plant.

In practice, workers' committee leaders have been inconsistent in their opposition to discriminatory, poor-quality employment, and have often accepted it, by ignoring the phenomenon of non-standard employment while including only a symbolic number of contract workers in collective agreements. In particular, it was as if janitors and security personnel became invisible, when their definition as contract workers by management was accepted by the committees. This was followed by lower pay and less advantageous working conditions for contract workers, and their access to representation was similarly impaired.

The gap between committee stewards' commitment to permanent workers and contract workers in Israel is clearest when it comes to dismissals. In a metal factory, management decided in the wake of the 2008 international financial crisis, to downsize the labour force by 20 per cent. The chairperson of the workers' committee explained: "The plant's manager was told to dismiss 20 per cent of workers. Each and every worker is a good man: there was no one to dismiss ... I sat with Amram, there were four workers – two contract workers and two permanent workers hired a year or so ago ... We had no control over the contract workers ...". While the committee tried in many ways to minimize the harm to those being dismissed, it had no choice but to accept the fact that the contract workers would be the first to be fired. The official excuse was that the committee had no direct control over contract workers, and that the employment relations governing them were outside the collective agreement. At the same time, it is clear that the committee's acceptance

meant that the danger of dismissing the plant's permanent workers was lifted; actively excluding the contract workers had worked to the advantage of their senior colleagues. How, therefore, do workers' committees reconcile the contradiction between accepting the division of workers into different categories on the one hand, and strongly opposing it on the other?

Liminality becomes permanent

The tension between workers' committees opposing and accepting non-standard employment arrangements gave rise to a variety of mechanisms for turning the tension into a lever of power in the workplace. One mechanism was to develop a rhetoric that would bypass the negative image of discrimination between workers, focusing instead on the committee's role in accommodating pressure from employers and minimizing the harm done to workers, and on playing down the advantages of collective bargaining enjoyed by privileged workers.

A second mechanism employed by workers' committees was to change their approach to senior workers. From being perceived as having privileges that should not under any circumstances be violated, senior workers would now be perceived as having basic needs and "non-privileged" rights that should be maintained. Senior employees were regarded as elderly people that earned a respectable salary, in line with the rising costs they would face for health problems they developed at work. Taking into consideration their age and their lack of formal higher education, their privileges (e.g. better wages, fringe benefits and dismissal protection) were justified as a defence against sudden exposure to market forces.

A third mechanism was the use of softened, neutral and even "white-washed" language in order to play down the negative connotations of non-standard employment. When referring in our interviews to second-generation ("Generation B") workers, many workers' committee members preferred to use expressions such as "next generation", "temporary-permanent" or "long-term temporary" instead. In the same vein, contract workers were described as "private" workers. A fourth mechanism employed by workers' committees was to ascribe the phenomenon of non-standard employment to external causes – e.g. the structural problems of a specific industry – thus exonerating the committees themselves. Seasonality in tourism, for example, led to fluctuations in hotel occupancy, thus requiring hotels to use temporary contract labour. Workers' committees' acceptance of outsourcing was another example of their ascribing non-standard employment to external causes: in the private-sector metalworking industry, for example, their acceptance of non-standard employment was explained by the inability of committees to campaign for change due to the imbalance in power relations between management and workers. In other cases, they stressed that the phenomenon of outsourcing was widespread, penetrating even the Histadrut itself (as an employer), and that to resist it was futile.

How do workers' committees therefore handle these increasingly widespread deleterious employment arrangements? They primarily seek to minimize the damage incurred by negotiated compromises over non-standard employment arrangements; in return, they retain their status as workers' sole representatives, and safeguard necessary interests – such as employers' consent to organization of the majority of workers. Limiting the share of contract workers to no more than a third of a plant's workforce thus acts as the committees' lever for self-protection, and for the protection of senior workers. However, the price is to accept that management maintains the upper hand in a plant, *vis-à-vis* the workers' committee, and that a group of workers will be kept in a constant state of transition between temporary and permanent employment. In the long run, the workforce would appear to be organized, but in practice would be fragmented into diverse groups of workers with multifarious and often non-standard, harmful employment arrangements. The bureaucracy associated with the distinctions between workers and their employment arrangements further weakens the capacity of workers' committees to realize their ambitions of maximizing representation.

These practices testify to the dramatic change in the impact of economic and social contexts on the issues and the concerns that workers' representatives have to deal with. During the era of “national capitalism”, the demarcation lines between the employed and the unemployed were clearly drawn, and the labour market was heavily unionized. With the removal of state boundaries and technological barriers, the movement of capital is faster, and much more arbitrary and erratic. The result is a mix of diverse employment arrangements, with non-standard employment covering new, richly diverse and disparate employment patterns – a “patchwork quilt”, in the words of Alf Lütke (1989a and 1989b).

The growing blur between *de facto* and *de jure* employment, and the dissolution of boundaries between the formally employed and other categories of workers, deeply impact the way in which workers' committees are able to represent workers. In this new state of disorder, the “dirt” (in the words of anthropologist Mary Douglas, 1966) has to be “cleaned” by the workers' representatives. Hampered in their routine work of representation, they have to continuously redefine friends and foes, identify expressions of solidarity and potential violations, spot areas of lurking competition and pinpoint organizational challenges. These activities not only pre-empt the actual work of representation by the workers' committees, they have virtually replaced it. Among the resulting patterns of behaviour of workers' committees, three stand out – opposition to indirect employment, acquiescence, and sophistication of mechanisms for reconciling the two. The mechanisms are far from reactive and temporary – they are effectively becoming the core of the act of representation. Moreover, they are highly relevant for firms such as Israeli firms, which are obliged by law to give permanent contracts to temporary workers after a year's employment, or else dismiss them.

Contract workers employed in the services industry are physically less visible than temporary workers employed by employment agencies. Since they

are less visible to the leaders of workers' committees, it is easier to exclude them. However, the physical invisibility of contract workers is not enough to explain their exclusion; janitors, kitchen workers, security personnel and other workers might indeed be situated – in terms of working hours and space – in the backyard of the workplace, but they are hardly absent from the landscape. Their social visibility is not a direct corollary of physical visibility, but primarily an act of social identification, social construction and the constitution of symbolic boundaries. It is here that the partial myopia of workers' committee stewards sets in: even when they see these workers they do not recognize them as a part of the collective, and thus adopt the definitions of the employer. In this way, the contract workers become an “erased group”, and while its members may be noticed and visible, they are voiceless and powerless, undergo objectification and are nullified as subjects (Lomsky-Feder, Rapoport and Ginzburg, 2010).

Why do workers' committees keep ignoring contract workers, despite their physical visibility? One possible explanation is that the committees' stewards uphold management's definition of who is a “worker”. They also adopt the employers' deterministic assumptions regarding the need for time-limited flexible employment arrangements, and consider their lack of commitment to temporary workers as “natural”. The widespread adoption of employers' perceptions and definitions testifies to a certain acceptance of the “market” justification regime that is characteristic of the neoliberal notion of the determinism of laws governing the market (Boltanski and Thevenot, 1999; Resnik and Frenkel, 2000).

Conclusion

Our study of workers' committees in Israel shows that while committee stewards might not openly adore “liquid capitalism” and “market fundamentalism” they accept them as necessary levers in the routine running of a firm; even at the risk of being detrimental to workers. Once the neoliberal doctrine has been adopted, the only potential conflict workers' committees have with employers is about how far to implement it; they do not challenge the doctrine itself. Workers' committees also adopt employers' perceptions and definitions of organizational reality, and thus marginalize workers employed by external service contractors, while maintaining the privileges of the firm's core, regular employees. Excluding the underprivileged has become a common practice among many workers' committees; this is not an isolated phenomenon in the history of trade unionism – it has long been part and parcel of the dynamic of organized labour in the workplace. Moreover, when the leaders of workers' committees do challenge non-standard employment arrangements they employ the legacy of social democracy, which is usually identified with traditional labour reformism that stressed the primacy of workers' collective action in the struggle to gain freedom, equality and distributive justice within the capitalist system. The basic assumptions of social democratic ideology fit the declared

motives of the committees' leaders, particularly when they engage employers in the campaign to include workers of employment agencies in collective bargaining, equalize their working conditions, and promise unionization of the workplace (Cooper and Bartlett, 1976; Gramsci, 1920; Gerson, 2002).

The ideological foundations on which committees' stewards base their vision of the system they wish to see is therefore a mix of social democracy and neoliberalism, intertwined as these ideologies are in the concrete realities of non-standard employment. Through this mixture of diverse ideational and cultural sources, and concrete and bureaucratic contexts, the committees' identity is unravelled. In attempting to obfuscate the inherent tensions between social democracy and neoliberalism and to mould the two into an ideological synthesis, workers' committees are inventing sophisticated mediating mechanisms. These mechanisms feature a combination of bureaucratic creativity and realistic evaluations on the part of committees regarding the state of the economy and the conditions of the specific economic branch in which they operate.⁶ While employers cling solely to neoliberal stances, committees' stewards engage in continuously crafting their notions of distributive justice and changing market conditions. In so far as this gives rise to adversarial stances, they remain mostly plant or branch based, and are accommodative and apolitical.

Through these mechanisms, workers' committees seek to facilitate pragmatist solutions and gain some sense of control. However, while the mechanisms are diverse and agile, they are merely ad hoc solutions, often undefined and inconsistent. It is here that the committees' liminal nature comes blatantly to the fore, its activists often caught "in between and in betwixt", in irresolute situations. In contrast to rites of passage, in which such a phase would have been used to set aside one position and adopt a new one, the liminal situation of workers' committees in Israel has become permanent.⁷ This has come to characterize the intense capitalist world we live in today, in which constant change and flexibility permanently define the characteristics of organizations (Garsten, 1999). Moreover, in the ever-changing and loosely bounded nature of contemporary working classes, permanent liminality in the attitudes of workers' representatives is no longer considered to be a distinctive transgression. In the final analysis, it is in the self-presentation of the unions as a central defence line – supposedly sheltering workers from the cyclical nature of the market and from the power of the employers – that these attitudes present problems. Torn between their social-democratic legacy and their assimilation of the neoliberal hegemony, the committees are weakened by their permanent state of liminality. It would be interesting to carry out further research to determine the extent to which workers are similarly affected.

⁶ For more cases demonstrating the combination of various labour ideologies with bureaucratic inventiveness and practices, see De Vries (1997a, 1997b and 1999).

⁷ Here we develop the discussion of liminality by Arpad Szakolczai (2009), who stresses that it does not have to be "restricted to a temporary crisis, followed by a return to normality, but can be perpetuated endlessly" (p. 155).

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