The Swedish industrial relations transformation during the 1970s – abolishing neutrality and affecting the deep structure

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Abstract: Industrial Relations systems are essentially a nexus of contracts between different actors: Government, employer’s organizations and unions first and foremost. The Swedish labour market model was based on the concept of Government neutrality ie: non-partisanship and non-intervention from the early 20th century. Did the interventionist state during the 1970s change the fundamentals of the Swedish model? I argue that it did. The argument is based on an empirical investigation that comes from the concept “Frontier of Control”. If we take five dimensions: Occupational safety, Determination in work-place issues, Employment and dismissals, Strikes and industrial conflicts and lastly Determination in company issues, the power relations changed fundamentally in the 1970s with the labour law legislation and was ultimately part of a paradigmatic change in Swedish IR.

Keywords: Industrial Relations, labour law legislation, Government neutrality, political radicalization

JEL-codes: J53, J58, K31, N34.
Introduction

Labour market researchers have written extensively about the role of the state in industrial relations, and for a long time (Dunlop 1958). Labour law and how different types of economic policies affect unions and employer’s organizations and their collective bargaining processes as well as the outcomes has been much in focus. A parallel track has been the debate concerning the possible transformation of industrial relations systems in many countries. This debate seems to have taken place along with the processes of globalization, union decline and European integration in the late 20th and early 21st century. Some agreement has been established around the main factors that have driven these changes such as new modes of production and globalization, meaning the increased competition and integration of world markets. And there is also some agreement concerning the direction of the change: towards decentralization of bargaining, weaker unions and more flexibility in wages, working hours at the workplaces (Katz 1993, Hyman 1994, Golden, Wallerstein and Lange 1997, Traxler, Blaschke and Kittel 2001).

Some have argued that the Swedish labour market model also have, or is about to transform into something new because of these factors (Magnusson 2006, Lundh 2009) The topic for this article is however a possible transformation of the Swedish labour market model a bit earlier than the alleged transformation, in line with the international trend, during the 1980s and 1990s. I will argue that the transformation that took place during the 1970s was in one sense much more fundamental than what has happened during the later decades. It affected the "deep structure" of the Swedish industrial relations, a concept that we will shortly come back to. The change in the 1970s was not only the labour law legislation, in itself a very important aspect of the Industrial Relations, but also more fundamental issues such as the old concept of state neutrality
between the bargaining parties, the property rights at the working places and the view on the employment relationship.

The aim of this paper is also to set focus on the fundamental transformation that the Swedish Industrial Relations underwent during the state interventionist phase in the 1970s. I will argue that it was really a major transformation of the Swedish labour market model, but from an angle that has been hitherto not very extensively analyzed. The argument is based on the concepts "deep transformation" and "frontier of control" and more precisely, transformation via a paradigmatic change at the labour market.

What is and constitutes industrial systems transformation?

To judge whether a labour market model has undergone a fundamental change, we need to know the basics of the concept. That makes it possible – although not easy – to distinguish between transformation and more “non-fundamental change”, for the lack of a better word, in industrial relations. What has been discussed in the literature is particularly what kind of elements that constitutes a transformation. What formed the debate about Industrial Relations transformation was the definition by Kochan, Katz and McKersie (1986) that considered the level of bargaining, who makes the key strategic decisions and the changing authority of management as the factors amounting for transformation in the US.

But there has certainly not been any consensus on this issue and the compilation of Ericson and Kuruvila (1998:6) listed a number of different aspects. Some authors had argued that formal institutional structure such as legislation should be put in center. Others examine more informal or process-oriented indicators such as the level of bargaining, while others still study the outcomes of a specific labour market model such
as wage dispersion or strike frequency. The lack of clarity and agreement was therefore striking.

If we take a broader stance and try to delve into what constitutes a transformation in industrial relations it might be useful to look into other traditions that have studied those issues. In the policy change literature, Hall (1993) mentions that policymaking should be viewed as a process of three variables:

1. Instrument settings
2. Policy instruments
3. Overarching goals

Hall's concepts were modeled on the transition from Keynesianism to Monetarism during the 1980s in Great Britain. First-order changes denote simple changes in settings or levels which are usually believed to be quite innocent as they are usually small and purely quantitative. Second-order changes refer to changes in instruments to obtain the same goal. Third-order changes refer to paradigmatic changes that alter the entire world view, perceptions of causality as well as goals. There is in essence a change of normative ideals or in other terms a question of issue (re)definition (Hall 1993).

This in turn also relates to Ericson and Kuruvila (1998), where they claim that the deep structure of the industrial relations system lasts on a couple of basic assumptions about the relation between the bargaining parties, what interests should be considered and what aims should be achieved. The most important are; attitudes and definitions of property rights in the workplace, employer-employee relative status, individualism versus collectivism and the nature of the exchange in the labour market. Moreover changes in the essence of employer, union and government strategies and structures
might also indicate although not constitute changes in structure. So, we are in fact searching for indices that show signs of changes in the deep structure of industrial relations. Adjustments that do not involve a change in deep structure therefore cannot be labeled transformation (Ericson and Kuruvila 1998:218b).

How does the concept of deep structure relate to that of paradigmatic change? It would be easy to believe that paradigmatic change would ultimately lead to far reaching changes in outcomes and or institutions. Still, as pointed out by Clasen and van Oorschot (2002), as judged from the perspective of paradigmatic change, the changes in Danish labour market policies in the 1990's were probably more far-reaching than in the Netherlands, but as judged from an outcome perspective, one would probably reach the opposite conclusion. So, there is no simple congruent relationship between those entities.

An earlier attempt to analyze the transformation of labour markets and industrial relations in the wake of the 1968 movement and currents from the deep structure was performed by Stråth (1998) and (2000). His more post-modern approach was however more focused on the discussion of images of work and work organization and the concepts that harbored the more radicalized agenda. My argument in this paper, that the transformation that took place during the 1970s, is partly based on the Ericson/Kuruvila distinction. My claim is that the transformation was in one sense much more fundamental than both the actual changes of the policies and the policy outcomes.

Governments define, manipulate and enforce property rights at all markets including the labour market. Property rights are primarily important in that they define the market process and in that they affect the incentives of individuals and organizations. Some scholars would claim that property rights defines the relationship between an individual and a commodity, but property rights also express relationship among people, as in the
case of the labour market. Control or ownership there corresponds to another person’s absence of ownership or control (Campbell & Lindberg 1990). The question here is whether the Government intervention and Non-neutrality stance during the 1970s should be interpreted as a third order more paradigmatic change and fundamental change.1

**Neutrality as the foundation of the compromise between labour and capital**

In the field of comparative industrial relations studies, it has been commonly known that the four Scandinavian countries have experienced less state intervention than continental and south Europe. The doctrine of freedom of the labour market from state intervention dominated in Sweden. On the other hand it should be noted that the Swedish doctrine of freedom was brought forth by a strong threat of state intervention in the 1930s (Elvander 2002, Stokke 1999, Karlson and Lindberg 2008).

The Swedish labour market model was founded in the early 20th century. It was based on a concept of labour market freedom, but coordinated by organizations that were encompassing and had both conflicting and cooperative interests (Karlson & Lindberg 2008). This freedom for this sphere of society, called a collective laissez faire by Nycander (2009), was upheld by a belief that the state should not interfere in the bargaining of the two evolving parties at the Swedish labour market. If interventions should be undertaken by the state, those interventions should be neutral in the sense that no mayor interest group should be overhauled.

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1 There are, of course, lots of definitions of the term paradigm. In this paper the term paradigm is used in the sense of a set of interrelated theoretical assumptions, ideas, beliefs, rules and concepts that are shared by individuals or groups and systematically influence and frame the choice of policy goals and/or instruments.
This doctrine of state neutrality was fundamental in the Sweden labour market relations ever since the December compromise between SAF and LO in 1906. It was the norm and the starting point for almost all discussions around the role of the state as Nycander (2000) has shown. An exception from the rule that the state should be neutral was the unemployment insurance from 1935 when the old neutrality doctrine was modified. Government thereafter financially supported the labour led and controlled unemployment funds, (Stråth 1998:90, Edebalk, Ståhlberg and Wadensjö 1998:125)

At different times in Swedish history there was a consensus established between labour and capital in more fundamental issues such as control over the labour process, union organizing, the right to have collective bargaining and the right to manage firms. Some of these issues were handled by employers and employees organizations in mutual agreements and others in the political process.

The first more fundamental compromise were established in 1906, called the December agreement, when SAF and LO had their first central agreement where SAF endorsed the right of association for workers and the right to have collective bargaining. On the other hand, LO accepted the employers' right to manage work and freely hire and fire employees. Other basic compromises were established in the 1930s when a consensus was formed around the concept of rationalization and industrial growth, and of course also in the Saltsjöbaden Agreement when LO and SAF again formed a cooperation around the issue of industrial peace and a bargaining obligation in all issues of mutual concern (Åmark 1989, Johansson 1989) According to Magnusson (2000) this basic compromise was also implemented in politics when the Social democrats gradually accepted private ownership and some form of market economy, however regulated.

The Swedish industrial relations were however characterized by a more “welcoming attitude” towards unions and the Governments from right to left were more reluctant to
intervene. So, employers and unions were seldom treated equally even in the modern industrial societies, but in Sweden the rules of mediation, the Labour Court 1928 and the Collective Agreements Act 1928 were symmetrically founded and in general non partisan (Nycander 2009:82-83).

Despite pressure from some parliamentarians, the state neutrality survived in modified form through the 1930s and from 1936 and onwards the bargaining parties sidestepped the Government and negotiated on their own (Johansson 1989:404–407) State neutrality was a premise for numerous discussions. According to Nycander (2009) it should be interpreted as no intervention in order to change the power relations affecting negotiations between the bargaining parties. Neutrality did, however, not prevent the legislation relating to employment, working hours, worker´s protection and more. It can be argued that such intervention was a kind of protection of the weaker party in a contractual relationship, and not siding with the unions as such against the employers. Neutrality is still in our days a norm that politicians uphold, at least in rhetoric (Prop 1999/2000:23)

The explicit purpose for the introduction of formal rules and regulations was twofold: Industrial peace and industrial rationalization in order to promote growth and economic development. The imperative to control industrial action was critical since conflicts were a constant worry during the first decade of the 20th century (Lundh 2009, Nycander 2008). This was in no way unique for Sweden and countries like Japan and the US also emphasized industrial peace during the postwar era (Ericson and Kuruvila 2002:175).

A landmark in this development of the model was the famous agreement of Saltsjöbaden in 1938 which was concluded in response to a government threat to introduce labour market legislation (Âmark 1988). The normative principles of
cooperation and coordination replaced confrontation as the basis of bargaining between capital and labour. Moreover, it was the first peak level agreement in that SAF, the Swedish association of employers, and the LO, the umbrella association of blue-collar workers, acted on behalf of their member organizations. The agreement contained rules on collective bargaining, industrial action, disputes threatening the public interest and dismissals. (Olson and Burns 1987)

What were the main dimensions and components of state neutrality in Sweden? The two dimensions that should be focused are firstly non-intervention in the internal affairs of the bargaining parties, and secondly non-partisanship when intervening (Karlson and Lindberg 2008). Why is this so important? The Government is the body that defines, manipulate and enforce the rules of the game at the labour market as well as other markets. It thereby define the market process and affect the incentives of individuals and organizations in a fundamental way.

Other interpretations of the Swedish collective bargaining model or IR system, see Elvander 1997, Swenson 1989, Ryner 1994, use to mention and stress the fact that a centralized bargaining system that led to wage moderation and low levels of industrial action. Or they might stress that unions argumented for a solidaristic wage policy which in turn was supported by the Rehn–Meidner model of economic policy, including active labour market policies, in Sweden that aimed for a structural transformation as well as reducing inequality across the labour force.

The main problem with such interpretations is not that are wrong in actual characteristics of the model. But they often describe the policy instruments and even the instrument settings to some extent and not the overarching goals. If we stick to the Ericson and Kuruvila (1998) interpretation of a deep structure that lasts on a couple of basic assumptions about the relations between the bargaining parties and the definitions
of the property rights at the workplace, the fundamental transformation took place when the neutrality doctrine changed.

**The frontier of control**

The concept “Frontier of control” comes from the British Labour Market sociologist C L Goodwin who in 1920 introduced the concept in his dissertation. His basic question was: “How much control have the workers got? And the task Goodwin took on with was to examine the numerous forms of control that has been identified with trade Union policies and methods. What extent of industrial control do they imply? The Frontier of control can be described as a continuum of power relations at any given time with the three more distinct ways of industrial control:

1) Consultation
2) Co-determination
3) Autonomy

The frontier of control can be seen as the overall concept but it consists of a number of
power relations in different fields of decision-making. The abstract concept frontier of control will therefore be split up in five categories that closely corresponds to the public debate and ideological discourse as well as the labour law legislation. Something in turn fundamental for the balance of power at the labour market which Lundh (1988) has shown with examples from the Swedish case.

- Occupational safety
- Determination at workplace level
- Employment and dismissals
- Strikes and industrial conflict
- Determination at company level

**Occupational safety**

Occupational safety issues were, since the 1930s, handled in a kind of institutionalized cooperation between government agencies, employers and unions. During the 1950s and 1960s the occupational safety issues were in balance. The actors, including the professional medical researchers, shared the same worldview and therefore saw themselves as part of an inevitable movement towards a gradual improvement of the workplace (Sund and Åmark 1990). By the mid-1960s the occupational safety issues were put on the agenda. Amongst others at the Metal Worker Union congress in 1965 (Berggren 2008). Initially this increased the interest and concern for the issues, but without altering the principled attitude.

More was to come in the late 1960s. The dynamics of the occupational safety issues was accelerated by new scientific knowledge of risks and exposure in the work environment. But it was not the contemporary professional medical research that produced such insights. The decisive contributions came rather from sociology. A series of studies were conducted that came to illustrate the working environment problems, and with the
new radical interpretation framework could entirely new types of requirements directed at employers. The next step was to broaden the concept of occupational or work environment. Health risks were redefined in union-led investigations to not only cover accidents at work, but also more general risks such as wear and tear injuries or more long-term potential threats such as silicosis.

These reports put the conflicting perspectives on the agenda. The investigation of the factory workers working highlighted the issue of objectivity of company employed occupational physicians. Within the trade union critique was raised furthermore and at the same time new authoritative knowledge was acquired. It thereby reformulated the problem. At the end of the 1960s he made a new interpretation of the work environment issue and argued that the standard development had not solved the problems. The formerly positive relationship between technological development and the social implications was questioned (Lindberg 2014).

**Determination at workplace level**

The question of workers participation at the companies and at the work places has long been discussed in the labour unions. The discussion took place from the employers’ organizations (SAF) that stated in their statutes, clause 23 and later on clause 32, that employers should have the right to manage their firms, hire and fire employers more or less without restrictions. These principles were questioned from the very beginning by the unions but without result. Therefore closed shops were never an alternative in Sweden. SAF staunchly defended these rights although many unions succeeded in having limitations inside the collective agreements of employers’ freedom to hire and dismiss workers without restrictions. Bengtsson (2006).

What also happened in the 1970s was a shift of focus from a cooperation to a conflict perspective. SAF were overhauled by LO and the Social Democratic Government and
also in the negotiations in the mid-1960s, there was a confrontation between a radicalized employees organizations that formulated more specified demands with the purpose to give employees more fundamental rights to decide. (Schiller 1988:217)

In the codetermination issues LO often used the analogy with a democracy that should not stop outside the factory gates. Their starting point was that the employers’ freedom of deciding on issues in the work process and organization inside the companies was a limitation of democracy at societal level. Factory owners must, therefore, be restricted by law. Without legislation in support of the weaker side, the employees, their representatives could sufficiently cater their interests at the workplace. In the long term, this would also give the unions a role to play in corporate governance and daily management.

**Employment and dismissals**

The second arena defining the “frontier of control” was the question of employment and dismissals. When it came to the issue of employment protection, employers had basically had a free right to determine since the December compromise 1906. Some exceptions existed however, based on the practice of the Labour Court (AD). In addition, there were rules for dismissal, turn and preferential rights in numerous collective agreements. During negotiations between SAF and LO in 1964 the question of employment protection was lifted and both parties agreed to strengthen it. Layoffs would only be allowed if there were objective reasons. At cutbacks in personnel, employers should take into account both the needs of production and workforce needs of security (Nycander 2008).

Thereafter the debate concerning older people and their problems in maintaining their jobs took off within the trade union press in the late 1960s. Various reports and
documentary from journalists as well as scientific studies on the consequences of laying off workers in rationalizations had an edge of unfair practices from the employers. Elderly employers were pictured as vulnerable and unions without the necessary power resources to defend them. Gradually the union representatives spoke up in the case of the elderly and their fragility from the rationalization and closures (Lindberg 2014).

What gradually turned legislators towards an enforcing legislation such as The Employment Protection Act (1974) was a new argument concerning mainly the situation of the elderly. This in turn related to the question of where the power over the work would be.

**Strikes and industrial conflict**

When the employers and employees organizations, during second half of the 1930s and especially in the Saltsjöbaden agreement (1938), found a new consensus; industrial action was one of the major issues. For trade unions, the strike has been the most basic power resource to take on against employers. In the Swedish trade unions, however, this powerful weapon was combined with strong discipline and restraint to use it (Edin, Hägg and Jonsson 2012).

Conflicts outside the regulatory framework, so-called wildcat strikes, was not accepted by the unions, on the contrary they were discouraged in agreement with the employers. The responsibility to secure industrial peace rested primarily on the union shop stewards. Thus, there was a fundamental reluctance from the unions at both central and industrial level to allow wildcat strikes during much of the 1940s, 50s and 60s.

But during the late 1960s and early 1970s the wildcat strikes exploded in numbers. The most noted was the LKAB-miners conflict in 1969-70, but as can be seen from Table 1, it was just one in a series of conflicts outside the system.
Table 1. Number of wild cat strikes 1965-1976.

<table>
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<tr>
<th>Year</th>
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<tbody>
<tr>
<td>1965</td>
<td>4</td>
<td>1971</td>
<td>55</td>
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<tr>
<td>1966</td>
<td>8</td>
<td>1972</td>
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<td>1967</td>
<td>1</td>
<td>1973</td>
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<td>1968</td>
<td>5</td>
<td>1974</td>
<td>222</td>
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<tr>
<td>1969</td>
<td>25</td>
<td>1975</td>
<td>267</td>
</tr>
<tr>
<td>1970</td>
<td>128</td>
<td>1976</td>
<td>116</td>
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Source: Statens Förlikningsmannaexpeditions arkiv.

What had happened? There were no fundamental legislative changes in this field. But, the former harsh attitude towards wild cat strikes inside the union movement had softened. In the 1969/70 LKAB-miners' strike, and other labor disputes, the established regulatory framework was set aside. The wildcat strikes were reinterpreted. They went from being a disruptive element in a fair bargaining model, to be a necessary means of struggle that could illustrate the injustices of the prevailing system. It is clear that some sociologists and researchers in this field, see Abrahamsson (1967) and Korpi (1970) and played a significant role in reinterpreting and revaluing the significance and legitimacy of strikes.

The revaluation of the wildcat strikes had a larger impact. The conclusions of Korpi (1970) and others studies was that the entire collective bargaining law was a fundamentally unjust law. It blocked the main power resource of the employees, while the employers' use of force was maintained. Their work was noticed by amongst others, the trade union press, which preferably wrote positively about the studies, results and implications. Journalists and writers often emphasized the strong and deep conflict of interest between workers and employers as well as workers generally being sidelined in negotiations. A conclusion was that the employer's power was almost impossible to remove under current ownership structure.
As a result of the revaluation of the strike weapon the former upheld state neutrality was questioned. Capital was perceived as superior to labour within the existing regulatory framework. Why should the state be neutral between the two so unequally matched interests? Shouldn’t the role of government be to protect the weak from being exploited by the strong? Otherwise it would be neutrality between wolves and sheep. And if the exploitation of the workers depended on the laws and regulations, they lacked the legitimacy.

**Determination at company level**

The natural step after lifting the issues of determination at work and at the workplace level is to raise the stakes and also demand a right of determination or even autonomy at the company level. To some extent legislation concerning employment protection (LAS 1974 and Co-determination (MBL 1976) would also give rights at company level and shift the balance of power to the advantage of employees. But to make the fundamental decisions and ultimately have control of the strategical investment decisions in companies – ownership is needed.

Step by step, more and more of the issues on occupational safety, strikes and industrial action and determination at the workplace level was connected to ownership and the fundamental injustice that such a small proportion of the population had control over so many of the large industries. Two major investigations, firstly in 1959 (Koncentration och storföretag) and 1962 (Monopol och Storfinans) by the communist MEP and later chairman CH Hermansson, and then a couple of official reports in 1968 (Koncentrationsutredningen) turned the attention to ownership issues. The answer to the critique of the concentration of power and ownership was the Rudolf Meidner proposal of Wage Earners Funds in 1975 (a proportion of the company profits were put into
funds that used it to buy shares in domestic companies). Not only accepted but also sharpened, his proposal was taken by the LO congress in 1976.

The Wage Earners Funds, which in its design was extremely radical, entailed a gradual transfer of ownership from private individuals to collective funds that would be governed by union appointed directors as well as politically elected representatives (Pontusson and Kuruvila 1992). Meidner himself motivated the funds like this: "We want to deprive the old capital owners their power that they exercise just by virtue of their ownership. All experience shows that it is not enough influence and control. Ownership plays a crucial role." It can be seen as the culmination of a roughly decade-long radicalization when public debate and lateron the actual policy was turned in a more radical and socialist direction.

**Political and union radicalization around 1970**

If the classical Swedish model had been formed in an atmosphere of cooperation and compromise between the two dominant peak level organizations at the labour market, this relation was about to dissolve around 1970. There has been a debate considering how to interpret the changing relations between the parties at the labour market. Some would argue that the initiative was taken by the unions that pushed for more legislation and had a more radical agenda during the late 1960s and early 1970s (Åmark, 1988:74; Lewin, 1992, Stråth 2000). Others, such as Nycander (2009), have claimed that the unions were more or less passive and reluctant concerning the legislation in the labour law field. It was instead a political project with the Social Democratic party and, partly, the Liberal party in the driver’s seat.

There are however signs of a radicalization inside both the unions and the Social Democratic party already before 1970. Lundberg (1979) examined the ideological change inside the Social Democratic party with the help of a conceptual analyses of
terms like equality. In the eve of the 1960s there was a dramatic surge in the use of equality in the Social Democratic party congresses as well as the debates. In the unions the rise of unauthorized strikes, most notably in the engineering and metal industry, was paramount in the late 1960s (Korpi 1978). Wild cat strikes were initially handled with utmost attention and determination from both employers and union’s representatives as this was a source of common interest (Nycander 2009:288). And Stråth (2000:140) also mentions that there was an under stream of radical demands from the union base that rose in strength from the late 1960s. So the radicalization was certainly a broader movement than only at the elite level in the ruling party.

**Conclusion**

The fundamental change in Swedish Industrial Relations from a deep structure perspective, is therefore the radicalization in the 1970s. For decades the Swedish IR system was controlled by the bargaining parties, LO and SAF, with the explicit purpose to promote economic growth and rationalization. A neutrality doctrine prevailed that prevented Government intervention to substantially alter the power relations or the frontier of control. The system that was put in place during the 1970s, with legislation, was radically different, in that labor was seen as exploited and thereby a more conflict-oriented perspective had caught on.

The formative years in the late 1960s and early 1970s transformed the Swedish model. Sweden went from consensus to confrontation, from moderate to radical reformism, from a skeptical attitude to legislation at the labor market to openly welcome laws and regulation in this field. So: government sided with the unions. And thus, neutrality was abandoned. A wave of labor market reforms followed that changed the rules of the game to the union's favor. A couple of fundamental attempts were made by politicians –
with assistance from the major unions in Sweden – to change the power relations between the bargaining parties.

The consensus between the unions and the employers was dismissed and replaced by profound conflicts both at central level and in the workplaces. Thus, the Government intervention at the different fields: Occupational safety, Determination in work-place issues, Employment and dismissals, Strikes and industrial conflicts and lastly Determination in company issues was the process of fundamental transformation. And this change during the 1970s should also be interpreted as a third order more paradigmatic change in the Swedish IR system.
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