

## Does Labor Matter? Institutions, Labor Unions and Pension Reform in France and the United States

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### ABSTRACT

This article challenges Paul Pierson's account on the (supposedly declining) role of labor unions in the 'new politics of the welfare state'. More specifically, the text compares labor's influence on the French and the American politics of pension reform since the 1980s. The analysis of recent reforms undertaken in both countries demonstrates the impact of institutions and managerial settings on labor's political strategies. These institutional variables explain the fact that French unions have a much more direct influence on public pension reform than their American counterparts. In France, labor unions have an ideological 'veto point' derived from their integration into the management process. Their strong influence on the 'new politics of the welfare state' is undeniable: labor still matters.

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For more than a decade, students of public policy have attempted to understand the 'new politics of the welfare state'. Among these scholars, Paul Pierson is by far the most cited. In an insightful article, he argues that politicians, in their efforts to cut social spendings, face strong opposition from new interest groups. According to Pierson, these groups are the mere product of the welfare state development itself. During the post-war era, new social programs – and the enlargement of existing schemes – created genuine social constituencies. 'With these massive programs have come dense interest-group networks and strong popular attachments to particular policies, which present considerable obstacles to reform' (Pierson 1996: 146). Politicians are using 'blame avoidance' strategies in order to overcome these obstacles and pursue their retrenchment agenda.<sup>1</sup>

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For Pierson, labor unions do not play a decisive role in the ‘new politics of the welfare state’. In his critique of the power resources perspective (Korpi, 1983 & Esping-Anderson, 1985), he argues that ‘there are good reasons to believe that the centrality of left party and union confederation strength to welfare state outcome has declined (...)’. (Pierson 1996: 151) In this new context, the study of labor unions’ political strategies seems less important than it is for understanding the welfare state’s post-war expansion.

In this article, I will challenge this understanding of the ‘new politics of the welfare state’ by studying labor’s involvement in pension reform. As I will argue, the managerial settings of public pensions – as well as the ideological claims associated with them – can stabilize the political influence of labor unions despite the actual decline of their membership. In countries where labor unions are participating in trust funds management, their political influence can remain much stronger than in countries where the government alone manages the basic pension system. In this institutional context, labor unions are still playing a central role in the politics of pension reform.

A comparison between France and the United States is relevant in order to understand this phenomenon. Despite the dominance of social insurance principles in both countries, France and the U.S. have created very distinctive public pension systems. In France, business and labor representatives take an active part in trust funds management. On the other hand, the federal government exclusively manages the American old-age insurance (Social Security). The institutional contrast between these countries could help us to understand the influence of management settings on labor unions’ political strategies.<sup>2</sup>

Grounded in a new institutionalist perspective, this article compares the influence of labor unions on the French and the American politics of pension reform.<sup>3</sup> After a brief presentation of the concept of ‘veto player’, I will turn to the institutional setting of both public pension systems. As I shall demonstrate, managerial settings explain – at least partly – the fact that French unions have a much more direct influence on pension reform than their American counterparts.<sup>4</sup> In France, labor unions have an ideological ‘veto point’ derived from their integration into the management process. Despite the fact that the French government is truly in charge of the basic pension system, labor unions have an ideological ‘property claim’ on it. The contrast with the American experience could not be more dramatic. In the U.S., labor unions are just one interest group among others. They have no political claim to preserve the public interest associated with basic public pensions.<sup>5</sup> Therefore, their influence on pension reform seems much weaker. A comparative analysis of the 1983 Amendments to the Social Security

Act and the 1993 Ballardur reform will provide empirical ground for this claim.

*I. An Institutional Approach to Labor Politics*

Theories concerning the ‘politics of the welfare state’ can be divided into two main categories: societal accounts and institutional accounts. On the one hand, societal accounts focus on factors that are considered as fairly independent of formal political institutions (economic development, cultural values, social movements). On the other hand, institutional accounts emphasize the characteristics of political institutions themselves (state capacities, administrative settings, level of centralization). From this perspective, institutional constraints and feedbacks – not societal forces – shape policy (Béland and Hacker; Skocpol 1995; Immergut 1998).

A good example of the opposition between societal and institutional accounts concerns the influence of labor unions on policy making. For societal theorists like Esping-Andersen, Korpi, and Stephens, the welfare state itself is a direct outcome of the growing strength of the labor movement in society (Esping-Andersen 1985; Korpi 1983; Stephens 1979). Drawing on the Scandinavian experience, they argue that strong labor mobilization *automatically* leads to the development of a generous welfare state. From an institutional perspective, this understanding of labor’s influence is somewhat simplistic. Since political institutions are not neutral arenas of conflict, labor unions’ (societal) ‘strength’ is not necessarily correlated with (institutional) outcomes. More importantly, political institutions shape labor’s strategies by conditioning unions access to political influence.<sup>6</sup>

In order to better understand the influence of political institutions on labor strategies, one could turn to the concept of ‘veto player’. (Tsebelis 1995) Generally this concept describes how institutions permit interests to shape policy: ‘A veto player is an individual or collective actor whose agreement is required for a change in policy’ (Kay 1999: 405) In the field of health policy, for example, Immergut demonstrated that the structure of the Swiss federal system explains why Swiss physicians enjoyed greater political influence than their colleagues in France and Sweden. Despite the fact that physicians from these countries were equally well organized, the decentralized polity and referendum procedures of Switzerland gave Swiss doctors much greater opportunities to veto health insurance and other policies that harmed their interests (Immergut 1992). Thus, ‘political institutions shape (but do not determine) political conflict by providing interest groups with varying opportunities to veto policy’ (Kay 1999: 406).

In this article, I will use the concept of ‘veto player’ in order to convey labor’s involvement in the politics of pension reform. Yet it seems necessary to enrich this concept and its theoretical background by bringing some societal elements in. Beyond their institutional grounding, ‘veto players’ are also shaped by ideologies and policy ideas, elements associated with societal accounts. As I shall demonstrate, labor’s formal participation in the managerial process can transform unions into ideological ‘veto players’, despite the absence of a formal ‘veto point’.<sup>7</sup> In France, for example, labor unions generally have greater political influence on policy making, partly because of the ideological claim derived from their formal managerial responsibilities. Because of these responsibilities, it is currently accepted that unions are key actors in the debate concerning *their* pension system. Thus, ideas and representations concerning the place of labor unions in the policy making system, and in the society in general, are as influential as the actual ‘veto points’ created by formal political institutions. In this article, the link between these ideas and managerial institutions must be explored in order to enrich the institutional perspective on the politics of pension reform.<sup>8</sup>

## *2. An Historical Perspective on the Two Public Pension Systems*

At the beginning of the century, American and French labor unions were reluctant to support – or even opposed to – public pensions.<sup>9</sup> In the U.S., the President of the American Federation of Labor (AFL), Samuel Gompers, fought against any political intrusion in collective bargaining and in the life of American workers. Public pensions (and social insurance in general) were considered as a threat to labor’s autonomy.<sup>10</sup> Defending voluntarism, he wanted workers to protect themselves against social ills (Gompers 1919). According to Forbath (1991) and Hattam (1993), this anti-statist attitude emerged mostly as a reaction against the hostility of the Supreme Court towards unionism. ‘The AFL’s strategy of business unionism was forged during its prolonged struggle with the courts over workers’ industrial rights, particularly during the unsuccessful anticonspiracy campaign waged during the three decades following the civil war.’ (Hattam 1993: iv) Unions’s political vulnerability framed their negative perception of government, which was perceived as a threat to their own survival. It was only during the New Deal that the AFL officially supported public pensions and social insurance. Even then, however, these policies were not at the center of its legislative agenda (Witte 1957).

At the beginning of the 20th century, the French labor movement was weak (low membership) and fragmented (ideological divisions).

Historically, most unions adopted a radical and pugnacious attitude towards the centralized French government. Because of a highly asymmetrical distribution of power between unions and the government, France never fully embraced a social-democratic or a (neo-)corporatist system (Jobert and Muller 1987; Keeler 1985). Unpowerful labor unions tend to oppose collaboration with strong governments (Marks 1989; Lipset 1983). In France, confrontation between government and labor unions rather than collaboration is the dominant path. Despite the formal integration of labor unions in the decision-making process, this attitude still dominates today. The 1995 strikes are a good example of this tendency for radical confrontation (section 4).

Considering this general background, it is possible to understand why radical French labor unions – such as the CGT – opposed public pensions at the beginning of the twentieth century. According to the most radical trade unionists, social insurance and public pensions were just a “reformist” device oriented towards the pacification of the working class, that is, the extinction of its revolutionary will. Most French unions finally supported the idea of public pensions, yet some of them were reluctant to back laws discussed by the parliament. In the aftermath of the modest *Loi des retraites ouvrières et paysannes* (1910), for example, the CGT launched a campaign against this ‘bourgeois law’.<sup>11</sup> The fragmented French labor movement was everything but a strong ally for social reformers and other supporters of public pensions. Thus, in France as well as in the U.S., public pensions as well as government intervention in general – was often seen as a threat to labor’s autonomy.

Despite labor’s reluctance, old age insurance programs were established in both countries. In the U.S., a federal old age insurance was created by the 1935 Social Security Act.<sup>12</sup> Preceding the enactment of this law, labor’s participation in old age insurance management was not an issue. For example, members of the Committee on Economic Security (1934) expressed the will that only federal officials would manage the new program: ‘The administration of the compulsory old-age annuity system we recommend should be vested in the Social Insurance Board. All reserve funds of the system, however, shall be invested and managed by the Secretary of the Treasury, on the same basis as the unemployment compensation funds.’ (Committee on Economic Security 1935 : 29) During their testimonies in front of the legislative committees, AFL’s representatives did not contest this proposal concerning government’s managerial monopoly.<sup>13</sup> They did not show much interest in this program; in 1935, unemployment insurance and old age pensions (state-based social assistance) were their legislative priorities, just beside collective bargaining (Wagner Act).<sup>14</sup>

Starting in 1936, the Social Security Board, which became the Social Security Administration (SSA) in 1946, was the unique (legitimate) manager of the new federal old age insurance program. Despite periodic modifications of its managerial status, this federal organization remained, during the post-war expansion of Social Security, an important bureaucratic *and* political actor. Lobbying for the development of federal social insurance, the SSA was – with the Congress itself – instrumental in the expansion of Social Security (Béland 1999; Cates 1983; Derthick 1979; Weaver 1982). For Arthur Altmeyer and other SSA leaders, Social Security was ‘their’ program. This identification remained strong during the whole post-war era.

According to Martha Derthick (1979), American labor unions (AFL-CIO) rapidly became a mere political ‘collaborator’ for the SSA. Despite their integration with the advisory councils on Social Security, labor unions largely relied on the SSA for expertise as well as for political leadership. Their formal exclusion from Social Security management deprived them of both insider policy expertise and property claims associated with formal integration to managerial decisionmaking. Unions supported Social Security expansion, yet they were rarely leading legislative campaigns.

Reacting to the underdevelopment of Social Security during the 1940s,<sup>15</sup> labor unions were spending much of their energy fighting for the expansion of private pensions. After 1950, these pensions were gradually integrated into collective bargaining. Labor unions thus considered them as their conquest. Social Security and other federal programs were always important for them, yet fringe benefits became the core of their social agenda (Brown 1997–1998; Quadagno 1988; Sass 1997; Stevens 1988).

The current French public pension system was established immediately after the World War II. Influenced by the *Beveridge report*, its founders, notably the civil servant Pierre Laroque, wanted to create a universal and highly centralized, yet contributive, system financed by payroll taxes. However they were not able to transcend the opposition of occupational groups (farmers, civil servants, railroad workers, white collars), which was reinforced by the institutional legacy of the old – and fragmented – public pension system created in 1930 (Palier 1999: 236–245). Thus, besides the *régime général* which covered most private sector’s workers, separate schemes (*régimes spéciaux*) were established for occupational groups already covered under pre-1945 schemes.<sup>16</sup> These schemes currently cover 20% of the French workforce (Béland and Hansen 2000: 52). In contrast with the American experience, universal coverage was achieved through a process of occupational fragmentation. Therefore, interest groups were mostly framed on occupa-

tional grounds (Palier 1999: 240). This fragmented system was – and remain – an obstacle to the emergence of groups representing beneficiaries at large, such as the AARP in the US.<sup>17</sup>

Immediately after World War II, French labor unions, especially the now communist CGT, enjoyed strong political legitimacy. The labor movement was then associated with the struggle against the Nazi invader. On the other hand, the collaboration between some business interests and the pro-Nazi Vichy regime discredited the business class as a whole (Guillemard 1985: 50; Karila-Cohen and Wilfert: 274). Despite the fact that business representatives had been officially integrated to the management of the pre-1945 pension system, they were not invited to participate directly to the new one, at least during the second half of the 1940s.<sup>18</sup>

Only labor unions were thus integrated into the management process of the post-war public pension system. According to the founding father Michel Laroque, workers should take an active part to the development of the new system. This participation could prevent excessive bureaucratization (Laroque 1993: 198–200). It could also favor the education and the emancipation of French workers (Palier 1999: 209–211). In fact, labor's integration in the public pension system was part of a general but implicit division of labor: employers were taking most economic decisions while unions were governing an autonomous 'social' (policy) world (Dufourcq 1995: 7). The post-war French public pension system was therefore separated from the government and its management was officially left to elected labor officials (Catrice-Lorey 1982; Galant 1955).<sup>19</sup> Therefore, the CGT, the most powerful union at the time, identified itself with Social Security (*la Sécurité sociale*), then perceived as a working class's conquest (*conquête ouvrière*).

Since 1967, however, business representatives have been back on the French public pension boards, where they hold half of the appointments. Thus, this new model is generally called *paritarisme*, in reference to the 50/50 distribution of appointments between business and labor (Friot 1998; Guillemard 1985; *Revue de l'IREES* 1997). Imposed by a right-wing government supported by business interests, this decision was strongly contested by labor unions. Even though they did not succeed in their attempt to change it,<sup>20</sup> French labor unions still think of themselves as the most – if not the only – legitimate trustee of the public pension system. They generally claim to express the strong popular attachment to this institution (Palier 1999: 324). Their formal integration to the management process as well as the memory of the pre-1967 system provide institutional grounds for this claim.

Beyond this claim, it is essential to acknowledge an important *fact*: French labor unions are not – and were never – actually responsible for

the system's future. As members of public pension boards, they select the staff and supervise the activities of pension offices in collaboration with business representatives;<sup>21</sup> yet, it is the French parliament (*Assemblée nationale*) which fixes the level of both pensions and payroll taxes. Therefore, the French government is the *real* trustee of the system (Catrice-Lorey 1982).<sup>22</sup> Even during the post-war expansion of the pension system, labor unions needed the support of politicians and civil servants in order to implement reform proposals. More importantly, the main French business organization, the *Conseil National du Patronat Français* (CNPF), has generally been successful in its attempt to divide the labor movement and, with the support of *Force Ouvrière* (FO), to prevent the communist CGT from gaining control of public pension boards. As we shall see, the significant role of business organizations in French pension reform is even more obvious today than it was in the aftermath of the 1967 reform. Nevertheless, French labor unions can still be considered as ideological 'veto players' in the contemporary politics of pension reform.

### *3. The End of Welfare State Expansion and the Decline of Labor Unions*

In the United States, reforms enacted during the Nixon presidency represented the climax of Social Security's post-war expansion. Between 1969 and 1972, the U.S. Congress raised benefits far beyond the inflation rate.<sup>23</sup> To crown it all, automatic indexation was finally enacted in 1972, and these reforms were important for the pension system. For example, the average replacement rate jumped from 31.6% in 1965 to 42.3% in 1975 (apRoberts 1999). Therefore, the middle class became more and more interested in the development and the future of Social Security, a program which was then transformed into an authentic 'retirement wage'. (Myles 1988) This more generous program created incentives for collective action, that is, for the development of organizations representing beneficiaries. After 1973, when enduring economic problems (inflation, slow growth, unemployment) ended the post-war expansion of Social Security, these organizations were ready to fight in order to preserve the program.

In their crusade, these organizations united with labor unions, mostly the AFL-CIO.<sup>24</sup> During the second half of the 1970s, however, the American labor movement was already declining. Economic transformations such as the relative decline of heavily unionized sectors (for example, steel) contributed to a general drop of the density ratio. Between 1975 and 1981, total membership remained relatively stable, yet the density ratio fell from 28.9% to 22.6%. In 1991, the density ratio was only 16.1%. By any standards, this is a significant decline,

although each economic sector is specific (Galenson 1996: 2–3). An important factor also contributed to the political decline of organized labor: the break-down of the postwar liberal coalition, which united labor unions and other interest groups behind the Democratic party. With the Vietnam War and the emergence of new domestic issues and economic problems, this coalition gradually became irrelevant. Furthermore, the traditional alliance between labor unions and the Democratic party was undermined in 1968 by a crucial party reform that weakened labor's control over national conventions and platforms (Brody 1993: 73). Therefore, labor's decline and the end of welfare state expansion happened simultaneously.

Despite similar economic conditions during the 1970s (unemployment, high inflation, lower growth), the expansion of the French basic pension system came to an end later than in the United States. An intensification of labor's mobilization favored the enactment of two major reforms, respectively in 1971 and 1982. In December 1971, the 'Boulin Law' increased the level of Basic pensions: the replacement rate for the basic pension was raised from 40% to 50% (Guillemard 1985: 111).<sup>25</sup> But this reform did not fulfill labor's most pressing demand: the drop in retirement age. In 1982, the new Socialist administration finally responded to this demand by lowering the retirement age from 65 to 60 years old. This reform was the last episode of post-war Social Security expansion.<sup>26</sup>

As significant as they are, these two reforms did not challenge the basic structure of the French retirement system. Fragmented, it was still characterized by occupational solidarity – separate schemes covering about 20% of the work force, mostly employees of the huge French public sector. Defended by labor unions, this institutional framework shaped interests associated with the basic pension system. Until recently, most groups of beneficiaries were not independent from labor unions (Viriot Durandal 1999). In the field of pension reform, interest groups were – and are still mainly – occupational groups represented by labor unions.

Beyond the relative stability of their position in the basic pension system, French labor unions have faced difficult problems since the 1980s. During that decade, the decline in union density was dramatic: between 1980 and 1988, it fell from 19% to 12% (Galenson 1994). The situation did not improve during the 1990s. Unions failed to offer new services to their members and no attempt was made to unite the labor movement. Therefore, the contemporary French labor movement is more fragmented and represents a smaller portion of the work force than its American counterpart (Amadiou 1999; Labbé and Croisat 1992; Mouriaux 1998). As we shall see, this relative advantage of the

American labor movement does not show through in the politics of pension reform. In contrast, French unions had a greater influence on more recent pension legislation than American unions. The concept of ideological ‘veto player’ can explain this paradox.

#### *4. Pension Reform and Veto Players*

Ronald Reagan was elected president in November 1980. That year, the annual rate of inflation was as high as 13.5% and Social Security was facing a ‘fiscal crisis’ (Shribman 1983). Despite significant (payroll) tax increases enacted in 1977, more money was coming out in benefits than was coming in and, according to some reports, the trust fund was going broke fast: political action was needed in order to restore public confidence in the program’s future (Kingson 1984: 138). At first, the Reagan administration supported benefit cuts as part of the 1982 budget agreement with Congress. Facing strong opposition from interest groups and democratic leaders (Weaver 1981), Reagan rapidly withdrew this plan. In September 1981, he launched a special Commission on Social Security Reform, better known as the Greenspan Commission (Reagan 1982). This decision was part of an implicit blame-avoidance strategy: it was this bipartisan Commission, and not the Presidency, which had to design the painful solution to Social Security’s crisis. Appointed by the President and Congress, most of the twelve members were politicians. Business lobbies were represented by Robert Beck (Business Roundtable) and Alexander Trowbridge (National Association of Manufacturers). The only labor representative on the Commission was the AFL-CIO President Lane Kirkland.

Despite long discussions, the bipartisan Commission was divided concerning the reform proposals they needed to draft before the end of 1982: Kirkland and the Democrats favored tax increases while business representatives and Republicans supported benefit costs. No compromise was found by November 1982 and a smaller group was secretly formed in December. Its goal was to concoct a project – based on bipartisan consensus – that could be quickly enacted by Congress. According to Light (1995), this ‘Gang of Nine’ did not include any labor representative.<sup>27</sup> Therefore, the construction of the political compromise that prepared the ground for the enactment of the 1983 Amendments to the Social Security Act did not include any formal deal between political and labor officials.

The final bill adopted in March 1983 embodied two provisions unpopular with union leaders: the integration of all nonprofit and new Federal employees and the progressive increase in retirement age (from 65 to 67 years old between 2000 and 2022). Concerning the first

provision, unions representing federal employees (National Federation of Federal Employees, American Federation of Government Employees) expressed their dissatisfaction in front of the Committee on Ways and Means. For them, the integration of new federal employees to Social Security would destroy the separate scheme created in 1920, without restoring the financial soundness of the American retirement system. 'Universal coverage would not help social security; it would destroy a perfectly good staff retirement system, and it would end up costing the taxpayers more in the long term.' (Peirce 1983: 307) In his testimony, Lane Kirkland also criticized the integration of new federal employees into Social Security. However, as a member of the Greenspan Commission, he also supported the whole deal prepared by the 'Gang of Nine'. Therefore, labor's opposition to the integration of federal employees was both muted and ineffective (Kirkland 1983). Unions also failed to reverse the decision concerning the increase in retirement age. This provision was brought to the bill as an amendment presented by House Democrat Jake Pickle. Despite labor's opposition and the counter-amendment drafted by House Democrat Claude Pepper, such a provision was finally integrated to the 1983 Amendments to the Social Security Act. Overall, labor unions were not influential enough to stop the bipartisan logic of retrenchment which was then dominating the politics of Social Security. During the enactment of the 1983 Amendments, labor unions played a significant though not decisive role in the policy-making process. Concerning both federal employees and retirement age, unions did not seem to have any 'veto point' in the politics of Social Security reform. As one interest group among others, labor unions do not have an institutional privilege or an ideological 'property claim' concerning this program.

The contemporary debate on Social Security privatization – that is the replacement of the insurance program by individual savings accounts – seems to confirm this assertion. Integrated to a broader network of interest groups, labor unions are just one voice among others in the left-wing concert against Social Security privatization. The need for unions to join these coalitions shows that their voice alone is not strong enough to stop privatizers or shape the debate on pension reform.<sup>28</sup> In the United States, labor unions are not 'veto players' in the politics of Social Security reform.

In France, the agenda for pension reform was set during the 1980s and early 1990s. Between 1985 and 1991, for example, five official reports on pensions were issued. All these reports diagnosed the current 'fiscal crisis' of the system – revenues were lower than spendings – and future solvency problems created by demographic transformations, like lower birth rate and higher life expectancy. They generally stressed

the necessity for retrenchment (Ruellan 1993: 911–914). A fine example of this emphasis on retrenchment is the 1991 ‘White Paper on Pensions’ (*Livre blanc sur les retraites*). This document contains three important recommendations: 1) increasing the number of contributory-years needed for full entitlement from 37.5 to 40; 2) extending the period over which earnings are averaged from 10 to 25 years; 3) shifting indexation of current benefits from wages to prices (Gouvernement français 1991). If implemented, these recommendations would have both reduced benefits and increased retirement wage, since workers would qualify for full basic pension benefits 2.5 years later than under the current system.

Despite strong consensus among policymakers concerning the necessity for retrenchment, no reform was enacted before 1993. Like their American counterparts, French politicians face strong electoral risks when it is time to reform the pension system, a popular system defended by labor unions and left-wing intellectuals. According to Bonoli, a special feature of the French electoral system also created obstacles for reform (before its recent transformation)<sup>29</sup>: ‘Because of its semi-presidential system, France has the peculiarity of having two electoral cycles. General elections are fought every five years (. . .) and the president is elected every seven years (. . .). The result is that the length of the period in which unpopular measures can be adopted relatively safely is substantially reduced, and this helps to account for the non-action of various French governments in the area of pensions.’ (Bonoli 1997: 115) Beyond this general feature of the French polity, other factors delayed pension reform in the beginning of the 1990s. The most significant of all was the presence of the Communist party within the governing left-wing coalition. Since Communists strongly opposed retrenchment, proposals contained in the White Paper were not immediately implemented (Bonoli 1997: 118).

The sweeping victory of their right-wing opponents at the March 1993 general elections created a window of opportunity for retrenchment. A few weeks after the elections, the new Prime Minister, Édouard Balladur, undertook discussions concerning pension reform with business and labor interests. Inspired by the White Paper, his proposals were aimed at retrenchment. In order to neutralize the predictable opposition of labor unions, Balladur offered them a ‘great deal’: beside indirect cuts in benefits, the new reform would strictly separate contributory and non-contributory pension benefits. Such a separation met old unions’ demands concerning pension financing. During the post-war expansion of the pension system, minimum benefits were implemented in order to fight poverty, that is, to offer a decent pension to workers who had been unable to build up sufficient contributory records.<sup>30</sup> Some

of these minimum benefits were financed by payroll taxes, and labor unions always wanted to separate them from 'their' insurance schemes. For labor unions, this demand clearly links with their institutional and ideological claim on the public pension system: 'The acceptance by the government of the separation between insurance-based and non-contributory provision was a *de facto* recognition of the insurance character of the main scheme and, by the same token, of the managerial role played by the unions.' (Bonoli 1997: 119) In exchange for this separation between contributory and non-contributory benefits, most labor unions supported – or at least did not oppose – the Balladur reform. The new law implemented elements of retrenchment included in the White Paper and created a separate Old-age solidarity fund (*Fonds de Solidarité Vieillesse*) financed by general revenues.<sup>31</sup> This fund finances minimum benefits, to the great joy of most labor officials. The Balladur reform both reinforces labor's 'property claim' on old-age insurance and demonstrates that retrenchment is possible with the consent of most unions.<sup>32</sup>

In order to understand the significance of the 1993 reform for the study of labor unions, one needs to turn to the reform that did not succeed: the 1995 Juppé Plan. After the election of Jacques Chirac in 1995, the new right-wing Prime Minister Alain Juppé thought that it was possible to reform the pension system despite the predictable opposition of labor unions. In 1993, only the *régime général* has been subject to retrenchment. Therefore, separate schemes for railroad workers and other public employees were far more generous than the *régime général*. And, they faced strong, long-term financing problems. For Juppé and his advisors, it was important to harmonize these schemes with the *régime général*, that is, to increase the number of contributory-years needed for full entitlement from 37.5 to 40. In addition to pension reform, the Juppé Plan was an attempt to increase government's control on social insurance spending, mostly concerning health care. This measure, as well as the reform of separate schemes, was strongly opposed by labor unions. Considering these schemes as the conquest of specific occupational groups, most unions opposed their harmonization. Unlike Balladur two years before, Juppé kept his proposals secret until they were officially presented in front of the parliament. Therefore, he did not undertake any formal or informal bargaining with labor officials. The next legislative election was only scheduled in 1998 and Juppé thought it was possible to openly confront labor unions instead of cooperating with them (Bonoli 1997: 120). When the Juppé Plan was revealed on November 15, 1995, all labor unions except the moderate CFDT demonstrated their anger. A massive wave of strikes (peaking at just over 2 million people on December 12) was launched,

the biggest since May 1968.<sup>33</sup> The strikes heavily affected everyday life, especially public transportation, yet the populace generally supported the movement.<sup>34</sup> Later in December 1995, Juppé decided to move back, at least concerning pensions (some elements of health care reform were implemented later). Labor unions clearly won their battle against the right-wing Juppé administration.

Since then, French policy makers are far more careful when it is time to deal with pension reform. They know that it is difficult to impose a reform without labor's consent. The reluctance of the current left-wing Jospin administration on pension reform is very telling. Despite strong pressure for reform coming from economic advisors and business representatives, Jospin is developing a blame-avoidance strategy in order to implement some reform without frustrating his labor partners. But the MEDEF (*Movement des Entreprises de France*), which replaced the CNPF as the main French business organization in October 1998, has been quite successful in launching its bold 'Social Refoundation' platform, which aims at persuading French policy-makers and labor officials to accept a conservative reform of social policy and labor relations (MEDEF 2000). Instead of only reacting to left-wing proposals, the provocative President of the MEDEF, Antoine de Seillière, plays a significant role in shaping the current French policy debate, and in dividing the labor movement by securing the support of the CFDT. In doing so, de Seillière follows a traditional (and successful) business strategy inaugurated in the aftermath of the 1967 reform. Concerning the future of public pensions (*régime général*), the MEDEF proposes to increase the number of contributory-years needed for full entitlement from 40 to 45. It also supports the development of private saving plans (*fonds de pension*), as well as the reform of both the *régimes spéciaux* and the complementary schemes (AGIRC/ARRCO). The MEDEF even threatens policy-makers and labor officials to pull out of the complementary pension management boards if no action is taken. So far, labor unions have protested loudly against MEDEF proposals (Mandraud and Monnot 2001).

Despite this new crusade of the MEDEF, French labor unions appear to have an enduring ideological 'veto point' in the politics of pension reform. In a fragmented order in which occupational status is central, they have a political 'property claim' on the public pension system based in part on their historical participation to its management. In the future, it remains to be seen if the MEDEF and right-wing politicians will succeed in gradually eroding labor's ideological 'veto point'.

### *Conclusion*

In this article, I showed that the study of labor union mobilization is still necessary to the understanding of the 'new politics of the welfare

state'. As I argued, labor's influence on pension reform derives largely from its managerial integration to the pension system and, more importantly, to the ideological 'property claims' associated to it. In France, the pension system is structuring interests among occupational lines that, coupled with managerial integration, favor labor's enduring political influence on pension reform. Here, the historical and institutional legacy of this pension system explains why labor unions can still represent themselves as its only legitimate guardian. Despite the decline in membership, French unions still enjoy strong legitimacy and influence in the field of pension reform. In the U.S., by contrast, labor unions never identified themselves with Social Security. They were excluded from formal managerial participation and fringe benefits were seen as their only direct victory. Their fragile institutional and ideological position concerning Social Security at least partly explains why American labor unions are not playing a dominant role in the contemporary politics of pension reform.

More comparative case studies concerning labor unions and pension reform are needed in order to enrich the debate of the 'new politics of the welfare state'. For now, one could say that labor's impact on policy-making depends on the institutional setting of public pension systems as well as on the claims associated with it. Institutional factors can transform labor unions into formal or ideological 'veto players'. In such an institutional context, labor unions still matter.

## NOTES

- 1 On the concept of 'blame avoidance' see Weaver (1986).
- 2 American students of comparative social policy generally compare the U.S. with Canada and the United Kingdom (for example, Skocpol, 1995). Yet these three countries share the same institutional setting: a centralized public pension system, managed by the government and completed by enterprise-based complementary schemes. As I will show, France offers a contrasted 'comparative mirror' for the U.S. experience. This article focuses on basic contributive pension schemes, not on private/complementary retirement benefits.
- 3 Two reasons explain this choice: 1) pension reform is, in both countries, at the center of the 'new politics of the welfare state'; 2) labor unions are taking an active part in the debate on pension reform.
- 4 American and French labor unions have faced strong membership decline since the 1970 (see section 3). Therefore, one could support the idea that both countries have fairly weak labor movements.
- 5 This article focuses on the central elements of these two pension systems: Social Security in the U.S. and the French *régime général* (general scheme), which covers about 80% of the workforce.
- 6 In the United States, for example, the Supreme Court's negative attitude towards labor unions incited them to retreat from the federal political arena during the Progressive era (see section 3).
- 7 A 'veto point' is an institutional opportunity to veto policies. This veto can be formal or informal.
- 8 In order to complete this amended institutional perspective, it is also essential to study the influence of private welfare institutions on labor's political strategies. According to Brown (1997-1998) and Quadagno (1988), for example, the post-war development of American pri-

- vate pensions transformed the structure of political incentives and, thus, labor's attitude towards Social Security: Private welfare institutions, like public policies, can create policy (and political) feedbacks which need to be taken into account by institutionalist scholars (Hacker 1998).
- 9 For a comparison between French and American labor movements, see Friedman (1998).
  - 10 During the 1920s, and even before, numerous state federations supported advocates of public pensions like Abraham Epstein. Thus, labor's attitude concerning old age pensions (that is, social assistance for the elderly) was less homogeneous than is usually acknowledged (Anglim and Gratton 1987).
  - 11 According to Dumons and Pollet (1994), the powerful CGT was very divided concerning this law and the idea of public pensions itself. On labor's attitude towards social policy in general, see Hatzfeld (1971).
  - 12 Before 1950, this program covered less than 50% of the workforce. Coverage was gradually extended during the 1950s and 1960s. During the post-war era, only civil servants and railroad workers remained integrated into separate insurance schemes. These were actually created before the enactment of the *Social Security Act*. Federal workers had enjoyed special protection since 1920, railroad workers since 1934. On the origins of these two separate schemes, see Graebner (1980). New federal workers have been integrated to Social Security since 1984 (section 4); most state civil servants were also integrated into this program, but on a voluntary basis. The special scheme for railroad workers still exist, yet it was gradually harmonized with Social Security during the 1960s and 1970s.
  - 13 In the United States, there was no serious attempt to brake from the pluralist, interest groups politics. Despite the existence of some advisory councils, corporatism has no real legitimacy in the American society.
  - 14 According to Ed Berkowitz (1999), most Americans did not care much about old age insurance, a program that would be effective only in 1942. During the Great Depression, social assistance and unemployment insurance were seen as devices for restoring consumption and economic prosperity.
  - 15 During most of the 1940s, the Congress was dominated by a conservative coalition which prevented any expansion of Social Security. Therefore, pensions lost more than half of their *real* value during this decade of relatively high inflation. The level of Social Security pensions was only raised in 1950 (Bureau of National Affairs 1950).
  - 16 Despite this increase in the number of schemes, social risks were not separated into different trust funds. Thus, health and old age insurance were financed by an unique payroll tax. This situation changed only in 1967, when separated trust funds were created for health and old age insurance. Unemployment insurance was only created in 1958. Labor and business representatives are officially (and actually) in charge of it, without direct government intervention. As we shall see, this remark does not apply to old age insurance, nor to health insurance.
  - 17 Despite the slow emergence of a French 'gray lobby', occupational groups and labor unions representing them still enjoy strong legitimacy in the political arena (Viriot Durandal 1999).
  - 18 As we shall see, the decision concerning the exclusion of business from basic pension management was only changed in 1967.
  - 19 Once a year, 'social elections' were organized. During these, workers selected their representatives on the pension boards. At first, members of the communist CGT dominated these elections (more than 60% of the vote in 1947). After 1947, the CGT 'monopoly' gradually eroded (Catrice-Lorey 1982: 38; Galant 1995).
  - 20 The only thing they gained since 1967 was the restoration (in 1982) of the 'social elections', which had also been abolished in 1967.
  - 21 According to Pierre Rosanvallon (1988), labor unions are gaining major economic and organizational benefits from their formal integration to the welfare state management process. He considers them as an hidden political handicap, since unions do not need to enroll many workers in order to finance their activities. The 'bureaucratization' of the labor movement (caused mainly by its integration to the management boards) is creating a gap between labor 'social civil servants' and the French working class.
  - 22 It is essential to note that there are few enterprise-based, private pensions in France. Like the French basic pension system itself, complementary schemes are organized by the government on occupational grounds. However, they are actually administered by labor and business representatives. In the field of complementary pensions, labor unions have a real control (and responsibility) concerning the level of benefits and payroll taxes.
  - 23 Benefits were increased by 15% in 1969, 10% in 1971 and 20% in 1972. The average inflation

- rate during these years was below 5% (Carroll 1995: 63). According to Weaver, some of these increases were pushed by Wilbur Cohen and the democratic majority of the Congress in order to prevent the enactment of automatic indexation, a measure advocated by the President, in 1972, however, this measure was finally enacted (Weaver 1988: 71). See also Zelizer (1998: 312–346).
- 24 Save Our Security, founded in 1978 by Wilbur Cohen, is a good example of this phenomenon.
- 25 Complementary schemes provide extra money for most French workers, except those covered by the more generous 'separate schemes'.
- 26 When it was enacted, the idea of a fiscal 'crisis of the welfare state' was already acknowledged (Rosanvallon 1981).
- 27 Kirkland was consulted by Democrats but he had no direct role in the 'Gang of Nine'. For the Democrats, the AFL-CIO was an interest group among others in their constituencies.
- 28 On December 3, 1998, the The New Century Alliance for Social Security was created. Its members include the AFL-CIO, the National Organization for Women, the National Council of Senior Citizens, Justice for All, and the National Urban League. This anti-privatization coalition is modeled on Save Our Security.
- 29 In a referendum organized on September 24, 2000, 73% of the voters supported the idea of reducing the President's term from 7 to 5 years. Therefore, in the future, the existence of a long time gap between presidential and legislative elections will prove impossible.
- 30 On the development of non-contributory benefits within French basic pension system, see Bec (1998).
- 31 The increase (from 37.5 to 40) in the number of contributory-years needed for full entitlement was the most significant of these retrenchment measures. More generally, the strengthening of the link between contributions and benefits is a strong trend in 'Bismarckian' public pension systems (Myles and Quadagno 1996). The establishment of this separate non-contributory fund shows that France is not an exception to this new rule. Social insurance is becoming less and less redistributive (Palier 1999: 399).
- 32 The communist CGT opposed the Balladur reform, but it was too isolated to have an impact on policy-making.
- 33 On the strikes, see the special issue of *French Politics and Society*, 1996, no. 1.
- 34 Surveys made in December 1995 show that a majority of the French population supported the strikers. Intellectuals and journalists, however, were very divided on the meaning of these strikes. For some scholars and journalists, labor unions were just defending their selfish interest against the national interest, that is, the restructuring of costly pension schemes (Mouriaux and Subileau 1996: 303). According to most union leaders, these strikes were aimed at the defense of all French workers (*salariat*). For example: Blondel (1995; 1996). In December 1995, many leftist intellectuals (headed by the sociologist Pierre Bourdieu) openly supported this so-called 'struggle' for the prevention of social rights (Le Monde 1995).

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