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# PATHWAYS OF DOMINANCE AND DISPLACEMENT

## The Varying Fates of Legacy Unions in New Democracies

By TERI L. CARAWAY\*

STATE-sponsored unions are among the most tenacious actors from an authoritarian past that survive transitions to democracy. With democratization, legacy unions—unions sponsored by authoritarian regimes that survive the democratic transition—lose their official state sponsorship and face competition from rival unions. Despite these challenges, legacy unions continue to play a central role in contemporary labor politics. More than twenty years after the fall of communism, legacy unions are still the largest labor organizations in most of Eastern Europe and Russia.<sup>1</sup> In addition, former state-backed unions remain the largest and most influential organizations in Indonesia, the Philippines, and Taiwan, and in Latin America, unions linked to the Institutional Revolutionary Party are still the dominant players in Mexico.<sup>2</sup> While scholars note the continuing influence of a variety of actors from the authoritarian era—political parties, the military, entrenched oligarchies, and “uncivil” actors—legacy unions have received scant scrutiny.<sup>3</sup>

The continued influence of legacy unions has important consequences for labor politics in postauthoritarian countries. Created by authoritarian regimes to subdue and manage the collective power of workers, legacy unions depended on state sponsorship and a close relationship with management for sustenance.<sup>4</sup> Legacy unions had little

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<sup>1</sup> Crowley 2002; Ashwin and Clarke 2003; Kubicek 2004.

<sup>2</sup> Bensúsán and Cook 2003; Fashoyin 2003; Lee 2006; Caraway 2008.

<sup>3</sup> Herz 1982; Payne 2000; Grzymala-Busse 2002; Cesarini and Hite 2004; Robison and Hadiz 2004; Robertson 2011; Winters 2011.

<sup>4</sup> Caraway 2008; Robertson 2011.

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experience recruiting members and advocating for them, but since they retained an array of inherited resources, they held a sizable advantage over competing organizations. These inherited advantages both discouraged them from cultivating new constituencies and stunted the formation of rival groups that might advocate more vigorously for workers.<sup>5</sup> Without strong pressure from competitors, legacy unions have little incentive to reform.<sup>6</sup> At a time when unions are in decline around the world, the continued influence of legacy unions has profound implications for the capacity of labor movements to confront the economic and political challenges faced by workers. In fact, the powerful role of legacy unions may contribute to the decline of unionization in some new democracies.

Although legacy unions inherited assets that gave them significant advantages over new organizations, in some countries new unions displaced them anyway. This article offers answers to two interrelated questions—why did legacy unions continue to dominate labor politics in some countries and why did competing unions displace them in others—by deploying two paired comparisons of unions with similar legacies but different fates. The first paired comparison matches Indonesia and South Korea, both of which had legacies of exclusionary corporatism, while the second pairs two postcommunist cases, Poland and Russia, where unions were incorporated in transmission-belt systems. Although all legacy unions inherited substantial advantages, these advantages were relatively smaller in countries with pasts of exclusionary corporatism than in those with transmission-belt systems. Legacy unions therefore entered the transition period from different starting points, depending on the form of labor incorporation under authoritarian rule. Despite entering the transition with similar assets, legacy unions with similar pasts experienced different fates, maintaining dominance in Indonesia and Russia and losing it in South Korea and Poland. I identify four pathways of change: endurance (Indonesia), attrition (South Korea), hegemony (Russia), and rupture (Poland).

Legacies are important because they determine the degree of unevenness in the playing field and the size of the gap that competing unions must close in order to overtake legacy unions, but several features of the transition context propel legacy unions down distinct pathways of change. The most important element of the transition context is the widespread mobilization of workers outside of state-sponsored unions early in the transition. Mobilizations outside of state structures

<sup>5</sup> Robertson 2011.

<sup>6</sup> Caraway 2008; Robertson 2011.

give competing unions a golden opportunity to make rapid organizing gains. In both South Korea and Poland, massive worker mobilization was a crucial step in displacing the legacy union and setting them, respectively, on the attrition and rupture pathways. In Indonesia and Russia, worker mobilization was limited, which meant that legacy unions there were faced with far weaker opponents.

In addition to worker mobilization, partisan links and the structure of union competition also play a role in shaping the strategic terrain of the transition context. Where legacy unions forge relationships with powerful parties, they use the ties to defend their interests. The legacy unions in both Russia and Indonesia had stronger links to powerful political parties than their rivals, whereas in Poland the legacy union and its competitors had equally strong partisan links and in South Korea they had equally weak links. Labor laws that encouraged union fragmentation and favored majority unions also benefited legacy unions by strengthening their position in workplaces and dispersing the competition across many unions. In both Russia and Indonesia, competing unions were dispersed into many different organizations, whereas in South Korea labor laws discouraged fragmentation and new organizing was concentrated in one competing confederation—which eventually overtook the legacy union. In Poland, revised labor laws that facilitated fragmentation were enacted *after* the competing union, Solidarity, had established a sizable membership base.

The article begins with a discussion of the varying legacies that the legacy unions inherited, outlining how two distinct forms of labor incorporation—transmission belt and exclusionary corporatist—imparted distinct legacies that shaped, but did not determine, the fate of these unions. The article then elaborates the methodological and theoretical considerations guiding the paired comparison, followed by a discussion of the causal importance of key elements of the transition and posttransition contexts—widespread and independent worker mobilization, the structure of union competition, and partisan links. The analysis then proceeds to the paired comparisons and concludes with a discussion of the implications of my findings and suggestions for directions for future research.

### THE LEGACIES OF LEGACY UNIONS

While all the legacy unions received sponsorship from authoritarian regimes, the nature of that sponsorship varied dramatically and affected the resources the unions inherited. Scholars of labor politics have noted

the enduring effects of the mode of labor incorporation on politics.<sup>7</sup> Ruth Berins Collier and David Collier, for example, find that states provided an assortment of legal and institutional assets to state-backed unions as means to secure support from and control over labor movements.<sup>8</sup> The form of labor incorporation influenced unionization rates, the role of unions in workplaces, the relationship between unions and ruling parties, and the organizational assets possessed by unions. Differences in the form of labor incorporation therefore have profound implications for labor organizing in new democracies.

The cases in this study fall into two basic types of labor incorporation—transmission belt and exclusionary corporatist.<sup>9</sup> Poland and Russia were both transmission-belt systems—labeled as such because they functioned as “transmission belts” between communist parties and workers.<sup>10</sup> In transmission-belt systems, state-backed unions enjoyed monopoly status, and union membership was virtually universal. In the Soviet Union, the primary union during Soviet times was the All-Union Central Council of Trade Unions, which later became the Federation of Independent Russian Trade Unions (FNPR); about 98 percent of workers belonged to a union.<sup>11</sup> In Poland, the official union, the Central Council of Trade Unions (CRZZ), organized about 97 percent of the workforce in 1978.<sup>12</sup>

Unions in these countries were organizationally distinct from the communist party, but union leaders were members of the party. Tightly linked but subordinate to the communist party, the main functions of unions were to mobilize workers to fulfill the economic plan and to distribute valuable benefits and services to workers. Party sponsorship guaranteed basic institutional support, such as buildings for office space and routine dues collection. Unions invested funds in services of benefit to their members, such as summer camps, vacation facilities, and emergency credit. In the Soviet Union, official sponsorship conveyed

<sup>7</sup> Stepan 1978; Collier and Collier 2002.

<sup>8</sup> Collier and Collier 1979.

<sup>9</sup> These typologies are not exhaustive. In Mexico, for example, inclusionary corporatism produced a different set of relationships between unions and the state, which in turn affected the assets that state-backed unions inherited.

<sup>10</sup> Karatnycky, Motyl, and Sturmthal 1980; Pravda and Ruble 1986; Stefancic 1992; Cook 1997; Thirkell, Petkov, and Vickerstaff 1998; Ashwin and Clarke 2003; Kubicek 2004; Ost and Wenzel 2009. In a comparison of China and the Soviet Union, Chen and Sil 2006 demonstrate that there were significant differences in the transmission-belt model in the two countries. Union membership is not as widespread and unions are less involved in social welfare efforts in China. These differences should have important consequences for the survival of the official union in China and suggests that future scholarship will need to develop more fine-tuned categories.

<sup>11</sup> Cook 1997; Ashwin and Clarke 2003.

<sup>12</sup> Ost and Wenzel 2009.

a massive amount of property to the FNPR that included not only offices but also print houses, banks, cultural institutions, resorts, and hotels, with an estimated value of \$6 billion and annual income of \$300 million a year.<sup>13</sup> Unions also administered the Social Insurance Fund, which included pensions, unemployment payments, and health funds. In Poland, the CRZZ's assets were more modest, but it also controlled buildings, offices, and vacation sites.

In exclusionary systems, states regarded labor as a potent threat and combined demobilization with low unionization rates. While discouraging unionization, ruling parties granted state-backed unions monopoly or near-monopoly status. In Indonesia, for example, it was virtually impossible for any union but the state-backed union, the All-Indonesia Workers' Union (SPSI), to meet the registration requirements.<sup>14</sup> In South Korea, the state prevented other unions from challenging the Federation of Korean Trade Unions (FKTU) by denying registration to any union it deemed as interfering with the activities of an already-existing union.<sup>15</sup> Even though virtually all of the union members in these two countries belonged to state-backed unions, they made up an insignificant share of the workforce. Union density on the eve of democratization was a paltry 2.7 percent of the total labor force in Indonesia and 13.8 percent in South Korea.<sup>16</sup>

Unions in these exclusionary systems were, like those in the transmission-belt systems, subordinate to ruling parties, but their integration into party structures was minimal. State sponsorship offered them some meager benefits, however, such as the provision of office space and subsidies for financing basic union activities. For example, the SPSI held all positions on tripartite and government-controlled bodies related to labor relations, the most important being the minimum-wage council and the labor-dispute resolution committee. The union also received modest financial subsidies from the ministry of manpower, the office of the president, and the state secretariat.<sup>17</sup> National, regional, and local governments donated buildings and offices to the SPSI that were used as union secretariats.<sup>18</sup> In South Korea, the FKTU participated in state consultative bodies and inherited some property—office space, small stores, and a large building in the financial district of Seoul.<sup>19</sup>

<sup>13</sup> Crowley 2002; Kubicek 2004.

<sup>14</sup> Hadiz 1997; Ford 1999.

<sup>15</sup> Choi 1989.

<sup>16</sup> Quinn 1999; Korea International Labor Foundation 2005.

<sup>17</sup> Hadiz 1997.

<sup>18</sup> Hadiz 1997; Caraway 2008.

<sup>19</sup> Ogle 1990; Song 1999.

The FKTU was highly dependent on employers who not only paid the salaries of union officers but also provided unions with offices, furnishings, and some program funds.<sup>20</sup>

Legacy unions with different histories of labor incorporation thus entered their transition periods with varying assets, and these differences affected the strategic terrain of their competition with new rivals. In transmission-belt systems, legacy unions held captive a large portion of the workforce. New unions had to poach from the legacy unions in order to grow, since organizing was virtually a zero-sum game. In contrast, in exclusionary systems where union density was low, new unions had ample opportunities to establish themselves in nonunionized workplaces. They could grow without taking members from the legacy union. Legacy unions in transmission-belt systems also inherited a richer array of resources than those in exclusionary corporatist systems. These resources could be used as carrots or sticks to woo new members, retain existing members, and in some cases, thwart organizing efforts by rivals.<sup>21</sup> Although new unions in all four countries faced tremendous challenges in competing with legacy unions, the challenge was more daunting in Poland and Russia than in Indonesia and South Korea.

#### COMPARATIVE RESEARCH DESIGN AND THEORETICAL CONSIDERATIONS

The varying resource endowments that legacy unions inherit must be taken into account when analyzing the different fates of legacy unions. Historical institutionalists recognize the importance of starting points in shaping both continuity and change, and scholars of democratic transitions note the role that initial conditions play in shaping the strategic terrain of the transition period.<sup>22</sup> To disentangle the relative importance of historical legacies and contextual factors, care must be taken to assure that the cases being compared begin from relatively similar starting places. A comparative study showing that a legacy union that inherited ample assets continued to dominate the scene and that a legacy union that inherited meager assets was overtaken by a competing union might erroneously attribute these different outcomes solely to the legacy of labor incorporation.

<sup>20</sup> Choi 1989; Ogle 1990.

<sup>21</sup> Caraway 2008.

<sup>22</sup> Linz and Stepan 1996; Ekiert and Hanson 2003.



The paired comparison in this study incorporates both varying legacies and varying outcomes. For each legacy, there is one case in which a legacy union continued to dominate and another in which a competitor overtook it. In this context, dominance means that the legacy union organized more workers than its next largest competitor. As can be seen in Table 1, the contours of dominance vary across the cases. Russia's FNPR organizes a much larger share of the workforce than Indonesia's SPSI, as well as a much larger share of unionized workers, but both are dominant—that is, larger than their closest competitor—in their respective contexts. The SPSI controls only slightly more of the organized workforce than Korea's FKTU, but the SPSI is dominant and the FKTU is not. While their share of the organized workforce is similar, the SPSI's membership is greater than its next largest competitor, but the FKTU's main competitor, the Korean Confederation of Trade Unions (KCTU), has a larger membership than the FKTU. Another notable fact is that with the exception of Indonesia, unionization rates have fallen in post-communist countries, in some cases quite dramatically. The transmission-belt postcommunist countries show the sharpest decline, in part because their unionization rates were so much higher to begin with, but also because the transition to a market economy took a heavy toll on state employment, where most unionized workers were employed. Despite these substantial declines, their unionization rates are still much larger than in the exclusionary cases.

The comparative research design pairs two transmission-belt systems, Russia and Poland, and two exclusionary systems, Indonesia and South Korea. The first of each pair is a case of a legacy union that continued to dominate the union landscape; the second of each pair is a case where a competing union overtook the legacy union (see Figure 1). By controlling for different legacies, the paired comparison facilitates the identification of factors that produced different pathways of change.

The argument presented here is not one of path dependence, but it is deeply influenced by historical-institutionalist arguments that institutions shape political contexts while never being “the sole ‘cause’ of outcomes” and that entrenched institutions are difficult to dislodge.<sup>23</sup> The institutional legacy of the form of labor incorporation determines the size of the advantage that legacy unions inherit and the magnitude of the challenge that competing unions face, but developments during the transition propel legacy unions along different pathways of change.

<sup>23</sup> Thelen and Steinmo 1992, 2; Pierson 2004.



TABLE 1  
LEGACY UNION SHARE OF UNIONIZED WORKFORCE<sup>a</sup>

Country	Year Transition Begins	Current Status of Legacy Union	Legacy Union Share of Unionized Workforce (%)		Unionization Rate (%)	
			Before Transition	~2005	At Transition	~2005
Russia	1988	dominant	100	95	98	46
Poland	1980	not dominant	100	24 <sup>b</sup>	97	17
Indonesia	1998	dominant	100	49	2.7	3.2 <sup>c</sup>
South Korea	1987	not dominant	close to 100	47	13.8	10.3

SOURCES: Ashwin and Clarke 2003; Clarke 2007; Korea International Labor Foundation 2005; Korea International Labor Foundation 2007; Ost 2007; Ost and Wenzel 2009; Palmer 2008; Quinn 2009.

<sup>a</sup> With the exception of Indonesia, union density is calculated as a proportion of total employees; for Indonesia it is calculated as share of the total labor force.

<sup>b</sup> This figure is calculated based on data from Ost and Wenzel 2009.

<sup>c</sup> This figure is calculated from data in Palmer 2008.

This study therefore contributes to the debate among historical institutionalists about processes of change. As scholars note, historical institutionalists have explained continuity more convincingly than change, with change often occurring rapidly in the form of an exogenous shock and new institutions congealing and settling into another long-term equilibrium.<sup>24</sup> But institutional arrangements also evolve as a result of changes in the context in which they exist and/or the disruption of mechanisms of reproduction.<sup>25</sup> Legacy unions provide an excellent example of how institutions change when transplanted into new soil.

The evolution of legacy unions is both a process that unfolds in time and an example of multiple conjunctural causation or equifinality—that is, different combinations of factors produce a similar outcome.<sup>26</sup> In this study I argue that different combinations of legacies and contextual factors interact to produce distinct pathways of change for legacy unions—pathways on which legacy unions continue to dominate labor politics and pathways on which new unions compete effectively with legacy unions. As Alexander George and Andrew Bennett note, cases characterized by equifinality “are useful for developing *contingent generalizations* that identify the conditions under which alternative outcomes occur.”<sup>27</sup> By studying cases of both enduring dominance and

<sup>24</sup> Thelen and Steinmo 1992; Thelen 2003.

<sup>25</sup> Thelen 2003; Mahoney and Thelen 2010.

<sup>26</sup> Ragin 1987; Mahoney and Rueschemeyer 2003; Pierson 2004; Mahoney and Goertz 2006.

<sup>27</sup> George and Bennett 2005, 216.

Legacy Union Status	Form of Labor Incorporation	
	Transmission Belt	Exclusionary Corporatist
Dominant	Russia	Indonesia
Not Dominant	Poland	South Korea

FIGURE 1  
LEGACY UNION STATUS AND FORM OF LABOR INCORPORATION

displacement, stronger inferences about the conditions under which legacy unions evolve can be developed. The set of paired comparisons yields a “focused theoretical framework” that develops conceptualizations of relevant factors for explaining why actors from an authoritarian past—in this case legacy unions—met different fates when they were transplanted into new soil.<sup>28</sup>

THE TRANSITION AND POSTTRANSITION SETTINGS

Legacies are a critical piece of the explanation since they affect the size of the advantage that legacy unions hold over competing unions and shape the strategic terrain in which new unions compete for members. But legacies on their own are insufficient explanations, since legacy unions with similar pasts met different fates. The remainder of this article analyzes the conditions under which legacy unions succeeded in defending their dominance and the conditions under which competing unions caught up to or overtook them. For new unions, overtaking legacy unions was extremely challenging because they did not compete on a level playing field. But legacy unions faced their own set of challenges in the new environment. They had to fight to maintain the benefits of past sponsorship, which depended greatly on the fate of their former sponsors and the capacity of their leadership to cultivate relations with new political allies. Moreover, since democratization resulted in labor-law reforms that opened up organizing possibilities for new unions, for the first time in their history legacy unions had to defend their membership base from poaching and attrition and compete with other unions for political influence. In the analysis below, union competition,

<sup>28</sup> Rueschemeyer 2003.

partisan links, and independent worker mobilization early in the transition emerge as the most important factors in the transition context that shape the fate of legacy unions. I briefly outline the reasons for their importance before proceeding to the paired comparisons.

To begin, widespread independent worker mobilization early in the transition period provided new unions with a golden opportunity for making rapid organizing gains. "Independent" in this context means that the workers did not channel their demands through state-sanctioned institutions of labor control but rather organized outside of them to advance their interests.<sup>29</sup> The early organizing gains that new unions secured during these worker rebellions could be considered a critical juncture for the fate of legacy unions. New unions that acquired a substantial membership base early in the transition established a strong foundation from which to compete with legacy unions.

Independent worker mobilization, however, is unlikely to result in the displacement of legacy unions unless organizing gains are concentrated in a single federation or confederation, especially in the postcommunist countries where unionization rates were very high. The structure of union competition has well-known effects on worker mobilization and militancy and the collective power of labor.<sup>30</sup> Institutions regulating union competition have important consequences for the strategic context faced by legacy unions. If the membership gains of competing unions are dispersed across many organizations, it is unlikely that any single competitor will supplant a legacy union. If opposing unions are consolidated into one or just a few umbrella organizations, however, organizing gains are concentrated and the gap in membership closes more quickly. Legacy unions thus benefit from union fragmentation and are hurt by union concentration.

Partisan links are another element of the transition and posttransition setting with important effects on the capacity of legacy unions to maintain their dominance. Scholars have demonstrated how partisan links shape union support for painful economic reforms.<sup>31</sup> Partisan links also affect the capacity of legacy unions to retain their inherited advantages. Sabina Avdagic shows persuasively that party-union alliances in Eastern Europe have not produced many gains in the economic sphere

<sup>29</sup> Of course, many of these workers were members of state-backed unions, especially in the postcommunist cases where nearly all workers belonged to unions.

<sup>30</sup> Korpi 1983; Cameron 1984; Hicks and Swank 1984; Garrett and Lange 1986; Stephens 1986; Valenzuela 1989; Wallerstein 1989; Banuri and Amadeo 1991; Levitsky and Way 1998; Murillo 2001; Robertson 2004.

<sup>31</sup> Levitsky and Way 1998; Murillo 2001; Burgess 2004; Robertson 2004.

for workers but, as Maria Cook shows, unions may prioritize the defense of their organizational prerogatives over advocacy for broader reforms that benefit workers.<sup>32</sup> If legacy unions can maintain or develop new relations with influential political parties, they can more effectively defend their inherited advantages or at least slow the pace of erosion. Similarly, if independent unions can establish supportive relations with powerful political parties, they stand a better chance of rolling back the inherited advantages of legacy unions.

To facilitate the narration of the paired comparisons, Table 2 presents a matrix of legacies and contextual factors and demonstrates how they combined to create distinct pathways of change: rupture, hegemony, attrition, and endurance.

#### INDONESIA AND SOUTH KOREA

Indonesia and South Korea are both cases of exclusionary corporatism. As such, they entered the postauthoritarian era with fewer assets and lower unionization rates than the legacy unions in transmission-belt systems, which made the chances of competing unions overtaking them better. Both the SPSI and the FKTU quickly lost their biggest advantage from the past—their monopoly status. Despite this unfavorable development, both unions held onto their dominant position for many years after the transition to democracy. The SPSI continues to be the largest single union in Indonesia, whereas in South Korea, it took the KCTU almost two decades after the transition to edge out the FKTU as the largest confederation. This section offers answers to two analytical puzzles: why did the SPSI endure as the dominant union while the FKTU did not, and why did the KCTU eventually surpass the FKTU through a slow process of attrition?

In both countries, the end of authoritarianism produced new challenges for the legacy unions. As part of the process of political liberalization, state authorities resigned themselves to the entrance of new political actors, including independent unions. In Indonesia the SPSI lost its legal monopoly in June 1998—just a month after the fall of Suharto—when the government ratified International Labor Organization Convention No. 87 on freedom of association and protection of the right to organize, and then issued an executive order that changed registration procedures so that unions other than the SPSI could gain legal status.<sup>33</sup> The SPSI hemorrhaged members during the first few years of

<sup>32</sup> Avdagic 2004; Cook 2007.

<sup>33</sup> Ford 2000; Caraway 2004.

TABLE 2  
CAUSAL PATHWAYS

Country	Outcome	Legacy	Transition Context				Pathway
			Worker Mobilization	Partisan Links <sup>a</sup>	Union Competition		
Poland	not dominant	transmission belt	yes	OPZZ = Solidarity	fragmented, but only after Solidarity established		rupture
Russia	dominant	transmission belt	no	FNPR > competitors	fragmented, established unions favored		hegemony
Korea	not dominant	exclusionary	yes	FKTU = KCTU	plant-level multiunionism prohibited, low fragmentation		attrition
Indonesia	dominant	exclusionary	no	SPSI > competitors	fragmented, established unions favored		endurance

<sup>a</sup> The legacy union is listed first, competitors second. The equals sign connotes that the political links of the legacy union and its main competitor are comparable; the greater-than sign connotes that the legacy union has stronger political links than its competitors.

the transition when several sectoral union leaders founded new federations and took many members with them.<sup>34</sup> Although trade unionists quickly took advantage of the political opening to register new unions, Indonesian workers did not mobilize on a mass scale and there was no popular movement that brought workers together in a unifying organization.<sup>35</sup>

This flurry of new registrations probably increased unionization rates in Indonesia slightly despite the economic crisis, but produced an extremely fragmented labor movement. In 2006 there were three confederations, eighty-seven national federations, and hundreds of unaffiliated plant-level unions.<sup>36</sup> The first major piece of labor legislation enacted after the transition, the Trade Union Act of 2000, helped to produce this fragmentation by establishing low thresholds for union formation, permitting multiunionism at the plant level, and creating a union registration process that facilitated the formation of “yellow unions” established and controlled by employers.<sup>37</sup> The fragmentation of competing unions contributed to the SPSI’s continued dominance since its rivals were divided into many competing federations and unaffiliated plant-level unions. Collectively, they outnumbered the SPSI, but with the exception of the Indonesian Trade Union Confederation, the confederation formed by defectors from the SPSI, none had a significant verifiable membership base.<sup>38</sup>

In addition, the SPSI exploited the partisan links of its leaders to its benefit. Under authoritarianism, the ruling party, Golongan Karya (Golkar), supported the SPSI, but the union was peripheral to structures of power in the party and union leaders did not hold influential posts in it.<sup>39</sup> After the fall of Suharto, the SPSI did not establish an institutionalized relationship with a particular political party; its leaders joined a variety of them. Top union officials successfully used their positions in political parties to secure important appointed posts.<sup>40</sup> One former and one serving SPSI president were appointed consecutively to the post of minister of manpower and transmigration. The first, Bomer Pasaribu,

<sup>34</sup> Quinn 2003; Caraway 2008.

<sup>35</sup> Ford 2000; Aspinall 1999.

<sup>36</sup> Caraway 2008.

<sup>37</sup> Caraway 2006. Ten workers could form a union. To register, individuals only had to submit a union constitution, a list of the founding members, and a list of union officers. Since no certification process was required, employers could easily form yellow unions by putting the names of ten workers on the registration application.

<sup>38</sup> I stress verifiable. The SPSI confederation claimed a significant membership but was unable to substantiate these claims when local governments conducted the formal membership verification process.

<sup>39</sup> Hadiz 1997.

<sup>40</sup> Caraway 2008.

had been president of the SPSI and an active member of Golkar, the former ruling party. When Golkar joined the coalition that brought Abdurrahman Wahid to power, Wahid awarded the ministerial post to Pasaribu, who held it for almost a year. The SPSI president at the time, Jakob Nuwa Wea, was allied with another party, the Indonesian Democratic Party of Struggle (PDI-P). When the leader of the PDI-P, Megawati Sukarnoputri, ousted Wahid from the presidency, she rewarded Nuwa Wea with the ministry. During his three-year reign as minister, Nuwa Wea continued to serve as the SPSI president and from his ministerial post protected the union. The SPSI retained much of its property and continued to receive some state subsidies.<sup>41</sup> Competing unions had little success in cultivating political connections. One confederation, the Indonesia Prosperity Trade Union (SBSI), formed a party but it performed poorly in national elections, and leaders in others unions have yet to replicate SPSI's success in exploiting individual partisan affiliations to secure powerful elected or appointed offices.

In comparison to the SPSI, the FKTU faced a far less propitious constellation of developments. As political space opened in South Korea, workers engaged in independently organized mass protests and a frenzy of new organizing took place. In 1987 alone, 1,344 new unions were established with a membership totaling 210,000. This was followed by almost 8,000 more new unions in 1988 and 1989.<sup>42</sup> In addition to rapid membership gains made through new organizing, the independent unions also poached members from the FKTU.<sup>43</sup> South Korean state authorities allowed these newly established unions to register without affiliating to the FKTU, and most of them later affiliated to the KCTU. The KCTU, though harassed and denied official recognition for many years, continued its activities and gained an increasing number of affiliates until the 1990s, when unionization rates began to decline.<sup>44</sup> The FKTU retained a modest membership edge over the KCTU until 2006, when the newly established Korean Government Employee's Union, which with 140,000 members was the largest federation in Korea, affiliated to the KCTU.<sup>45</sup> After almost two decades of attrition, the KCTU overtook the FKTU.

<sup>41</sup> American Center for International Labor Solidarity 1998.

<sup>42</sup> Song 1999; Lee 2002, 221.

<sup>43</sup> Koo 2000; Lee 2002; Peetz and Ollett 2004.

<sup>44</sup> Korea International Labor Foundation 2007. The KCTU faced a much more hostile government than the new independent unions in Indonesia, which makes the KCTU's success all the more impressive. Arrests of trade unionists in Indonesia were rare after 1998. KCTU leaders and activists spent a lot of time in jail cells, see Koo 2000.

<sup>45</sup> Korea International Labor Foundation 2007.



The affiliation of most independent unions to the KCTU is a crucial component of the explanation for why the FKTU was eventually displaced. At the end of 2005, only 93,547 of the 1.7 million union members—less than 6 percent—belonged to unions unaffiliated to either the FKTU or the KCTU.<sup>46</sup> One reason for this concentration of membership is that Korea's revised labor laws, while permitting multiple national unions, forbade multiunionism at the enterprise level. Although the ban protected much of the FKTU's membership base, it also benefitted the KCTU since it encouraged the consolidation of the membership base acquired in the organizing surge in the late 1980s. As a result of the ban on multiunionism at the plant level, unions had to target unorganized workplaces or completely supplant the existing union in order to establish a new one. Such a ban in a country with high union density would have presented a huge obstacle to the growth of independent unions. Fortunately for the KCTU, the majority of workers were unorganized. Once the KCTU successfully established a new union, the ban helped it to protect its membership base from being poached by other unions. If the newly organized workers had belonged to many small and competing unions, as they had in Indonesia, the KCTU would not have overtaken the FKTU; the combined effect of worker mobilization and consolidation into one confederation was critical.

Although the FKTU retained much of its property and continued to receive some state subsidies, these minimal inherited advantages were insufficient to thwart a growing rival as it organized most of the other unionized workers in the country.<sup>47</sup> Moreover, the FKTU was unsuccessful in gaining stronger government support through links with political parties.<sup>48</sup> Although the FKTU maintained its integration with the former ruling party and its successors for the first decade after the transition, it remained marginalized and secured few benefits even though its party allies held presidential power. In 1997 the FKTU forged an independent path, but political parties had been slow to embrace unions, which were perceived as too radical by most parties. The FKTU was therefore far less successful than the SPSP in exploiting partisan links to secure political benefits. The KCTU did not enjoy strong links to any existing political parties either, and it organized its own party, the Democratic Labor Party, in 2000.

To summarize, the surge of independent organizing early in the tran-

<sup>46</sup> Korea International Labor Foundation 2007.

<sup>47</sup> Song 1999; Peetz and Ollett 2004.

<sup>48</sup> Lee 2006.

sition placed South Korea on a different pathway of change (attrition) than Indonesia (endurance). The rapid organizing gains made early in South Korea's transition put the KCTU in a strong position to compete with the FKIU. Crucially, labor laws encouraged the consolidation of these membership gains in the KCTU, which established a reputation as a fierce defender of workers and was closing in on the FKIU despite a decline in unionization in the 1990s.<sup>49</sup> The FKIU's failure to secure support from political parties also contributed to the KCTU's eventual success. By contrast, the legacy union in Indonesia, the SPSP, faced a much more favorable set of circumstances. Worker mobilization was minimal during the transition, so competing unions did not make significant organizing gains. Defections were the most serious threat to the SPSP, but after an initial wave of defections, the union stabilized its base. Membership gains in its rivals were dispersed across a large number of organizations and the SPSP exploited its political connections to hold onto inherited assets and solidify its position at the national level.<sup>50</sup>

#### POLAND AND RUSSIA

Legacy unions in Poland and Russia are transmission-belt cases; they therefore inherited more assets and higher unionization rates than legacy unions in Indonesia and South Korea. New unions that formed during the transition in these countries thus faced an extremely challenging organizing terrain. As in Indonesia and South Korea, the legacy unions in Poland and Russia lost their monopoly status early in the transition period. Yet, while Russia's FNPR successfully defended its hegemony with rival unions controlling a measly 5 percent of the unionized workforce, in Poland the All-Polish Federation of Trade Unions (OPZZ) main rival, Solidarity, overtook it.

The main development that set Poland on a different path than Russia was the emergence of independent worker mobilization early in Poland's transition. As scholars have noted, the transition in Poland began earlier than in the rest of Eastern Europe and was propelled by a mass movement rooted in trade unions. Grzegorz Ekiert and Jan Kubik

<sup>49</sup> The origins of the KCTU's political stance are beyond the scope of this article. Its militant posture undoubtedly contributed to its success, but whether that political stance would have been equally successful if Korean labor law had facilitated the fragmentation of unions and if the FKIU had effectively cultivated partisan support, is doubtful. There were unions with similar political stances in Indonesia, but they failed to pose much of a threat to the SPSP. Further comparative study of legacy unions would shed light on this issue.

<sup>50</sup> Recent developments suggest a possible third pathway for competing unions to overtake a legacy union—disintegration. At the time of this writing, SPSP is undergoing a major internal leadership dispute that threatens to tear the confederation apart. A second hemorrhaging of membership to breakaway federations could open the door for the larger competing unions to overtake them.

identify the emergence of the Solidarity trade union, which formed out of the independent strike committees that led a worker revolt in 1980, as the starting point of Poland's long transition.<sup>51</sup> Failing to break the strike, the communist authorities conceded to the formation of free trade unions in the Gdansk Agreements of August 31, 1980.<sup>52</sup> Trade union reform did not begin in the rest of the region until after 1989.<sup>53</sup> In Poland, the legalization of independent unions in 1980 ruptured the transmission-belt model and had two important consequences. First, membership in the state-backed union was no longer compulsory, so unionization rates fell to about 65 percent.<sup>54</sup> Second, many of the workers that fled the state-backed union joined Solidarity, which quickly ballooned to almost ten million members, surpassing the membership of the official union.<sup>55</sup>

Solidarity's initial heyday came to an abrupt end, however, with the declaration of martial law in December 1981. Solidarity was banned, and even the officially sanctioned CRZZ was dissolved. Solidarity continued to operate underground in some factories and in the wider community, but it lost all of the assets it had acquired.<sup>56</sup> The state allowed new plant-level unions to form in 1983, but there was no central union body until 1984 when the OPZZ was formed.<sup>57</sup> The OPZZ acquired the previous official union's property and Solidarity's seized assets.<sup>58</sup> Membership was not compulsory, but martial law provided the OPZZ with an incubation period free of direct competition with Solidarity.<sup>59</sup> The OPZZ administered social service funds at the enterprise level which encouraged many workers to affiliate to it.<sup>60</sup> By the late 1980s, the OPZZ claimed to organize about 60 percent of the labor force.<sup>61</sup> Surveys during this period indicate that about 35 to 40 percent of employees belonged to a union.<sup>62</sup>

When independent worker protests erupted again in 1988, OPZZ was

<sup>51</sup> Ekiert 1996, 281; Ekiert and Kubik 1999, 3.

<sup>52</sup> Ost and Wenzel 2009.

<sup>53</sup> Thirkell, Petkov, and Vickerstaff 1998. Selecting a specific date for the beginning of the transition in Poland and Russia is more challenging than in the Asian cases because in both Poland and Russia, significant political liberalization preceded the electoral transition that unfolded throughout Eastern Europe in 1989. Poland underwent political liberalization in 1978–80, Russia in 1986–88.

<sup>54</sup> Ost and Wenzel 2009.

<sup>55</sup> Kramer 1995; Ost and Wenzel 2009.

<sup>56</sup> Kramer 1995; Ekiert and Kubik 1999; Ost and Wenzel 2009.

<sup>57</sup> Ost and Wenzel 2009.

<sup>58</sup> Kramer 1995, 93; Ost 2007, 6.

<sup>59</sup> Ost 2001.

<sup>60</sup> Pravda 1986; Kramer 1995; Ost 2007.

<sup>61</sup> Kloc 1994, 126.

<sup>62</sup> Ost and Wenzel 2009.

far more vulnerable than unions in the rest of Eastern Europe given the rupturing of the transmission-belt model earlier in the decade. Invoking the name of Solidarity, worker protests brought the regime to the negotiating table with Solidarity, which regained its legal status as a trade union.<sup>63</sup> Workers flocked to Solidarity; its membership swelled to 3–3.5 million, surpassing OPZZ, whose membership stood at 2–2.5 million.<sup>64</sup> While the rupture of the transmission-belt model in 1980 and the surge of worker protests in 1988 were the most important reasons for the displacement of the OPZZ, there were additional factors that contributed to Solidarity's success. Both unions had strong links to powerful political parties, with union leaders holding important executive positions and many legislative seats.<sup>65</sup> Because of this, the OPZZ did not have an advantage over Solidarity in terms of leveraging its partisan links to solidify its position. In addition, in 1988 workers gravitated once again to Solidarity. The timing of the onset of the fragmentation of Poland's labor movement is also an important detail. Trade union laws were rewritten *after* both unions had established significant membership bases, so the new labor laws benefitted both Solidarity and the OPZZ in that it fragmented their competition.<sup>66</sup>

In Russia, by contrast, the FNPR has remained hegemonic. Its share of membership has hardly changed in spite of some defections in the early 1990s.<sup>67</sup> At the beginning of the transition, almost the entire workforce belonged to the FNPR. In order for independent unions to grow, they had to poach members from it in state-owned or newly privatized enterprises or organize workers in newly established private firms. As in other post-communist countries, union membership in Russia declined precipitously with the transition, but the FNPR still organizes about 95 percent of unionized workers. Unlike Poland and South Korea, Russia did not experience nationwide mass mobilizations of workers demanding independent representation.<sup>68</sup> The FNPR has maintained its dominance primarily because it was not threatened by independent mass mobiliza-

<sup>63</sup> Ost 2005. As Ost notes, Solidarity leaders did not organize these protests and were in fact caught off guard by them.

<sup>64</sup> Ost 2007.

<sup>65</sup> Kramer 1995; Ost 2001; Kubicek 2004; Robertson 2004; Robertson 2007.

<sup>66</sup> Ekiert and Kubik 1999, 105–6; Kubicek 2004. As in Indonesia, multiunionism is permitted at the plant level and groups of ten workers may establish unions.

<sup>67</sup> Cook 1997; Kubicek 2004. Some defectors later returned. For example, the largest union to leave the FNPR was the Union of Miners and Metallurgical Workers, but it reaffiliated with the FNPR in 2000. The FNPR also gained new affiliates. The Union of Railway Workers, which had never been part of the VTSSPS structure in Soviet times, affiliated with the FNPR in 2001, see Kubicek 2004.

<sup>68</sup> Crowley 1997. Massive protests took place in mining regions in 1989, but they did not spread, see Robertson 2011.

tions of workers early in the transition and it leveraged political connections to protect its inherited assets.

The evolution of the FNPR's political links is instructive, as it demonstrates the difficulty that legacy unions have in breaking free of dependence on the state. Early in the transition, it was the new independent unions—not the FNPR—that forged close relationships with Russian Federation President Boris Yeltsin and supported his efforts to transform Russia's economy.<sup>69</sup> The FNPR initially attempted to navigate an independent political path and broke its historic ties to the Communist Party. Although the FNPR participated in the tripartite commissions that Yeltsin convened to discuss economic matters, it opposed the painful economic reforms enacted by the Yeltsin government.<sup>70</sup> The FNPR overplayed its hand, however, when it publicly sided with the parliament during its standoff with Yeltsin in 1993 and called for its members to mount massive protests.<sup>71</sup> Yeltsin retaliated, forcing a change in FNPR's leadership, freezing its bank accounts, cutting off its phones, banning dues check off, transferring control of union-administered social funds to the government, stripping unions of the right of legislative initiative, and threatening to seize the FNPR's property.<sup>72</sup> Chastened, the FNPR fell into line. Yeltsin dumped the independent unions in favor of the defanged FNPR. He no longer needed the independent unions, which were a threat precisely because they were not reliant on the state.<sup>73</sup> As Graeme Robertson argues, the FNPR was an "excellent negotiating partner: well organized but enormously vulnerable and dependent on the favor of the government."<sup>74</sup>

After this traumatic experience, the FNPR was more politically cautious and relied on forming tactical alliances with presidents and legislators.<sup>75</sup> It built relationships with sympathetic members of parliament to advance its agenda at the national level and supported Vladimir Putin's presidential run in 2000.<sup>76</sup> These political maneuvers helped the FNPR to retain control of most of its property and bore fruit in gaining a number of important concessions in the labor code.<sup>77</sup> Independent unions scattered their endorsements across multiple political parties and had

<sup>69</sup> Ashwin and Clarke 2003; Kubicek 2004.

<sup>70</sup> Cook 1997; Ashwin and Clarke 2003; Kubicek 2004.

<sup>71</sup> Ashwin and Clarke 2003; Kubicek 2004.

<sup>72</sup> Ashwin and Clarke 2003; Kubicek 2004.

<sup>73</sup> Kubicek 2004.

<sup>74</sup> Robertson 2011, 74.

<sup>75</sup> In 1995, the FNPR supported a party dominated by industrialists, but the party performed poorly, see Crowley 2002.

<sup>76</sup> Crowley 2002, 237; Ashwin and Clarke 2003; Kubicek 2004.

<sup>77</sup> Crowley 2002; Ashwin and Clarke 2003; Kubicek 2004.

little impact on national policy, which is unsurprising given their small membership.<sup>78</sup> Thanks to its relatively beneficial ties to politicians, the FNPR held onto many of its inherited assets. In addition, it continued to be the dispenser of social benefits at the firm level, which became especially important for sustaining its membership given the enduring economic crisis and the capacity it gave the union to punish workers that challenged its authority.

The nature of union competition in Russia has also aided the FNPR's continued hegemony. Independent unions are divided into numerous competing confederations, and efforts to form a unified front of independent unions have floundered.<sup>79</sup> The largest independent confederations are Sotsprof, the All-Russian Confederation of Labor, and the Confederation of Labor of Russia. In addition, some branch unions have left the FNPR to form independent unions.<sup>80</sup> The membership of independent unions in Russia is such a small percentage of union members, however, that even if combined into one confederation they would still be dwarfed by the FNPR. In addition, the posttransition labor laws disadvantaged new unions, since under them only enterprise unions in "All-Russian" trade unions could negotiate collective agreements and most of the new independent unions did not meet this requirement.<sup>81</sup>

To summarize, the transmission-belt legacy unions in Poland and Russia inherited substantial assets, yet in spite of similar pasts, legacy unions in the two countries met different fates. In Poland, the rise of Solidarity in 1980 ruptured the transmission-belt model almost a decade before the first democratic elections were held, which created dramatically different circumstances for the legacy union there than existed in Russia. When Solidarity reemerged in 1988 as a magnet for new organizing, it quickly overtook the hobbled OPZZ. Solidarity's strong ties to a powerful political party aided its later competition with the OPZZ. By contrast, the hegemonic FNPR in Russia entered the whirlwind of 1989 with its inherited advantages intact and without having to confront widespread independent worker mobilization. It forged political links to both the executive and the legislature, which helped it to prevent a weakening of its position relative to other unions. Competing unions thus faced a behemoth endowed with a rich set of resources and powerful political allies. Fragmented and without protec-

<sup>78</sup> Cook 1997.

<sup>79</sup> Kubicek 2004.

<sup>80</sup> Crowley 2002; Kubicek 2004.

<sup>81</sup> Ashwin and Clarke 2003.

tive links to powerful political parties, independent unions could not close the gap with the FNPR.

### CONCLUSION

The varying fates of legacy unions highlight the importance of legacies and the transition context in shaping the pathways of change in new democracies. The paired comparisons in this study demonstrate that while legacies provide actors from the authoritarian era with significant inherited advantages over other actors, under certain conditions competing organizations can overcome these challenges. The analysis identified two pathways through which competing unions have matched or surpassed the membership of legacy unions—attrition and rupture. The exclusionary corporatist case of a competing union overtaking a legacy union was South Korea, which followed the attrition pathway. There, a surge of independent mass mobilizations of workers coincided with the democratic transition. Labor laws encouraged the consolidation of these membership gains and inhibited fragmentation, which put the KCTU within striking distance of the legacy union FKTU. Still, it took the KCTU almost two decades to catch up to the FKTU, which speaks to the staying power of even a weak legacy union. The KCTU's task was also facilitated by the failure of the FKTU to secure support from political parties.

The rupture pathway requires the model of labor incorporation to be smashed many years prior to the first competitive elections. In Poland, communist authorities dispensed with the transmission-belt model of trade unionism in an effort to deal with the rise of Solidarity. Trade union reform thus preceded the arrival of democracy by nearly a decade, which meant that the legacy union OPZZ was severely weakened. Independent workers mobilized again on a mass scale in 1988 under the banner of Solidarity, which had the good fortune to face a legacy union that entered the posttransition era with far fewer assets than any other legacy union in Eastern Europe. The consolidation of these workers in Solidarity was also critical, and the political backing that both unions enjoyed assured a relatively level playing field.

The attrition pathway is far less likely to occur in transmission-belt countries than in countries with legacies of exclusionary corporatism, since the advantages that legacy unions inherit are so enormous. Given the magnitude of the challenge faced by new actors, a radical rupturing of the model well before the first competitive elections may be a necessary condition for competing unions to catch up with them. The



rupture pathway is also conceivable in exclusionary corporatist cases, but it is not the only pathway open to them. Attrition is the most likely scenario in exclusionary cases since the head start of legacy unions in them is so small. But recent developments in Indonesia suggest a third pathway, disintegration, in which infighting in the legacy union leads to massive defections that open the door for a competitor to overtake it.

Disintegration is also a likely pathway in the transmission-belt cases, although there, as in Indonesia, the distinction between the breakaway unions and the legacy union can be very hard to discern. Though re-named, the breakaway unions' membership and leadership are often those of the former legacy union. They are unlike the KCTU and Solidarity, which were founded on independent organizing outside the control of the leadership of the legacy union. Instead of infighting within one big legacy union, then, a likely scenario in these cases is one in which the breakaway offspring of the original legacy union vie with each other for the dominant position.

While competing unions overtook legacy unions in Poland and South Korea, legacy unions maintained their dominance in Indonesia and Russia via distinct pathways. In Russia the FNPR had a huge advantage over its competitors. Its continued dominance is therefore not too surprising, especially given the closing of political space that occurred with the rise of Putin. Nevertheless, competing unions failed to make serious inroads in Russia even before Putin came to power. Unlike the OPZZ in Poland, the FNPR entered the whirlwind of 1989 with its massive resources intact. Also unlike the OPZZ, it faced little independent worker mobilization during the transition, so competing unions made few organizational gains. The FNPR's comparatively favorable political alliances contributed to its ability to retain many of its assets. On this hegemonic pathway, competing unions were Lilliputians facing a behemoth.

In Indonesia, the SPSI's endurance pathway was far more fragile than the FNPR's hegemonic path. The SPSI received a much less generous inheritance, yet managed to stay ahead of the competition. As in Russia, mass independent worker mobilization did not transpire early in the transition. Crucially, competing unions were scattered across many different organizations. Moreover, the SPSI used its political links to protect its position while its rivals suffered from their lack of political access. Consequently, in spite of a relatively meager advantage, the SPSI has endured as the largest labor organization in Indonesia.

One lesson to be drawn from these varied experiences is that competition and time may not be enough to sideline legacy unions. Legacy

unions may experience significant declines in their share of membership, but even in the context of sharp drops in unionization, they can remain the most influential unions for many years to come. For example, the SPSI, an extremely weak legacy union, maintained its dominance far longer than labor activists anticipated at the moment of transition. The key role of mass mobilization—early in the transition—in setting South Korea and Poland on pathways of displacement suggests that unless competing unions can lock in significant organizing gains early in the transition, it may be decades before legacy unions are overtaken, especially in transmission-belt systems. In exclusionary systems, legacy unions organized such a small fraction of the workforce that defections and modest organizing success by independent unions, if concentrated in one competing organization, could be sufficient to vie for leadership with the legacy union. Thus, it may be important for extensive independent worker mobilization to accompany political openings in the postcommunist cases, since the inherited advantages of legacy unions there are so great. Still, in South Korea it took almost two decades for the KCTU to overtake the FKTU.

South Korea and Poland also provide some evidence that competition has a salutary effect on legacy unions. The fierce competition the FKTU faced from the KCTU forced it to engage in internal reform to retain its members and, as a consequence, it has partly overcome its reputation as a lackey of the state.<sup>82</sup> Poland also offers some evidence that vigorous competition leads to internal changes in legacy unions. Although Solidarity has disappointed labor advocates by its embrace of painful economic reforms and some right-wing policies, competition has pushed the OPZZ to become a more dynamic organization. The new generation of leaders in both unions, moreover, has shown renewed interest in revitalizing their unions through new organizing.<sup>83</sup>

My assertion in earlier research that legacy unions are more likely to reform when they face an unfavorable transition context and lose many of their inherited resources, is substantiated by the cases in this study.<sup>84</sup> Theorizing about the conditions under which legacy-union reform occurs could be strengthened, however, by expanding the universe of cases to include inclusionary corporatist cases from Latin America (Mexico, in particular) and other cases from Eastern Europe where legacy union have undergone much deeper splits than in Russia or Poland. Such investigations would make important contributions to the continuing

<sup>82</sup> Kim 1998; Peetz and Ollett 2004.

<sup>83</sup> Ost 2007.

<sup>84</sup> Caraway 2008.

debate within historical institutionalism about the conditions under which institutions evolve.

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