

# **THE COMPARATIVE ANALYSIS OF REGIME CHANGE AND LABOR LEGACIES**

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The organizers of this volume have focused on a set of interesting and important issues about contemporary political economy. The post–World War II order of economic growth broke down in the 1970s, when the international economy began a remarkable transformation. The multifaceted change has often been referred to as “globalization,” a broad term that on the one hand does political, ideological, and mobilizing work (both for its supporters and its opponents) but, on the other, is not very helpful for political analysis. Specifically, while the term can be endowed with economic meaning (multiple aspects of international economic integration), it gives no hint of the politics of this change, that is, how the interaction of domestic actors brings about economic and policy changes. Indeed, although it had earlier been anticipated that the economic forces of globalization would lead to cross-country convergence, it was later recognized that sociopolitical structures and arrays of actors have been important in effecting variation in outcomes across countries. This book centers on the structures and resources of one important actor, the labor movement, and its capacity to defend itself in the face of the challenges it confronts as a result of greater integration of the international economy in the last decades of the twentieth century and the opening decades of the new century.

The book focuses particularly on three world regions where these decades saw not only changes to more market-oriented economic models but also regime change. Countries in Eastern Europe, Asia, and Latin America underwent regime changes that have generally been regarded as democratic transitions.

The two transformations would seem to point in opposite directions. On the one hand, economic changes privileged—and resulted from the influence of—powerful actors, particularly the strongest sectors of capital, which had the resources to compete internationally. On the other hand, democratic political change might have been expected to empower more popular sectors, those with mobilizational and electoral resources. Against the background of these two transitions, the volume then asks: What are the political resources of unions, which have often been considered at once the best organized lower-class actors and also the losers under the new economic models? The chapters more specifically focus on the role of labor structures and resources that are inheritances, or legacies, of pretransition authoritarian regimes. What are the structural resources and constraints that survived the regime transition, and how do they affect unions' capacity to preserve or advance workers' rights and well-being in the globalization era?

This volume thus opens an interesting research agenda. It has presented a stimulating line of argumentation and a suggestive set of case studies. With its concentration on in-depth case studies, its focus has been to generate hypotheses within a new causal perspective. The next steps in the research agenda are to undertake systematic comparisons to refine the hypotheses and to move toward hypothesis testing. In this conclusion we offer some comments in an effort to push this agenda forward and provide some guidance for further systematic comparative studies.

## Authoritarian Labor Legacies

The basic question of this volume is the trajectory of labor institutions across democratic transitions, which, as the editors say, “promise more influence and power for unions.” Yet the puzzle is that there is often substantial continuity in labor traits inherited from the authoritarian regime. As future research seeks to explain further the persistence of these labor traits from the authoritarian past, three points should be borne in mind.

First, some of these traits are not “inherently” authoritarian or at least not uniquely instituted by authoritarian rather than democratic regimes—even traits we often associate with labor control. Many democratic countries put at least some limits on the right to strike; for instance, some categories of workers experience considerable limits on their right to strike because they perform a job that is considered an “essential service,” such as doctors or policemen. In a similar vein, in many democratic countries public authorities have the right to intervene in collective bargaining disputes if the parties cannot solve those disputes.

Provisions that mandate compulsory arbitration or conciliation or cooling off periods under certain circumstances are other examples.

The point is that there are degrees of restrictions and controls. It seems clear that some provisions are widely considered “inherently” authoritarian in that they violate some basic right or freedom that has become widely accepted as a part of a democratic regime. If we return to the above example, the right to strike is widely recognized as a democratic right, and provisions forbidding any strike activity could be uncontroversially considered repressive or authoritarian. Not even the Soviet Union legally enshrined a ban on strikes in labor law. However, as mentioned, most democratic regimes, while broadly recognizing the right to strike, nevertheless introduce a variety of restrictions on the use of the strike—up to some point. These restrictions are a means of controlling labor activity at the same time that they may be considered consistent with democratic governance. But here we enter a gray area. Some labor traits of authoritarian governments correspond to controls that also appear in democracies or lie in this gray area. It is thus not an easy matter to distinguish where the line should be drawn to label a trait inherently authoritarian, a fact in light of which one must interpret continuities across democratic transitions.

A second point about the authoritarian status of inherited or legacy traits is a further ambiguity that lies in the fact that some provisions or regulations are context specific. The original distinction between “state” corporatism and “societal” corporatism (Schmitter 1974) made the interesting point that similar provisions were initiated by different actors in different contexts, and often with conflicting motivations either to empower or to control unions. It is often the case that a given provision can be implemented in a pro- or antilabor way, a fact that doesn’t depend on the nature of the provision per se, but on the nature or intentions of the agent that implements that provision. It has been argued that many provisions of labor law can be seen as “inducements.” That is, they constitute benefits bestowed on existing unions, but they may nevertheless become mechanisms of control. Again, these provisions are not inherently “authoritarian,” but rather the degree to which control is exercised through inducements is context specific.

One example is state subsidy of union activities, which can empower unions, but the possibility of the withdrawal of a subsidy clearly raises the possibility of union dependence on and potential subordination to the state. The actual state-labor relationship, however, cannot simply be read off these possibilities. Rather, depending on other conditions, subsidies may lead to either empowerment or control.

Another typical example is the provision for a monopoly of union representation in a given industrial sector. Undoubtedly, authoritarian governments have

used this provision to prevent the emergence of alternative, more democratic unions that could potentially challenge the hegemony of government-sponsored or government-allied unions. However, monopoly of representation can also provide formidable bargaining power to unions vis-à-vis employers in a context in which governments allow unions to freely negotiate collective bargaining agreements. These ambiguities are apparent in the case of Brazil, where it is striking that against a history of opposition to the “corporatist” labor laws that date to the authoritarian Vargas period, many unions affiliated to the newer, independent CUT, which emerged as a direct challenge to the established monopolistic unions, have nevertheless been reluctant to abolish monopoly of representation once they were able to benefit from the provision in the democratic period (Cardoso, this volume).

Third, this example raises the related complication of the distinction between labor traits that are “democratic” and those that are prolabor, such as those that empower unions. These prolabor traits have a resonance with democracy to the extent that they seem to strengthen an organization in a way that distributes power and countervails that of capital and the state. However, two points must be made. First, of course, even authoritarian regimes may pursue some types of prolabor (or proworker) policies and such policies may actually build support for the state rather than countervail it, as in some forms of state corporatism. Second, prolabor traits are not the same as “democratic” in the macro sense of being a fundamental component of a democratic regime, nor in the meso sense of an internal democratic process within unions that gives the choice of leadership or strategic decisions to the rank and file.

To some extent, then, the above discussion points to theoretical reasons to expect at least some degree of continuity of provisions from authoritarian to democratic regimes. Future research should explore which provisions are more likely to persist under which economic and political conditions.

## Comparative Legacies

The volume is primarily concerned with assessing whether legacies inherited from the pretransition authoritarian regime have served as assets or liabilities for workers in new democracies. The chapters in this volume address this question in different ways. Some assess the extent to which a specific legacy shapes contemporary labor politics. This is the case in the Cardoso and Bensusán and Cook chapters, in which they show how the continuity in labor laws in Brazil, Argentina, and Mexico had a crucial effect on unions’ power resources. In a similar vein, Lee’s chapter on Korea and Taiwan analyzes how the party-union ties

inherited from the authoritarian period shaped unions' internal organization as well as their capacity to form autonomous labor parties after the transition to democracy.

Other chapters cast a wider net, examining a multitude of traits inherited from the authoritarian past in a single country and analyzing their impact in the democratic period. For example, Crowley shows how the persistence of a powerful legacy union combined with labor laws that make workers' collective action incredibly difficult has conspired against the emergence of more militant union confederations in Russia. For Slovenia, Grdešić shows how the combination of an ideology of "self-management" among workers and a dominant, reformist legacy union within the labor movement facilitated the adoption of a German-style system of industrial relations. A similar approach is adopted by Caraway, Hutchinson, and Ost in their chapters on Indonesia, the Philippines, and Poland, respectively.

Future research should look systematically at the "stickiness" of individual traits, as well as the way they combine in particular cases—or subsets of cases—to produce effects on labor movements. On the basis of material presented in this volume, we now pull out, below, some suggestive commonalities and differences that could form the basis for further investigation. We consider, in turn, labor law, legacy unions, and party-union ties.

## Labor Law

Labor laws do not show a consistent, overall pattern of either continuity or change after the transition to democracy, partly as a consequence of the diverse array of legal provisions that existed in each country during authoritarian rule. However, certain provisions, such as those that regulate collective bargaining or restrict strike activity, seem to be stickier than others, for example, those mandating monopoly of representation. To understand these patterns, it is important to start by analyzing the nature of labor laws and how they affect union activities.

Labor law reveals much about the structure of unions and is a formal expression of state-labor relations (even though it may not reflect the ways it is—or is not—implemented). Labor law, of course, refers to a huge range of provisions, and the editors suggest some of the main dimensions. For present purposes, we start with a basic distinction that earlier research identified as central to a pluralist-corporatist dimension. The distinction is between (1) inducements, consisting primarily of provisions for structuring and subsidizing the labor movement, which are in some sense favorable to labor organizations but which may also be used by a government seeking to control them, and (2) constraints, consisting of provisions that are straightforward restrictions on union activities,

leadership, and so forth. (For a further specification of corporatist provisions in labor law, see Collier and Collier 1979.) The distinction is important for the question of legacies because inducements may serve to protect dominant unions—or the dominance of existent unions—while constraints serve to restrict union activities and militance.

In drawing out patterns from the analyses presented in this volume, we focus on two basic inducements and a basic constraint, which, in different ways, are generally covered in the empirical chapters above. The first refers to provisions that regulate union recognition and, as such, structure the union movement in a particular way. Prominent among these are provisions that regulate the right to form a union, undertake collective bargaining, and engage in other activities to represent workers. For example, granting one union monopoly of representation clearly benefits that union and potentially strengthens union bargaining power by avoiding fragmentation, at the same time that it may have obvious downsides. Second, some provisions distribute power resources among different organizational levels within union structures and centralize or decentralize the labor movement. Finally, we consider a provision that is a clear-cut constraint: the regulation of the right to strike. To what extent did these inducements and constraints in labor codes that were in effect under authoritarian regimes survive during the democratic period?

As we consider the question of continuity or stickiness of these provisions in labor law, we must remember the point made above regarding the context-specific nature of institutions more generally. That is, their political effect may depend more on the political orientation of the government and particularly how it chooses to implement the legislation than by what is objectively written in the labor code. In terms of union recognition, for instance, provisions that in effect granted a monopoly of representation were obviously double-edged for the labor movement. Such provisions advantaged the unions that had them but prohibited dissident or more militant challenger unions. For this reason, a provision that in the authoritarian regime provided for a state-penetrated, controlled union sometimes persisted into the democratic period, when it may not have been opposed by the existing union because it insulated the union from competition.

The cases analyzed in this book do not display a consistent pattern in terms of the continuity of labor law provisions for monopoly of representation, largely because of the legal diversity during the authoritarian period. In most of the Asian cases examined—with the exception of the Philippines—and all of the Eastern European cases, authoritarian governments recognized only one state-backed union. In all of these countries, newly democratic governments reformed their laws to permit union pluralism—although with some delay in the

formal recognition of union pluralism in Korea. In these cases the prohibition of unions not backed by the state was so antithetical to core democratic principles that to some extent reforms to the labor code allowing for some pluralism emerged as a “natural” corollary of democratic transitions.

By contrast, in most of Latin America, where labor regulations did not impose mono-unionism, labor law reform resulted in a less dramatic change. In Argentina, Brazil, and Mexico, authoritarian regimes retained earlier laws that granted monopolies of representation based on geography or industrial sector. These aspects of labor law remained after the transition to democracy in large part because dominant unions in these countries benefited from them and fought to preserve them (Cardoso, Bensusán and Cook, this volume). Chile also showed post-transition continuity, but in this case the legacy provisions had indeed been rewritten by the authoritarian regime to weaken unions (Frank, this volume).

We thus see both continuity and change regarding provisions of union recognition in the democratic period. In terms of its impact, an important question for further research is to compare cases of continuity with cases of change. For example, continuity of monopoly of representation, often supported by the unions because of the benefits it bestowed, could be problematic in terms of union responsiveness to rank-and-file demands. However, provisions that replaced monopoly of representation could also be problematic. In reaction to these provisions, in some countries new regulations under democratic regimes often set extremely low thresholds for forming new unions. The resulting union fragmentation could increase employers’ leverage vis-à-vis organized labor. In Indonesia (Caraway) and Poland (Ost), for example, labor law reforms have set extremely low barriers to union formation, allowing unions to form with as few as ten workers. In these countries, the inevitable death of mono-unionism heralded the birth of union fragmentation.

Other important provisions in labor law concern the distribution of power across different levels in the union structure, most importantly by regulating the right to bargain collectively. In this way they affect the balance of power between unions and employers. Generally, restricting bargaining to a lower level weakens unions, whereas more centralized bargaining is advantageous. The present chapters suggest substantial continuity across the democratic transition. In the four East Asian cases covered in this volume, collective bargaining has continued to take place at the firm level. In most of the Latin American cases there are also continuities between the authoritarian and democratic periods. In Brazil collective bargaining has continued to be carried out mostly at the municipal level. In Argentina, the military inherited a regulation that allowed sectoral collective bargaining at the national level, and that has remained in place in the democratic period. In Chile, starting with the first labor law in the 1920s, the right to bargain

was limited to the plant level. The extralegal agreements that were reached subsequently were eliminated under the authoritarian regime that preceded the current democratic period. Since the democratic transition, legislation has allowed higher level bargaining if there is mutual agreement by two sides, but it does not mandate it. Collective bargaining per se did not exist in most Communist countries, so one cannot speak of continuities here.

Perhaps the most important of the constraint provisions in labor law are those regarding restrictions on the right to strike. Outright bans on strikes, where they existed, did not survive the democratic transition. Nevertheless, the case studies of Chile, Indonesia, the Philippines, and Russia describe how democratic governments seek to limit strikes by erecting numerous hurdles to workers exercising this right. Interestingly, in Russia the substantial Soviet strike restrictions were less the direct result of existing law than the total lack of one; as the chapter by Crowley points out, no Soviet-era law governing strikes existed, since one was made irrelevant by the absence of strikes to govern. This legal vacuum left the state with substantial leeway to write a new law with a highly circumscribed right to strike, particularly in the context of a weak union movement without the power to defend workers' interests.

## Legacy Unions

Legacy unions are common phenomenon: in most of the cases examined in this volume, the unions dominant during the authoritarian period continued to be important political actors in the democratic period. That said, the degree to which these inherited unions continued to be dominant varied. In many cases they persisted as dominant confederations, while in others retaining their dominant positions required substantial internal reform. Finally, there are some exceptions in which they remained important but were no longer dominant in the face of the rise of new confederations.

In Eastern Europe, Russia shows the strongest continuity, with the FNPR remaining the overwhelmingly dominant union—a trait it shares with most other post-Soviet states. Serbia is another prominent case, where the old labor confederation led by the old guard remained hegemonic. In Croatia and Slovenia they also remained dominant; however, the unions and their leadership underwent substantial internal reform.

In East Asia countries such as Indonesia, the Philippines, and Taiwan are cases where legacy unions are still the largest confederations, although in Indonesia SPSI shows signs of waning. Not only did these dominant unions tend to survive the democratic transition, but in all of these cases (as in Russia and Serbia) the authors argue that they continue to be close to state authorities and to have



a conservative or noncombative orientation, traits that have both helped these unions to survive and negatively affected their ability to advocate for policies that might benefit workers.

Continuity also generally characterizes the Latin American cases. Along with continuity in the union structure, there is relative continuity in union power and influence. Although unions have been weakened under the new economic model, their cross-national comparative strength has not been substantially altered. Although in Argentina and Chile workers suffered the consequences of neoliberalism and globalization, the still-dominant CGT confederation in Argentina was able to make a substantial recovery even in a new, downsized situation. In Chile, the historically weak union movement was led by the CUT, which remained dominant but weak vis-à-vis business, unable both to recover the brief moment of empowerment it experienced under Allende and to exert substantial power even during the unusual prosperity and growth Chile experienced in the democratic period. Mexico, unlike most of Latin America and perhaps more like countries in Asia or Eastern Europe, had a dominant-party regime with a dominant union supporting the authoritarian regime. Despite democratization, the legacy union, which was not an actor in the prodemocratic struggle, has remained dominant and demobilized vis-à-vis business and the state.

Interestingly, in each region one country stands out as a case where new unions have challenged legacy unions. Dominant unions in South Korea, Brazil, and Poland have fared quite differently, a point to which we return below when we address the issue of party-union ties.

Future research should further explore the role that legacy unions have on labor outcomes. Two questions seem particularly relevant. Under what conditions do these unions break away from the legacy of state dependence and become more assertive? Does the emergence of a competing, more militant union confederation transform the nature of legacy unions, making them more responsive to their members?

## Party-Union Ties

Continuity in party-union ties across the democratic transition varies substantially among the cases. Patterns of continuity reflect the different types of authoritarian regimes that ruled prior to the democratic transitions. Indeed, the authoritarian regimes examined in this volume varied dramatically in the extent to which ruling parties existed and crafted ties to unions. To a substantial extent, this variation corresponds to a regional pattern: the three regions under study in this volume had different types of authoritarian regimes, with

different relationships between unions and parties. Eastern Europe had Communist regimes, characterized by the primacy of Communist parties over societal organizations, including, of course, unions; the Asian cases had authoritarian parties with an exclusionary strategy toward unions; and Latin America (with the notable exception of Mexico) had military, bureaucratic-authoritarian regimes, characterized by the ban on or suspension of parties. Although further research should establish the causal link between types of authoritarian regimes and patterns of union-party ties in democratic settings, there is some preliminary evidence that supports the hypothesis that the type of authoritarian regime and its strategy toward the labor movement had a lasting effect on the type of party ties unions established in the democratic period.

The Communist pattern, characteristic of the Eastern European countries, was to integrate unions closely into ruling Communist parties. In most cases, links between unions and the Communist Party or its successor have not continued as a legacy. Even in Russia and Serbia, where legacy unions remain dominant, they have broken their ties with the Communist or successor party. Russia's legacy union has embraced "the party of power," that is, the ruling party of the moment, while in Serbia the legacy union's reluctance to disassociate from Milošević's party led to significant legitimacy problems. In Croatia and Slovenia, labor confederations have eschewed party ties in the democratic period. It is only in Poland that the strong partisan links between the successor to the Communist Party and the once-official labor confederation (OPZZ) have remained strong. However, the Solidarity union, which formed in the late Communist period, was the most vibrant labor confederation and led the opposition, serving as the organizational platform of a new political party that won electoral office in the founding elections of the new democratic regime.

Latin America shows perhaps the most continuity in partisan ties. However, in these cases of military rule, the ties were forged in periods prior to these authoritarian regimes. Hence, in Argentina the CGT has retained its links with the Peronist party, and in Chile the Communist Party has remained strong in the labor movement. One may also note that the same pattern exists in Uruguay, where the Frente Amplio, a coalition of Left parties, has retained its links with the dominant labor confederation, PIT-CNT (Plenario Intersindical de Trabajadores–Convención Nacional de Trabajadores). In these cases, the pre-transition authoritarian regimes banned parties and union activity, but did not attempt to create a new union movement loyal to the regime. This strategy allowed unions to reestablish links with their old party allies once democracy was restored. An interesting exception is Brazil, where the discontinuities between the party systems that existed before and after the authoritarian regime were accompanied by new links between the union movement and the new parties. In

Mexico, the one case in Latin America where the authoritarian period was characterized by an inclusionary dominant-party regime rather than an exclusionary military regime, the links between the legacy union and the party, which were forged decades before under more open politics, survived the transition, even in periods when, in the democratic period, the PRI has not done well in national elections. However, these party-union ties may have weakened and become less institutionalized and more contingent.

The Asian cases display wide variation in terms of authoritarian governments' attempts to build links with unions through political parties. Regardless of this variation, union-party ties have shown substantial continuity between the authoritarian and democratic periods in most cases, although the structures that persisted varied across countries. In Taiwan the legacy union continues to have strong links with the KMT. In Indonesia and the Philippines the links between parties and unions, which were never strong, have continued to be weak. The weak ties in these countries are in part a legacy of the anticommunism of the authoritarian regimes, which adopted exclusionary corporatist laws that actively disorganized labor and its potential partisan allies on the left, but this argument cannot be generalized to all Asian cases.

Last, as noted above, in each region there is a country in which new unions have displaced preexisting dominant unions and forged ties to new parties. These are the cases of Brazil, Poland, and South Korea. In Brazil and Poland, new unions formed in opposition to the dominant union and played an important role in the opposition to the authoritarian regime. In Brazil, a new militant union movement, the CUT, displaced the old union confederation as the hegemonic labor confederation. In Poland a similar process was led by Solidarity. However, whereas in Brazil the unions that eventually formed the CUT were central actors in creating the Workers' Party, which remained organically tied to unions and advanced workers' rights, in Poland Solidarity gave birth to a political movement that, once in power, was committed to market liberalization and opposed any social-democratic agenda (see Ost, this volume). The PT, once in power, also adopted market-friendly policies, but it was in a position to continue rather than initiate such a policy direction and had the leeway to advance a progressive social policy agenda.

South Korea is the other case in which new unions have displaced preexisting dominant unions. As in Brazil, a militant labor movement with roots in shop-floor union organizations, the KCTU, emerged in direct opposition to authoritarian-backed unions and became the largest confederation. Furthermore, it also created a labor-based party. However, in contrast to Poland and Brazil, Korea's labor-based party has been a minor actor in the party system, never attaining power and peaking at 13 percent of the national vote.

## Legacies and Regions

The analytic setup of this volume and the foregoing comments on relative continuity of traits across the recent regime changes of democratization invites one to ask about general regional patterns. To what extent are there regional patterns of legacy traits, that is, patterns of similar authoritarian traits as well of their continuity within regions? Needless to say, the countries covered in this volume do not constitute a representative sample of the regions covered. Nor does Poland look like a “typical” Eastern European country, or Argentina and Mexico like “typical” Latin American countries. One might even speculate that to some degree these countries were selected because they bring quite a diverse group of cases to examine or even because they show some intrinsically interesting and peculiar quality—an opposition movement led by unions in Poland, a strong labor movement by Latin American standards in Argentina. Nevertheless, in a very preliminary way that may point to directions for further research, we review the foregoing discussion on labor law, legacy unions, and party-union ties to ask about regional patterns in continuities between the authoritarian and democratic periods and in the way that democratic regimes afford conditions for reshaping pretransition labor institutions.

Eastern Europe presents the strongest region-wide pattern during the authoritarian period in that a common Communist and, except for Yugoslavia, Soviet-influenced institutional template transformed labor traits. Yet this is the region with the greatest rejection of those institutions and, many have argued, even the rejection of the ideological valorization of labor. Hence, although the rejection was common, the institutional continuity or legacy in the postauthoritarian period was the weakest. What ensued did not correspond to a regional pattern. In most cases unions broke their old ties with the Communist Party, but adopted a variety of relations to parties in the post-transition period. The extent to which legacy unions remain hegemonic varies considerably in Eastern Europe, though the main post-Soviet states have followed the Russian pattern of the legacy union allying with the party in power. Systematic comparative analysis of labor law remains to be done, but the one aspect emphasized in the current volume is the ongoing constraints on labor organization and mobilization, even though these constraints cannot compare with those under authoritarianism.

The cases in East Asia seem to display considerable continuity, but without exhibiting any sort of regional pattern. The nature of the legacy seems to be robust in that most of the countries analyzed tend to exhibit the same traits they had under the authoritarian regime when it comes to ties with authoritarian parties, labor laws, or dominant labor confederations. However, there is no regional pattern, and countries vary considerably in terms of their traits. For example, the KCTU in Korea

and the CFL in Taiwan have strong ties with parties, but in the other countries these ties were historically feeble, and continue to be weak in the democratic era.

Last, Latin America is the one region in which we observe both continuities between the authoritarian and democratic periods and the presence of regional patterns. If we were to take two snapshots of the region, one during the most recent authoritarian period and one during the democratic era, we would observe that much has not changed: the same confederations remain dominant, preexisting links between parties and unions are still in place (though, with the exception of Mexico, these are not parties associated with the authoritarian regime), and labor laws have not been substantially changed. These continuities, moreover, add up to a regional pattern: most cases have one labor confederation that is dominant, labor laws that are relatively protective of collective labor rights (though individual provisions have been flexibilized in some cases), and unions that are still tied to Left or populist parties.

In sum, in Eastern Europe we observe the greatest break with a common pattern during the authoritarian period, but there is no regional pattern in what subsequently emerged. The East Asian countries analyzed in this volume show considerable continuity between authoritarian and democratic periods, but the enduring labor traits do not constitute a regional pattern. Finally, Latin America seems to be the strongest case of a regional pattern, in the sense of a relatively common set of traits that were evident in the authoritarian period and endured into the democratic period. However, these considerable continuities that comprise a broad regional pattern do not necessarily entail authoritarian legacies inherited from the last authoritarian regime. In most cases, these traits date back to prior regimes, some democratic, others earlier authoritarian regimes.

## **Regime, Transitions, and the Stickiness of Labor Institutions**

The perspective of this volume is to emphasize the importance of labor legacies in new democratic regimes. In this section we expand the analysis of labor legacies, arguing that authoritarian as well as democratic regimes may be the inheritors of labor institutions. In authoritarian regimes, leaders might be expected to have greater power and discretion to discard institutions and structures and to found new ones. However, many authoritarian leaders also inherited labor traits from prior regimes, and, despite the lack of constitutional provisions and electoral competition that normally constrain rulers in democratic polities, they were unable to alter labor institutions in a substantial way. Thus, it is worth pointing to a broader pattern of stickiness of labor structures.

In thinking about this broader pattern, it is important to keep in mind the distinction between pretransition authoritarian regimes, on the one hand, and founding moments of labor institutions, on the other. Founding moments refer to the period in which labor relations are first and extensively regulated by the state. These moments are the ones that Collier and Collier (1991), analyzing Latin America, identify as “critical junctures,” and that have set the path for labor outcomes in Latin America during most of the twentieth century. These moments when institutions are first adopted are important because they create a set of actors that develop vested interests in their preservation, and can readily mobilize resources against any governmental attempt to overhaul these institutions. In ways that have been analyzed in general, institutions are sticky, and first movers shape the constraints for those that follow (Pierson 1996).

Among the pretransition authoritarian regimes analyzed in this volume, not all were founders of labor institutions, as the editors point out in the introduction. In many Asian cases, the pretransition authoritarian regimes did indeed found the countries’ labor institutions. The “totalitarian” nature of Communist regimes afforded them the capacity to refound these institutions, and in many cases the rapid industrialization of the Communist period created large working classes that previously did not exist. But in many of the Latin American cases as well as the Philippines, these two analytical periods are historically separate.

In these cases, even authoritarian rulers that came to power after the founding moment of labor institutions were often unable to overhaul existing labor institutions, or were perhaps even inhibited from embarking on these attempts. They were on the “receiving” side of labor legacies and unable to reshape labor relations in a fundamental way despite their coercive power. These cases shared an interesting similarity with many of the democratic regimes covered in this volume: they had to deal with labor institutions that were not of their own making and that allocated resources among competing actors in ways that sometimes were detrimental to the implementation of authoritarian regimes’ policy agendas. The institutional stickiness faced by authoritarian regimes is similar to what may be faced under the democratic regimes analyzed in this volume. Despite the coercive resources of authoritarian regimes, they were unable to make substantial alterations to inherited labor structures that were the product of earlier regimes. This inability was often particularly dramatic in light of the fact that an important *raison d’être* of these regimes was sometimes precisely to demobilize the labor movement.

Latin America, particularly its exclusionary bureaucratic-authoritarian regimes of the 1960s and 1970s, provides many examples of the stickiness of labor institutions. These were regimes that were not founding regimes, but rather inherited labor structures founded by earlier governments, which were often

democratic or prolabor, or both. Further, they were regimes born with a mission to demobilize labor movements and to restructure the inherited institutions, which had facilitated that labor mobilization. For instance, Argentina and Uruguay had labor institutions that were instituted in the first half of the twentieth century and went unchanged even in the face of subsequent repressive authoritarian regimes. Examples in Argentina are not only the 1966–73 military government but also the 1976–83 dictatorship, arguably the most repressive dictatorship in South America, assassinating up to thirty thousand citizens and driving more into prison or exile. Uruguay also experienced a long period of harsh authoritarian rule between 1973 and 1985, which suppressed political opposition and imprisoned and forced into exile more people per capita than other contemporaneous regimes in the region. Despite the coercive resources of these regimes and their willingness to adopt harsh repressive tactics when dealing with political adversaries, among which the labor movement was primary, neither proved capable of overthrowing the existing labor system. Indeed, institutionalized systems of industrial relations and labor structures were so deeply rooted in Argentina and Uruguay that the main strategy authoritarian governments adopted toward labor was clearly temporary: rather than attempt to institute a new system, they simply suspended collective bargaining and “intervened” existing unions. Neither radical change of the labor law nor the construction of a new, state-dependent union structure was feasible in the context of an institutionalized system of labor relations that created a powerful set of interest groups anchored around it.

In sum, the stickiness of labor structures is a widespread phenomenon that affects all regime types, and this important topic posed in this volume merits further research that analyzes to what extent their effects vary across different regimes.

## Conclusion

This volume has focused on the way constraints and resources inherited from the authoritarian period have shaped unions in the post-transition, democratic period, and hence their capacity to respond to the challenge of market reform and globalization. The question of institutional stickiness and authoritarian legacies is an important one, as is the inquiry into the role of labor unions, an issue that has received relatively little attention in the current context in which unions have been weakened and put on the defensive. A number of interesting issues should be explored by further research.

First, further analysis should systematically examine the way particular pre-existing labor institutions distribute resources and power that enable actors to

reproduce the labor institutions that advantage them in the new democracies. That is, we have examples of labor traits that changed along with some that did not, and some traits seem stickier than others. The microfoundations of these differences would be interesting to explore further in terms of the way labor institutions distribute resources and provide incentives for actors to preserve or change them. At the same time, of course, in accounting for institutional legacy or change, it is important to analyze the way basic political and economic changes (democratization and globalization) redistribute resources and affect incentives. It may also be interesting to analyze more systematically the degree to which there may be a pattern in which some traits are more resistant or “stickier” than others.

Second, while the chapters examine the continuity or change in labor legacies inherited from authoritarian periods, this volume was also motivated by an inquiry into labor’s capabilities in an era of democracy and globalization, assuming that these legacies have a significant effect on unions’ capacity to expand workers’ rights and benefits. These labor outcomes might be further developed analytically and explored systematically in comparative analysis. Such an analysis would face challenges. Good data is one. Data on union density, wage levels, mobilizational capacity, coverage of collective bargaining agreements, and disaggregated membership is spotty at best, making both comparison and longitudinal analysis difficult. A further analytic challenge, of course, is to establish the causal impact of the labor legacies on these outcomes, given that they may be the result of a wide variety of factors.

Third, as was mentioned above, the question of regional patterns deserves further exploration. From the analyses presented in the chapters in this volume, it would seem that the Eastern European cases, having generally rejected pretransition traits, have established new structures in remarkably diverse ways, so that the Communist past does not seem to have led to a common pattern of change. The Asian cases display greater continuity but of, perhaps, different traits. The Latin American cases seem to have more extensive legacies as well as more of a regional pattern; however, many of these surviving traits predate the authoritarian regime and are thus part of a longer tradition or legacy and do not necessarily have their origin in authoritarianism. In light of these empirical patterns, there are key analytical questions that deserve further analysis: To what extent are there regional patterns? What does region stand for analytically? That is, regardless of the presence of regional patterns, what are the larger comparative factors in both the explanations and outcomes of legacies?

The case of China, also discussed in this volume but where a dual transition did not occur, raises the question of authoritarian legacies through a period of dramatic market reform but without a transition from authoritarian rule. Where



dual transitions occurred, the nature of authoritarian legacies show considerable variation, in cases of postauthoritarian regimes and also in the subset of postcommunist regimes. Given this variability, one can't easily draw conclusions from a comparison between China, with only a single transition, and the cases of dual transitions. However, continuity of party rule in China has some important consequences. A distinctive trait of the single transition in China seems to be that party-union ties remain stickier and more rigid. As a result, on the one hand, the union hierarchy maintains whatever access it previously had to higher levels at the same time that its representational capacity for workers remains very weak. Further, perhaps as an ongoing legacy of its ideology and quest for legitimacy, and certainly as an issue of order and governance, Chinese officials remain concerned with the negative economic and egalitarian consequences of the transition to capitalism. As a result, the party is experimenting with cautious, incremental, and top-down changes to labor law and social policies in ways intended to benefit workers.

Finally, in pursuing research on the topic of labor legacies, we end on one analytical point concerning at least a couple of the cases. In these cases the labor movement managed to undergo significant changes and renovation even under the authoritarian regime. That is, under the authoritarian regime, these labor movements underwent changes that might be expected *after* the opening of the regime transition. Further, the new labor movement was even part of the politics of transition, mobilizing in opposition to authoritarian rule. The emblematic examples are the CUT in Brazil and Solidarity in Poland, militant labor confederations that were created under authoritarianism and played a key role in the transitions to democracy in these two countries. Korea shows striking similarities to Brazil, in that rank-and-file organizations that would later constitute the organizational basis of the KCTU, the rival democratic labor confederation, were formed in the 1980s and also engaged in labor protest before the transition to democracy. Are these dissident movements a legacy of authoritarianism or are they better conceptualized as part of the dynamics (and contradictions) of authoritarianism itself? It is not always so much that the transitions facilitated changes in the labor movement, but rather, in these cases at least, that these mobilizations may be part of the cause of the regime transition. These developments, and the loosening—or loss—of authoritarian control they represent, signal the complex causal relationship between political regimes and labor institutions: whereas the present volume proceeds from a question about the impact of regime on labor traits (and examines when a change in the former does or does not correspond to a change in the latter), causality sometimes is reciprocal. This issue opens up a stimulating line of research for case studies focused on these types of processes.

This book has placed the labor movement as a central actor and drawn attention to the traits that affect its capacity to defend itself and meet the challenges of changes in the global economy. This line of analysis has been unduly neglected in recent studies, often in favor of a focus on civil society and social movements. However, even in the present context of postauthoritarian inheritances and economic challenges, labor movements remain among the most “scaled,” institutionalized, and active lower-class organizations in many societies. Understanding their constraints and resources merits ongoing research.

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